

Report on title – Christchurch Road and Brixton Hill

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.

Property: The property described in *Paragraph 4.* of this report.

Owner: TRANSPORT FOR LONDON of Windsor House, 42-50 Victoria Street, London SW1H 0TL.

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 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

We have not investigated title to any land adjoining the Property.

3. EXECUTIVE SUMMARY

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

3.1

There is a restriction on the title which would need to be complied with if there is a disposition by the proprietor of the Property (except for the grant of a lease for a term not exceeding 50 years against the Property). Further details are provided at paragraph 6.1

3.2

The Property under registered title number 291788 has the benefit of a right of way but is subject to the payment of maintenance costs. Further details are provided at paragraph 5.2

3.3

The regional electricity search dated 4 May 2017 reveals cables crossing the Property as further described at paragraph 7.10.

4. THE PROPERTY**4.1**

The Property is the freehold land and buildings known as Cumberland Lodge, Streatham Hill and Harewood Lodge, 3 Streatham Hill.

4.2

A plan showing the Property edged in red is attached as *Annex A*.

4.3

Part of the Property is registered at the Land Registry under title number 91447. The class of title is absolute freehold title. Absolute title is the best class of title available.

AND

Part of the Property is registered at the land Registry under title number 291788. The class of title is absolute freehold title. Absolute title is the best class of title available.

4.4

The registered owner of the Property is the Owner.

5. MATTERS BENEFITING THE PROPERTY

5.1

The Property under registered title number 91447 has the benefit of a right of way over the road at the back of the Property as shown on the plan at Annex B. No further information is provided as to the location of the road and there we are unable to confirm the exact location of the right of way.

5.2

The Property under registered title number 291788 has the benefit of a right of way over the road at the rear subject to the payment of a proportionate part of the cost of keeping the road in repair as shown on the plan at Annex C. No further information is provided as to the location of the road and we are unable to confirm the exact location of the right of way.

6. MATTERS BURDENING THE PROPERTY

The Property is subject to the following Incumbrances:

6.1

The Property is subject to the following restrictions:

Except under an order of the registrar no disposition by the proprietor of the Land (except for the grant of a lease for a term not exceeding 50 years) is to be registered without either:

- a) the consent of the Secretary of State; or
- b) a certificate signed by the Owner or its solicitors that the restriction on disposal contained in section 163 of the Transport Act 1999 does not apply.

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 number(s) stated in *Paragraph 5.3* 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 the London Borough of Lambeth on 3 May 2017. The result of the search did not show any entries that adversely affect the Property.

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 the London Borough of Lambeth on 3 May 2017. The result of the search did not show any entries that adversely affect the Property and revealed the following information:

Streatham Hill, Christchurch Road and Garden lane are highways maintainable at public expense. However, please let us know if you are aware of anything that may indicate that the Property does not abut the highway, for example, a strip of concrete or a grass verge between the Property and the road surface.

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.

Planning permission for two non-illuminated sheet advert panels was granted in 1986.

Planning permission for the erection of houses on the Property was refused in 2005 and 2008.

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 3 May 2017. The replies did not show any entries that adversely affect the Property and revealed the following information:

Foul and surface water from the Property are not stated to drain to a public sewer and the Property is believed to be a plot of land.

The Property is stated to be believed to be a plot of land and not connected to the mains water supply.

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 8 May 2017. The result of the search showed that the Property is not within the historical boundary of a parish which continues to have a potential chancel repair liability.

7.6

Utility Search Gas

The gas search was provided by National Grid Gas on 5 May 2017. Nothing was disclosed within the Property.

7.7

Utility Search BT Infrastructure

The BT Infrastructure search was provided by BT on 3 May 2017. Nothing was disclosed within the Property albeit BT plant and cabling are disclosed in the adjoining roads.

7.8

Utility Search NG Electric

The NG Electric search was provided by National Grid on 4 May 2017. Nothing was disclosed within the Property.

7.9

Highways Search

The highways search dated 22 May 2017 confirms that the Property directly abuts highway maintainable at public expense. The extent of the public highway is shown in pale blue, pale green, dark pink and orange (depending on the category of road) on the plan at Annex D.

7.10

Regional Electricity Search

The regional electricity search dated 4 May 2017 reveals cables crossing the Property as shown by the green lines on the plan at Annex E.

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 1.1 states that fencing was erected at the Property in April 2010 and is maintained by TfL.

8.2

CPSE 12.6 states that the Property is currently not used for any purpose and is covered in vegetation though it is fenced securely. Its planning use is open space.

8.3


CPSE 13.7 states that the Seller understands that the Property was acquired for junction improvement works on the A23/A205, which TfL decided not to progress. Details paid or claimed are unknown.

8.4

CPSE 29.1 states that the Seller has not exercised an option to tax over the Property in respect of VAT.

CONCLUSION

Subject to the matters referred to in this report, we are of the opinion that the Property and registration has a good and marketable title.

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Signed DENTONS UKMEA LLP

Dated.....17/11/2017

**SCHEDULE 1
TERMS OF THE LEASE**

Not applicable.

**SCHEDULE 2
OUTSTANDING MATTERS**

None.

ANNEXURES:

ANNEX A: PLAN OF THE PROPERTY

ANNEX B: TITLE PLAN 91447

ANNEX C: TITLE PLAN 291788

ANNEX D: HIGHWAYS SEARCH

ANNEX E: REGIONAL ELECTRICITY SEARCH