

Report on title 466-286 Long Lane, N2 8JP

1. INTERPRETATION

The following terms are used in this report:

Benefits: any right, easement, restriction, stipulation, restrictive covenant, mining or mineral right, franchise or other interest that benefits the Property.

Incumbrances: any right, easement, restriction, stipulation, restrictive covenant, mining or mineral right, franchise or other interest to which the Property is subject.

LTA 1954: Landlord and Tenant Act 1954.

Property: The property described in [Paragraph 4.](#) of this report.

Owner: Transport for London of Windsor House 42 – 50 Victoria Street, London SW1H 0TL.

VAT: value added tax chargeable under the Value Added Tax Act 1994.

2. SCOPE OF THE REVIEW AND LIMITATION OF LIABILITY

2.1

This report has been prepared for the sole benefit of you, Transport for London, in connection with your proposed development and/or disposal of the Property and for no other purpose.

2.2

This report is addressed to the Owner for its exclusive use. It must not be relied on by or made available to any other party without our written consent.

2.3

The report is based on our review of the title documents, search results, planning documents and replies to pre-contract enquiries you have provided.

2.4

We have not inspected the Property and are unable to advise on the physical condition of the Property.

2.5

We have made no enquiries of the actual occupiers of the Property and have not taken any steps to verify independently the information supplied by you in replies to enquiries.

2.6

We express no opinion on the commerciality of the transaction. We are unable to advise on the value of the Property. We recommend that you have the Property professionally valued. You should ensure that the valuer is aware of the matters mentioned in this report, as they may affect the value.

2.7

At the date of this report, the matters listed in [Schedule 2](#) are outstanding. We will keep you informed as and when these matters are resolved.

3. EXECUTIVE SUMMARY

This is a summary of the major issues that we think should be brought to your attention:

3.1

The Chancel search discloses risk of liability. Please refer to paragraph 7.5 for further detail. It is recommended that chancel repair insurance is put in place.

3.2

There are restrictive covenants noted on the title where either the benefitting land is not ascertainable or the extent of the restrictive covenants is unknown due to a missing deed, as detailed in paragraphs 6.1 and 6.2. Restrictive covenant insurance could be put in place.

4. THE PROPERTY

4.1

The Property is the freehold land known as:

- (a) land lying to the west of Long Lane, London;
- (b) 282 and 282A Long Lane, London;
- (c) 284 Long Lane, London N2 8JP;
- (d) 286 Long Lane, London N2 8JP; and
- (e) 288 Long Lane, London N2 8JP.

4.2

Plans showing the Property edged in red are attached as [Annex A](#). Please check the plan carefully to ensure that it accurately reflects the extent of the land. The plan may not show the exact location of the boundaries of the Property. The plan identifies shown hatched blue the no-build zone in respect of which you need to reserve appropriate access and maintenance rights (further details set out in paragraph 8.1 below).

4.3

The Property is registered at the Land Registry under title numbers:

- (a) AGL68025;
- (b) MX348085;
- (c) MX382035;
- (d) MX391098; and
- (e) MX104494.

The class of title for all of the above title numbers is absolute freehold title. Absolute title is the best class of title available.

4.4

The registered owner of the freehold Property is the Owner.

5. MATTERS BENEFITING THE PROPERTY

There are no matters benefitting the Property.

6. MATTERS BURDENING THE PROPERTY

The Property is subject to the following Incumbrances:

6.1

Title numbers AGL68025, MX104494, MX382035, and MX391098 are subject to restrictive covenants in a conveyance dated 24 October 1893 made between (1) The Reverend Albert Henry Arden (2) Frederick Peake and Ronald Peake and (3) Frederick William Elvin:

- (a) that no brick making or brick burning is to be carried out on the Property; and
- (b) that no nuisance or disturbance should be caused to Albert Henry Arden or his successors in title and any occupiers of adjoining property.

It is not possible to identify the land originally owned by Albert Henry Arden given that the conveyance is not available. We would recommend that restrictive covenant indemnity insurance is put in place to cover the risk of the restrictive covenants being enforced by the unidentifiable beneficiaries.

6.2

Title number MX348085 is subject to a restrictive covenant in a conveyance dated 28 October 1893 made between (1) Albert Henry Arden (2) Frederick Peake and Ronald Peake and (3) Frederick William Elvin, the particulars of which were not lodged on registration. However, given that the parties are the same as the conveyance listed above in [Paragraph 6.1](#), it is possible that this conveyance contained similar restrictive covenants. We would recommend that restrictive covenant indemnity insurance is put in place to cover the risk of the unknown restrictive covenants being enforced.

6.3

Title number MX348085 is subject to a restrictive covenant in a deed of exchange dated 22 August 1929 made between (1) Frank Rowley and Marmaduke Capper Matthews (Trustees) (2) Henry Gowland Rowley and Margaret Ella Rowley (3) John Rowley Henry Gowland Rowley and Frank Rowley and (4) The County Council of the Administrative County of Middlesex that no building or structure shall be erected on adjoining property in advance of the Building Line as shown in blue on the plan at [Annex B](#).

7. SEARCH RESULTS

7.1

Index map search

An index map search confirms whether a property is registered at the Land Registry (and, if so, the title number(s) under which it is registered). If a property is not registered, an index map search will show whether a property is subject to any pending applications for registration or any cautions against first registration.

The result of our index map search confirmed that the Property is registered under the title numbers stated in [Paragraph 4.3](#) of this report.

7.2

Local land charges search

A search of the local land charges register shows matters such as compulsory purchase orders, tree preservation orders, planning enforcement notices and financial charges registered against a property. You should note that the search result provides a snapshot of the register on the date of the search. Local land charges registered after the date of the search will still bind a property.

The local land charges search was provided by London Borough of Barnet on 1 June 2017.

The result shows that on 26 May 2016 a direction was confirmed that means that, from 29 May 2016 planning permission is required to change the use on the Property from buildings used as dwellinghouses to buildings used as small scale houses in multiple occupation. The permitted development rights no longer apply to this change of use (Use Class C3 to Class C4).

7.3

Local authority search (including any optional and additional enquiries)

A local authority search reveals important information about a property, such as planning permissions and building

regulation consents, proposals for road schemes, environmental and pollution notices and whether any part of the property is registered as common land or as a town or village green. A local authority search only reveals matters that affect the property being searched against. It will not disclose matters that affect neighbouring properties.

The local authority search was provided by London Borough of Barnet on 1 June 2017. The result of the search did not show any entries that adversely affect the Property and revealed the following information:

Long Lane is a highway maintainable at public expense.

No part of the Property is registered as common land or as a town or village green. Even if land is not registered as common land or a town or village green at the date of the search, it is possible for common land or new town or village greens to be registered in some circumstances.

Two CIL charging schedules exist for the London Borough of Barnet.

7.4

Drainage and water enquiries

The replies to drainage and water enquiries show whether a property is connected to the mains water supply and mains drainage. The replies may also show the location of public sewers within the boundary of a property and other such matters that may restrict development.

Replies to the drainage and water enquiries were provided by Thames Water on 30 May 2017. The replies did not show any entries that adversely affect the Property and revealed the following information:

The Property is stated to be believed to be a plot of land or recently built property, so it is recommended that drainage proposals are checked with the developer. The search results indicate that there are no water mains, resource mains or discharge pipes within the boundaries of the Property.

No drains or sewers are shown within the Property.

7.5 Chancel repair search

A chancel repair search shows whether the owner of a property may be liable to contribute towards the cost of repairs to the chancel of a parish church. We would advise you not to contact any parish churches directly in relation to chancel repair liability, as this may limit the availability of indemnity insurance.

The chancel repair search was provided by Chancel Check on 25 May 2017. The result of the search showed that the Property is within the historical boundary of a parish which continues to have a potential chancel repair liability.

Indemnity insurance for chancel repair liability can be obtained from First Title for approximately £230. This policy will cover you and your successors in title up to an indemnity limit of £1 million in perpetuity. We recommend that this be put in place.

7.6 Utility Search Gas

The gas search was provided by National Grid Gas on 26 May 2017. Nothing was disclosed within the Property.

7.7 Utility Search BT Infrastructure

The BT Infrastructure search was provided by BT on 30 May 2017. Nothing was disclosed within the Property albeit BT

joint boxes and cabling are disclosed in the adjoining roads.

7.8 Utility Search NG Electric

The NG Electric search was provided by National Grid on 30 May 2017. Nothing was disclosed within the Property.

7.9 Regional Electric Search

The Regional Electric search was provided by UKPN on 2 June 2017. Nothing was disclosed within the Property.

7.10 Highways Search

The highways search dated 18 July 2017 confirms that the Property directly abuts highway maintainable at public expense.

7.11 BT Wayleaves

The BT wayleaves search was provided by BT Openreach on 23 June 2017. Nothing was disclosed within the Property.

8. REPLIES TO PRE-CONTRACT ENQUIRIES

You should note the following information provided by the Seller in their replies to our pre-contract enquiries:

8.1

CPSE 13.1 states that a no-build zone has been identified and the Owner has confirmed that requisite rights of way and access for maintenance will be required in relation to its infrastructure located adjacent to the Property.

8.2

CPSE 10.1(a) states that the buyer will be responsible for making its own supply arrangements with the relevant utility suppliers following transfer.

8.3

CPSE 11 states that the buyer will be responsible for fire safety for the Property following transfer.

8.4

CPSE 1.3 states that Barnet Council requested the Owner to erect fencing; this work was undertaken.

8.5

CPSE 29.1 states that no option to tax the site has been exercised by the Seller.

9. CONCLUSION

Subject to the matters referred to in this report and to any issues arising out of the outstanding matters listed in [Schedule 2](#), we are of the opinion that the Property has a good and marketable title.

.....

Signed Dentons UKMEA LLP

Dated.....

SCHEDULE 1
TERMS OF THE LEASE

Not applicable

SCHEDULE 2
OUTSTANDING MATTERS

None.

ANNEXES:

ANNEX A: PLAN OF THE PROPERTY

ANNEX B: TITLE PLAN FOR AGL68025