



Festival of Britain Village 1951
Motto: "Independence and Self Help"

TROWELL PARISH COUNCIL

Historical Background Report on the Proposed Transfer of Land at Field Farm.

**Prepared for the Extraordinary Meeting of Trowell Parish Council
31 July 2026**

Prepared by:
Jane Murden
Clerk & Responsible Financial Officer

Version:
Version 1.0

Status:
Background Information Only – Not a Planning Assessment

1. Purpose of this Report

This report has been prepared to provide Members of Trowell Parish Council and members of the public with a factual summary of the surviving historical records relating to the proposed transfer of land at Field Farm to Trowell Parish Council.

The report has been prepared following significant public interest generated by Planning Application 26/00427/FUL and is intended to assist Members in understanding the documented history of the proposed transfer.

Its purpose is to provide historical context only. It has not been prepared to support or oppose the current planning application and should not be regarded as a material planning consideration.

The planning application will be considered separately by the Council on its own planning merits, having regard to the relevant planning policies and any material planning considerations.

The report seeks to distinguish between documented historical fact and speculation. It is based solely upon the surviving documentary evidence available to the Council at the time of writing.

2. Methodology

This report has been prepared using the surviving documentary evidence held by Trowell Parish Council.

The principal sources considered include:

- Council Minutes;
- surviving legal correspondence;
- draft legal documentation;
- Land Registry documentation;
- briefing notes prepared by the former Clerk;
- correspondence relating to the proposal; and
- other surviving Council records.

In preparing this report, the following principles have been applied:

- Documentary evidence has been used wherever available.
- Where appropriate, information has been corroborated across more than one surviving source to provide the greatest possible level of accuracy.

- Where documentary evidence is unavailable due to the passage of time or the loss of historical records, no attempt has been made to speculate or draw unsupported conclusions.
- The report has been prepared solely to provide a factual historical account of the surviving records and should not be interpreted as an assessment of the current planning application.

Throughout this report, priority has been given to contemporaneous documentary evidence. Where records are incomplete or no longer exist, this has been acknowledged rather than supplemented by assumption or recollection.

3. Availability of Historical Records

The Council wishes to make readers aware that some historical records relating to this matter are no longer available.

During 2020, whilst archive work was being undertaken during the COVID-19 pandemic, a pressure vessel failure within the Parish Hall resulted in significant flooding to the Council offices. As a consequence, a quantity of historic paper records was irretrievably damaged and subsequently destroyed.

Whilst every effort has been made to locate and review all surviving documentation, it is acknowledged that some historical records have been permanently lost.

Accordingly, this report reflects the surviving documentary evidence available to the Council at the time of writing and should not be interpreted as representing a complete historical archive.

The absence of a particular document within the surviving records should not be taken as evidence that an event did or did not occur. Rather, this report presents the best historical account that can be prepared from the evidence that remains available to the Council.

4. Key Findings

Having reviewed the surviving documentary evidence, the Council has identified a number of key findings relating to the proposed transfer of land at Field Farm.

Historical Findings

The surviving documentary evidence demonstrates that:

- The Council expressed an interest in acquiring the land over a number of years.
- The proposal involved considerably more than the transfer of land for a nominal consideration.
- Solicitors acting on behalf of the Council were instructed to protect the Council's interests and progress the legal negotiations.
- Draft legal agreements and associated documentation were prepared.
- Negotiations continued over several years and involved a number of legal and practical considerations.
- Discussions later continued following the involvement of Peveril Homes in the wider development of the site.
- During the course of the negotiations, the proposed consideration for the transfer changed from £1 to £1.50.
- The surviving records demonstrate that legal costs incurred in protecting the Council's interest were met by the developer.
- Despite extensive negotiations, no executed Transfer or other legal documentation completing the transfer of ownership has been identified within the surviving records.
- Ownership of the land did not transfer to Trowell Parish Council.

Governance Findings

The surviving documentary evidence further demonstrates that:

- Trowell Parish Council never became the legal owner of the land.
- Consequently, the Council never assumed legal responsibility for its management, maintenance or future use.
- The proposal did not progress to the stage where the Council was required to make decisions regarding the future use of the land.
- Had the transfer proceeded, further decisions relating to maintenance, insurance, environmental management, public access, future expenditure and long-term management would have required formal consideration by the Council.
- As such decisions could have resulted in ongoing financial commitments for local taxpayers, it would have been appropriate, as a matter of good governance, for residents to be consulted before any significant decisions regarding the future use of the land were taken.

These findings form the basis of the historical narrative set out in the remainder of this report.

5. Chronology of Events

The following chronology has been prepared from the surviving documentary evidence held by Trowell Parish Council. It provides a factual summary of the principal events relating to the proposed transfer of land at Field Farm.

The chronology is intended to present the sequence of events recorded within the surviving documentation and should not be interpreted as expressing any opinion regarding the current planning application.

5.1 November 2012 – Initial Consideration

The earliest surviving Council records identify the initial discussions regarding the possible transfer of land at Field Farm to Trowell Parish Council.

Members considered a proposal that would allow the Parish Council to register an interest in acquiring the land, subject to the completion of the necessary legal processes and the satisfaction of a number of conditions.

At this stage no transfer took place. The Council resolved that the proposal should be progressed and that discussions should continue.

This marked the beginning of what would become a number of years of legal discussions and negotiations concerning the proposed transfer.

5.2 December 2012 – Council Resolution

The surviving minutes demonstrate that the Council continued to support the proposal and formally resolved to pursue the potential acquisition.

The proposal comprised two separate elements:

- the transfer of the land for a nominal consideration of £1; and
- a separate financial contribution towards the future management and maintenance of the land.

The surviving records demonstrate that these were separate aspects of the proposal and that further legal work would be required before any transfer could be completed.

Ownership of the land remained unchanged.

5.3 2013 to 2015 – Legal Negotiations

During the following years the surviving records demonstrate that the Council instructed solicitors to act on its behalf and that detailed legal negotiations commenced.

Draft legal agreements were prepared and a number of legal and practical matters required consideration before any transfer could proceed.

These included:

- restrictive covenants governing the future use of the land;

- arrangements relating to public access;
- farming tenancy matters;
- drainage and future maintenance responsibilities;
- reinstatement of land following development works;
- matters relating to the former British Coal Corporation and the Coal Authority;
- buy-back provisions;
- restrictions affecting future development of the land; and
- the proposed financial contribution towards future maintenance.

The surviving records demonstrate that these matters remained under discussion for a considerable period and that negotiations continued as the legal documentation developed.

The Council maintained its interest in the proposed acquisition throughout this period.

5.4 Continuing Discussions

The surviving records demonstrate that discussions regarding the proposed transfer continued following changes in the wider development of the Field Farm site.

Following the involvement of Mr Robert Westerman and, subsequently, Peveril Homes, discussions between the respective parties continued.

The Council continued to register its interest in acquiring the land and remained engaged in discussions relating to the legal documentation and the proposed transfer.

During these later discussions the proposed consideration changed from £1 to £1.50.

The surviving records also demonstrate that legal costs associated with protecting the Council's interest were met by the developer.

Despite continued negotiations, the surviving documentary evidence does not identify any completed Transfer or other legal documentation completing the transfer of ownership.

5.5 Meeting with Peveril Homes

The surviving records identify a meeting involving representatives of Trowell Parish Council, Mr Robert Westerman and Peveril Homes to discuss the proposed transfer.

The documentation demonstrates that the Council continued to express an interest in the proposed transfer and that negotiations remained active.

The surviving records indicate that the proposal continued to be regarded as a future possibility, subject to the resolution of the outstanding legal matters.

However, no documentary evidence has been identified demonstrating that the legal transfer of ownership was completed.

5.6 Conclusion of the Historical Record

The surviving documentary evidence demonstrates that Trowell Parish Council pursued the proposed transfer of the land over a number of years through formal Council resolutions, legal negotiations and continued discussions with the relevant parties.

The proposal involved considerably more than the transfer of land for a nominal consideration. It encompassed draft legal agreements, restrictive covenants, mining-related considerations, financial arrangements and a range of associated legal matters.

Whilst significant work was undertaken by all parties involved, the surviving records do not identify any executed Transfer or other legal documentation completing the transfer of ownership to Trowell Parish Council.

Accordingly, ownership of the land did not pass to the Council and the proposal did not progress to the stage at which the Council was required to make decisions regarding the future use or management of the land.

6. Legal Negotiations

The surviving documentary evidence demonstrates that the proposed transfer of the land required extensive legal consideration over a number of years.

Following the Council's decision to pursue the proposal, solicitors were instructed to act on behalf of Trowell Parish Council. Draft legal documentation was subsequently prepared and negotiations took place between the respective parties.

The surviving records demonstrate that the proposed transfer involved considerably more than the acquisition of land for a nominal consideration. A number of legal, practical and operational matters required agreement before any transfer could be completed.

These included, amongst other matters:

- the preparation and review of draft legal agreements;
- restrictive covenants governing the future use of the land;
- provisions restricting future development of the land;
- public access arrangements;
- farming tenancy considerations;
- drainage and future maintenance responsibilities;
- reinstatement of land following development works;
- matters relating to the former British Coal Corporation, now administered by the Coal Authority;
- buy-back provisions in certain circumstances;
- the proposed community contribution towards future maintenance; and

- the registration and protection of the Council's interest throughout the negotiation process.

The surviving records also demonstrate that legal costs incurred in protecting the Council's interest were met by the developer.

Whilst substantial legal work was undertaken and draft agreements were prepared, the surviving documentary evidence does not identify any executed legal documentation completing the transfer of ownership to Trowell Parish Council.

Accordingly, the legal negotiations did not result in ownership of the land transferring to the Council.

7. Former Mining Activity

The surviving documentary evidence demonstrates that the history of former mining activity beneath the Field Farm site formed part of the legal negotiations relating to the proposed transfer.

The available records indicate that the land had previously been affected by opencast mining operations. Consequently, legal documentation and correspondence refer to matters involving the former British Coal Corporation, whose responsibilities have since transferred to the Coal Authority.

The surviving records demonstrate that these matters formed part of the wider legal considerations associated with the proposed transfer. They were considered alongside other matters including drainage, restrictive covenants, public access, future maintenance responsibilities and the preparation of legal agreements.

The documentary evidence does not suggest that former mining activity, in isolation, prevented the proposed transfer. Rather, it formed one element of the wider legal negotiations that remained under consideration throughout the process.

This report makes no assessment of the current condition, stability or suitability of the land. The purpose of this section is solely to record the relevance of former mining activity as identified within the surviving historical documentation.

8. Governance Considerations

The surviving documentary evidence demonstrates that the proposed transfer did not progress to completion and that ownership of the land never passed to Trowell Parish Council.

Had the transfer been completed, the Council would have assumed responsibility for the future management of the land. Before accepting such responsibility, Members would have been required to consider a range of governance, financial and operational matters.

These would have included, but not been limited to:

- determining the long-term purpose and intended use of the land;
- establishing maintenance and inspection arrangements;
- securing appropriate insurance and public liability cover;
- managing drainage and environmental responsibilities;
- identifying future revenue and capital expenditure requirements;
- ensuring compliance with health and safety legislation;
- considering any contractual arrangements required for maintenance;
- assessing the impact on future Council budgets; and
- considering any implications for the Parish precept.

Any decisions involving ongoing expenditure or long-term financial commitments would have required formal consideration by the Council.

As a matter of good governance, it would also have been appropriate for residents to be consulted before any significant decisions regarding the future use or management of the land were made.

As ownership of the land never transferred to Trowell Parish Council, these decisions were never required and no such decisions were taken.

9. Conclusions

This report has been prepared to provide a factual historical account of the surviving documentary evidence relating to the proposed transfer of land at Field Farm.

The surviving records demonstrate that Trowell Parish Council pursued the proposal over a number of years through formal Council resolutions, legal negotiations and continued discussions with the relevant parties.

The proposal involved considerably more than the transfer of land for a nominal consideration. The surviving evidence demonstrates that a range of legal, operational and governance matters required resolution before any transfer could take place.

Whilst significant work was undertaken by the Council, its professional advisers and the other parties involved, the surviving documentary evidence does not identify any executed legal documentation completing the transfer of ownership.

Accordingly, ownership of the land did not pass to Trowell Parish Council.

As ownership was never transferred, the Council did not acquire legal responsibility for the land and did not reach the stage at which decisions regarding its future use, management or maintenance were required.

This report has been prepared solely to document the surviving historical evidence relating to the proposed transfer of land at Field Farm. It has not been prepared to support or oppose the current planning application and should not be interpreted as expressing any view on the planning merits of the proposal. Its purpose is to provide Members and the public with an accurate historical record based upon the surviving documentary evidence available to the Council.