



Land and Buildings

Land & Buildings - Aims

- ▶ To provide the Parish and its parishioners with clarity in respect of the status of the assets owned and administered by the Parish Council on their behalf.
- ▶ To ensure equitable and Value for Money (VFM) oversight of the Parish assets.
- ▶ To ensure that Parish assets are administered and managed by the most appropriate organisations and agencies, and that all understand their specific responsibilities of ownership (proprietaryship), trusteeship, and management.
- ▶ To use all means to protect the assets for the community: Local Government Act 1972, s.124-137 and 225 & Community-based covenants.



Land & Buildings - Background

- ▶ In early 2024, the Parish Clerk was tasked by the Parish Council with identifying the ownership of Parish Land and Buildings assets.
- ▶ Establishing ownership of such assets remains a legal matter, and the Clerk was authorised to instruct a solicitor for the necessary research and to provide legal advice and opinion (Legal Services Act, 2007).
 - ▶ Advice: legal position under law based upon factual evidence.
 - ▶ Opinion: legal and other actions resulting from legal advice.
- ▶ Lambe Corner solicitors (Hereford) were selected for this advice and opinion.



Land & Buildings - Advice Documents

► Legal Advice documents:

Received by the Parish Council in three confidential letters:

- Lambe Corner initial advice letter dated 23 February 2024.
- Lambe Corner clarification letter dated 29th April 2025.
- Lambe Corner additional documentation dated 09 July 2025.



Land & Buildings - Potted History

- ▶ A **glebe** ([/gli:b/](#), also known as **church furlong**, **rectory manor** or **parson's close(s)**)^{[1][2]} is an area of land within an [ecclesiastical parish](#) used to support a parish priest. The church may own the land, or its profits may be reserved for the church.
- ▶ Parish Councils came into existence to provide ownership and oversight of civic assets and duties (Local Government Act 1894).
- ▶ A Village hall was constructed on the Village glebe under a conveyance dated 1st Jul 1936 (Charity registration 1st November 1936). A charitable committee was formed for its administration and management (Charities Procedure and the Charitable Donations Act 1812).
- ▶ In 1978, all glebe reverted to the diocese, to be administered by the Parish Authorities (Endowments and Glebe Measure legislation No 4, 1976).
- ▶ In January 1994, the village hall committee had been reduced to two elderly trustees who wished to retire. A Deed of Appointment was prepared (dated 15th June 1994) to appoint the Parish Council to act as the Custodian Trustee.

Land & Buildings - Potted History Cont.

- ▶ Date not known - the Glebe land on which the old village hall was located was sold to a developer (to become St James Close).
- ▶ On 13th January 1995, an Agreement was signed by the Parish Council to purchase two parcels of land (the Blue Parcel and the Red Parcel).
- ▶ Following the Agreement to purchase on 13th January 1995, a deed was signed on 18th January 1995 between the Parish Council and the new Village Hall Committee for the management and maintenance of the assets upon which a new Village Hall was to be constructed.
- ▶ The Parish Council enacted the agreement to purchase the land (the Blue Parcel & the Red Parcel) and acquired the land on 31st May 1996.
- ▶ An agreement was signed between the Parish Council and the Playing Fields Association for the use of the two playing fields (Blue and Red) land 30th July 1996.
- ▶ The new Village hall was built on the Blue Parcel, funded through Parish resources that included the proceeds of the sale of the Glebe Land, and a Public Works Loan.

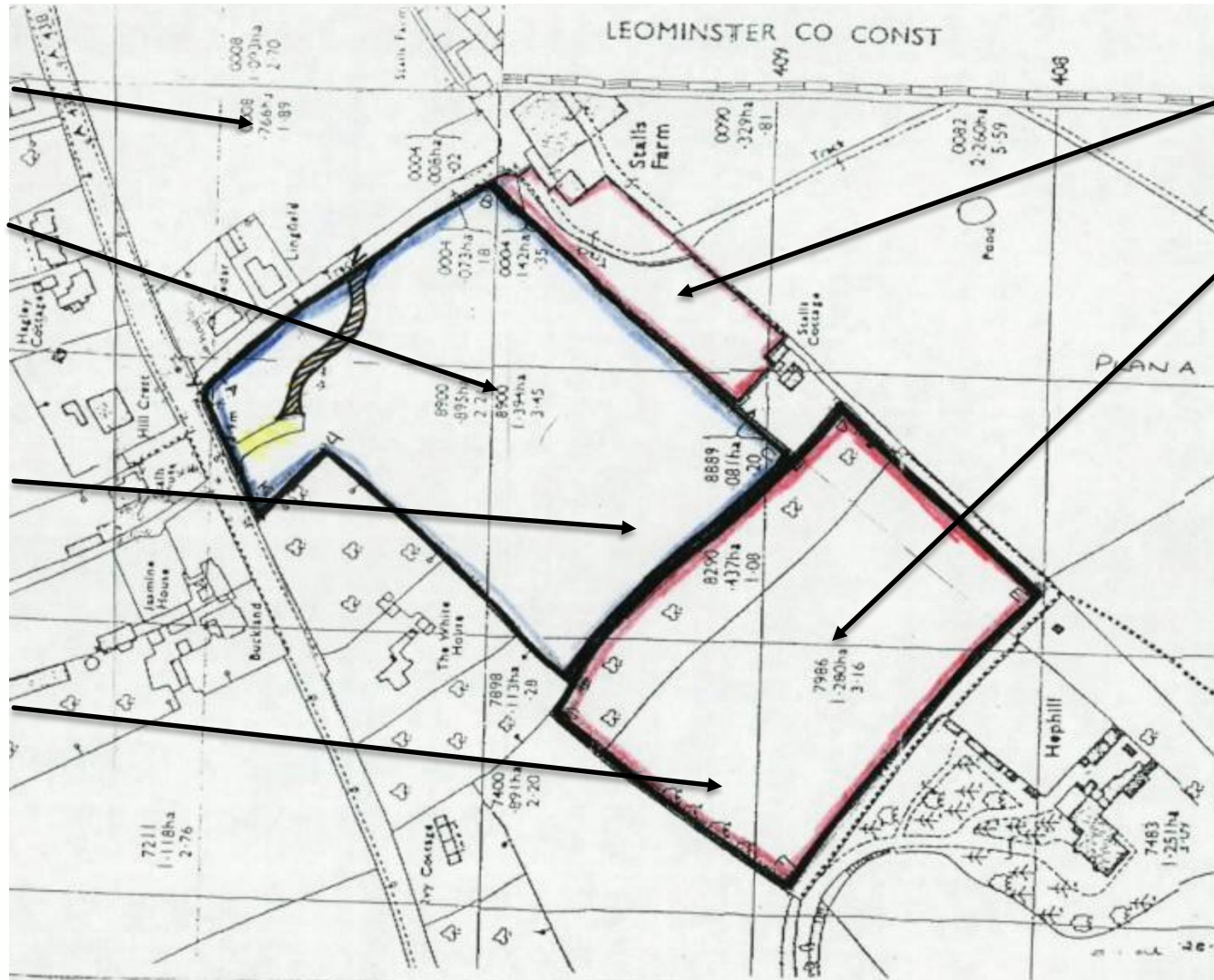
Land & Buildings - Potted History Map.

Gibbons Field

Football Field

Village Hall

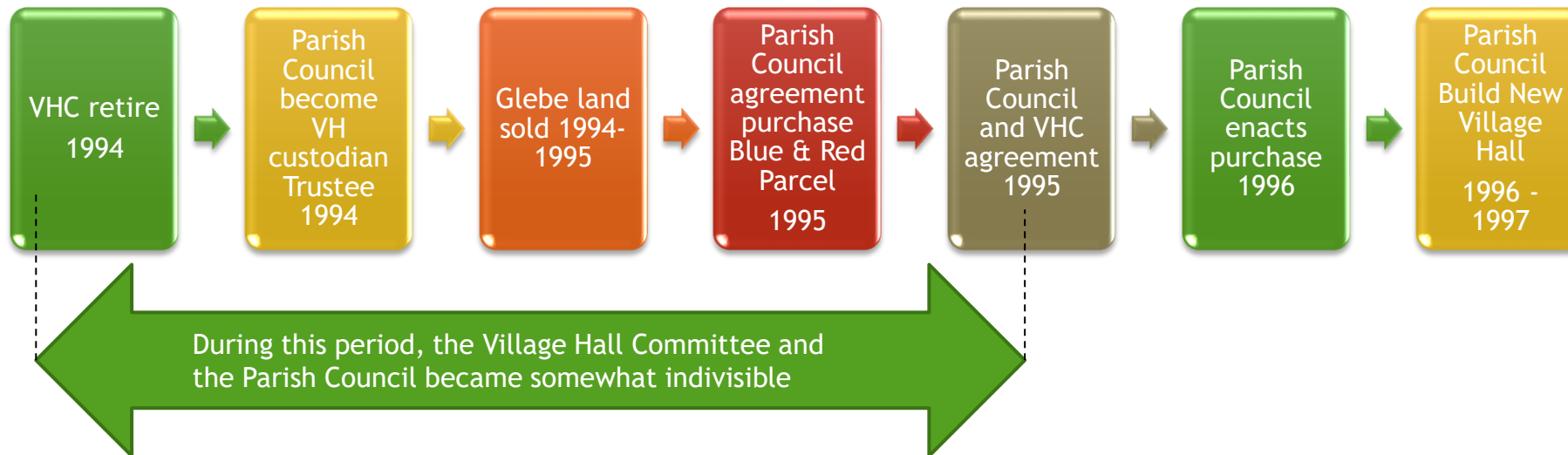
Pavilion



Retained by Vendor

Cricket Pitch

Land & Buildings - Potted History





Land & Buildings - Registration of ownership

- ▶ The UK Land Registry was formed in 1862 and establishes proof of ownership reflecting the contents of all the paper title deeds. HM Land Registry records ownership under the Land Registration Act 2002.
- ▶ Legal Title (ownership):
 - ▶ HE62228: Recreational field (football pitch).
 - ▶ Outright Parish Council ownership
 - ▶ HW168008 Land and Village Hall.
 - ▶ Outright Parish Council ownership
 - ▶ HW168006: Cricket Pitch.
 - ▶ Parish Council is the owner under trusteeship, representing the Village Hall Committee as beneficiary.



Land & Buildings - Powers and duties of the Parish Council

- ▶ Powers and duties of the Parish Council are enshrined within several regulatory Acts:
 - ▶ Power to provide and equip buildings for use of clubs having athletic, social or recreational objectives - Local Government (Miscellaneous Provisions) Act 1976 s.19.
 - ▶ Power to provide and encourage the use of facilities - Local Government Act 1972, s.144.
 - ▶ Power to acquire by agreement, to appropriate, to dispose of. Power to accept gifts of land - Open Spaces Act 1906, ss.9 and 10.
 - ▶ Power to acquire land for or to provide public walks, pleasure grounds and open spaces and to manage and control them - Local Government Act 1972, s.14 para.27.
 - ▶ Parish Council must act in the best interests of the Parishioners they represent and achieve best value for money in the management of the precept and assets.



Land & Buildings - Conclusion and opinion

- ▶ Noting the documentary evidence recorded and registered with the HM authority, Land Registration, the subsidiary documents provided by the Parish Council and the Village Hall Committee, the legal advice and opinion (in summary):
 - ▶ **Legal Advice:** The Parish Council have title ownership and trusteeship of all registered assets and should not sell, trade or barter these away, as this would constitute a breach of trust towards the parishioners they represent.
 - ▶ **Legal Opinion:** The Parish Council should maintain ownership and trusteeship of the assets (land and buildings). And that occupancy should be formally established and agreed upon within leases and or licenses for provision of service to the community in accordance with the duties and responsibilities of the Parish Council.

Land & Buildings - The way forward

- ▶ The Parish Council are considering:
 - ▶ Establishing a Land and Buildings Working Group to identify options for the occupancy of the land and building assets based upon current deeds, leases and licenses.
 - ▶ The Working Group will be made up of three Parish Councillors, including the Chair as coordinator and in addition to the Parish Clerk. And will put forward recommendations to the Parish Council to inform decisions.
 - ▶ The Working Group will hold discussions with the Village Hall Committee and Playing Fields Association to take account of their views.
 - ▶ Delegating authority to the Parish Clerk, in liaison with the Chair of the Parish Council, to progress legal matters with the solicitor between Parish Council meetings.



Land and Buildings



Questions

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