

MEMORANDUM

To: Setufe Selasi – Be First

Date: 14 December 2022

From: Charlie Prendergast
Legal Practice

Re: Report on Title – Site at 190 Goresbrook Road, Dagenham, RM9 6XS
(the Site) (AT/28646)

This report relates to land between 186 and 190 Goresbrook Road, Dagenham, RM9 6XS shown edged red on the “All Data” plan attached (*For the sake of clarity, 190 Goresbrook Road is not a property owned by the Council*).

In the preparation of this report, I have reviewed the title entries at the Land Registry and the schedule of the property documents retained by the Council.

Ownership

The site comes within the Council freehold title EGL405637, the register and title plan for which is also attached. Those properties edged in green on the title plan no longer form part of the title.

Rights and matters affecting the land in the title

The land has the benefit of the following rights reserved by a Transfer of the land edged and numbered EGL448648 in green on the filed plan (being the property at 184 Goresbrook Road which shares a boundary to the North East of the site):-

Schedule B of the OCE

- 1) The right of subjacent and lateral support
- 2) Subject to giving 7-days’ written notice (except in an emergency), the right to enter 184 for the purpose of repairing or maintaining any buildings erected or to be erected on the retained Council land and making good any damage caused.
- 3) The right
 - to the passage of services to and from the retained Council land from those service conduits over or under 184 subject to the Council paying a fair share of maintenance; and
 - Subject to giving 7-days’ written notice (except in an emergency), to enter 184 to maintain the service conduits; and

-to make further connections and lay new services as approved by the owner of 184 in writing and subject to making good any damage caused.

- 4) The right to pass over all unadopted roads (with or without vehicles) footways and access ways forming part of 184 except where they are intended for the sole use and benefit of 184 and subject to contributing a fair proportion of their maintenance.
- 5) The right to light and air to the windows now or to be built on the retained Council land.
- 6) All easements quasi easements liberties privileges rights and advantages used and enjoyed at the time or which would be implied by statute.
- 7) The right to deal with any of the retained Council land in any manner whatsoever.
- 8) The right to enter 184 to carry out repairs at 184's expense should they fail to maintain any service conduits or roads, paths etc. which also serve the site and have not been adopted by the public authority.

The site forming part of the Council retained lane is subject to the following rights granted by the 2002 Transfer:-

Schedule A of the OCE

1-6 reflect those rights above.

7 reflects 8 above.

The title entries note rights and reservations relating to transfers of adjoining properties made pursuant to the Right to Buy provisions of the Housing Acts.

The entries also note that transfers of neighbouring properties by the Council or by the Greater London Council contain agreements and declarations as to party walls, their maintenance and access thereto. However, there are no further details of such matters though a copy of the 1988 Transfer of the Property at 190 Goresbrook Road is attached for reference.

Other documentation

None seen

Access

The All Data plan shows the adopted highway coloured purple.

Comments

The All Data Plan also includes T marks which indicate the responsibility of residential owners for the boundaries of their properties bought from the Council under Right to Buy provision.

A copy of the streetview image is attached and shows that there is a tree and residential permit parking space to the front of the site and abutting the main road. Therefore, if vehicular access and/or off-street parking is required to any part of the site, it is advised that footway crossings be consulted to determine whether it meets their criteria for a dropped kerb.

No searches have been undertaken to establish statutory utilities. These can be arranged if required, but no doubt relevant utility companies will need to be consulted regarding the development proposals

Exclusion of liability

This report is based on the information revealed by office copy entries from the Land Registry.

I have not inspected the Site, nor have I made any enquiry of anyone in occupation of the property.

This report is addressed to and is solely for the benefit of Be First in connection with the proposed development of the Site mentioned above and has been prepared as an information document only.

The contents of this report are private and confidential and must not be relied on by or made available to any third party without the prior written consent of the Director of Law and Governance of the Council.

Charlie Prendergast

Legal Services