



Land Registration: Update as at January 2021

In January 2020 the Parish Council started a voluntary first registration of the land it owns in Stradbroke. The council was advised that it could not register the land that forms the tennis courts because it could not prove title, which means it could not prove it had the legal right to swap land with Suffolk County Council in 1972. As part of this swap the Parish Council obtained the land which includes the tennis courts and in return transferred a piece of land which became part of the Fire Station site.

1. Proof of Ownership:

Following discussions with Suffolk County Council's Legal Department it is now clear that the **documents used to prove ownership of the land at the time the swap in 1972 were:**

- 1.1. 1953 conveyance between Mr Copping and Stradbroke Parish Council
- 1.2. 1970 conveyance between Mr Copping and Suffolk & Ipswich Fire authority
- 1.3. The documents in 1.1 & 1.2 above are the documents listed on the 1972 conveyance between the Parish Council and the Suffolk & Ipswich Fire Authority (now Suffolk County Council).

2. The issue:

- 2.1 The **1965 conveyance** between the Village Hall Trust (now Stradbroke Sports and Community Centre) and the Parish Council **was not noted at the time of the land swap in 1972.**
- 2.2 Suffolk County Council has registered the land it obtained in 1972 which now forms part of the Fire Station.
- 2.3 **The 1965 conveyance shows that the Parish Council sold land to the Village Hall Trust, and this sale was for the north eastern corner of the plot at Wilby Road.**
- 2.4 The 1972 conveyance shows that the **Parish Council subsequently swapped a strip of the land it had previously sold in 1965, ie it did not belong to the Parish Council.** The land was swapped with the Suffolk & Ipswich Fire Authority. As the land was owned by the Village Hall Trust at the time, it is that organisation that should have benefitted from the land swap. However, since 1972 the Parish Council has believed it owned the land.

3. Way Forward:

There are **two options** available to resolve this issue:

- 3.1. The land can be conveyed by the Parish Council to the Stradbroke Sports and Community Centre and the land registered accordingly (**this would rectify the erroneous land swap in 1972**); or
- 3.2. the Parish Council can **apply for a Possessory Title** of the land.
- 3.3. **Whichever way forward is agreed, the Parish Council will submit a letter to Land Registry with any application explaining the full situation to resolve the land registration matter.**

4. Decisions to be reached:

- 4.1. It is necessary for the **Trustees of the Stradbroke Sports and Community Centre to review the matter** of the ownership of the land and **decide whether they wish to take on ownership of the land or not**, and to submit this decision in writing to the Parish Council.
- 4.2. Should **Trustees decide not to take ownership** of the land, **the Trust should verify** with the Charity Commission that **the Charity Commission is satisfied with this outcome before submitting their decision to the Parish Council.**
- 4.3. Once the Parish Council receives the official decision of the Trustees, including any confirmation from the Charity Commission, it **will review the matter and resolve to complete the work on registering the land.**

5. Copies of all conveyances are attached for reference.