

Parish Lands

At its meeting in July 2020 the meeting considered a number of actions including:

1. Update the registered address on each Title with HM Land Registry to ensure that any future notices served by them are sent to the correct address.
2. Check with Havebury Housing Association and Suffolk County Council to establish the ownership of the remainder of the fenced off land which comprises the Bury Road Pocket Park
3. Check with West Suffolk Council to establish ownership of Wickhambrook Cemetery and consider if it is possible, and if so, whether to apply to register Title of the land with HM Land Registry.
4. Make a diary note for October 2021 to consider budgeting for the cost of re-negotiating the lease and subsequent registration.
5. Check with Suffolk County Council (when their records are accessible again) to establish whether the land know as Six Acres is registered as common land. If the land is registered as common land, consider whether to apply to register Qualified Title of the land with HM Land Registry.

And resolved to:

To authorised the cost of verifying the identity of a corporate body (the parish council) in order to update the existing Title Deeds for land registered to Wickhambrook Parish Council with the correct postal and e-mail address at a cost of £50 plus VAT.

To date

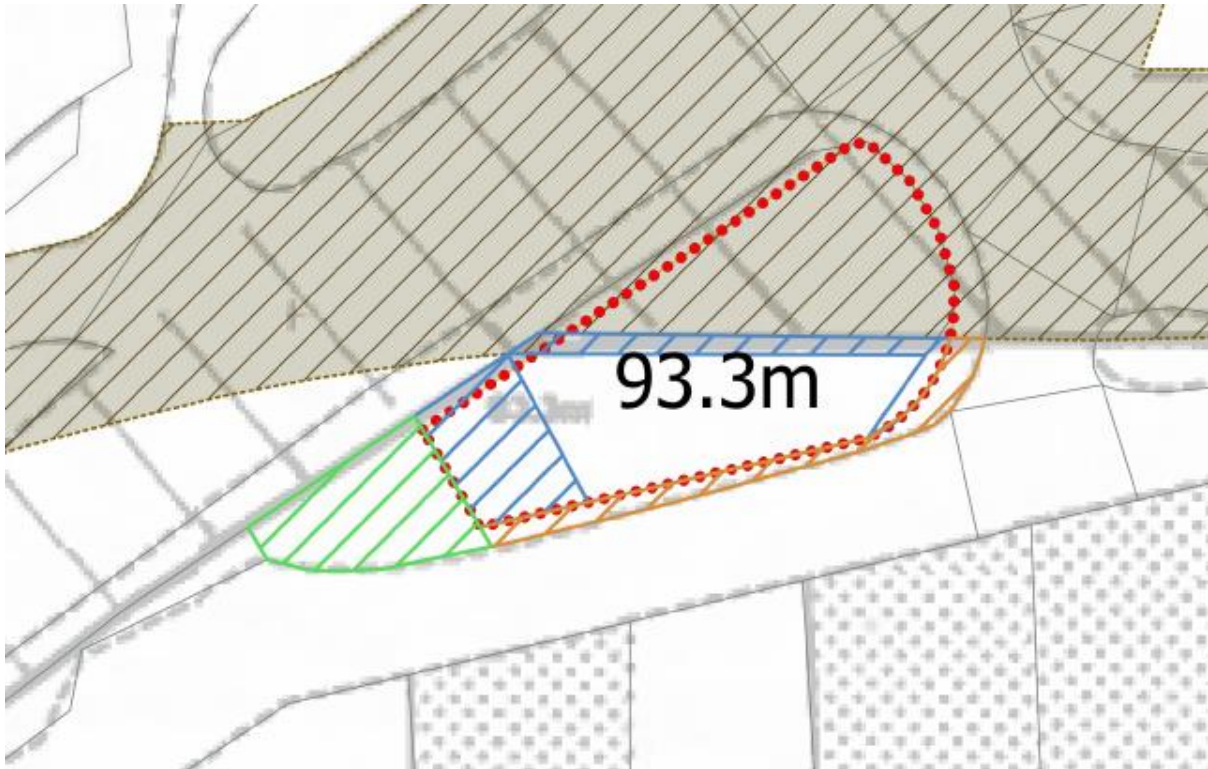
- the lease relating to Cemetery Road play area has been extended under the Landlord and Tenant's Act (Min 22.11.10.2)
- the clerk has confirmed that trees on two parcels of land, Nunnery Green and Clopton Green, are the responsibility of Havebury Housing Association and a private land owner respectively, and that the parish is not responsible for assessment and maintenance of trees on those parcels of land (see **Appendix A**)
- Has obtained images of the purchase of land for extension of the Cemetery from Suffolk Archives prior to an application to register Title of the land
- Established that only that part of the land owned by Havebury Housing Association was transferred to Wickhambrook Parish Council with respect to Bury Road pocket park (**Appendix B** refers).
- Anglian Water have additionally confirmed that they have a restrictive covenant on land to the rear of croft close which in their view prevents them from transferring the land to the parish council.

Bury Road Pocket Park is partially registered to the parish council (see area below outlined in red from excerpt of Title plan SK376636:

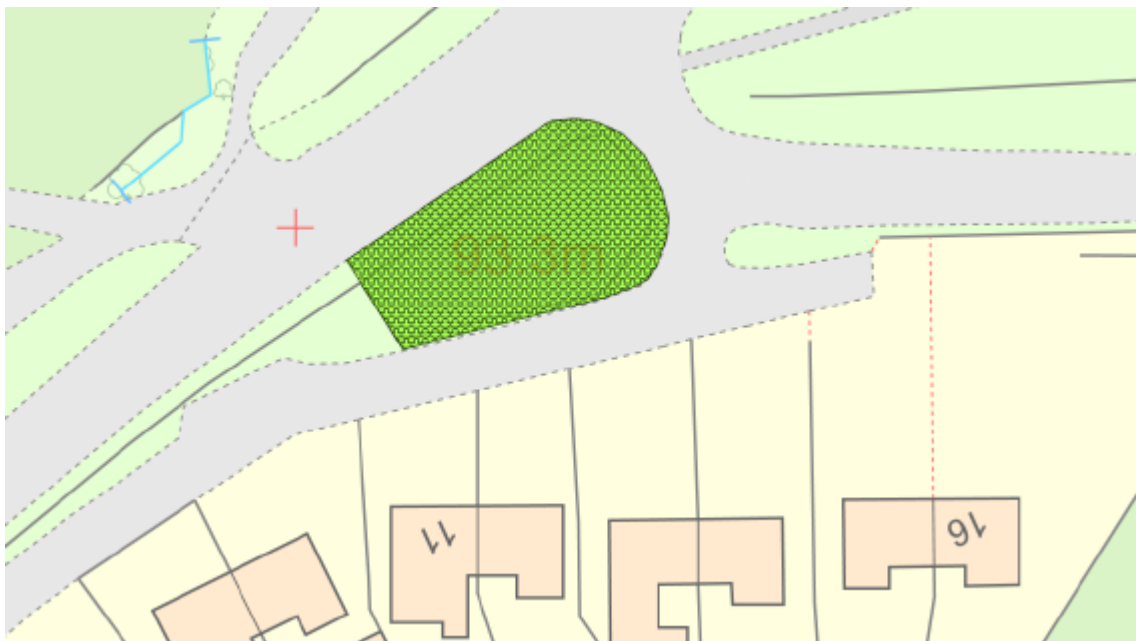


Hilary Workman
Clerk & RFO
July 2020

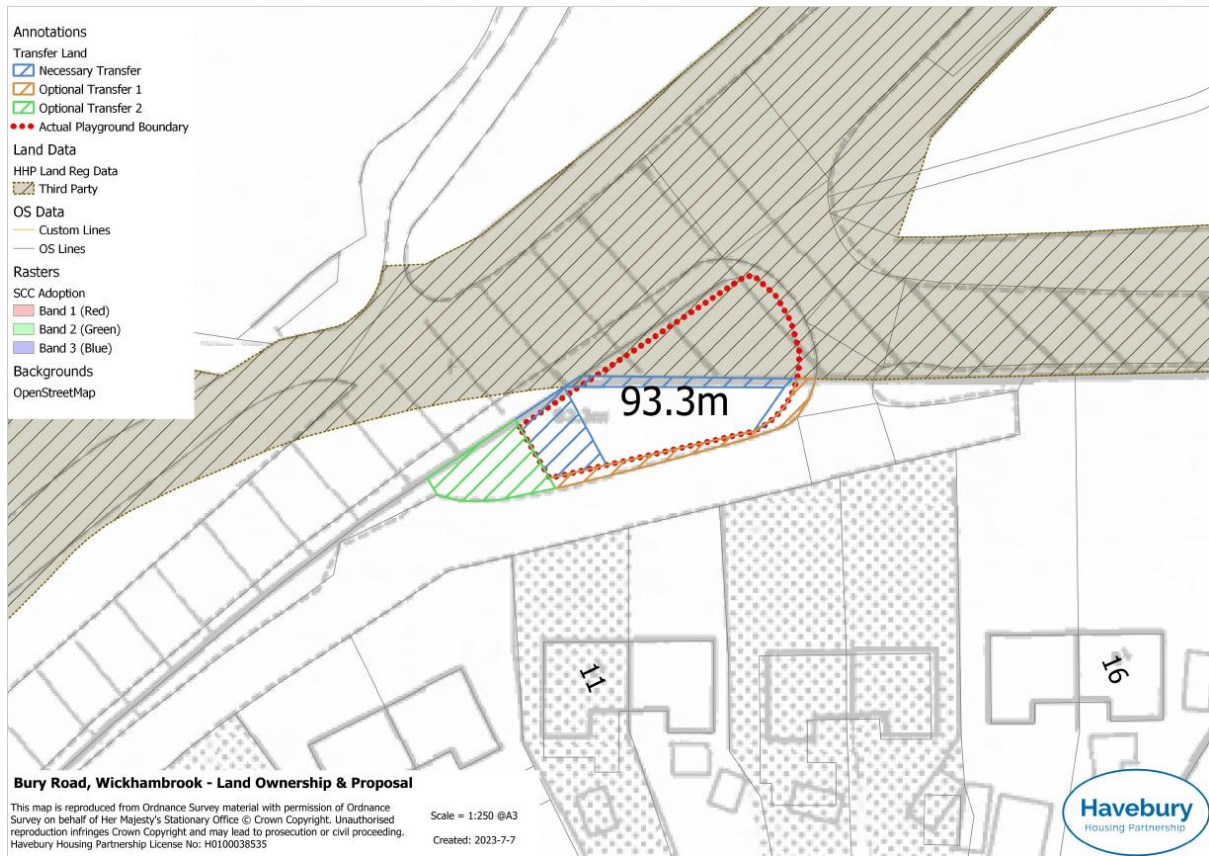
Part of the remaining land within the play park is owned by Havebury Housing Association, and a further portion by Suffolk County Council.



The parish council maintains at its cost the entirety of the land within the fenced area (Bury Road Pocket Park) and mows around the edge of the park (and a path leading to the gate).



The officer from Havebury Housing Association has put together a plan of options for transfer of land to the parish council below (and attached as Appendix C).



The necessary transfer (blue) would also increase way leave due to the parish council from BT Openreach.

Optional transfer 1 would transfer the outer grass verge to the parish, which it already cuts.

Optional transfer 2 (green) would transfer the outer access to the play park (part of which the parish council has to cut for ease of access). There is a power pylon which, if the land were to be transferred to the parish council, it could claim wayleave on.

There is also a green-brown area noted as 'Third Party' Land Reg data. The Havebury Officer has advised that it's not actually third party – but instead this is unregistered land (the officer advised that in their experience, it is not difficult to register land that is unregistered when it is so clearly under parish jurisdiction and quite historic, too). There is an OpenReach junction box outside the play area on the road side, which, if the land was registered to the parish, it could claim wayleave on.

Lastly, there's a .pdf projected onto the map, showing in black hatching the areas that SCC adopted when Havebury was created.

Havebury appear to be willing to transfer the outstanding portions of land currently registered to them to the parish council.

Hilary Workman
 Clerk & RFO
 July 2020

Action:

Councillors to consider whether, if Havebury is willing to transfer land at Bury Road play park, which parts the parish council would accept:

- **Blue – necessary transfer**
- **Gold – optional transfer 1**
- **Green – optional transfer 2**

Report:

[WPC.22.11.04](#)

[WPC.20.07.04](#)

[WPC.20.02.01](#)

Minute:

22.11.10.2

20.07.21

20.02.8.3

19.09.8.2

Title Number : SK215038

This title is dealt with by HM Land Registry, Kingston upon Hull Office.

The following extract contains information taken from the register of the above title number. A full copy of the register accompanies this document and you should read that in order to be sure that these brief details are complete.

Neither this extract nor the full copy is an 'Official Copy' of the register. An official copy of the register is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he or she suffers loss by reason of a mistake in an official copy.

This extract shows information current on 30 SEP 2021 at 17:02:38 and so does not take account of any application made after that time even if pending in HM Land Registry when this extract was issued.

REGISTER EXTRACT

Title Number	: SK215038
Address of Property	: land on the east side of Bury Road, Wickhambrook
Price Stated	: £620,000
Registered Owner(s)	: CHELSTEEN HOMES LIMITED (Co. Regn. No. 941601) of 14 Wells Street, Chelsford, Essex CM1 1HZ.
Lender(s)	: None

This is a copy of the register of the title number set out immediately below, showing the entries in the register on 30 SEP 2021 at 17:02:38. This copy does not take account of any application made after that time even if still pending in HM Land Registry when this copy was issued.

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A: Property Register

This register describes the land and estate comprised in the title.

SUFFOLK : WEST SUFFOLK

- 1 The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being land on the east side of Bury Road, Wickhambrook.
- 2 (18.09.2003) The land tinted green on the title plan has been removed from this title and separately registered.
- 3 (18.09.2003) A new title plan based on the latest revision of the Ordnance Survey Map has been prepared.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (10.04.2001) PROPRIETOR: CHELSTEEN HOMES LIMITED (Co. Regn. No. 941601) of 14 Wells Street, Chelsford, Essex CM1 1HZ.
- 2 The price stated to have been paid on 30 March 2001 was £620,000.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (22.08.2003) The land is subject to the rights granted a Deed dated 8 August 2003 made between (1) Chelsteen Homes Limited and (2) Vincent Julian Marshall.
NOTE: Copy filed.
- 2 (18.09.2003) The Private Access Road is subject to rights of way.
- 3 (18.09.2003) The parts of the land respectively affected thereby which adjoin the parts tinted green on the filed plan are subject to rights support, shelter, protection, overhang and rights of entry for maintenance and repair.
- 4 (18.09.2003) The land is subject to rights of drainage and rights in respect of water gas and electricity and ancillary rights of entry.
- 5 (18.09.2003) The woodland area is subject to rights of user.
- 6 (11.05.2005) The land is subject to the rights granted by a Deed dated 29 April 2005 made between (1) Chelsteen Homes Limited and (2) EDF Energy Networks (EPN) PLC.

The said Deed also contains restrictive covenants by the grantor.

C: Charges Register continued

NOTE: Copy filed.

End of register



HM Land Registry
 Current title plan

Title number **SK215038**
 Ordnance Survey map reference **TL7654NW**
 Scale **1:1250 enlarged from 1:2500**
 Administrative area **Suffolk : West Suffolk**

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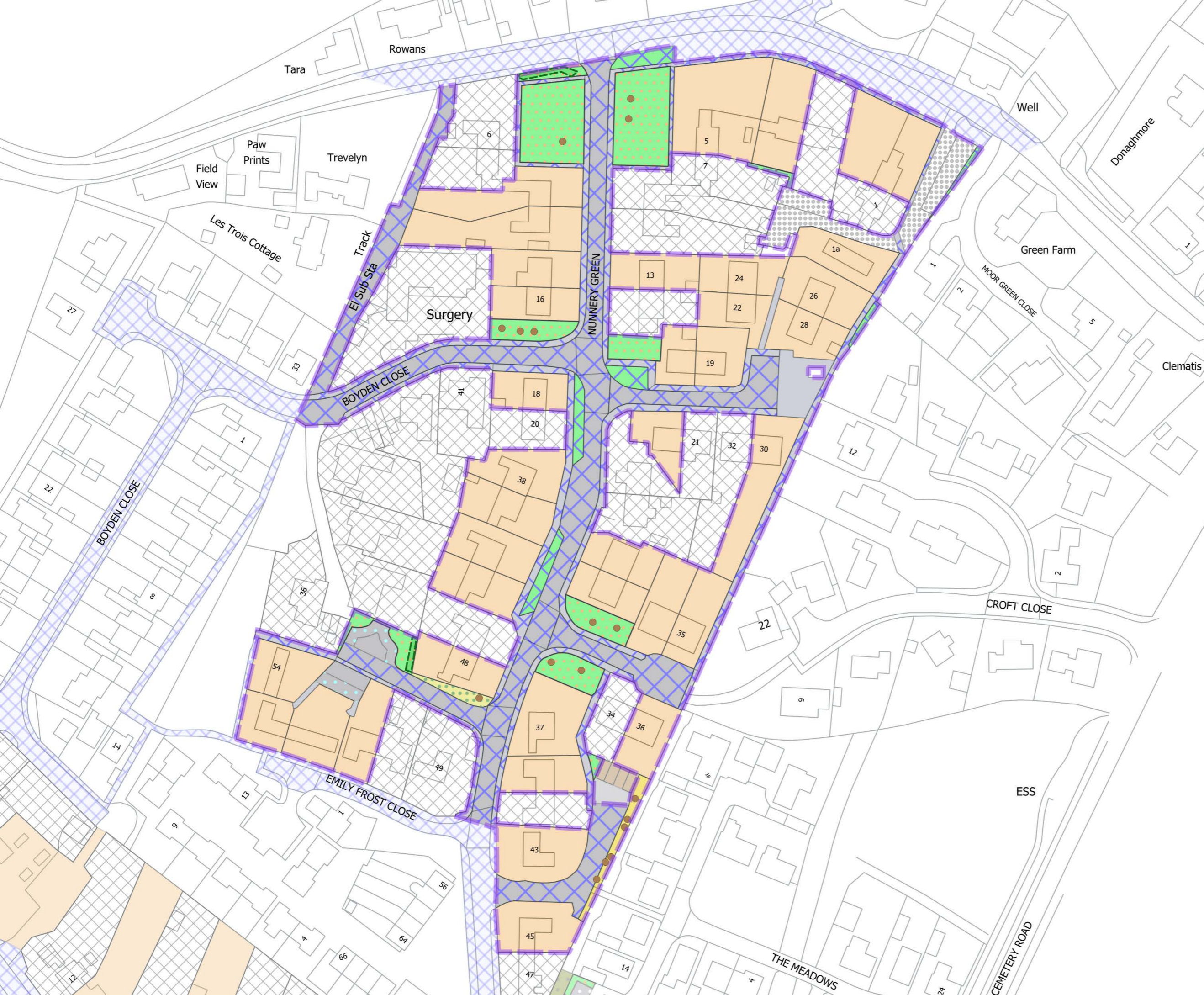


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This title is dealt with by HM Land Registry, Kingston upon Hull Office.



Land Data

HHP Scheme Boundary

Trees

HHP Trees

HHP Tree Groups

HHP Grounds

Curtilage

Garage

Scrub

Grass (C&D)

Rough Grass

Grass (SCC Maintained)

Shrubs

Hedge (Amenity)

Hedge (Conservation)

Gravel

Car Park (lines)

Car Park (no lines)

Access Road

Access Road (SCC Maintained)

Footpath

Footpath (SCC Maintained)

Sold

SCC Maintained

OS Data

OS Lines



Scale = 1:1029 @A3

Created on: 2023-01-03

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Title Number : SK376636

This title is dealt with by HM Land Registry, Kingston upon Hull Office.

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This extract shows information current on 16 JUL 2020 at 16:57:51 and so does not take account of any application made after that time even if pending in HM Land Registry when this extract was issued.

REGISTER EXTRACT

Title Number	: SK376636
Address of Property	: Land on the south east side of Bury Road, Wickhambrook, Newmarket
Price Stated	: Not Available
Registered Owner(s)	: WICKHAMBROOK PARISH COUNCIL of Serendipity, Coltsfoot Green, Wickhambrook, Newmarket CB8 8UW.
Lender(s)	: None

Title number SK376636

This is a copy of the register of the title number set out immediately below, showing the entries in the register on 16 JUL 2020 at 16:57:51. This copy does not take account of any application made after that time even if still pending in HM Land Registry when this copy was issued.

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A: Property Register

This register describes the land and estate comprised in the title.

SUFFOLK : WEST SUFFOLK

- 1 (11.02.2003) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Land on the south east side of Bury Road, Wickhambrook, Newmarket.
- 2 (09.05.2017) The Transfer dated 16 August 2016 referred to in the Charges Register contains a provision as to light or air and other matters.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

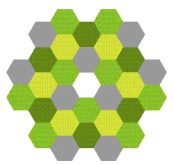
- 1 (09.05.2017) PROPRIETOR: WICKHAMBROOK PARISH COUNCIL of Serendipity, Coltsfoot Green, Wickhambrook, Newmarket CB8 8UW.
- 2 (09.05.2017) RESTRICTION: No disposition of the registered estate (other than a charge) by the proprietor of the registered estate , or by the proprietor of any registered charge, not being a charge registered before the entry of this restriction, is to be registered without a certificate signed by The Havebury Housing Partnership (Co. Regn. No. 4147468) of Havebury House, Western Way, Bury St Edmunds, Suffolk IP33 3SP or their conveyancer that the provisions of paragraph 4.1 of Schedule 5 to the Transfer dated 16 August 2016 referred to in the Charges Register have been complied with or that they do not apply to the disposition.

C: Charges Register

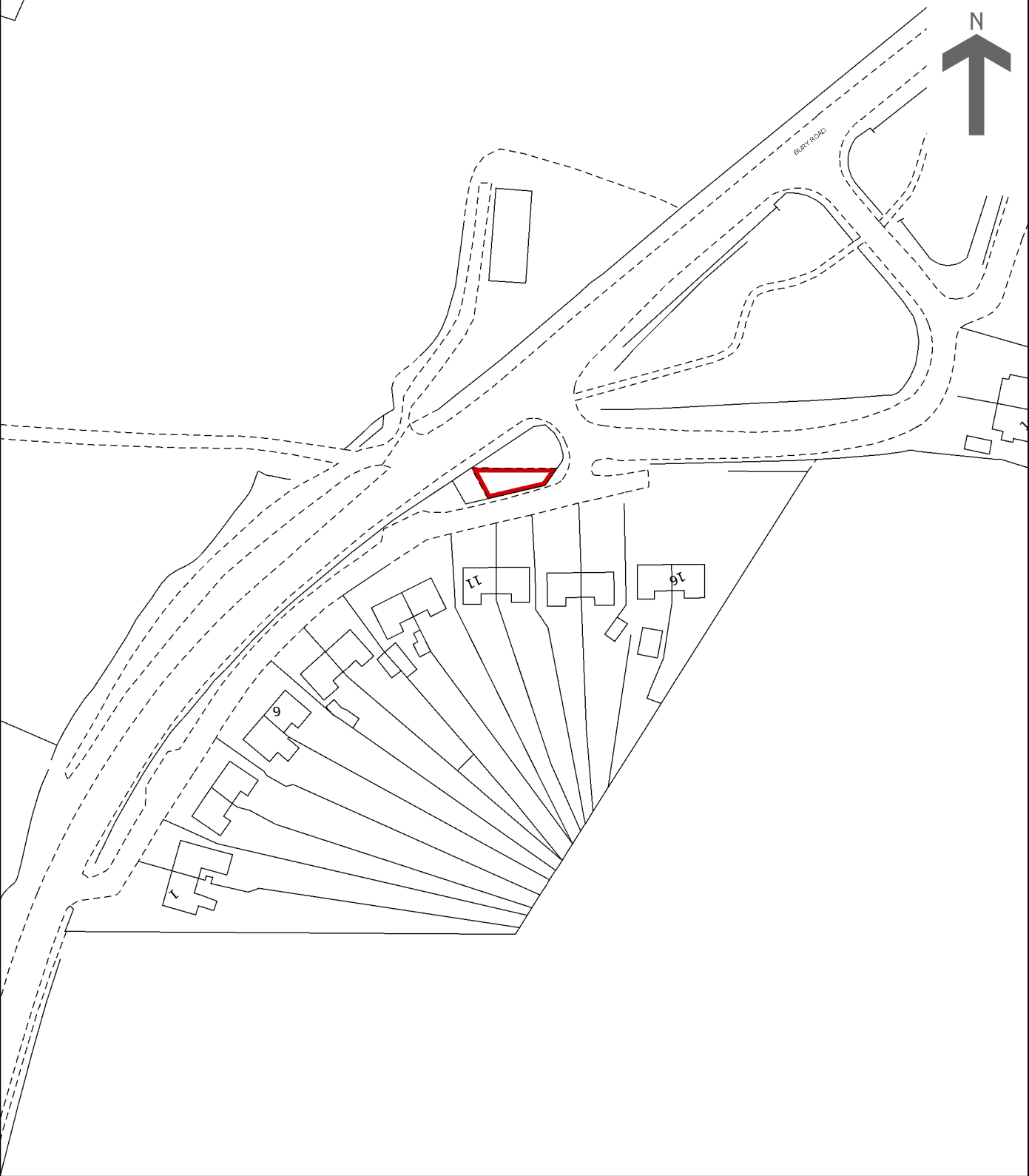
This register contains any charges and other matters that affect the land.

- 1 (09.05.2017) A Transfer of the land in this title dated 16 August 2016 made between (1) The Havebury Housing Partnership and (2) Wickhambrook Parish Council contains restrictive covenants.
NOTE: Copy filed.
- 2 (09.05.2017) The land is subject to any rights that are reserved by the Transfer dated 16 August 2016 referred to above and affect the registered land.

End of register



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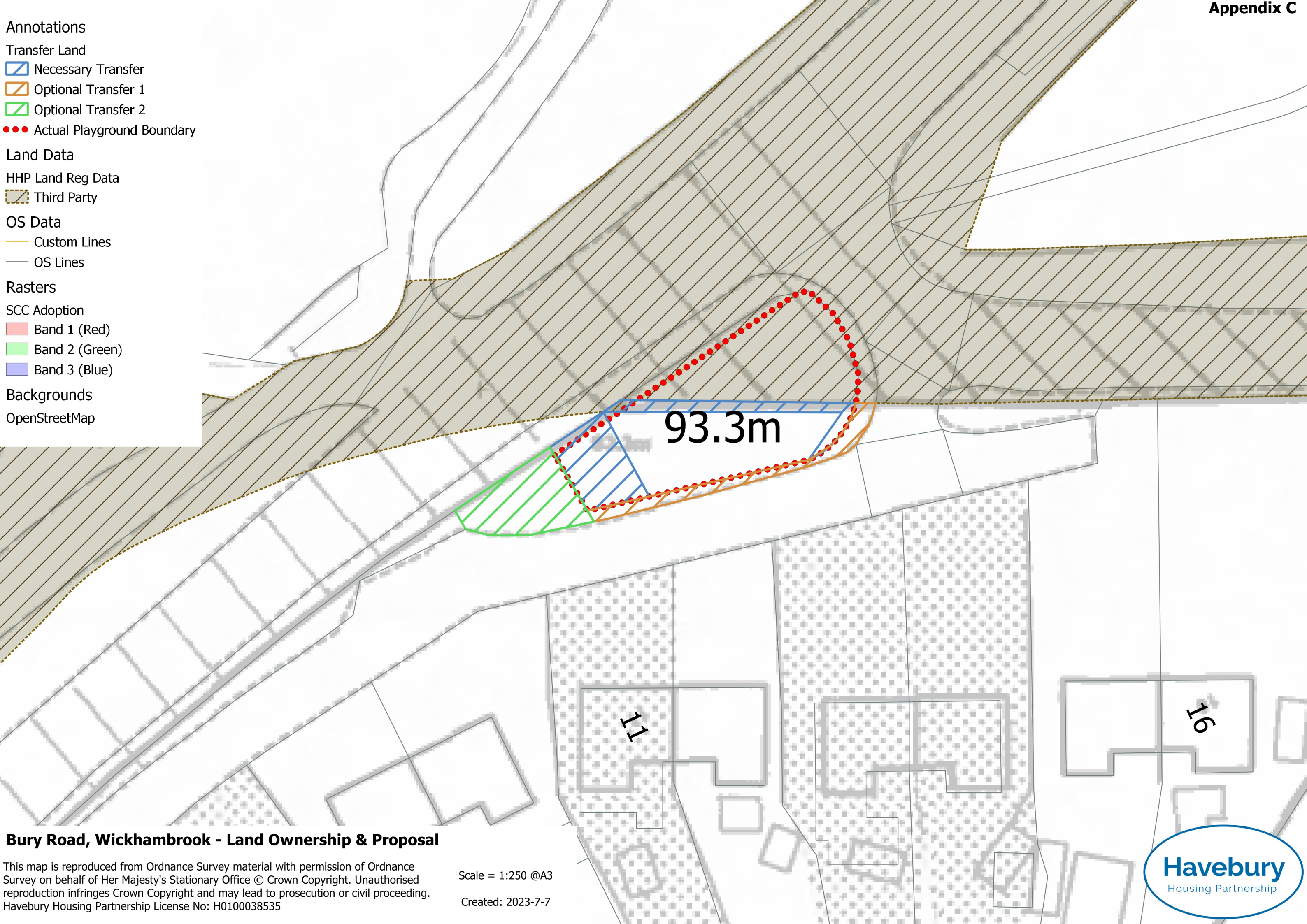
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- Annotations
- Transfer Land
 - Necessary Transfer
 - Optional Transfer 1
 - Optional Transfer 2
- Actual Playground Boundary
- Land Data
 - HHP Land Reg Data
 - Third Party
- OS Data
 - Custom Lines
 - OS Lines
- Rasters
- SCC Adoption
 - Band 1 (Red)
 - Band 2 (Green)
 - Band 3 (Blue)
- Backgrounds
 - OpenStreetMap



93.3m

11

16

Bury Road, Wickhambrook - Land Ownership & Proposal

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Scale = 1:250 @A3
 Created: 2023-7-7

