

To receive a report on the purchase of land at Pillmere and consider any actions and associated expenditure

Report to: Services Committee

Date of Report: 21 October 2025

Officer Writing the Report: Town Clerk / Responsible Finance Officer

Pursuant to: Services Committee held 9 October 2025, minute number 57/25/26

Purpose of this report:

To present the advice received from the Town Council's solicitor, enabling Members to make an informed decision on the matter under consideration and to provide the solicitor with clear direction regarding the next steps.

Officers Recommendations

Members are requested to review the Coodes Report on Title, along with the accompanying list of enclosures, and refer to the Town Clerk's report summary. This review is intended to support consideration of the questions raised, enabling Coodes to proceed with the Property transfer.

Please note, this is not a final sign-off, as there are outstanding matters still to be addressed.

Report Summary

Saltash Town Council approved the Services Committee's recommendation to proceed with the transfer of land at both Pillmere sites.

It was proposed by Councillor Peggs, seconded by Councillor Gillies, and RESOLVED:

1. To recommend to Full Town Council the acceptance of Taylor Wimpey's offer to transfer the titles of Harebell Close and Champion Close at no cost to Saltash Town Council.
2. That all associated legal fees be covered by Taylor Wimpey, not Saltash Town Council.

3. To delegate to the Service Delivery Manager the responsibility to assess both sites following completion of the transfer and site clearance, and to report back to a future Services Committee meeting on the condition of the sites for future use.

Further to this resolution, Coodes Solicitors have been appointed to undertake the Property transfer at no cost to Saltash Town Council.

Coodes have submitted their Report on Title to Saltash Town Council, this has been shared with Members via a secure SharePoint link marked private and confidential. This report must not be shared or relied upon by any third party without written consent from Coodes.

Outstanding Matters to Follow:

1. Replies to enquiries
2. Signed Transfer
3. Land Registry Official Search

Key Points from Coodes' Report on Title:

Section 2 – Scope of Review and Limitation of Liability:

- 2.4: Coodes have not inspected the Property and cannot advise on its physical condition. Members may wish to arrange a survey.
- 2.5: Coodes cannot advise on the Property's value. Members may wish to obtain a valuation.

Section 4 – The Property:

- 4.2: Title plans are enclosed. Members are asked to verify that the plans accurately reflect the Property being transferred – for further information please refer to **Appendix A, B, C**.

Further to this, the Transferor is offering Saltash Town Council the subsoil of the roads under Title CL179737 at no cost. This offer has been made due to the complexity and expense involved in separating the green parcels from the red parcels, as both are currently registered under the same Title.

It is understood that the roads have been adopted by Cornwall Council Highways, who are therefore responsible for their maintenance and management. However, it remains unclear whether ownership of the subsoil could carry any implications or liabilities for Saltash Town Council. At present, no advice has been provided by Coodes regarding any potential responsibilities associated with this ownership.

Additionally, it is not clear whether the red areas shown in Appendix B represent roads, footpaths, or other types of land, nor what responsibilities, if any, this might entail for our team in terms of maintenance or oversight.

Given these uncertainties, I recommend that Members seek further legal advice before making any decision to proceed with the transfer of property.

- 4.3: The Property has absolute freehold title, the highest class of title.
- 4.5: The Property is not subject to any registered charges.

Section 7 – Search Results:

- 7.1: Local land charges search is a snapshot as of 19 September 2025. Future charges may still apply. Members should confirm if the Property abuts the highway or if there are any plans to alter access.
- The Property is located in a radon-affected area, common in Cornwall.
- 7.2: The Property lacks mains water and public sewer connections. A drainage search is recommended if future development is planned.
- 7.3: Environmental search results show no contamination, negligible flood risk, and no ground stability issues.
- 7.23: A chancel repair liability may apply. It is recommended that Members approve the purchase of indemnity insurance (£22.68 per site, in perpetuity). Coodes have asked the Transferor to cover this cost.
- 7.25: No public rights of access were identified.

Section 8 – Enquiries:

- Enquiries are ongoing with the Transferor's solicitor. Members are invited to raise any additional questions they may have.

Section 9 – Transfer Deed:

- The Transfer Deed includes Property details, Transferor and Saltash Town Council information, and a nominal consideration of £1.00.
- The Transferor is transferring with full title guarantee.
- No new covenants are being imposed.
- The “Other” provision will be removed if no existing covenants apply.
- The deed will require execution by both parties.

Section 10 – Conclusion:

Subject to the matters outlined above and any outstanding issues, Coodes are of the opinion that upon completion and registration, Saltash Town Council will obtain a good and marketable title to the Property.

Attachments

1. Office Copy Entries and Title Plan
2. Copy Deed and Deed Variation
3. Local Authority and Highways Searches
4. Drainage and Water Searches
5. Environmental Searches
6. Mining Searches
7. Chancel Searches
8. Open Access Search
9. Transfer Deed

How Does This Meet the Business Plan?

Boosting Jobs and Economic Prosperity:

- Green spaces can host community markets, pop-up events, or eco-tourism activities that support small businesses and local entrepreneurs.
- Well-maintained green areas enhance the town's appeal, encouraging inward investment and boosting property values.

Health and Wellbeing:

- Green land provides a safe, inclusive environment for relaxation, and social interaction, improving mental and physical health.
- Spaces for gardening, allotments, volunteering, or outdoor classes foster social cohesion and personal wellbeing.
- Natural environments are proven to reduce stress and promote emotional resilience.

Climate Emergency:

- Trees and vegetation on green land absorb carbon dioxide, helping to offset emissions.
- Open land supports habitats for wildlife, contributing to ecological balance.
- Green areas help manage surface water.

Recreation and Leisure:

- The land can be used for informal recreation or children's play facilities.
- Open spaces allow for community events, performances, and seasonal festivals.
- Green land offers free, accessible leisure options for all age groups and abilities.

Impact Assessment (Climate)

Once the Town Council has confirmed how it intends to utilise the two Properties, a climate impact assessment will be carried out. The findings will then be shared with Members for their consideration.

Signature of Officer:

Town Clerk / Responsible Finance Officer