

PROJECT INITIATION DOCUMENT

Transfer of documents to Lowestoft Town Council (LTC)

July 2019

Project outline

Following the transfer of various assets from East Suffolk Council (ESC) (formerly Waveney District Council (WDC)) to LTC under the Reorganisation Order made in 2017, the transfer of any relevant documentation relating to these assets, currently held within deed packets and stored by ESC, must now be undertaken.

ESC proposes to conduct a review of all the deed packets held in off-site storage in Ipswich that relate to the transferred assets, and to transfer to LTC any relevant documentation. This project will follow the process and the principles set out in this document. This project will only deal with the documentation held in the relevant deed packets that relate to the transferred assets and will not involve a full review at a team/officer level of any records that may be held within teams or by individuals at ESC; such information would not routinely form part of any transfer/sale of an asset and as such will not form part of this review.

Resource and timeframe

The review of the deed packets will be conducted by ESC's Legal Team, and we will aim to complete the review within 8 weeks beginning from the 15th July 2019. This timescale has been estimated based on an initial review of the likely number of deed packets involved in this review (which will be circa 100) and an assessment of the work involved in identifying, retrieving (from off-site), reviewing, and recording those items to be transferred to LTC. We will endeavour to complete this work as soon as possible but this timescale may be subject to change.

Process

1. Identify any relevant deed packets that relate to the transferred assets
2. Request delivery of the deed packets from off-site storage
3. Review the contents of the deed packets and locate documents relating to the transfer of land to LTC
4. Record which documents/packets will be transferred (ESC Deeds system to be updated and storage company notified which packets will not be returning into storage)
5. LTC to collect documents/packets and sign on collection to confirm taking ownership of and responsibility for these items (including appropriate storage arrangements)

Principles

Deed packets that relate entirely to an asset transferred to LTC

Where a deed packet relates entirely to an asset that has transferred to LTC, this deed packet will be transferred to LTC in its entirety. This will include all of the original documents that are held in the deed packet.

These deed packets are likely to contain old documents that have since been superseded, and pre-registration documents that may no longer be relevant. It will be for LTC to determine whether they wish to retain all of the historical documentation held in the deed packet going forwards.

ESC will not take any copies of the documentation that is contained in these deed packets that are transferred in their entirety – LTC will be solely responsible for the original documentation at the point of receipt.

Deed packets that relate partly to assets transferred to LTC and partly to assets remaining with ESC

Where a deed packet contains documentation relating to assets that are partly with LTC and partly with ESC (for example where a title has been split and only part has transferred to LTC, or where multiple areas of land were originally grouped under historical conveyances and ESC retain an interest in some part of the land), these deed packets will require review on an individual basis.

ESC Legal Team will review the deed packets and will locate from within the deed packets any documentation that is noted on the registered title of any assets that have transferred to LTC.

If the documentation relates solely to that portion of land that now falls within the ownership of LTC, the original document will be provided to LTC. In this case, ESC will not retain a copy of the document and LTC will solely responsible for that document at the point of receipt.

If however the documentation relates to an area where ESC retain an interest in part of the land, ESC will retain the original document and a scanned colour copy will be provided to LTC.

Where copies are to be provided, these will be scanned in colour and saved as a PDF and sent to a nominated representative of LTC by email. Due to the size of some of the documents it will not be possible to fit them onto a single sheet (many are larger than A3 or are folded in such a way that individual sheets need to be scanned on multiple pages in order to make them legible). ESC will endeavour to provide as clear a copy as possible, taking into account the quality of the original document.

In the event that a document that is noted on the registered title cannot be located in the deed packet, LTC will need to obtain a copy of the document from the Land Registry and pay the necessary fee to obtain this. ESC does not always hold documentation, particularly pre-dating WDC, as original documents were not passed over in all cases.

It should be noted that some assets have multiple deed packets associated with them containing numerous documents, and as such this process will take some time to complete. Many of the historical documents are very fragile and difficult to read and this also increases the amount of time required to review them.

Transfer of documents to LTC

Where original documents are transferred to LTC, these will be transferred in appropriately sized batches. Every effort will be made to ensure that all of the deed packets that relate to a particular asset have been retrieved from storage and reviewed together, and where relevant are transferred together.

Where original documents are transferred to LTC, LTC will need to collect these documents from the Riverside offices at an agreed time. The documents will be brought out of secure storage and passed to the LTC representative who is collecting them, and the LTC representative will be required to sign a letter confirming receipt of the relevant documents. At the point of signing for receipt of the documents, LTC will become fully responsible for the documents.

Where scanned copies of documents are transferred to LTC, LTC will need to provide the email address of the representative they wish the documents to be sent to, and to confirm receipt when a document is delivered. ESC will not retain scanned copies of scanned documents and will not provide additional copies of any scanned document once it has been emailed to LTC.

Where LTC has not yet been registered with ownership of an asset with the Land Registry, ESC will hold the title documentation relating to those assets on trust for LTC until such time as LTC complete the required registration documentation provided by ESC and return these to ESC, and these are registered with the Land Registry.

15.07.19