



your experts in church properties

Church Properties – do we need to register the title?

**A Church Growth Trust Practical Guide
(February 2026)**

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1.0 Introduction

More property transactions are registerable with HM Land Registry under the Land Registration Act 2002. This not only includes transfer of property, but also any mortgage or any lease of seven years or more. In due course it will also be necessary to register leases of three years or more. Since July 2009 any appointment of a new trustee for a Trust which owns property is also a trigger event for the title to a property being registered.

There are advantages to registering voluntarily and all trustees of charitable property need to consider sorting out any defects in their property title and ensure that they are up to date with their legal documentation.

2.0 Voluntary registration

Voluntary registration is possible. There are advantages in voluntarily registering title for your property, including:

- It ensures that current trustees are the registered owners of the property. Any future changes of trustees also need to be registered;
- It prevents anyone else from registering any part of the property (at least not without informing the trustees). Any further attempts by anyone else to register title for any of the property will be unlikely to succeed. The longer your title has been unchallenged the stronger your case;
- It reduces the risk of neighbours encroaching. Title registration will help prove your ownership;
- It is no longer necessary to rely on a bundle of paper deeds, which can be lost, damaged or destroyed. Your title will be recorded/registered with the Land Registry;
- The Land Registry fees for Voluntary Registration are 25% less than for Compulsory Registration. Current Registration Fee levels¹ are shown in Appendix 1.

Registering title can be a simple and inexpensive process, particularly if this is done at the time of the property transaction. The identity of each of the trustees will need to be proved to the Land Registry. Your solicitor should be able to guide you through this.

3.0 Complications

Title registration, however, is not always straightforward. We come across many complicated cases, all of which are best to be dealt with sooner rather than later. Here are some examples:

- The church building was conveyed 50 years ago to the trustees at the time of transfer. The title to the property has never been registered. Although new trustees have been appointed over the years, the property has never been transferred to the new trustees. For the property title to be registered in the current trustees' names, the property would need to be transferred from the original trustees to the current ones. If none of the original trustees are still alive, or cannot be traced, it may be necessary to obtain a Charity Commission Order vesting the property in the current trustees.

¹ As at February 2026.

- The original Conveyance for the church property has been destroyed, lost or stolen and no copies are available. Statutory Declarations (or Statements of Truth as they are now called) will be required from longstanding trustees or members of the fellowship. It may be that only possessory title will be granted by the Land Registry. The possessory title may be upgraded to title absolute if at any time the original documents are found or after a period of 12 years there has been no challenge to the title.
- The church had no title deeds at all. No one knew in whose name the church premises were held. After lengthy investigation it turned out that one of the well-known church denominations owned the church property; although they had had no contact with the church for many decades. Registration would have saved a lot of time in tracing ownership of the church property.

4.0 Statements required in a disposition to a charity

Generally, a transfer or other disposition which has to be registered (e.g. a lease of seven years or more to a charity of land and/or buildings) should contain a statement to comply with Section 123 of the Charities Act 2011 and Rule 179 of the Land Registration Rules 2003 as follows:-

"The land transferred (or as the case may be) will, as a result of this transfer (or as the case may be), be held by (or in trust for)[charity name], a non-exempt charity, and the restrictions on disposition imposed by Sections 117-121 of the Charities Act 2011 will apply to the land (subject to Section 117(3) of that Act)."

This wording would need to be adapted for a disposition other than a transfer such as a lease.

If the charity is an exempt charity (not likely in the case of an independent church), there is a shorter form of statement required.

Where charity trustees are individuals, the trustees' names and addresses will be shown in the Proprietorship Register at the Land Registry followed by a reference to the charity such as "as trustees of the XYZ Church, Sometown, Somecounty".

If the charity trustees have been incorporated under Part 12 of the Charities Act 2011 the registration will show the incorporated name.

5.0 Restriction on the registered title of charities

When the transfer or other disposition gives rise to the need for registration at the Land Registry set out in section 4 above, the Registrar will automatically include in the registered title a restriction to the effect that any disposition of the land must contain a certificate to show compliance with the provisions of the Charities Act 2011 relating to dispositions by charities. In the case of a voluntary registration at the Land Registry where there has been no disposition requiring registration, the charity must apply on Form RX1 for such a restriction to be included in the registration.

6.0 Charity registration

There is often confusion between registering a charity with the Charity Commission and registering title to the property with the Land Registry. The two registration processes are

totally independent of each other. You do not have to be a registered charity to register title for the property. Likewise, registering title will not make any difference to whether you need to register as a charity. The current requirement to register as a charity is complicated and there are a number of exemptions. These were reduced by the Charities Act 2006 (now superseded by the Charities Act 2011). In brief any charity that is not covered by the main denominational bodies and has income of over £5,000 per year is required to register with the Charity Commission. Once the charity is registered it is necessary to inform the Charity Commission of any changes of trustee (although in practice they are happy to be informed on your annual return). More details of the requirements and advantages of registering as a charity are given in Church Growth Trust's practical guide entitled "[As a church do we need to register with the Charity Commission?](#)", which can be found on CGT's website.

7.0 Land Registry searches

In order to establish whether a property has been registered it is possible to do a Land Registry Search (of the index map). This is a fairly simple process of either completing a SIM form (see Appendix 2) or completing the property enquiry form on the Land Registry website <https://www.gov.uk/search-property-information-land-registry>. It helps to send a map of the property with the SIM form. There is a charge of £8 for this. The Land Registry will return a map showing any titles that affect the property or will give you the title number(s) online. You are then able to request by post or online the title register (details of the person(s) who has registered the title and any restriction or reservations on the register) and/or a plan using each title number. There is a small charge for this, if supplied by post, of £11 for the register and £11 for the title plan (online currently £7.00 for a title register and £7.00 for a title plan). You will need to complete form OC1 for a postal enquiry (see Appendix 3).

8.0 Mortgages and charges

A mortgage or legal charge is a potential claim against a property in order to discharge a debt or other obligation. The grant of a mortgage or legal charge gives rise to an obligation to register the title. Responsibility for registering a charge relating to a mortgage or loan lies with the person/body making the loan. It may save time and legal fees if the title is already registered because the title may be clearer and so require less investigation and, the less time spent on investigating the title and registering the title, the less the legal fees should be.

9.0 Leases

Long leases have been registerable for some time. Now leases seven years or longer must also be registered. This will extend to shorter leases in due course. When registering leases, the relevant value used to calculate the registration fees is the highest annual rent receivable during the first five years of the term of the lease, plus any premium that may be paid. Fee levels are shown in Appendix 1.

10.0 Boundary disputes

Boundaries to the church property should be checked at least once every 10 years against the title registration to ensure that no encroachments have taken place. Any use of the registered property by another party (e.g. a neighbour maintaining a small area as a garden) should be formalised by at least a letter confirming that their use is by permission. This will prevent them claiming they occupied the property by prescriptive right.

11.0 Action

Action points to consider:

- a) Transfer the property into the current trustees' names and register the property title in their names. Repeat when new trustees are appointed.
- b) If there are no current trustees available, arrange for trustees to be appointed and the title registered.
- c) Ensure all future appointment of trustees, transfers, mortgages and registerable leases are registered.
- d) Check boundaries regularly and do not allow encroachment.

12.0 Custodian trusteeship

Custodian trusteeship is a service offered by Church Growth Trust (CGT) where the legal title for the property is held in CGT's name (see CGT's Service Paper on custodian trusteeship on CGT's website). Although the local managing trustees will still make decisions concerning the property, there will be no need to transfer the property and re-register the title every time the trustees change. We include a service to store safely your legal documents. This has two advantages:

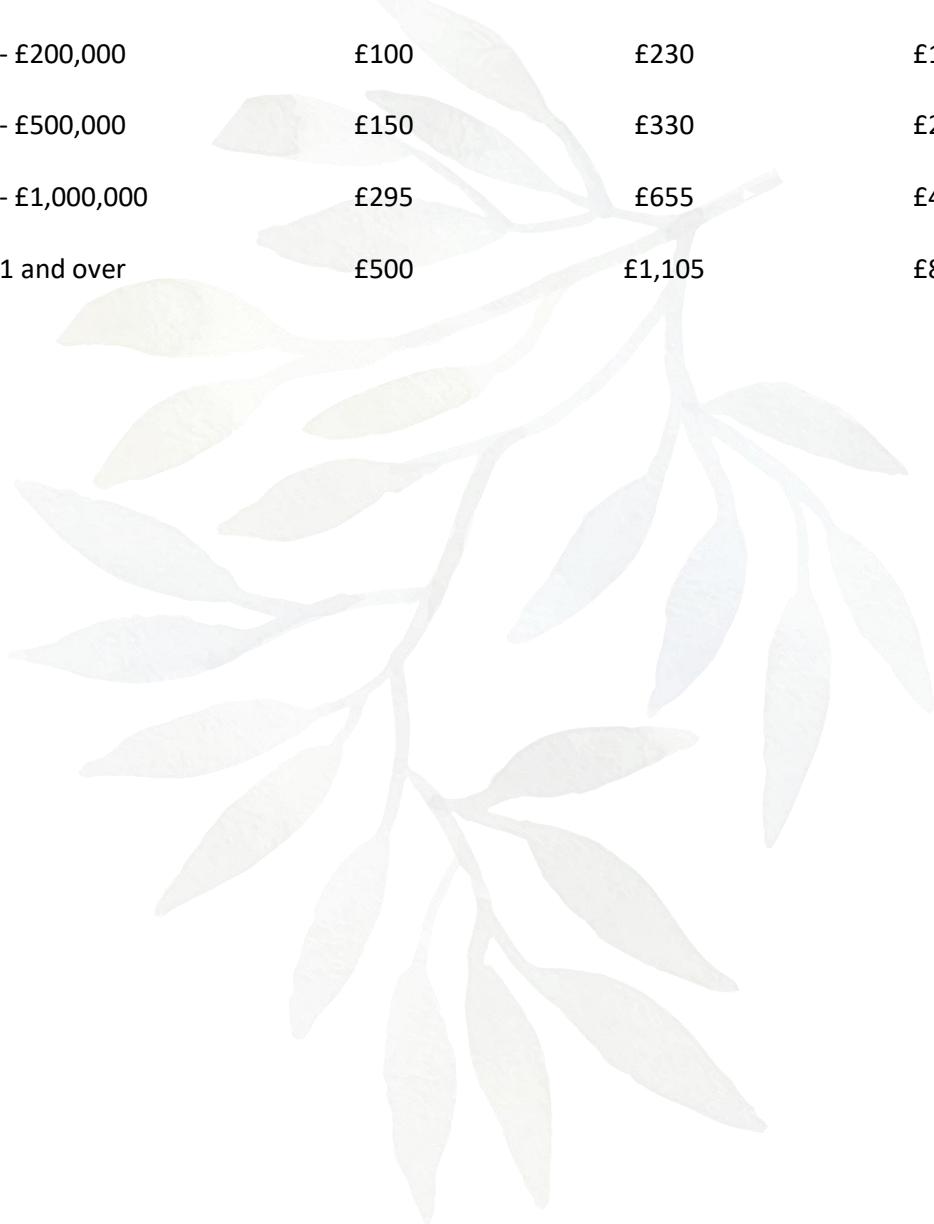
- You are saved the expense of making the new deeds required when trustees change;
- There is no risk that the property will remain vested in people who are no longer involved with the Trust and who may be difficult to trace.

The Charity Commission offers a similar service as Official Custodian.

Transferring the ownership of the property to a Charitable Company or Charitable Incorporated Organisation (CIO) may also be an option as the property is then held by a corporate body, rather than individual trustees. The corporate body will remain in place even if the officers/directors change. It is possible to convert a Trust or a company limited by guarantee into a CIO. (Please see CGT's practical guide on "[Charitable Incorporated Organisations for church charities](#)" on CGT's website).

Appendix 1 – Land Registration Fee (Scale 1) as at February 2026

Value of Registerable Interest	Normal Fees (Electronic Registration)	Normal Fees (Paper Registration)	Fees for Voluntary Registration (25% less)
£0 - £80,000	£20	£45	£30
£80,001 - £100,000	£40	£95	£70
£100,001 - £200,000	£100	£230	£170
£200,001 - £500,000	£150	£330	£250
£500,001 - £1,000,000	£295	£655	£495
£1,000,001 and over	£500	£1,105	£830



Appendix 2 – SIM Form

HM Land Registry

Application for an official search of the index map

SIM

Any parts of the form that are not typed should be completed in black ink and in block capitals.

If you need more room than is provided for in a panel, and your software allows, you can expand any panel in the form. Alternatively use continuation sheet CS and attach it to this form.

HM Land Registry is unable to give legal advice, but you can find guidance on HM Land Registry applications (including our practice guides for conveyancers) at www.gov.uk/land-registry.

For information on how HM Land Registry processes your personal information, see our [Personal Information Charter](#).

Where there is more than one local authority serving an area, enter the one to which council tax or business rates are normally paid.

If no postal address insert description, for example 'land adjoining 2 Acacia Avenue'.

To find out more about our fees visit www.gov.uk/government/collections/fees-land-registry-guides

Place 'X' in the appropriate box.

The fee will be charged to the account specified in panel 4.

HM LAND REGISTRY USE ONLY
Record of fees paid

Particulars of under/over payments

Reference number
Fees debited £

1	Local authority serving the property:	
2	Property to be searched	
	Flat/unit number:	
	Postal number or description:	
	Name of road:	
	Name of locality:	
	Town:	
	Postcode:	
	Ordnance Survey map reference (if known):	
	Known title number:	
3	Application and fee	
	Application	Fee paid (£)
	Search of the index map	
	Fee payment method	
	<input type="checkbox"/> cheque made payable to 'Land Registry'	
	<input type="checkbox"/> direct debit, under an agreement with Land Registry	

This panel must always be completed.

A key number is only available to professional customers, such as solicitors.

If you are paying by direct debit, this will be the account charged.

Please note that until further notice all copies ordered using this form will be despatched in paper form. When email despatch becomes available, a direction will appear on GOV.UK and details will be given in [practice guide 10: inspection and application for official copy](#).

Until there is a direction, you do not need to complete this panel to obtain an official copy in paper format.

Place 'X' in the box if applicable.

Any attached plan must contain sufficient details of the surrounding roads and other features to enable the land to be identified satisfactorily on the Ordnance Survey map. A plan may be unnecessary if the land can be identified by postal description.

4	This application is sent to Land Registry by	
Key number (if applicable):		
Name: Address or UK DX box number:		
Email address:		
Reference:		
Phone no:		Fax no:
5	Issue of certificate of result of search in paper format where an email address has been supplied	
If you have supplied an email address in panel 4, then, unless you complete the box below, any certificate of result of search of the index map will be issued electronically to that address, if there is a direction under section 100(4) of the Land Registration Act 2002 by the registrar covering such issuing.		
<input type="checkbox"/> I have supplied an email address but require the certificate of result of search to be issued in paper format instead of being issued electronically		
6	I apply for an official search of the index map in respect of the land referred to in panel 2 shown	
on the attached plan		
7	Signature of applicant:	
Date:		

WARNING

If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

Failure to complete this form with proper care may result in a loss of protection under the Land Registration Act 2002 if, as a result, a mistake is made in the register.

Under section 66 of the Land Registration Act 2002 most documents (including this form) kept by the registrar relating to an application to the registrar or referred to in the register are open to public inspection and copying. If you believe a document contains prejudicial information, you may apply for that part of the document to be made exempt using Form EX1, under rule 136 of the Land Registration Rules 2003.

Appendix 3 – OC1 Form

HM Land Registry

Application for official copies of register/ plan or certificate in Form CI

OC1

Use one form per title.

Any parts of the form that are not typed should be completed in black ink and in block capitals.

If you need more room than is provided for in a panel, and your software allows, you can expand any panel in the form.

Alternatively use continuation sheet CS and attach it to this form.

HM Land Registry is unable to give legal advice, but you can find guidance on HM Land Registry applications (including our practice guides for conveyancers) at www.gov.uk/land-registry.

For information on how HM Land Registry processes your personal information, see our [Personal Information Charter](#).

Where there is more than one local authority serving an area, enter the one to which council tax or business rates are normally paid.

Use a separate form for each registered title.

Place 'X' in the appropriate box.

HM LAND REGISTRY USE ONLY
Record of fees paid

Particulars of under/over payments

Reference number
Fees debited £

1	Local authority serving the property:		
2	Details of estate		
	(a) Title number if known:		
	(b) (Where the title number is unknown) this application relates to		
	<input type="checkbox"/> freehold	<input type="checkbox"/> leasehold	<input type="checkbox"/> manor
	<input type="checkbox"/> franchise	<input type="checkbox"/> caution against first registration	
	<input type="checkbox"/> rentcharge	<input type="checkbox"/> profit a prendre in gross	
3	Property		
	Flat/unit number:		
	Postal number or description:		
	Name of road:		
	Name of locality:		
	Town:		
	Postcode:		

To find out more about our fees visit
www.gov.uk/government/collections/fees-land-registry-guides

Place 'X' in the appropriate box.

The fee will be charged to the account specified in panel 5.

This panel must always be completed.

You must include a name and address. HM Land Registry will use these details to send the document(s) to you.

A key number is only available to professional customers, such as solicitors.

If you are paying by direct debit, this will be the account charged.

Please note that until further notice all copies ordered using this form will be despatched in paper form. When email despatch becomes available, a direction will appear on GOV.UK and details will be given in [practice guide 11: inspection and application for official copy](#). Until there is a direction, you do not need to complete this panel to obtain an official copy in paper format.

Place 'X' in the box if applicable.

Indicate how many copies of each are required.

4 Application and fee		
Application	Total number of all copies or certificates requested in panel 7	Fee paid (£)
Official copy of register /plan or certificate of inspection of title plan		
Fee payment method		
<input type="checkbox"/> cheque made payable to 'Land Registry'		
<input type="checkbox"/> direct debit, under an agreement with Land Registry		
5 This application is sent to Land Registry by		
Key number (if applicable):		
Name: Address or UK DX box number:		
Email address: Reference:		
Phone no:	Fax no:	
6 Issue of official copies in paper format where an email address has been supplied		
If you have supplied an email address in panel 5, then, unless you complete the box below, any official copy will be issued electronically to that address, if there is a direction under section 100(4) of the Land Registration Act 2002 by the registrar covering such issuing.		
<input type="checkbox"/> I have supplied an email address but require the official copy(ies) to be issued in paper format instead of being issued electronically		
7 I apply for		
<input type="checkbox"/> _____ official copy(ies) of the register of the above mentioned property		
<input type="checkbox"/> _____ official copy(ies) of the title plan or caution plan of the above mentioned property		
<input type="checkbox"/> _____ certificate(s) of inspection of title plan, in which case either		

Place 'X' in the appropriate box.

State reference, for example 'edged red'.

i. an estate plan has been approved and the plot number is:
or
ii. no estate plan has been approved and a certificate is to be issued in respect of the land shown
on
the attached plan and copy

8 If an application for registration is pending against the title

I require an official copy back-dated prior to the receipt of the application
 I require an official copy on completion of that application

9

Signature of applicant: -----

Date:

WARNING

If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

Failure to complete this form with proper care may result in a loss of protection under the Land Registration Act 2002 if, as a result, a mistake is made in the register.

Under section 66 of the Land Registration Act 2002 most documents (including this form) kept by the registrar relating to an application to the registrar or referred to in the register are open to public inspection and copying. If you believe a document contains prejudicial information, you may apply for that part of the document to be made exempt using Form EX1, under rule 136 of the Land Registration Rules 2003.