

Online meeting: Thursday 20 November 2025, 10am

Attendees: Clerk, Cllr Clark, Cllr Kilmurray and Mandy Taylor from HCR Legal LLP

Meeting to discuss process for acquiring public space, current position of ongoing land transfers, possible engagement for new transfer and request to review lease of Community Hub.

Meeting notes

Considerations and process for acquiring public open space

- Is the transfer of public open space land pursuant to a S106 Agreement?
- If so, the S106 Agreement will detail the terms and procedures for the transfer of the public open space including details of the commuted sum.
- The S106 Agreement may confirm that the developer is to pay the Parish Council's legal fees but if this is not the case, or the transfer of land is not subject to a S106 Agreement, I would recommend that the Parish Council considers asking the developer to pay its legal fees.
- If the Parish Council is acquiring land which is not pursuant to a S106 Agreement, consider whether a commuted sum is required for maintenance purposes.
- I would not expect the Parish Council to pay any consideration to receive public open space.
- Although not a legal requirement, consider requisitioning conveyancing searches as the results may reveal issues that could affect your use or occupation of the property or potential liabilities.
- Once the Parish Council is the landowner it would be bound by any matters of title. I would therefore carry out a title review and report to you.
- Any commuted sum would be payable on completion.
- Following completion of the transfer I would attend to registration of your acquisition at Land Registry.

Open Space at Greengage Rise

- There has been a high turnover of staff at XXX and I am currently awaiting confirmation of who is dealing with this matter together with replies to enquiries.

Amenity areas at Orchard Gardens

- The only outstanding point is the certificate from South Cambridgeshire District Council confirming the requirements for maintenance of the amenity land under the S106 Agreement have been complied with.
- The certificate is to be issued following a 12 month maintenance period which you advised ends in February 2026 (*confirmed post meeting as 26 February 2026*).

Leap & Lap

- You advised that the Parish Council agreed to take over the Leap and Lap and a commuted sum has been agreed. (*Sum has not yet been agreed – working with s106 officer to confirm*)
- The parties are in discussions regarding a significant area of incidental land to also be transferred but the developer is not offering a commuted sum. I would recommend that I review the S106 Agreement for any terms regarding the transfer of the land.

Lease of Melbourn Community Hub

- You have provided me with a copy of the lease dated 20 December 2013 between Melbourn Parish Council and Melbourn Community Hub Management Group and would like a report on the terms of the lease and obligations of each party.