

LAND TO THE REAR OF WALLACE GREEN

I am writing in relation to Northumberland County Council's application to the Lands Tribunal to remove a restrictive covenant from its title to the land to the rear of Wallace Green, Berwick upon Tweed to which Berwick upon Tweed Town Council has filed an objection.

I would point out that the reasons for the application are twofold namely:

- (i) to remove the restrictive covenant entirely from the small area to rear of number 11 Wallace Green so that it can be transferred to the new owners; and
- (ii) to remove Tesco Plc, which has the benefit of the restrictive covenant but no other connection to the land, from the Council's title. It is neither Council's best interests to have a third party in a position to exercise control over use of the land.

Whilst I would wish to point out that there are no plans either now or in the foreseeable future to develop or change the use of the land, in light of the concerns raised by the Town Council the County Council will, on the basis that the objection is withdrawn, enter into a Deed of Covenant restricting use to that of public parking conferring the benefit directly on the Town Council. Will the Town Council be willing to move forward on this basis?

Please will the Council give this matter due consideration and I look forward to hearing from you with a response as soon as possible

Yours sincerely

Lorraine Fenwick

Lawyer

Legal Services

Corporate Resources Directorate

Northumberland County Council