DATED 21 December 2021

REPORT ON TITLE

IN RELATION TO

CHILTERN DENE GARAGES (1-10) EN2 7HH

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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 search results 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 We have not examined and included in this report the rights granted and reserved in respect of the Transfers set out in clause 5.5 as the land transferred under these transfers is not adjoining or in proximity to the Property.

2.8 We have obtained and examined in this report the rights granted and reserved in the Transfer dated 28 November 1983 of the adjoining property registered under title number NGL501535. We have not examined the Transfers of the adjoining properties registered under title numbers NGL227479, NGL208990, and EGL159075.

2.9 A copy of the Transfer dated 24 February 1988 between The Mayor and Burgesses of the London Borough of Enfield and Rosemary Marsh and Donald Preece registered under title number NGL231393 was not available through the Land registry but the rights granted and reserved are set out in the official copy register entries of the freehold title number MX179439.

2.10 We have not examined or mentioned in the report the rights granted and reserved in the transfers of the other land edged and numbered in green on the title plan as these premises are not abutting the Property.

3. Executive summary

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

3.1 The Council has not reserved a right to build on its adjoining land in the transfer dated 24 February 1988 of title number NGL231393 edged in green on the title plan (which is adjacent to the Property) irrespective of whether the transferee's rights of light and air are affected. A right to light survey is therefore recommended to ensure that any proposed development does not adversely affect the rights of light and air of the occupiers and owners of the surrounding buildings. The other transfers edged in green on the title plan as mentioned in clause 5.2, were transferred under right to buy legislation and therefore the transferees will be entitled to rights of light and air insofar as these were enjoyed prior to the date of the transfer.

3.2 We have been informed that all the garages are vacant and are not subject to any licences. However, the Property may be subject to unregistered interests.

3.3 The garages may share a party wall with the adjoining properties. Advice should be taken from a surveyor accordingly as to whether the Party Wall etc. Act 1996 is applicable to the Property.

3.4 The Council has granted rights of way across the accessway (which forms part of the Property) from the highway Worlds End Lane. These rights must not be interrupted and taken into consideration with regards to any proposed development.

3.5 All rights granted and reserved as set out in clauses 5 and 6.

4. The Property

4.1 The Property is part of the freehold title of land on the West Side of Worlds End Lane.

4.2 The plan of the Property is attached at appendix 1. Please check this plan carefully against the plan for title number MX179439 and 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 that there are no discrepancies between the plan and the site inspection.

4.3 The Property is registered at the Land Registry as part of a larger parcel of land under title number MX179439. 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 Mayor and Burgesses of the London Borough of Enfield, Civic Centre, Silver Street, Enfield, Middlesex EN1 3XA.

5. Matters benefiting the Property

The Property enjoys the following Benefits:

5.1 The land has the benefit of the right to connect with and to use the existing surface water and soil sewers shown by broken red lines on the title plan. The right also to lay electric cables and gas mains in through and over the adjoining land in the position shown by broken blue lines on the title plan. The broken blue lines are adjacent to the Property as shown on the title plan. The red broken lines are not adjacent to the Property.

5.2 The land edged and numbered green on the title plan has been removed from the freehold title and registered under the title numbers shown edged and numbered in green on the title plan. Rights of way on foot are reserved over the parts edged and numbered in green on the title plan which include common accessways formed by tunnels on the ground floor.

The transfer of those parts edged and numbered in green which were made pursuant to Chapter 1 of Part 1 of the Housing Act 1980 took effect with the benefit of and subject to the easements and other rights prescribed by paragraph 2 of Schedule 2 of that Act.

5.3 The Transfer of Part in relation to title number NGL5001535 (shown edged in green on the title plan) between the Mayor and Burgesses of the London Borough of

Enfield (Transferor) and Michael Barry Larner, Sheila Larner, Emmett Frances Larner and Eileen Maria Larner (Transferee) dated 28 November 1983 of the property 135 Worlds End Lane, Enfield contains the following rights reserved to the Council:

- The right for the Council and their agents or contractors at all reasonable times to enter upon the property with or without workmen for the purpose of inspecting, repairing, cleansing, renewing, altering or enlarging the said channels, drains, pipes and sewers and cables (including manholes) or of carrying out repairs or works to the rear accessway (if any) or to the adjoining property (if any) of the Council and making good any damage caused but without making any compensation for any temporary disturbance;

- The right of passage and running of water and soil, gas, electricity, television and telephone services by and through the channels, drains, pipes and sewers, wires and cables in on or under the property.

It is agreed and declared between the parties that:

- the walls between the premises and the adjoining premises are party walls and shall be repaired and maintained as such;

- The Transferee shall not acquire an absolute or undefeasible right of light or air or any other right over any adjoining or neighbouring land of the Council except as expressly granted in the transfer;

- the Council has reserved a right to modify, waive or dispense with the stipulations in the Third Schedule including:

  (i) that the Transferee pay to the Council when and if demanded a proper proportion of the cost of upkeep and maintenance of the open plan lawn area between the front of the property and the roadway known as Worlds End Lane;

  (ii) To repair, cleanse, renew and relay when necessary the channels, pipes, wires, drains, sewers, gutters, party walls and structures laid or to be laid in, on, or under the premises and to bear with the owners and occupiers of adjoining properties served by such channels, pipes, wires, drains, sewers, gutters, party walls and structures and equal proportion of the costs, charges and expenses of repairing, cleansing, renewing and relaying the same as need shall require.

5.4 The land has the benefit of the following rights reserved by a Transfer dated 24 February 1988 between (1) The Mayor and Burgesses of the London Borough of Enfield and (2) Rosemary Marsh and Donald Preece which affects the land edged green and numbered

NGL231393 on the title plan (which is adjacent to the Property) and includes the part of the pathway abutting the south western boundary):

- the right of passage and running of water and soil through the channels, drains pipes and sewers wires and cables in or under the premises;

- the right for the Council and its agents or contractors at all reasonable times to enter upon the land with or without workmen for the purpose of inspecting, repairing, cleansing, renewing, altering or enlarging such channels, drains, pipes and sewers including manholes. The Council making good any damage caused as a result of exercising this right without paying any compensation for any temporary disturbance;

- the right for the Council and the occupiers of adjoining properties and all other persons entitled thereto to pass and repass on foot only over the pathway shown coloured green on the transfer plan (which is part of the pathway abutting the south western boundary included in this transfer) subject to the Council and its successors in title paying the proper proportion of the cost of maintaining and repairing the same.

5.5 The land has the benefit of rights reserved and granted by:

- a Transfer dated 1 December 2015 made between (1) The Mayor and Burgesses of the London Borough of Enfield and (2) Debra Anne Taverner of the land edged green and numbered AGL361927 on the title plan;

- a Transfer dated 13 May 2013 made between (1) The Mayor and Burgesses of the London Borough of Enfield and (2) Natalie Clare Chapman of the land edged green and numbered AGL287704 on the title plan;

- a Transfer dated 15 May 2018 made between (1) The Mayor and Burgesses of the London Borough of Enfield and (2) Debra Anne Taverner of the land edged green and numbered AGL444906 on the title plan.

5.6 The properties mentioned in clause 5.5 are not adjacent to the Property so we have not included in this report details of the rights granted and reserved under these transfers.

6. Matters burdening the Property

The Property is subject to the following Incumbrances:

6.1 The land is subject to rights of drainage through all public sewers therein or thereunder;

6.2 The parts of the common access ways formed by tunnels on the ground floor which adjoin the parts edged and numbered in green on the title plan are subject to rights of way on foot only;

6.3 The parts of the land adjoining the parts edged and numbered in green on the title plan are subject to any rights, licences, easements and quasi-easements at present appurtenant to and enjoyed by the said parts edged and numbered in green;

6.4 The land is subject to rights in respect of water, gas, electricity, television and telephone supply services;

6.5 The accessways leading to the parts edged and numbered in green on the title plan are subject to rights of way;

6.6 The parts of the land affected thereby which adjoins the parts edged and numbered in green on the title plan are subject to rights of support, shelter and protection;

6.7 The land between the public highway and the parts edged and numbered in green on the title plan is subject to rights of entry for the purpose of maintaining and repairing the elevation of the buildings or the parts so edged and numbered in green.

6.8 The Property is subject to the following rights granted by a transfer of the land edged green and numbered NGL231393 on the title plan dated 24 February 1988 made between (1) The Mayor and Burgesses of the London Borough of Enfield (the Transferor) and (2) Rosemary Marsh and Donald Preece (Transferees);

- The right in common with the Council and the occupiers of adjoining properties and all other persons entitled thereto to pass and repass on foot over and along the path shown coloured brown on the plan subject to the Transferees paying the proportion of the cost of maintaining and repairing the same. The land coloured brown on the plan forms part of the joint passageway fronting 123 Worlds End Lane included in this title.

6.9 The Transfer of Part dated 28 November 1983 in relation to title number NGL5001535 (shown edged in green on the title plan) between the Mayor and Burgesses of the London Borough of Enfield (Transferor) and Michael Barry Larner, Sheila Larner, Emmett Frances Larner and Eileen Maria Larner (Transferee) of the property 135 Worlds End Lane Enfield contains the following rights granted to the Transferee:

- The right of passage and running of water and 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 on or under the neighbouring land of the Council the Transferee paying a proper cost of maintaining and repairing, cleansing and renewing the same;

- right of support and shelter from the adjoining or neighbouring land or buildings of the Council insofar as such rights are currently enjoyed at the date of this transfer;

- All such rights of light or air to the premises insofar as such rights are currently enjoyed at the date of this transfer;

- the right in common with the Council and other persons entitled thereto to pass and repass on foot over the accessway leading to the front of the property (or over such substituted route leading to the property 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. 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 13 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.

8. 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 29 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.

9. 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 4 May 2021 pursuant to a smoke control order under the Clean Air Act 1956.

10**.** **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 Search UK on 11 May 2021. The result of the search revealed the following information:

- Buildings Regulations Approval was obtained on 27 October 2011 to demolish the garages at Worlds End Lane, Enfield, EN2 7RG. We have been informed that the garages at the Property have not been demolished and are vacant;
- Worlds End Lane is a highway maintainable at public expense;
- The Property was affected by a minor road widening or improvement of Worlds End Lane;
- 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.

11 **Environmental search result**

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.

- An elevated flood risk at the Property has not been identified.

- 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.

12. Index Map Search

The result of our index map search dated 20 September 2020 confirms that the Property is registered under the title number stated in clause 4.3 of this report.

13. 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 21 December 2021