

DATED 7 January 2022

REPORT ON TITLE

SITE 1 IVY ROAD ENFIELD N14 4LP

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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;

Council: The Mayor and Burgesses of the London Borough of Enfield;

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.

2. Scope of the review and limitation of liability

- 2.1 This report has been prepared for the sole benefit of you Inderjeet Nijhar, the Council's Development Manager in Housing and Regeneration, in connection with the Council's Small Build programme and GLA funding agreement and for no other purpose.
- 2.2 The contents of this report are private and confidential. 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 and our searches. attached. As an industry standard most buyers/developers rely on a search obtained within three months of exchange of contracts. A prospective buyer/developer will therefore need to obtain new searches and relevant up to date official copy register entries at the time of their due diligence investigations.
- 2.4 We have not inspected the Property and are unable to advise on the physical condition of the Property. We would advise you to arrange for a survey of the Property to be carried out, if this has not already been arranged. A survey should identify any physical defects in the Property and may warn of potential defects.
- 2.5 We have made no enquiries as to whether there are any actual occupiers of the Property.
- 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 There are three freehold properties adjoining the Property registered under title numbers NGL418487, NGL416945 and AGL136127. For the purposes of this

report we have only considered the rights granted and reserved in the transfer deed for 33 Ivy Road registered under title number NGL418487.

- 2.8 We have only considered in this report the rights reserved and granted in one of the leases, namely 31 Ivy Road registered against the freehold title number MX427478 and one of the leases namely 24 Ivy Road registered against the freehold title number MX273842.

3. Executive summary

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

- 3.1 According to the index map search dated 26 August 2021 the Property falls within the two freehold title numbers, MX427478 relating to 1-13 Ivy Road, Southgate and MX273842 relating to 9 to 26 Ivy Road, part of 1 to 8 Ivy Road and part of 27 to 32 Ivy Road. It is not subject to any registered leasehold interests. However, any proposed development of the Property will have to take into consideration the rights reserved and granted in the leases set out in the schedule of notices of leases of these two freehold title numbers which adjoin the Property particularly in respect of rights of light. It will also have to take into consideration the rights of way granted over the joint accessways. The Property maybe subject to unregistered interests.
- 3.2 Please note that the leasehold title number EGL271349 of 12 Ivy Road noted in the schedule of notices of leases of freehold title number MX273842 has been closed.
- 3.3 In paragraph 7 of the Third schedule of each of the 19 leases (11 Ivy Road and 14-31 Ivy Road) set out in the schedule of notices of leases of the freehold title numbers MX427478 and MX273842, the Council has reserved a right to divert, substitute, stop-up, close or otherwise alter any of the estate roads, driveways, vehicular accessways or footways or landscaped areas over which rights of way and enjoyment respectively have been granted to the tenants. In some of these leases this right has been reserved provided that no exercise of such right shall prevent or restrict the enjoyment by the tenant of the use of any premises, facility or services which the tenant enjoyed in common with others as tenant of the flat, immediately before the grant of the lease.
- 3.4 The Council has exercised its right referred to in clause 3.3 and sent out notices to the 19 leaseholders and the respective mortgagees enclosing a revised Estate plan showing the Estate edged in green excluding the Property. Please see the revised Estate plan attached at appendix 4. The definition of Estate in each of

these leases has therefore been varied to exclude the Property over which rights of way and to use any landscaped areas had previously been granted.

4. The Property

- 4.1 The Property comprises of part of two freehold title numbers MX427478 and MX273842 registered with absolute freehold title. Absolute title is the best class of title available.
- 4.2 If your title to the Property is freehold, it means that you own the Property outright, in perpetuity.
- 4.3 The registered owner of the Property is The Mayor and Burgesses of the London Borough of Enfield of Civic Centre, Silver Street, Enfield, Middlesex EN1 3XA.
- 4.4 A plan showing the Property edged in red is attached at appendix 1. 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 Property should be inspected to ensure there are no discrepancies between the plan and the site inspection.

5. Matters benefitting the Property

Title number MX427478 – 1-13 Ivy Road Southgate

The land registered under this freehold title number enjoys the following Benefits:

- 5.1 The land edged and numbered in green on the title plan has been removed from this title and registered under title numbers NGL418487, AGL136127 and NGL416945. The transfer of those part edged and numbered in green on the title plan were made pursuant to chapter 1 of Part 1 of the Housing Act 1980 and took affect with the benefit of and subject to the easements and other rights prescribed by paragraph 2 of Schedule 2 of that Act.
- 5.2 The land is subject to the following rights reserved in the transfer dated 1 March 1982 of 33 Ivy Road (registered under freehold title number NGL418487) between the Mayor and Burgesses of the London Borough of Enfield and John Nelson Conroy and Gillian Conroy:
 - The right of passage and running of water, soil, gas electricity, telephone and television services by and through the channels, drains, pipes and sewers, wires and cables in, on or under the premises;

- The right for the Council and their agents or contractors at all reasonable times to enter upon the premises with or without workmen for the purpose of inspecting, repairing, cleansing, renewing, altering or enlarging the said channels, drains, pipes and sewers, wires and cables (including manholes) or of carrying out repairs or works to the rear access way (if any) to the adjoining property (if any) of the Council and making good any damage caused but without making any compensation for any temporary disturbance;
- It is agreed between the parties that the transferee shall not acquire an absolute or indefeasible right of light or air or any other right over any adjoining or neighbouring land of the Council except as expressly hereinafter granted.

5.3 The rights reserved in the lease of 31 Ivy Road are as follows:

- The right to subjacent and lateral support and protection from the elements from the flat for the other parts of the block;
- To the extent that the same are available, the free running of water, soil, gas or other piped fuel, heat and ventilation smoke or fumes over, through and along all sewers, drains, watercourses or pipes or other installations for such free running, drainage, disposal or supply, together with the right to the use or maintenance of cables in other installations for the telephone or for the receipt directly or by landline of visual or other wireless transmissions in, on or under the flat to and from such adjoining or neighbouring land or premises (whether the same are owned by the Council or not).
- The right for the Council for itself and on behalf of the owners, lessees, or occupiers of the said adjoining or neighbouring land or premises and for statutory undertakers at all reasonable times with or without workmen, plant and materials to enter on the flat or any part thereof for the purposes of:
 - (i) inspecting, repairing, cleansing, maintaining and servicing the said sewers, drains, watercourses, pipes, wires, cables and apparatus windows or external doors including any garchey security-comm heating appliances and communal TV, aerial outlet included with the flat;
 - (ii) carrying out any repairs, renewals or maintenance to the said adjoining or neighbouring land or premises (including window cleaning) as may be necessary from time to time subject to the Council statutory undertakers or other authorised persons giving (except in the case of emergency) reasonable prior notice of their intention to enter upon the flat to the lessee and making good all damage caused

by such entry except insofar as such entry may be necessitated by any default of the lessee.

- The right for the Council to agree with any adjoining or adjacent owner or occupiers variations in the boundaries of the block and/or the Estate (but not the flat) and to make any such variations provided that no exercise of this right shall be such as to prevent or restrict the enjoyment by the lessee of the use of any premises, facility or services which the lessee enjoyed in common with others as tenant of the flat immediately before the grant of this lease;
- The right for the Council to substitute, redirect or otherwise alter the said sewers, drains, watercourses, pipes, wires, cables and apparatus through and along which the lessee is hereinbefore given rights, subject to the Council making good all damage thereby caused, provided that no exercise of this right shall be such as to prevent or restrict the enjoyment by the lessee of the use of any premises, facility or services which the lessee enjoyed in common with others as tenant of the flat immediately before the grant of this lease;
- The right for the Council to divert, substitute, stop up, close or otherwise alter any of the estate roads, driveways, vehicular accessways or footways or landscaped areas referred to in the rights granted in this lease, provided that no exercise of this right shall be such as to prevent or restrict the enjoyment by the lessee of the use of any premises, facility or services which the lessee enjoyed in common with others as tenant of the flat immediately before the grant of this lease;
- The right for the Council (subject to the Council making good all damage caused thereby) and statutory undertakers to connect to any existing or future sewers, drains, pipes, wires, cables and apparatus now passing or prior to the expiry of this lease to pass in, on, or under the flat and after such connections to use the said sewers, drains, watercourses, pipes, wires, cables and apparatus for the free running of water, soil, gas, electricity, heating ventilation and TV and radio signals from, or to the said adjoining or neighbouring land or premises together also with the right to enter upon the flat in relation to such connections;
- All such other rights or easements and quasi easements in respect of the flat as now belong to or are enjoyed or intended to be enjoyed by any other part of the block or of the Estate or any part of the adjoining or neighbouring land.

6. Matters benefitting the Property – title number MX273842

- 6.1 There are a number of leases registered against freehold title number MX273842 as set out in the schedule of notices of leases. The lease of 24 Ivy Road, Southgate (registered under leasehold title number EGL233020) is dated 14 November 1988

and is between the Mayor and Burgesses of the London Borough of Enfield and Ana Chipolina, Robert Chipolina and Michael Chipolina. It is for a term of 125 years from 1 April 1988. The Estate is defined as the land shown edged in green on Plan B attached to the lease. This plan has been replaced by the revised Estate Plan attached to this report at appendix 4 showing the Estate edged in green which excludes the Property. The rights reserved to the Council are as follows:

- The right to subjacent and lateral support and protection from the elements for the flat from the other parts of the block;
- To the extent that the same are available, the free running of water, soil, gas or other piped fuel, heat and ventilation smoke or fumes over, through and along all sewers, drains, watercourses or pipes or other installations for such free running, drainage, disposal or supply, together with the right to the use or maintenance of cables in other installations for the telephone or for the receipt directly or by landline of visual or other wireless transmissions in, on or under the flat to and from such adjoining or neighbouring land or premises (whether the same are owned by the Council or not).
- The right for the Council statutory undertakers and for the owners, lessees, or occupiers of the said adjoining or neighbouring land or premises at all reasonable times with or without workmen, plant and materials to enter on the flat or any part thereof for the purposes of:
 - (i) inspecting, repairing, cleansing, maintaining and servicing the said sewers, drains, watercourses, pipes, cables and apparatus including the garchey security-comm heating appliances and ventilation system and communal TV, aerial outlet or the windows or external doors;
 - (ii) carrying out any repairs, renewals or maintenance to the said adjoining or neighbouring land or premises (including window cleaning) as may be necessary from time to time.

Subject to the Council statutory undertakers or the owners, lessees and occupiers of the said adjoining or neighbouring land or premises giving (except in the case of emergency) reasonable prior notice of their intention to enter upon the flat to the lessee and making good all damage caused by such entry except insofar as such entry may be necessitated by any default of the lessee.

- The right for the Council to agree with any adjoining or adjacent owner or occupiers, variations in the boundaries of the block and/or the Estate (but not the flat) and to make any such variations;

- The right for the Council to substitute, redirect or otherwise alter the said sewers, drains, watercourses, pipes, wires, cables and apparatus through and along which the lessee is hereinbefore given rights, subject to the Council making good all damage thereby caused;
- The right for the Council to divert, substitute, stop up, close or otherwise alter any of the estate roads, driveways, vehicular accessways or footways or landscaped areas referred to in the rights granted in this lease;
- The right for the Council (subject to the Council making good all damage caused thereby) and statutory undertakers to connect to any existing or future sewers, drains, pipes, wires, cables and apparatus now passing or prior to the expiry of this lease to pass in, on, or under the flat and after such connections to use the said sewers, drains, watercourses, pipes, wires, cables and apparatus for the free running of water, soil, gas, electricity, heating ventilation and TV and radio signals from, or to the said adjoining or neighbouring land or premises together also with the right to enter upon the flat in relation to such connections;
- All such other rights or easements and quasi easements in respect of the flat as now belong to or are enjoyed or intended to be enjoyed by any other part of the block or of the Estate or any part of the adjoining or neighbouring land.

7. Matters burdening the Property

Title number MX427478

The Property is subject is subject to the following Incumbrances:

- 7.1 The land is subject to the following rights granted in the transfer dated 1 March 1982 of 33 Ivy Road (registered under freehold title number NGL418487) between the Mayor and Burgesses of the London Borough of Enfield and John Nelson Conroy and Gillian Conroy:
- The right of passage and running of water, soil, gas and electricity, television and telephone services (in common with the Council and all persons entitled thereto) by and through the channels, drains, pipes and sewers, wires and cables in or under the neighbouring land of the Council the transferee paying a proportion of the cost of maintaining and repairing and cleansing the same;
 - All such rights (if any) of support, shelter and protection from the elements for the premises or any part thereof from the adjoining or neighbouring land or buildings of the Council insofar as any such rights are currently enjoyed with the premises;

- All such rights of light or air to the premises insofar as any such rights are currently enjoyed with the premises;
- The rights in common with the Council and the occupier of number 34 Ivy Road Southgate N14 and all other persons entitled thereto to pass and repass on foot only over the accessway leading to the front of the premises (or over such other substituted route leading to the premises as the Council may from time to time determine and notify in writing to the transferee or his successors) the transferee paying a proper proportion of the cost of maintaining and repairing the same.

7.2 The rights granted in the lease of 31 Ivy Road are as follows:

- A right of way on foot only at all times and for all purposes connected with the enjoyment of the flat (in common with the Council and all persons authorised by them) over the entrances, halls, stairways, lifts and landings of the block leading to the flat and over the estate roads, accessways and footways from time to time forming part of the Estate shown edged green on lease Plan B now existing or to be constructed over the Estate subject to the rights reserved by the Council. The Estate Plan has been varied to exclude the Property. Please see attached revised Estate Plan;
- A right of way (in common with the Council and all persons authorised by them) at all times for all purposes with or without vehicles over and along the estate roads, vehicular accessways and driveways now existing or to be constructed over the Estate subject to the rights reserved by the Council;
- To the extent that the same are available the right of passage of water, soil, gas or other piped fuel ventilation, smoke or fumes over through and along all sewers, drains, watercourses, or pipes or other installations for such free running, drainage, disposal or supply. The right to the use or maintenance of cables or other installation for the supply of electricity, the telephone or for the receipt directly or by landline of visual or other wireless transmissions in, on or under the adjoining or neighbouring land or premises (whether or not the same shall be owned by the Council) to and from the flat but subject to the rights reserved by the Council;
- the right to support and shelter and protection from the elements for the flat from other parts of the block and from the foundations and roof;

- The right to connect to the communal TV and radio aerial if any serving the block through the authorised socket provided for that purpose subject to the tenant paying the relevant charge;
- the right to enjoy the amenity of any landscaped areas on the Estate subject to the rights reserved by the Council;
- the right (in common with the Council and all persons authorised by them) to use any paladin bins as are from time to time provided for use by the occupiers of the block;
- The right (in common with the Council and all persons authorised by them) to use such communal drying areas adjacent to the block as are from time to time provided by the Council for the drying of domestic laundry in accordance with the regulations;
- All such rights of light and air to the flat insofar as any such rights are currently enjoyed by the flat
- The right together with other lessees, tenants and occupiers of the Estate to park a private motor vehicle in such authorised parking places as may from time to time be provided by the Council on the Estate.

7.3 The joint accessways are subject to rights of way on foot;

7.4 The leases specified in the Schedule of notices of leases were made pursuant to Part V of the Housing Act 1985 and took effect with the benefit of and subject to the easements and other rights prescribed by paragraph 2 of schedule 6 of that Act.

7.5 There is a restriction on the register that except under an order of the Registrar no disposition by the proprietor of the land is to be registered unless made in accordance with the Housing Act 1957 or some other act or authority. This restriction can be complied with by any disposition of the Property by the Council being for best consideration reasonably obtainable in accordance with s123(2) Local Government Act 1972.

8. Matters burdening the Property

Title number MX273842

8.1 There are a number of leases registered against this freehold title number which are set out in the schedule of notices of leases. The definition of Estate in each of these

leases has been varied to exclude the Property. Please refer to attached revised Estate Plan. The rights granted in the lease of 24 Ivy Road are as follows:

- A right of way on foot only at all times and for all purposes connected with the enjoyment of the flat (in common with the Council and all persons authorised by them) over the entrances, halls, stairways, lifts and landings of the block leading to the flat and over the estate roads, accessways and footways from time to time forming part of the Estate shown edged green on the revised Estate plan now existing or to be constructed over the Estate subject to the rights reserved by the Council;
- A right of way (in common with the Council and all persons authorised by them) at all times for all purposes with or without vehicles over and along the estate roads, vehicular accessways and driveways now existing or to be constructed over the Estate subject to the rights reserved by the Council;
- To the extent that the same are available the right of passage of water, soil, gas or other piped fuel, heat, ventilation, smoke or fumes over through and along all sewers, drains, watercourses, or pipes or other installations for such free running, drainage, disposal or supply. The right to the use or maintenance of cables or other installation for the supply of electricity, the telephone or for the receipt directly or by landline of visual or other wireless transmissions in, on or under the adjoining or neighbouring land or premises (whether or not the same shall be owned by the Council) to and from the flat but subject to the rights reserved by the Council;
- the right to support and shelter and protection from the elements for the flat from other parts of the block and from the foundations and roof;
- The right to connect to the communal TV and radio aerial if any serving the block through the authorised socket provided for that purpose subject to the tenant paying the relevant charge;
- the right to enjoy the amenity of any landscaped areas on the Estate subject to the rights reserved by the Council;
- the right (in common with the Council and all persons authorised by them) to use any paladin bins as are from time to time provided for use by the occupiers of the block;
- The right (in common with the Council and all persons authorised by them) to use such communal drying areas adjacent to the block as are from time to time

provided by the Council for the drying of domestic laundry in accordance with the regulations;

- All such rights of light and air to the flat insofar as any such rights are currently enjoyed by the flat.

9. Index Map search

The result of our index map search dated 26 August 2021 confirms that the Property is registered under the title numbers stated in clause 4.1 of this report and is not subject to any registered leasehold interests.

10. 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 Searches UK on 11 May 2021. The result of the search revealed that the following local land charges are registered against the Property:

- There is a restriction on the local land charges register registered on 16 February 2018 concerning permitted development borough wide relating to houses in multiple occupation;
- The Property is located within a smoke control area which was declared as such from 29 December 2016 pursuant to a smoke control order under the Clean Air Act 1956.

11. Local authority search

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. 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 Searches UK on 11 May 2021. The result of the search revealed the following information:

- Ivy Road is a highway maintainable at public expense. Other access ways, servicing the property are not maintainable at public expense;

- The Property was affected by a minor road widening or improvement of Linden Way;
- There is a proposal for Crossrail 2 within the Local Authority's boundary;
- The Property is not situated within a conservation area;
- The Property is not subject to a tree preservation order;
- Enfield Council formally adopted the CIL Charging Schedule on the 23rd March 2016 and the Enfield CIL takes effect on the 1st April 2016;
- The Property is not located in a radon gas affected area.

12. 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 Property Searches on 21 October 2020. The replies did not show any entries that adversely affect the Property however as this is a plot of land limited information was available.

13. Environmental search

The environmental search provided by Landmark Information dated 15 April 2021 revealed:

- The level of risk associated with the information assessed in the report is:
- (1) unlikely to have an adverse effect on the value of the property; and
- (2) is not such that the property would be designated "contaminated land" within the meaning of Part 2A of the Environmental Protection Act 1990.
- A screening of potential flood risks has identified an elevated risk of flooding. Landmark information have recommended the purchase of a Flood Solutions Commercial report in order to better understand the potential risk to the Property;
- Landmark information have not identified any Energy & Infrastructure projects at or near to the Property;
- The Property is not considered to be within a radon affected area;

- No environmental constraints have been identified within 250 metres of the Property.

14. 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.

The chancel repair search was provided by ChancelCheck on 28 September 2020. The result of the search confirms that the Property is within the historical boundary of a parish which continues to have a potential chancel repair liability. The Council has put in place chancel repair indemnity insurance to cover this risk.

15. Conclusion

Based on our investigation of the title and subject to the matters referred to in this report, we are of the opinion that the Council has a good and marketable title to the Property.

London Borough of Enfield Legal Services

Dated 7 January 2022