

Former Highways Surveyors Land Report - Overview

Plot no.	Acreege	Enclosure Award 1781	Acreege	OS Ref.	Delegation of Powers 1978	OS Ref.	Charity Commissioners Scheme 2004	Other	
1	2 acres	Great Tallons part of Common	<i>not mentioned</i>	<i>not mentioned</i>		191	Yes	Sold in 2014 for £1000	
2	2 acres	part of Boroughfield	<b>Sold in 1974 for £400</b>						
3	1 acre	Wheat Furlong	0.904 + 0.157 acres	298 +299	Wheat Furlong		<i>not mentioned</i>		
3*			<i>not mentioned</i>				<b>Refers to plot 3 being sold in 1970 – see 3* note</b>		
4	1 acre	part of the Green	0.962	171	Clench Pit	171	Yes		
5	4 acres	land in Two Gate Field	2.134 + 1.693 acres	125 +126	Land near Everetts Farm		<b>Sold in 1997 for £20,000</b>		

3\* - This reference first appears in a communication from Breckland District Council to FPC in 1985 where it only refers to plot 3. Further communications lead me to believe it is in relation to OS 48 which was sold in 1970 for £250 by the Swaffham Rural District Council (hence why there are no official documents held by FPC). The sum of £250 forms part of the permanent endowment in the FHS Account of £20,650.

## Former Highways Surveyors Land Report – Monday 13<sup>th</sup> January

I have now reached a point with the archive paperwork where I am able to report on the Highways Surveyors Land. There are three core documents, copies of which follow this report for Councillors perusal.

The first document which establishes the Highways Surveyors Land account is the Enclosure Award 1781. It lists 5 pieces of land – Great Tallons, part of Boroughfield, Wheat Furlong, part of the Green and in Two Gate Field. The purpose of these pieces of land was "(...be used as and for public sand gravel stone clay and chalk pits by the proprietors of estates in the said Parish of Foulden and their tenants) and the monies thereby arising shall from time to time be employed in the maintenance and repairs of the highways in the said Parish"

The second document is the Delegation of Powers in 1978, where Breckland District Council delegated powers to Foulden Parish Council for the administration of 3 pieces of land – land near Everetts Farm, clench pit and Wheat Furlong\*.

The third and final core document is the Charity Commissioners Scheme 2004 which came about to help govern the charity. In this document it lists 2 pieces of land OS 191 and OS 171 with "The object of the charity is the general benefit of the inhabitants of the area of benefit in such charitable ways as the trustee sees fit"

I currently have in the archive paperwork correspondence from the Charity Commissioners that refers to plot 3 being sold in 1970. However, I do not believe it refers to Wheat Furlong. There is another correspondence from Breckland District Council to Foulden Parish Council in 1985 that also refers to a plot 3 being sold in 1970 (8 years previous to the delegation of Powers). There was a working party in 2003 regarding FHS land and it relates this plot 3 to OS 48 which was apparently sold in 1970 for £250 by Swaffham Rural District Council, however with the paperwork I have this would be speculative and require further investigation.

I hold a copy of correspondence that refers to the completion of sale 18<sup>th</sup> November 1974 for OS 245 (part of Boroughfield) for the sum of £400

I have a copy of the conveyance dated 3<sup>rd</sup> November 1997 regarding the land being sold near Everett's Farm for £20'000. The above 3 sales form the £20'650 permanent endowment.

A parishioner has very recently brought to my attention the sale of OS 191 in November 2014, for which I had no relevant paperwork. Scanning archive minutes there is reference to formal purchase offers but no reference to the sale of completion. The parishioner was kind enough to pass on copy correspondence from their solicitor outlining the completion of sale. Cllr Christian has confirmed that there is an entry of £1000 in the account book which was for this piece of land. I do not feel this needs to be investigated further however it is advisable to amend the asset register and the permanent endowment accordingly.

OS 171 is the parcel of land which the hall sits on and they are registered with land registry to Foulden Parish Council and I hold a copy of the title paperwork.

That leaves Wheat Furlong OS 298 +OS 299. As reported by Cllr Christian these are scrubby pieces of land that sit with in the parish of Gooderstone.

I have tried to show all this information in a table on the first page.

Options:

- Contacting the charity commissioners' to find out 1) what piece of land they are referring to being sold in 1970 and 2) why Wheat Furlong is not included in the scheme.
- Do nothing
- Council recognition of the permanent endowment as £21'650 not £20'650.
- Amend asset register to remove OS 191.
- Seek deed for Wheat Furlong
- Register Wheat Furlong under a possessory title.

\*There seems to have been a historic belief that Wheat Furlong was not included in the Delegation of Powers 1978, however it can be clearly seen listed in the schedule and a plan is also included with a Breckland District Council date stamp of 26 Sept 1977, whilst the date on the front of the document is dated 31<sup>st</sup> January 1978. I therefore have no reason to doubt the document.