



The Diocese of Winchester

Property Department

The Land Registration Act 2002

BACKGROUND

The Land Registration Act is the most far reaching piece of property legislation in the last century. Never before has anyone attempted to gather together, in one place, the ownership details of every item of property in England. It is the first change in terms of proof of ownership since title deeds were introduced. The Government is expecting the task to be completed in 2012. Across the country the workload will be enormous and will be complicated, even at Diocesan level. For reasons of efficiency, the Land Registry will handle the task centrally recognising the Diocese as a major property owner; this will also ensure completeness and consistency across a Diocese. The range of properties include churches and chapels, parsonages, glebe land, glebe buildings, parochial property, church schools, DBF houses and property, and church trusts - either in the DBF name or associated in one way or another with a parish.

DEALING WITH THE LAND REGISTRY

Generally, there has been little appreciation of the complexity of ownership of church property or the different charity /non charity combinations. There was an initial belief that there was one land owner and into that single name all church property would be registered. This view probably came from contact with the Church Commissioners who were, at that time, registering the great estates. In negotiations with the Land Registry, Dioceses have been able to agree a special rate for registration. This is on the basis that it would be dealt with centrally rather than each parish seeking to register interests on a piecemeal basis.

THE DIOCESE

It was agreed at an early stage that the issue of Land Registration needed careful thought with clear parameters being set before presenting the issue to parishes. By way of a trial, and using experience being gained by other Diocese, we have completed as a single task the registration of the Dioceses Glebe portfolio, as this is centrally managed by a single agent.

Currently the Diocese is now seeking to register all Property for which it holds the title deeds this includes Parochial Property held in Trust by the Winchester Diocesan Board of Finance and properties held directly by the WDBF. We are indebted to the Rev. Brian Tims, a retired clergyman for his assistance in this process which will take some months to complete.

This years Articles included a question regarding church property in each parish the answers to which should hopefully allow us to cross check our registrations against the properties identified by those managing the assets. Once this process is completed we will be consulting with Parishes to verify the registrations and confirm that we have identified all Parochial Properties.

The next stage will be to call down the title documents for the Vicarages, Rectories and Churches from the Church Commissioners so that these can be registered. In the case of our more ancient Church buildings such documents may not exist and in these cases we will need to approach Parishes to confirm boundaries and seek affidavits regarding the use of the property.