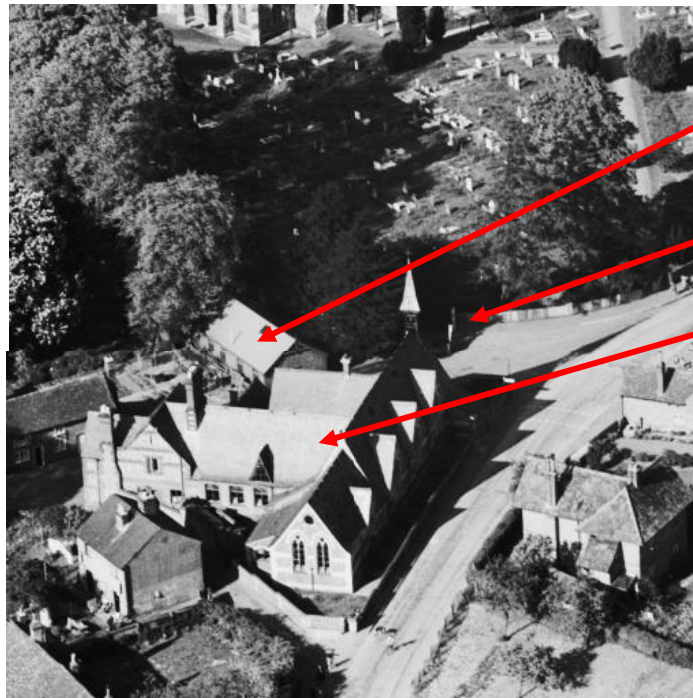


Bury Green Garden

The land on which the Bury Green Garden stands was owned in the 19th century by the Church Commissioners. The rector, Canon George Pretyman, built a new rectory nearby in 1815, with a driveway from Bury Green.



Shortly after the First World War, the Church Room was built on a site that covered about two thirds of what is now the Bury Green Garden, with an extension into what is now the garden of No.1 Old Rectory Gardens, as shown in this aerial photograph taken in 1948.



Church Room

Driveway to 1815 rectory

Old School

On 10 December 1959, the rectory and its gardens were sold by the rector, Reverend George Roe, to Astbury Blythe (Builders), with a covenant that any buildings erected thereon should not include any place of amusement, hotel, tavern, inn or public house nor any sale of alcoholic liquor, nor should there be any cause of disturbance to the rector or the congregation.

The houses in Old Rectory Gardens were built soon afterwards, the sale of No.1 being completed on 7 September 1964. This purchase included the land on which the private road into Old Rectory Gardens was built and about one third of the site of what is now the Bury Green Garden. The Church Room was still in use by the school and by various local groups such as the Guides. It also housed the village library. It was demolished in the early 1970s, shortly after the Old School building was finally vacated by the school.

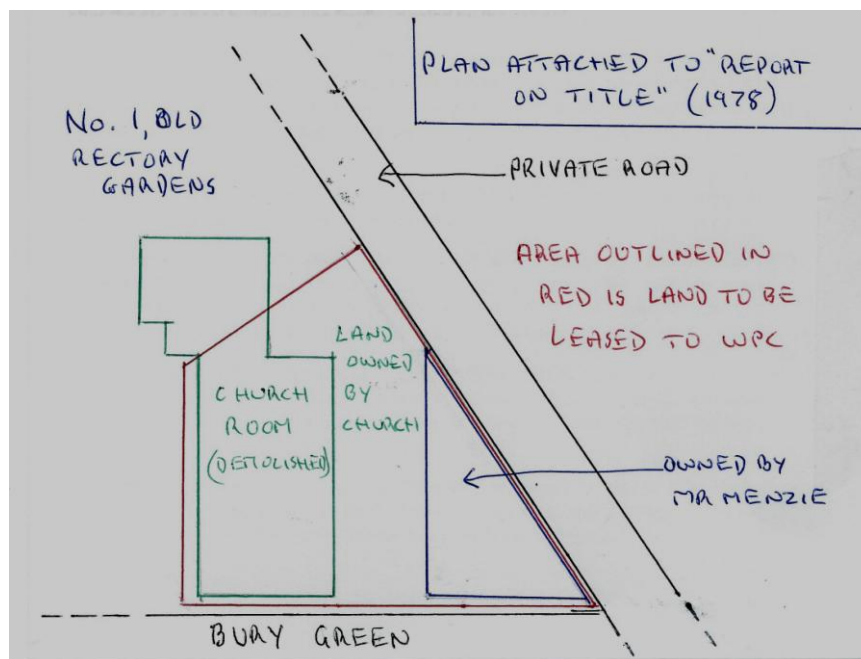
On 14 December 1973, the Church Commissioners sold the now-empty Church Room site to St Albans Rural District Council, soon to be merged into St Albans District Council (SADC), with a covenant that stated it was to be used as a car park.

From 1974 onwards, the owner of No 1 was in touch with SADC in an attempt to exchange two small sections of land and to clarify the relevant boundaries.

On 30 November 1976, Wheathampstead Parish Council (WPC) approached SADC with a request that either they build the car park or they sell the land to WPC for this purpose. SADC explained that, under the Community Land Act, the land could only be sold for housing but, in May 1977, offered the option of the land being leased to WPC.

By 3 January 1978, all parties had agreed that the site should be used as amenity land and SADC agreed to lease the site to WPC. However, there were two problems: (a) the car park covenant was in place and (b) part of the site still belonged to No 1 Old Rectory Gardens.

Collyer-Bristow, the solicitors acting for WPC, produced a draft lease in September 1978, which aimed to establish exactly what area of land was to be included in the lease, who owned which bits of it, what covenants were in place, and who was responsible for clearing the site of waste material and vegetation. Collyer-Bristow produced a "Report on title" in November 1978 which aimed to clarify the situation (see plan below). There followed an increasingly frantic (for a solicitor) series of letters from Collyer-Bristow to WPC as they tried to reconcile the different maps that the various parties had supplied.



Reverend Roe released SADC from the car park covenant on 6 April 1979.

The boundaries and ownership of the site were eventually agreed and the lease took effect on 26 September 1979. Under its terms, WPC leased the site from SADC for 99 years at an annual rent of £1.00. Conditions included that the site must be used as amenity land and not be built on or used to carry on any business. WPC paid £5.00 rent in advance. The contract for landscaping the site was awarded to a local landscape gardener.

In 1998, it became compulsory that transfers or gifts of land should be added to the Land Registry. In what appears to be a general tidying up of the records of SADC and WPC, two Land Registry documents dated April 1999 show that the entire area of the Garden had been transferred from SADC to WPC which is now the freehold owner.

Over the years, the garden had gradually fallen into disrepair. By 2015, it looked like this.



At this point, the Wheathampstead and District Preservation Society (WDPS) decided that something had to be done. With financial support from the Parish Council and generous support in materials and in kind from Borrás Construction, whose head office is in Wheathampstead, a group of WDPS volunteers have created the garden you see below.



Source: Wheathampstead Parish Council archives.