

Commons Act 2006: Schedule 2

Application to correct non-registration or mistaken registration

This section is for office use only

Official stamp

COMMONS ACT 2006

01 NOV 2016

LEICESTERSHIRE COUNTY COUNCIL
REGISTRATION AUTHORITY

Application number

CA(V4) 01/2016

Register unit number
allocated at registration
(for missed commons
only)

Applicants are advised to read 'Part 1 of the Commons Act 2006: Guidance to applicants' and to note:

- Any person can apply under Schedule 2 to the Commons Act 2006.
- All applicants should complete boxes 1-10.
- Applications must be submitted by a prescribed deadline. From that date onwards no further applications can be submitted. Ask the registration authority for details.
- You will be required to pay a fee unless your application is submitted under paragraph 2, 3, 4 or 5 of Schedule 2. Ask the registration authority for details. You would have to pay a separate fee should your application relate to any of paragraphs 6 to 9 of Schedule 2 and be referred to the Planning Inspectorate.

Note 1Insert name
of commons
registration
authority.**1. Commons Registration Authority**

To the:

Tick the box to confirm that you have:

enclosed the appropriate fee for this application:

☐

or

have applied under paragraph 2, 3, 4 or 5, so no fee has been
enclosed:☐Leicestershire County Council has already agreed to waive the fee as the situation was
caused by a County Council mistake

Note 2

If there is more than one applicant, list all their names and addresses in full. Use a separate sheet if necessary. State the full title of the organisation if the applicant is a body corporate or an unincorporated association. If you supply an email address in the box provided, you may receive communications from the registration authority or other persons (e.g. objectors) via email. If box 3 is not completed all correspondence and notices will be sent to the first named applicant.

Note 3

This box should be completed if a representative, e.g. a solicitor, is instructed for the purposes of the application. If so all correspondence and notices will be sent to the person or firm named here. If you supply an email address in the box provided, the representative may receive communications from the registration authority or other persons (e.g. objectors) via email.

2. Name and address of the applicant

Name:

Powell and Welch Almshouse Charity

Postal address:

The Brambles
Ashby Lane
Bitteswell
Lutterworth
Leicestershire

Postcode LE17 4SQ

Telephone number:

N/A

Fax number:

N/A

E-mail address:

N/A

3. Name and address of representative, if any

Name:

Peter Hurst

Firm:

Chair - Powell and Welch Almshouse Charity Trustees

Postal address:

2 Yeoman's Keep
Valley Lane
Bitteswell
Lutterworth
Leicestershire

Postcode LE17 4SW

Telephone number:

Fax number:

N/A

E-mail address:

hurstburley@btinternet.com

Note 4

For further details of the requirements of an application refer to Schedule 4, paragraph 14 to the Commons Registration (England) Regulations 2014.

4. Basis of application for correction and qualifying criteria

Tick one of the following boxes to indicate the purpose for which you are applying under Schedule 2 of the Commons Act 2006.

To register land as common land (paragraph 2): ☐

To register land as a town or village green (paragraph 3): ☐

To register waste land of a manor as common land (paragraph 4): ☐

To deregister common land as a town or village green (paragraph 5): ☐

To deregister a building wrongly registered as common land (paragraph 6): ☐

To deregister any other land wrongly registered as common land (paragraph 7): ☐

To deregister a building wrongly registered as town or village green (paragraph 8): ☒

To deregister any other land wrongly registered as town or village green (paragraph 9): ☐

For waste land of a manor (paragraph 4), tick one of the following boxes to indicate why the provisional registration was cancelled.

The Commons Commissioner refused to confirm the registration having determined that the land was no longer part of a manor (paragraph 4(3)): ☐

The Commons Commissioner had determined that the land was not subject to rights of common but did not consider whether it was waste land of a manor (paragraph 4(4)): ☐

The applicant requested or agreed to cancel the application (whether before or after its referral to a Commons Commissioner) (paragraph 4(5)): ☐

Please specify the register unit number(s) (if any) to which this application relates:

Register Unit VG. 60 in the Register of Town and Village Greens maintained by Leicestershire County Council

Note 5

Explain why the land should be registered or, as the case may be, deregistered.

5. Description of the reason for applying to correct the register:

Nos. 1 to 6 Powell Row, Bitteswell, Lutterworth LE17 4SF are 3 pairs of semi-detached dwellings with curtilage comprising of front, rear and side gardens encompassed by a hedge. They were built in 1847 and are recorded at the Land Registry as being in the ownership of the Powell and Welch Almshouse Charity. They have always been in the charity's ownership. In 1968 they were erroneously included as Village Green by Leicestershire County Council, contrary to the maps that accompanied the Village Green Application. The Village Green designation became final in 1970. Leicestershire County Council has admitted that the Application in 1968 did not include the Almshouses and the map submitted with the Application clearly excluded them.

This application seeks to remove the Village Green designation from Nos. 1 to 6 Powell Row, Bitteswell and from their curtilage.

Note 6

You must provide an Ordnance map of the land relevant to your application. The relevant area must be hatched in blue. The map must be at a scale of at least 1:2,500, or 1:10,560 if the land is wholly or predominantly moorland. Give a grid reference or other identifying detail.

Note 7

This can include any written declarations sent to the applicant (i.e. a letter), and any such declaration made on the form itself.

If your application is to register common land or a town or village green and part of the land is covered by a building or is within the curtilage of a building, you will need to obtain the consent of the landowner.

6. Description of land

Name by which the land is usually known:

Numbers 1 to 6 Powell Row, Bitteswell, Lutterworth LE17 4SF (The Almshouses)

Location:

Numbers 1 to 6 Powell Row, Bitteswell, Lutterworth LE17 4SF (The Almshouses)

Tick the box to confirm that you have attached an Ordnance map of the land:

**7. Declarations of consent**

Not Applicable

Note 8

List all supporting documents and maps accompanying the application, including if relevant any written consents. This will include a copy of any relevant enactment referred to in paragraphs 2(2)(b) or 3(2) (a) of Schedule 2 to the Commons Act 2006 or, in relation to paragraph 4 (waste land of a manor) evidence which shows why the provisional registration was cancelled. There is no need to submit copies of documents issued by the registration authority or to which it was a party but they should still be listed. Use a separate sheet if necessary.

8. Supporting documentation

A document from 1976 that refers to Register Unit VG. 60 and awards ownership to Bittesell Parish Council

A copy of the Charity Trust Deed dated 1889 is attached that refers to the properties

A copy of the Powell and Welch Almshouse Charity Land Registry entry is attached

A copy of a letter from Bitteswell Parish Council is attached. We have marked the area that should not be Village Green in Blue Hatching on the accompanying map.

A copy of an old map showing the correct Registration is attached

Ordnance Survey maps of Bitteswell are attached

Note 9

List any other matters which should be brought to the attention of the registration authority (in particular if a person interested in the land is expected to challenge the application for registration). Full details should be given here or on a separate sheet if necessary.

9. Any other information relating to the application

No further information.

Note 10

The application must be signed by each individual applicant, or by the authorised officer of an applicant which is a body corporate or an unincorporated association.

10. Signature

Date:

06 August 2016

Signatures:

**REMINDER TO APPLICANT**

You are responsible for telling the truth in presenting the application and accompanying evidence. You may commit a criminal offence if you deliberately provide misleading or untrue evidence and if you do so you may be prosecuted.

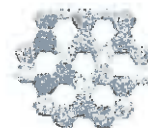
You are advised to keep a copy of the application and all associated documentation.

Data Protection Act 1998

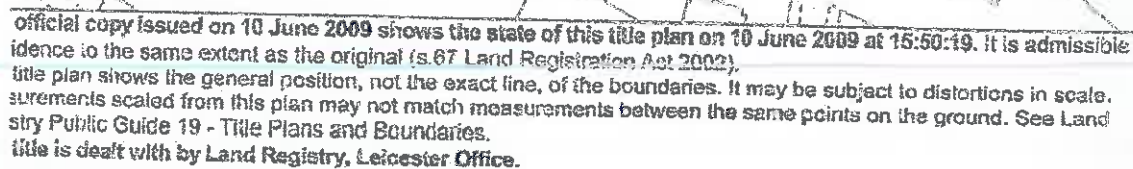
The application and any representations made cannot be treated as confidential. To determine the application it will be necessary for the commons registration authority to disclose information received from you to others, which may include other local authorities, Government Departments, public bodies, other organisations and members of the public.

A copy of this form and any accompanying documents may be disclosed upon receipt of a request for information under the Environmental Information Regulations 2004 or the Freedom of Information Act 2000.

Title number **LT421212**
Ordnance Survey map reference **SP5385NE**
Scale **1:1250** enlarged from 1:2500
Administrative area **Leicestershire: Harborough**



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COMMONS REGISTRATION ACT 1965

Reference No 21/U/9

In the Matter of The Village Green,
Bitteswell, Harborough District, Leicestershire

DECISION

This reference relates to the question of the ownership of land known as The Village Green, Bitteswell, Harborough District being the land comprised in the Land Section of Register Unit No VG. 60 in the Register of Town or Village Greens maintained by the Leicestershire County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference no person claimed to be the freehold owner of the land in question and no person claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Leicester on 22 July 1976. At the hearing Bitteswell Parish Council were represented by Mr J Cooper their clerk.

Mr Cooper described the land, and after the hearing I inspected it. It comprises nine pieces of open grassland in the middle of the Village, together of an attractive appearance, and obviously a valuable amenity for all who live nearby and for many others.

Mr Cooper produced a copy of the Byelaws made 7 March 1929 by the Parish Council under the Public Health Act 1875 and the Local Government Act 1894, and allowed on 6 May 1929 by the Minister of Health, and also a copy of amending Byelaws made on 17 September 1954 by the Parish Council and confirmed on 1 January 1955 by a Secretary of State. Mr Cooper said (in effect):- He had seen the Inclosure Award (I understood he was referring to that made under the Bitteswell Inclosure Act 1787), but it did not help as to the ownership of this land. He understood that the Earl of Denbigh is or was the Lord of the Manor of Bitteswell. The Parish Council had no deeds relating to this land, and could offer no evidence of ownership.

In the absence of any evidence I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Leicestershire County Council as registration authority to register Bitteswell Parish Council as the owners of the land under section 8(3) of the Act of 1965.

I am required by regulation 30(1) of the Commons Commissioners Regulations 1971 to explain that a person aggrieved by this decision as being erroneous in point of law may, within 6 weeks from the date on which notice of the decision is sent to him, require me to state a case for the decision of the High Court.

Dated this 27^k day of July —

1976

a. a. Baden Fuller

Commons Commissioner

SEE LAST PAGE

Sealed 18th June 1889

1525
89.

County—**LEICESTER.**

Parish—**BITTESWELL.**

Charities—**Powell.
Welch.**

C.
35,575.

Scheme



CHARITY COMMISSION.

In the Matter of the following Charities, namely:—

I. The **ALMSHOUSES of MARY POWELL,**

in the Parish of **BITTESWELL**, in the
County of **LEICESTER**, founded by Inden-
ture dated 9th December 1847; and

II. **ELIZABETH WELCH'S ENDOWMENT,**

administered in connexion with the same
Alms Houses under an Order of the Court of
Chancery dated 16th March 1849; and

In the Matter of "The Charitable Trusts Acts, 1853
to 1887."

The Board of Charity Commissioners for England
and Wales, upon an application made to them on the 16th
October 1888, in writing, signed by

The Reverend **THOMAS WARD GODDARD**, the
Rector of the Parish of Bitteswell;

RICHARD TWINING, of No. 215, Strand, in the
County of London, Banker; and

The Reverend GEORGE STRICKLAND
MARRIOTT, the Rector of the Parish of
Cottesbach, in the County of Leicester;

three of the Trustees of the above-mentioned Charities, of which the endowments consist of the particulars mentioned in the Schedule to the subjoined Scheme, and the gross annual income amounts to 50*l.* or upwards:

And after due notice of the intention to make this Order published according to the direction of the Board, by being affixed to or near a principal outer door of the Parish Church and of the Almshouse Building at Bitteswell, on the 28th March 1889, and by advertisement in "The Midland Times" newspaper on the 30th March 1889 and 6th April 1889 (being in each case more than one calendar month previously to the date hereof); and also sent through the Post to

The Reverend EDWARD SMYTHIES, the Rector
of the Parish of Hathern, in the County of
Leicester; and

ROBERT WILLIAM GILLESPIE STANTON,
of Bitteswell, Esquire;

being those of the Trustees of the Charities who did not join in the said application, at their respective last known places of abode in Great Britain or Ireland, on the 2nd May 1889:

And after due consideration of all objections made to the proposed Order and suggestions for the variation thereof:

Be hereby Order, That the subjoined Scheme be approved and established as the Scheme for the future regulation of the Charities.

SCHEME.

1. From and after the date hereof the above-mentioned Charities and their respective endowments shall be consolidated and shall be administered and managed subject to and in conformity with the provisions of this Scheme, under the title of "The Powell and Welch Almshouse Charity."

Administration of Charities.

2. All sums of cash belonging to or held in trust for the Charity and not required for the current expenditure thereof shall be forthwith invested, under the authority of a further Order of the Charity Commissioners in Government Stocks or Securities in the name of "The Official Trustees of Charitable Funds," in trust for the Charity.

Investment of cash.

TRUSTEES.

3. The body of Trustees shall consist of five competent persons, namely—

Two Ex-officio Trustees, and
Three Coöptative Trustees.

The present Trustees shall continue to be Trustees, but subject to the provisions of this Scheme.

4. No person shall be entitled to act as a Trustee under this Scheme, whether upon his first or any subsequent appointment, until he shall have signed a declaration in the minute book of the Trustees, to the effect that he accepts the office of Trustee and is willing to act in the trusts of this Scheme.

Declaration by Trustees.

5. The Ex-officio Trustees shall be—

The RECTOR for the time being of the Parish of Bitteswell, and

The RECTOR for the time being of the Parish of Cottesbach, in the County of Leicester.

Ex-officio Trustees.

6. The following persons, being present Trustees, shall be deemed to have been appointed for life and are hereby approved as the first Coöptative Trustees under this Scheme, viz. :—

First Coöptative Trustees.

RICHARD TWINING, of No. 215, Strand, in the County of London, Banker;

The Reverend EDWARD SMYTHIES, Rector of the Parish of Hathern, in the County of Leicester; and

ROBERT WILLIAM GILLESPIE STAINTON, of Bitteswell, Esquire.

7. Future Coöptative Trustees shall be persons residing or carrying on business in or near Bitteswell and shall be provisionally appointed in each case by the Trustees by a resolution passed at a special meeting to be held after the lapse of one calendar month from the occurrence of the vacancy to be filled up.

Appointment of future Coöptative Trustees.

Notification of
appointments to
Commissioners.

8. Every appointment of a Trustee shall be forthwith notified by or under the direction of the Trustees with all proper information to the said Commissioners at their office in London.

Approval of
appointments by
Commissioners.

9. A provisional appointment shall become valid if and when it shall have been approved by the said Commissioners, and their approval certified under their official seal. The date of each appointment shall be the day on which it shall have been so approved by the said Commissioners.

Term of office.

C.O. 7 Years

10. The term of office of every future Coöptative Trustee shall be seven years, reckoned from the date of the approval of his appointment.

Determination of
Trusteeship.

11. Any future Coöptative Trustee who ceases to be qualified as aforesaid, and any Trustee who is adjudicated a bankrupt, or who refuses or is unfit or is incapacitated to act, or who communicates in writing to the Trustees his wish to resign, or who is absent from all meetings of the Trustees during a period of two consecutive years shall thereupon cease to be a Trustee.

Vacancies to be
noted.

12. Upon the occurrence of a vacancy the Trustees shall, at their next ensuing meeting, cause a note thereof to be entered in their minute book. Any Trustee may be re-appointed.

MEETINGS AND PROCEEDINGS OF TRUSTEES.

Quorum.

13. There shall be a quorum when two Trustees are present at any meeting. Pending any vacancy, the Trustees for the time being, not being less in number than a quorum, may act for all purposes in the administration of the Charity.

Meetings of
Trustees.

at least
twice a year

14. The Trustees shall hold general meetings at least twice in each year, at such times and at such places in the Parish of Bitteswell, or within a convenient distance therefrom, as they shall from time to time appoint.

Special meetings.

15. The Chairman, or any two Trustees, may at any time summon a special meeting for any cause that seems to him or them sufficient.

Notice of
meetings.

4 clear days

16. Notice in writing of every meeting, whether general, special, or adjourned, shall be delivered or sent through the post to each Trustee by the Clerk (or Secretary) or by some other person acting under the direction of the Trustees, or, in the case of a special meeting, by or under the direction of the person or persons summoning the meeting, four clear days at least before the date of the meeting, so far as, in the case of an adjourned meeting, the interval between the original and adjourned meetings will permit. Every notice of meeting shall state the place, day, and hour of the meeting, and every notice of a special meeting shall further state the matters to be discussed thereat.

Chairman.

17. The Trustees shall at their first ordinary meeting in every year elect one of their number to be Chairman of their meetings for the

current year. They shall make regulations for supplying his place in case of his death, resignation, or absence. The Chairman shall always be re-eligible.

18. Every matter shall be determined by the majority of the Trustees present and voting on the question. The acting Chairman shall have a casting vote, whether or not he shall have previously voted on the same question, but no Trustee shall in any other circumstances give more than one vote.

Voting.

Quorum 21

OFFICERS AND GENERAL MANAGEMENT.

19. The Trustees shall appoint one of themselves or some other fit person to be their Clerk or Secretary. They may also appoint any other necessary or proper officers or agents for their assistance in the administration and management of the Charity. Every appointment so made shall be revocable by the Trustees at their pleasure. The Trustees may pay to their Clerk or Secretary and to their other officers and agents, not being Trustees, such annual salaries or other remuneration as may from time to time be approved by the Commissioners. The Trustees shall from time to time prescribe and appoint the duties to be performed by their Clerk or Secretary and their other officers and agents.

Officers.

20. A minute book shall be provided and kept by the Trustees. Minutes of the entry into office of every new Trustee, and of all proceedings of the Trustees, shall be entered in the minute book, and shall be signed by the Chairman of the meeting, either at the conclusion thereof, or at some future meeting, if they shall have been duly confirmed.

Minutes.

21. Full accounts shall be entered in proper books of account to be provided for the purpose of all money received and paid respectively on account of the Charity. Such books of account shall be made up for each year, and shall be examined and passed by the Trustees at their first ordinary meeting in the ensuing year, or at some other meeting appointed for the purpose with the approval of the said Commissioners, and shall be thereupon signed by the Chairman of the meeting. All proper accounts in relation to the Charity shall in each year be made out and certified, and copies thereof transmitted to the said Commissioners, and published in conformity with the provisions of the Charitable Trusts Acts.

Accounts.

22. A banking account for the purposes of the Charity shall be opened and kept with some fit bankers, to be from time to time selected by the Trustees. Every sum of money received on account of the Charity shall be forthwith paid in to the credit of that account, unless otherwise expressly ordered by the Trustees.

Banking account.

23. All cheques and orders for the payment of money shall be signed by one or more of the Trustees and endorsed or countersigned by the Clerk or Secretary.

Cheques.

General power
to make
regulations.

24. Within the limits prescribed by this Scheme the Trustees shall have full power from time to time to make regulations for the conduct of their business and for the management of the Charity, and such regulations shall be binding on all persons affected thereby.

Repair and
insurance.

25. The Trustees shall keep in repair and insure against fire all the buildings of the Charity.

APPLICATION OF INCOME.

Expenses of
management.

26. The cost of repairs and insurance, and all other charges and outgoings payable in respect of the property of the Charity, and all the proper costs, charges, and expenses of and incidental to the administration and management of the Charity, shall be first defrayed by the Trustees out of the income thereof.

Application
of income.

27. Subject to the payments aforesaid, all the yearly income of the Charity shall be applied by the Trustees in the support and maintenance of the Almspeople and Pensioners as herein-after mentioned.

Almshouses.

*Only Almspeople
may be received*

28. The Almshouse building belonging to the Charity, and the land and buildings heretofore occupied therewith, shall, subject to the rights and interests of the present inmates, be appropriated and used for the residence of the Almspeople, to be appointed from time to time by the Trustees, in conformity with the provisions of this Scheme.

Almshouses.

6

29. In lieu of appointing persons to be inmates of the Almshouses, the Trustees may from time to time appoint any number, not exceeding six, of persons (qualified as herein-after mentioned) to be Pensioners of the Charity. Provided that the present inmates of the Almshouses shall be deemed to be qualified for becoming Pensioners. //

Number and
qualifications of
Almspeople and
Pensioners.

*Full number
shall be 12.*

30. The full number of Almspeople and Pensioners shall be twelve. The Almspeople and Pensioners shall be poor persons of good character who shall not during a period of not less than three years next preceding the time of their appointment have received Poor Law relief, and who from age, ill-health, accident, or infirmity shall be unable to maintain themselves by their own exertions; with a preference, first, for parishioners or inhabitants of Bitteswell, and, secondly, for those persons who, being otherwise qualified as aforesaid, shall have become reduced by misfortune from better circumstances. Married couples shall be eligible for appointment, but both husband and wife shall possess the qualifications hereby required for Almspeople.

Stipends of
Almspeople and
Pensioners.

Married couples

Stipend

31. There shall be paid between each of the married couples inhabiting the Almshouses out of the income of the Charity, by weekly or other periodical payments as the Trustees may think fit, a stipend being not less than 8s. per week. And there shall be paid, subject as above, to each Almsperson and to each Pensioner out of the income of the Charity, by weekly or other periodical payments as the Trustees may think fit, a stipend being not less than 5s. per week, together with such extra allowance in lieu of accommodation in the Almshouses as the amount of the income of the Charity will permit and as the Trustees

think fit. The Trustees, in lieu of paying the whole amount of the said stipend to any married couple or Almsperson or Pensioner in money, may from time to time expend the whole or any portion thereof for their or his or her benefit as the Trustees shall think fit. Any surplus income may be applied by the Trustees as they think fit in increasing the payments to the Almspeople and Pensioners.

32. The Almspeople shall not be absent from the Almshouses for a period exceeding 24 hours, without the consent in writing of the Trustees, or their Clerk or Secretary; but in special cases such consent may, for any sufficient reason, be given retrospectively after the absence has occurred.

Absence from Almshouses.

33. The Almspeople shall not be permitted to let or part with the possession of the room or rooms allotted to them, or to suffer any stranger to occupy the same or any part thereof, except with the special permission of the Trustees.

Rooms not to be let.

34. The Trustees may, if they shall so think fit, whenever the income and resources of the Charity shall suffice for the purpose, appoint a Medical Officer to attend upon the Almspeople, and to supply them with medicines and such medical appliances as may be necessary, at a yearly salary not exceeding 5%, inclusive of the cost of such medicines and appliances; and they may also provide the Almspeople, at the cost of the Charity, with any necessary attendance in case of illness or permanent infirmity.

Medical Officer.

35. Applications for appointment as Almspeople and Pensioners shall be made to the Trustees, or to their Clerk (if any), in writing, in such form as the Trustees shall prescribe.

Applications for appointment.

36. No appointment of any Almspeople or Almsperson or Pensioner shall be made by the Trustees until a sufficient notice of the vacancy to be filled up, specifying the qualifications required from candidates, (which may be in the form annexed thereto,) shall have been published in the Parish of Bitteswell, by advertisement or otherwise, so as to give due publicity to the intended appointment; and all applicants must be prepared with sufficient testimonials and other evidence of qualification for the appointment.

Notice of vacancy.

37. Every appointment of Almspeople or of an Almsperson or a Pensioner shall be made by the Trustees at a special meeting, and shall be made as soon as possible after one month from the occurrence of the vacancy to be filled up.

Appointments of Almspeople and Pensioners.

38. The Trustees shall provide and keep a book, in which shall be entered the names, ages, and descriptions of all persons appointed to be Almspeople and Pensioners, together with the dates of their respective appointments, and the date and occasion of every vacancy; and they shall likewise keep a register of all applications for appointment.

Register.

Removal of
Almspeople and
Pensioners.

39. If any of the Almspeople or Pensioners shall be guilty of insobriety, insubordination, breach of regulations, or immoral or unbecoming conduct, or shall receive Poor Law relief, or shall, in the opinion of the Trustees, become disqualified from retaining their appointment, or if in any case it should appear that any Almspeople or Almsperson or Pensioner have or has been appointed without having the required qualifications, the Trustees, upon proof thereof to their satisfaction, may remove the Almspeople or Almsperson or Pensioner and take possession of the tenement or room occupied by them, him, or her, and may proceed to appoint other Almspeople or another Almsperson or Pensioner; or, in any case of such misconduct as aforesaid, the payment of the stipend to the Almspeople or Almsperson or Pensioner, either wholly or in part, may be suspended during such time as the Trustees shall think fit.

GENERAL PROVISIONS.

Variation of
payments.

40. The amounts and conditions of the several payments and allowances, which are prescribed by this Scheme, may be varied from time to time by the Trustees, with the sanction of the said Commissioners.

Appropriation of
benefits.

41. The appropriation of the benefits of the Charity shall be made by the Trustees from time to time, in the exercise of their discretion, at meetings of their body, and not separately by any individual Trustee or Trustees.

Employment or
tenancy of
Trustees.

42. No Trustee acting as Clerk or Secretary, or in any other capacity in respect of the Charity, shall receive any salary or remuneration from the funds of the Charity. No Trustee shall, for his own benefit, or for the benefit of any other person, either directly or indirectly, be engaged in the supply of work or goods at the cost of the Charity.

Charity not to be
applied in aid of
rates, &c.

43. No part of the income or of the endowments of the Charity shall in any case be applied, directly or indirectly, in aid of any rates for the relief of the poor or other purposes in the Parish of Bitteswell.

Parishioners, &c.
may take copies
of Scheme.

44. A copy of this Scheme shall be kept with the books of account and other documents belonging to the Charity, and every parishioner and other person interested in the Charity shall be at liberty to take copies of the Scheme, or any part thereof, upon making application for that purpose to the Trustees or their Clerk (or Secretary), at such reasonable times and subject to such reasonable conditions as may be fixed and prescribed by them.

Questions of
proceedings under
Scheme.

45. Any question affecting the regularity or the validity of any proceedings under this Scheme shall be determined conclusively by the said Commissioners, upon such application made to them for the purpose, as they think sufficient.

46. If any doubt or question shall arise amongst the Trustees as to the construction or application of any of the provisions of this Scheme, or the administration and management of the Charity, they may apply to the said Commissioners for their opinion and advice thereon, which, when given, shall be binding on the Trustees and on all persons claiming under the trust who shall be affected by the question so decided.

Construction of Scheme.

47. This Scheme shall come into operation on the day on which it is approved and established by an Order of the said Commissioners, which day is herein referred to as the date hereof.

Date of Scheme.

FORM OF NOTICE.

In the Matter of The POWELL AND WELCH ALMSHOUSE CHARITY.

The Trustees of this Charity give Notice that they will on _____ the _____ day of _____ 18____, proceed to elect [a married couple] [an Almsperson] to fill [two vacancies] [a vacancy] in the number of Almspeople of the Charity. The election will take place at _____ o'clock on that day, at _____

Poor persons of good character who shall not during a period of three years have received Poor-Law relief, and who from age, ill-health, accident, or infirmity are unable to maintain themselves by their own exertions, are eligible for the appointment, parishioners or inhabitants of Bitteswell and persons who have become reduced by misfortune from better circumstances being entitled to a preference.

Application for the appointment must be made in writing to the Trustees (or their Clerk or Secretary) _____, fourteen days at least previously to the election. All applicants must state name, address, age, and occupation, and must be prepared with sufficient testimonials, and other evidence of qualification for the appointment.

Signed, _____

} [Clerk to
the
Trustees.]

SCHEDULE.

Charity.	Particulars of Property.
Alms-houses founded by Mary Powell.	A piece of land with three blocks of Alms- houses standing thereon, situated at Bitteswell, containing in the whole 2,486 square yards or thereabouts, vested in "The Official Trustee of Charity Lands," by Order of the Charity Commissioners of the 9th August 1887.
Elizabeth Welch's Endowment.	A sum of 6,131l. 2s. India 3l. per cent. Stock, held by "The Official Trustees of Charitable Funds."

Sealed by Order of the Board this 18th day of
June 1889.

J. H. G. G. G.
AUTHORIZED UNDER 50 & 51 VICT. C. 49. SEC. 5

L.S.

Land Registry Peterborough Office



P B BOOTH
SUSSEX COTTAGE
ASHBY LANE
BITTESWELL
LEICESTERSHIRE
LE17 4SQ



Date
10 June 2009

Your ref
powell & welch

Our ref
RCS/LT421212

Completion of registration

Title number	LT421212
Property	1 to 6 Powell Row, The Green, Bitteswell, Lutterworth (LE17 4SF).
Registered proprietor	THE OFFICIAL CUSTODIAN FOR CHARITIES on behalf of The Powell & Welch Almshouse Charity

Please note that from 3 August 2009 Land Registry will be applying a policy of early completion where an application to remove entries relating to a registered charge is lodged together with other applications but evidence of discharge is not supplied. The entries relating to the charge may be left in the register and the other applications completed where possible. Further information can be obtained from Land Registry's website www.landregistry.gov.uk

Your application lodged on 10 June 2009 has been completed. An official copy of the register is enclosed together with an official copy of the title plan.

The documents marked with a tick on the accompanying list are enclosed. Those marked with an asterisk have been kept by this office.

You do not need to reply unless you think a mistake has been made. If there is a problem or you require this correspondence in an alternative format, please let us know.

The Title information document is enclosed for you to keep or issue to your client as appropriate.

Important information about the address for service

If we need to write to an owner, chargee or other party who has an interest noted on the register, we will write to them at the address shown on the register. We will also use this address if we need to

Land Registry
Peterborough Office
Touthill Close
City Road
Peterborough PE1 1XN

DX 12598 Peterborough 4

Tel 01733 288288
Fax 01733 280022
peterborough.office@landregistry.gsi.gov.uk

www.landregistry.gov.uk

BITTESWELL WITH BITTESBY

www.bitteswell.org.uk

Clerk: Mrs Cathy Walsh
8 Hazel Drive
Lutterworth
Leicestershire
LE17 4TX

Telephone: 07561 810 375

Email: parishclerk@bitteswell.org.uk

The Powell & Welch Almshouse Charity Bitteswell
c/o Marion Reid, Clerk to the Trustees
Newstead House
The Green
Bitteswell
Leicestershire
LE17 4SG

25th July 2016

Dear Marion,

Village Green Registration

Thank you for your letter dated 16th June 2016 regarding the boundaries of the Village Green in Bitteswell.

The Parish Council discussed the matter at their meeting held on 21st July 2016 and would like to issue the following statement:

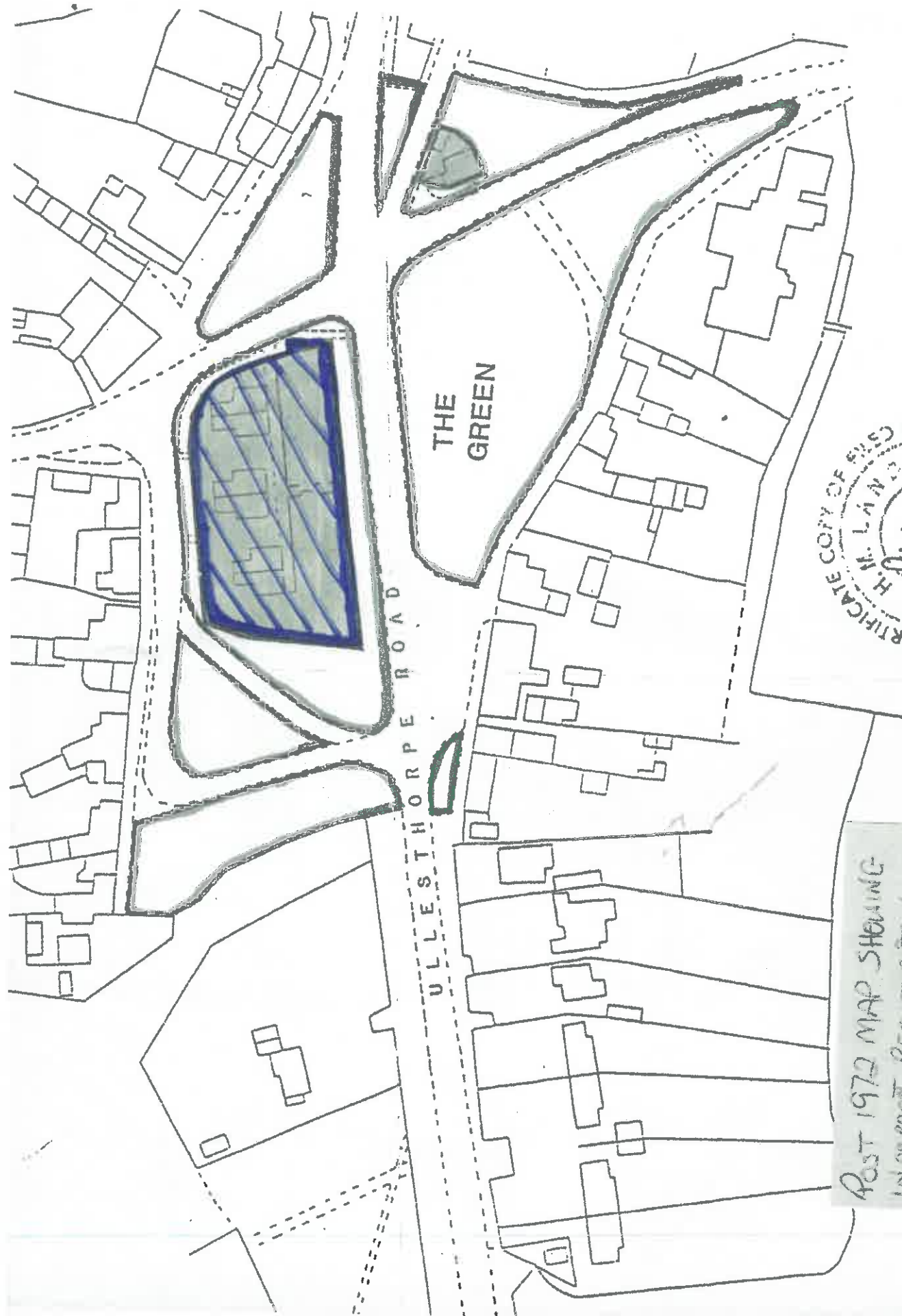
We confirm to the best of our knowledge that the Village Green is correct as indicated on the Land Registry document, a copy of which is attached to this email. We have no legal interest in the land on which the Almshouses stand or their gardens.

We would, however, wish to confirm that all the land encircling the Almshouses is registered Village Green.

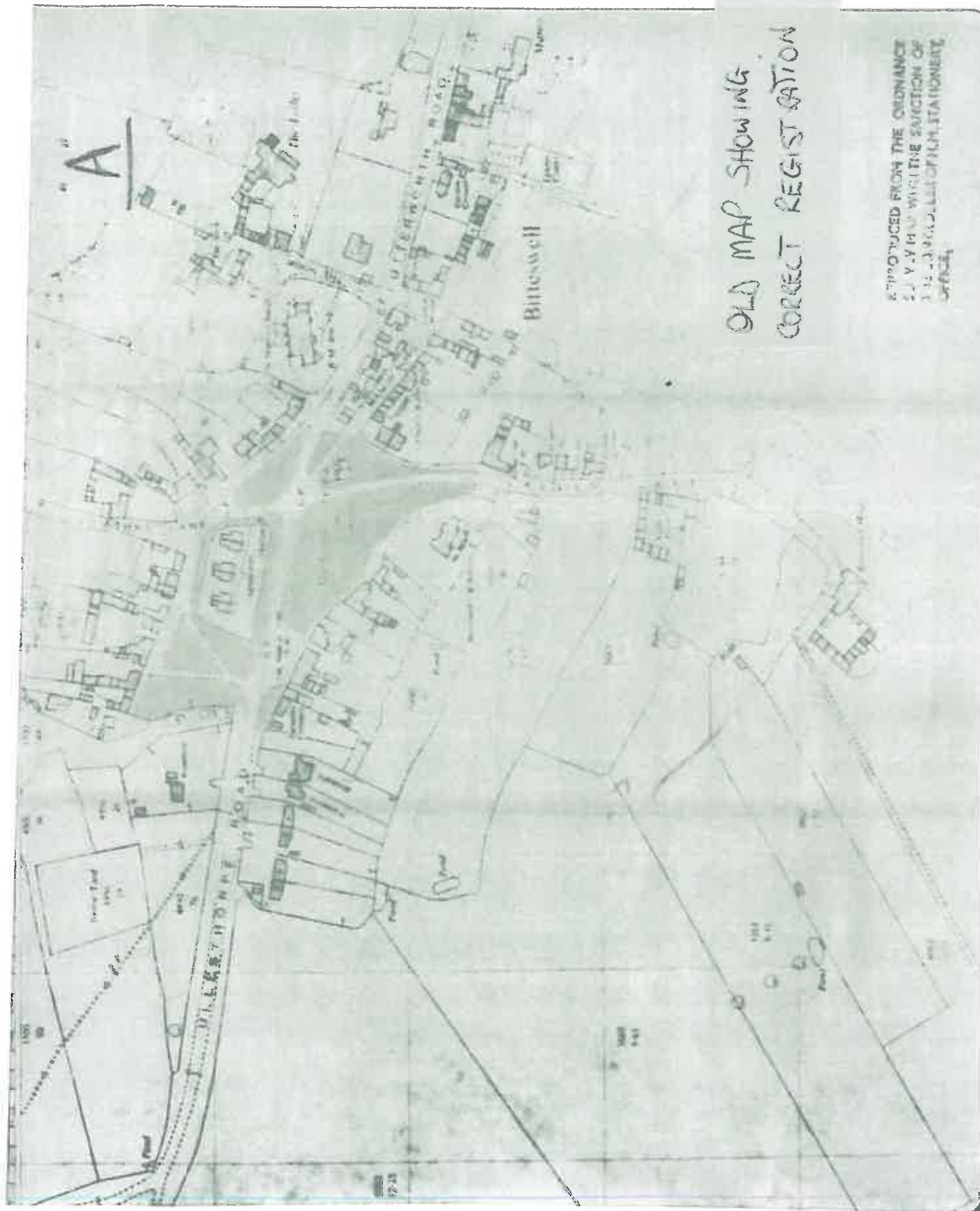
If you have any further questions, please do not hesitate to contact me.

Kind regards,

Cathy Walsh
Clerk to Bitteswell with Bittesby Parish Council

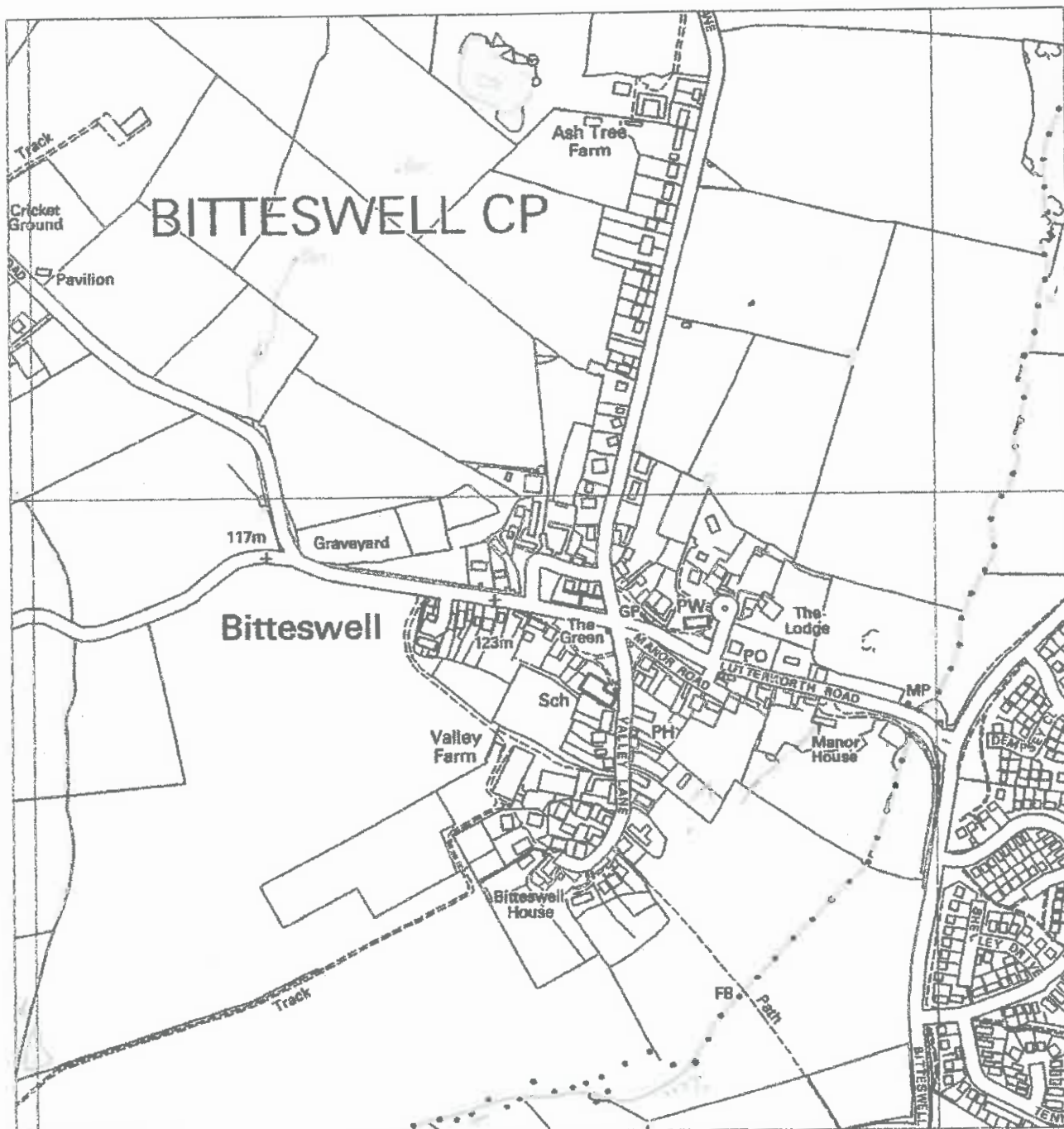


Post 1972 map showing
incorrect registration
following error by LCC

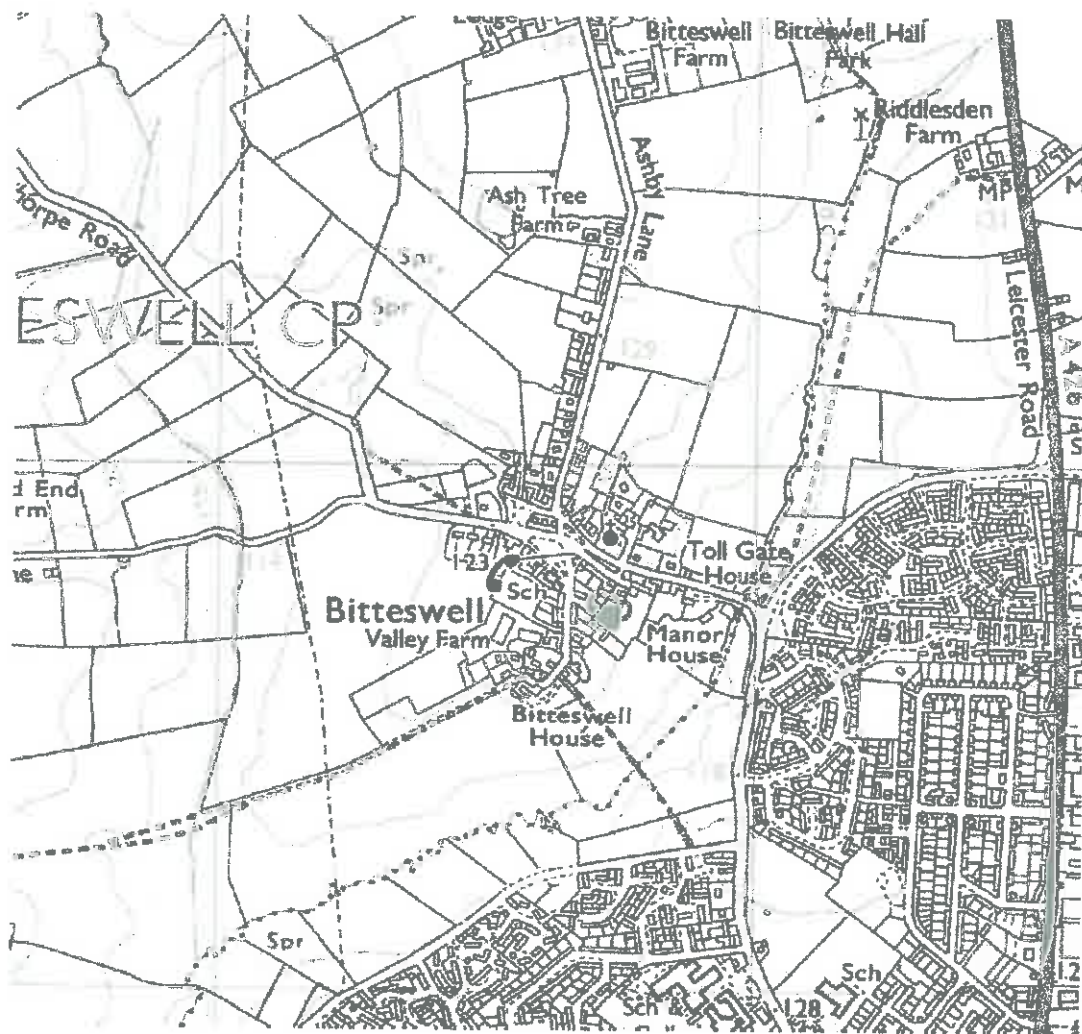


OLD MAP SHOWING
CORRECT REGISTRATION

REPRODUCED FROM THE ORDNANCE
SURVEY MAP WITH THE SANCTION OF
THE AIR FORCE HEADQUARTERS STATIONERY
OFFICE



0 1 Km
Ordnance Survey



Ordnance Survey