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Report on title – Land at Arbuthnot Lane, Bexley

Dated 18 March 2019

Contents

1	Interpretation	1
2	Scope of the review and limitation of liability	1
3	Executive summary	1
4	The Property	2
5	Matters benefiting the Property	2
6	Matters burdening the Property	2
7	Search results	4
8	Replies to pre-contract enquiries	6

Report on title – land at Arbuthnot Lane, Bexley

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 55 Broadway, London SW1H 0BD.

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 , in connection with your proposed development and 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.

3 Executive summary

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

- 3.1 SGL23944 is subject to the 1925 Conveyance covenants as set out below at paragraph 6.1. The beneficiaries defined as Vendors or the owners of adjoining premises are not identifiable and depending on the proposed development use title indemnity insurance may be considered.
- 3.2 Part of the Property with title number SGL14405 is subject to the October 1922 Conveyance covenants as set out below at paragraph 6.2. The beneficiaries defined as Vendors or the owners

of adjoining premises are not identifiable and depending on the proposed development use title indemnity insurance may be considered.

- 3.3 Part of the Property with title number SGL14405 as tinted pink is subject to the November 1922 Conveyance which contains the same restrictive covenants as set out below at paragraph 6.2 in the October 1922 Conveyance. The beneficiaries defined as Vendors or the owners of adjoining premises are not identifiable and depending on the proposed development use title indemnity insurance may be considered.
- 3.4 Part of the Property with SGL20491 is subject to the 1923 Conveyance which contains the same restrictive covenant as set out in the October 1922 Conveyance. The beneficiaries defined as Vendors or the owners of adjoining premises are not identifiable and depending on the proposed development use title indemnity insurance may be considered.
- 3.5 Part of the Property with SGL14405 is subject to the 1969 Conveyance which contains a right for the Vendors and their successors in title at all times to maintain and use the drain and catchpit shown on the title plan SGL45522 at Annex A by a blue line and the point lettered "X" respectively known as 66 Arbuthnot Lane Bexley for the passage of sewage water and soil from the property known as 68 Arbuthnot Lane Bexley but not for any other purpose together with the right to enter upon 66 Arbuthnot Lane and to excavate so much of the land as necessary for the purpose of exercising the rights granted.
- 3.6 The public sewer map on the plans "Drainage and Water Search plans" at [Annex B](#) which indicates that there is a public sewer, disposal main or lateral drain within the boundaries of the Property.
- 3.7 The chancel repair search showed that the Property is within the historical boundary of a parish which continues to have a potential chancel repair liability, please see paragraph 7.5 below. You may wish to put in place chancel repair title indemnity policy.

4 The Property

- 4.1 The Property is the land known as land at Arbuthnot Lane, Bexley.
- 4.2 A plan showing the Property edged in red is attached as [Annex A](#).
- 4.3 The Property is registered at the Land Registry under freehold title numbers SGL14405, SGL20491, SGL23944 and SGL45522. 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

The Property does not enjoy any Benefits.

6 Matters burdening the Property

The Property is subject to the following Incumbrances:

- 6.1 That part of the Property with title number SGL23944 is subject to a Conveyance dated 24 September 1925 made between (1) Allen Ansell (Vendor) and (2) William Frederick Field (Purchaser) ("1925 Conveyance") which contains a covenant that no caravan is permitted on the Property and that the Vendors or the owners of adjoining premises have the right to remove and dispose and can forcibly enter the upon that part of the land where there is such breach and they are not responsible for the safe custody, loss or any damage to it or to any fence or wall.

Note: The beneficiaries defined as Vendors or the owners of adjoining premises are not identifiable and depending on the proposed development use title indemnity insurance may be considered.

- 6.2 That part of the Property with title number SGL14405 is subject to the a Conveyance of the land tinted blue on the title plan SGL14405 at [Annex A](#) dated 31 October 1922 made between (1) Allen Ansell (Vendor) and (2) Edwin King and Mary Ann King (Purchaser) ("October 1922 Conveyance") which contains the same restrictive covenants as set out in paragraph 6.1 above in the 1925 Conveyance. Additionally the October 1922 Conveyance states that consent of the Local Authority is be obtained before any buildings or structures are built on the Property. The Purchasers were to erect and for ever after maintain a close boarded fence, five feet six inches high along the whole of the rear boundary of the Property and pay a proportionate part according to frontage of the cost of laying out, constructing, repairing and maintaining the rights of way and footpaths on the Property until the same were adopted. ***Note: The beneficiaries defined as Vendors or the owners of adjoining premises are not identifiable and depending on the proposed development use title indemnity insurance may be considered. In respect of obtaining the Local Authority consent for the proposed development of the Property, as part of the planning application process this covenant may be satisfied. The Owner confirms the Property is bare land and no fence exists that will continue to be required to be maintained. Please see the Highway Search Plan at [Annex B](#) as to the extent of the adopted highway. The Owner confirms it is not aware of any rights of way over the Property.***

- 6.3 That part of the Property with title number SGL14405 as tinted pink is subject to the Conveyance of the land tinted pink dated 8 November 1922 made between (1) Allen Ansell (Vendor) and (2) Robert Mark Done (Purchaser) ("November 1922 Conveyance") which contains the same restrictive covenants as set out in paragraph 6.2 above in the October 1922 Conveyance.

Note: The same comments apply as for paragraph 6.2 above.

- 6.4 That part of the Property with title number SGL14405 as tinted pink is subject to the Conveyance of the land tinted pink dated 26 June 1934 made between (1) The County Council of the Administrative County of Kent (Vendor) and (2) Frederick William Saunders (Purchaser) which contains the following restrictive covenants for the benefit of the Vendor its successors and assigns or other owners of the road East Rochester Way (a) not at any time to use the land tinted pink or any part of it for advertising purposes in any way or means whatsoever and (b) not to place or allow to be placed any rubbish or unsightly materials on it nor allow any caravan or structure of a temporary nature to be placed or erected on it (c) no caravans or structures of a temporary nature either for use as dwellings or for business purposes may be placed or erected on it. There is further a declaration by the Purchaser that he is not entitled to and will not claim compensation in respect of the prescription by the competent Authority of a building line.

- 6.5 That part of the Property with title number SGL20491 is subject to the Conveyance of the land in this title and other land dated 4 June 1923 made between (1) Allen Ansell (Vendor) and (2) Emily Stanton (Purchaser) ("1923 Conveyance") and contains the same restrictive covenant as set out in the October 1922 Conveyance.

Note: The same comments apply as for paragraph 6.2 above.

- 6.6 That part of the Property with title number SGL45522 is subject to the same 1923 Conveyance and restrictive covenants set out above.

Note: The same comments apply as for paragraph 6.2 above.

- 6.7 That part of the Property with title number SGL45522 is subject to the Conveyance of a strip of land at the rear of 68 Arbuthnot Lane dated 28 October 1969 made between (1) George Albert Midson and Eileen Midson (Vendors) and (2) The Minister of Transport (Purchaser) ("1969 Conveyance") which contains a right for the Vendors and their successors in title at all times to maintain and use the drain and catchpit shown on the title plan SGL45522 at [Annex A](#) by a blue line and the point lettered "X" respectively known as 66 Arbuthnot Lane Bexley for the passage of sewage water and soil from the property known as 68 Arbuthnot Lane Bexley but not for any other purpose together with the right to enter upon 66 Arbuthnot Lane and to excavate so much of the land as necessary for the purpose of exercising the rights granted.

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 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 The London Borough of Bexley on 6 December 2018. The result of the search revealed that the following local land charges are registered against the Property:

Restriction to permitted development Article 4 Direction removing permitted development rights regarding Houses in Multiple Occupation (HMOs) in the borough registered on 27 September 2017

ARTICLE4/00015

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 Bexley on 6 December 2018. The result of the search did not show any entries that adversely affect the Property and revealed the following information:

Arbuthnot 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..

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 Utilities on 5 December 2018. The replies revealed the following information:

The search does not confirm if foul and surface water from the Property drains to a public sewer as this is a plot of land.

The search does not confirm if the Property is connected to mains water as this is a plot of land.

Please see the public sewer map on the plans "Drainage and Water Search plans" at [Annex B](#) which indicates that there is a public sewer, disposal main or lateral drain within the boundaries of the Property.

Please see the map of waterworks on the plans "Drainage and Water Search plans" at [Annex B](#) which does not indicate any water mains, resource mains or discharge pipes within the boundaries of 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 5 December 2018. 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.

Note: You may wish to put in place chancel repair title indemnity policy.

7.6 British Telecom Infrastructure Search

British Telecom Infrastructure Search dated 5 December 2018 - Please see the plan attached and labelled "BT Infrastructure Search Plan" at [Annex B](#) which shows BT apparatus located within the vicinity of the Property.

7.7 Highways Search

The highways search dated 14 December 2018 does not confirm if the Property directly abuts the public highway and that there is no intervening land between the Property and the public highway however please see the plan attached and labelled "Highways Search Plan" at [Annex B](#) which shows the extent of the public highway located within the area highlighted yellow. The A2 (East Rochester Way) on the southern boundary is maintained at the public expense by Transport for London.

7.8 National Grid Gas and Electricity

National Grid Gas and Electricity Search dated 6 December 2018 confirms that National Grid infrastructure is not Affected. No plans were attached to the search result.

7.9 SGN Gas Ltd

Cadent Gas Ltd search dated 5 December 2018.

Please see the plan attached and labelled "SGN Gas Search Plan" at [Annex B](#) which does not show any mains within the boundaries of the Property however there are mains within Arbuthnot Lane.

7.10 UK Power Networks

UK Power Networks search dated 7 December 2018 shows the electric lines and/or electric plant at the Property as per the plans attached and labelled "UK Power Networks Search Plan" at [Annex B](#).

7.11 Openreach BT search

Openreach BT search of their Wayleave archives dated 13 December 2018 confirmed that they had been unable to find any wayleaves for this location.

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 Reply 4.3 and 7.2 – the Property is an unsecured open space and open to the public.

8.2 Reply 27 (b) and 29.1 – the Owner has not exercised a VAT option to tax over the Property.

9 Conclusion

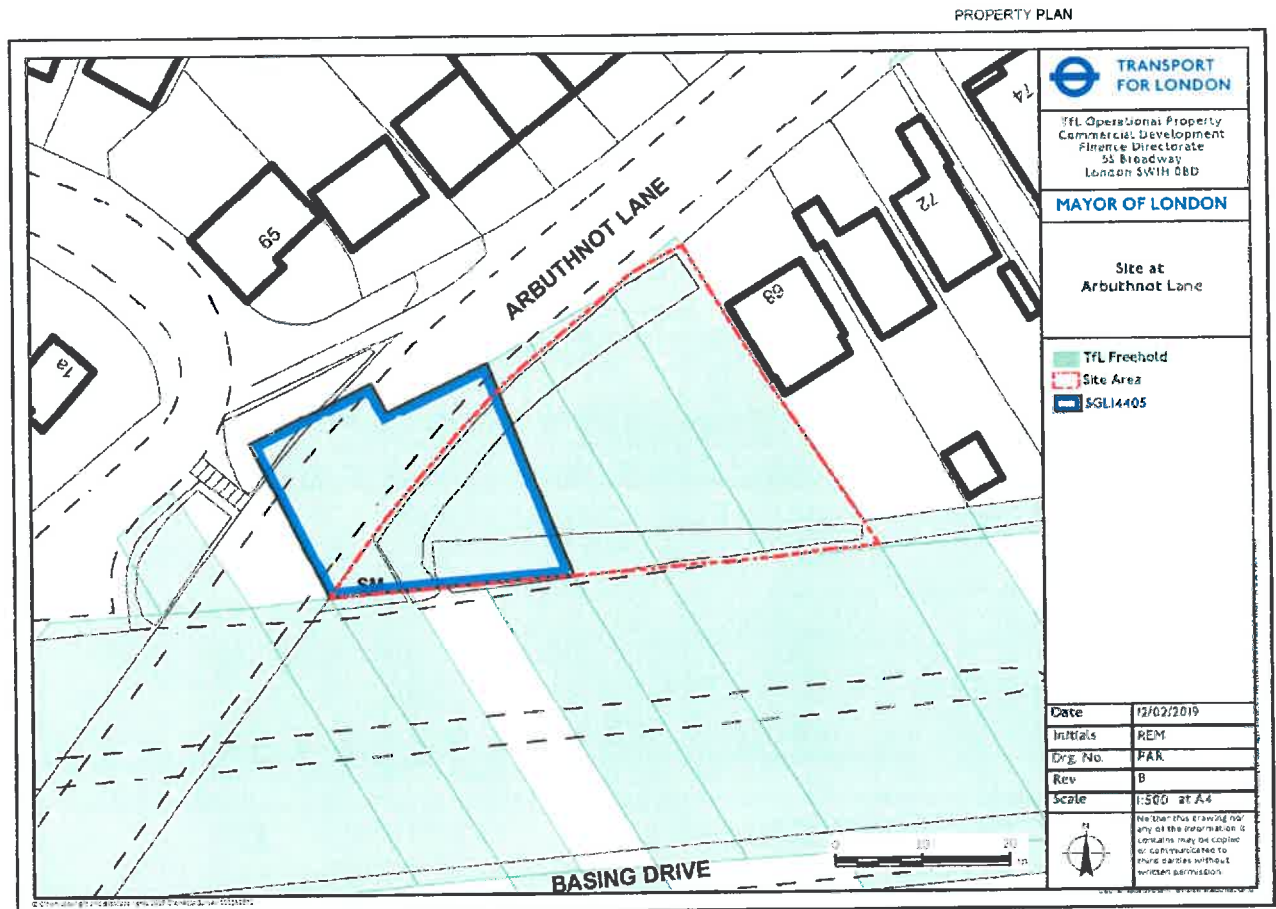
Subject to the matters referred to in this report, we are of the opinion that the Property has a good and marketable title to the Property.

Dentons UK & ME LLP

Signed Dentons UK and Middle East LLP

Dated *18 March 2019*

Annex A: Plans of the Property



Title Plan - SGL45522

H. M. LAND REGISTRY

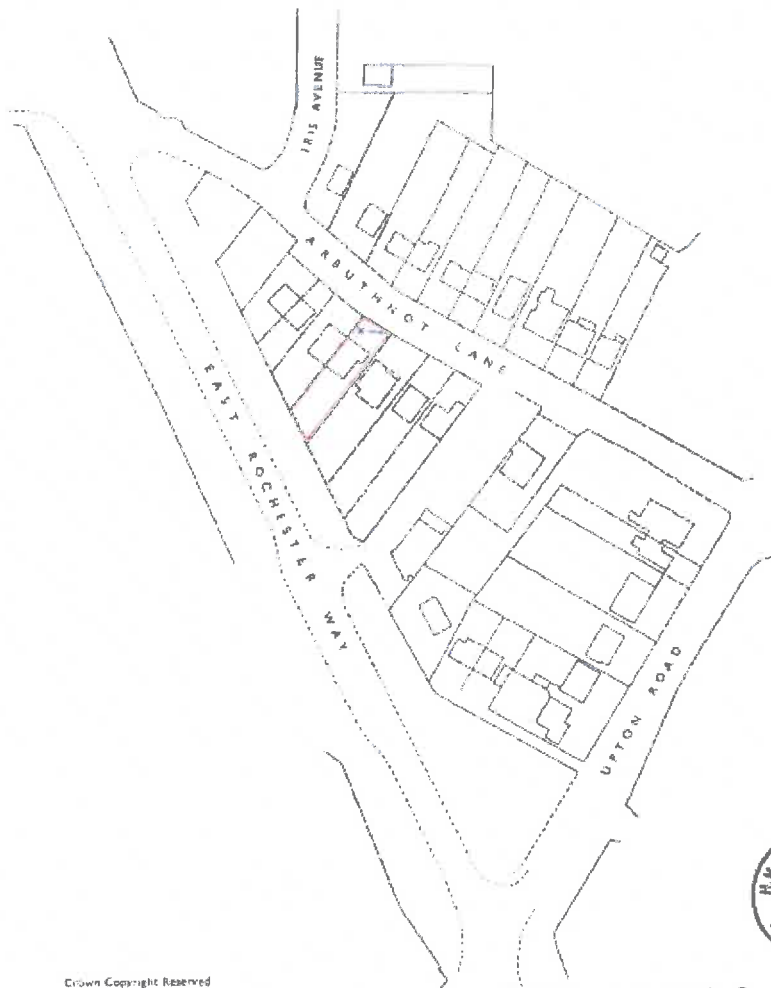
NATIONAL GRID PLAN TQ 4874 SECTION K

(KENT)

GREATER LONDON Scale 1/1250

BOROUGH OF BEXLEY

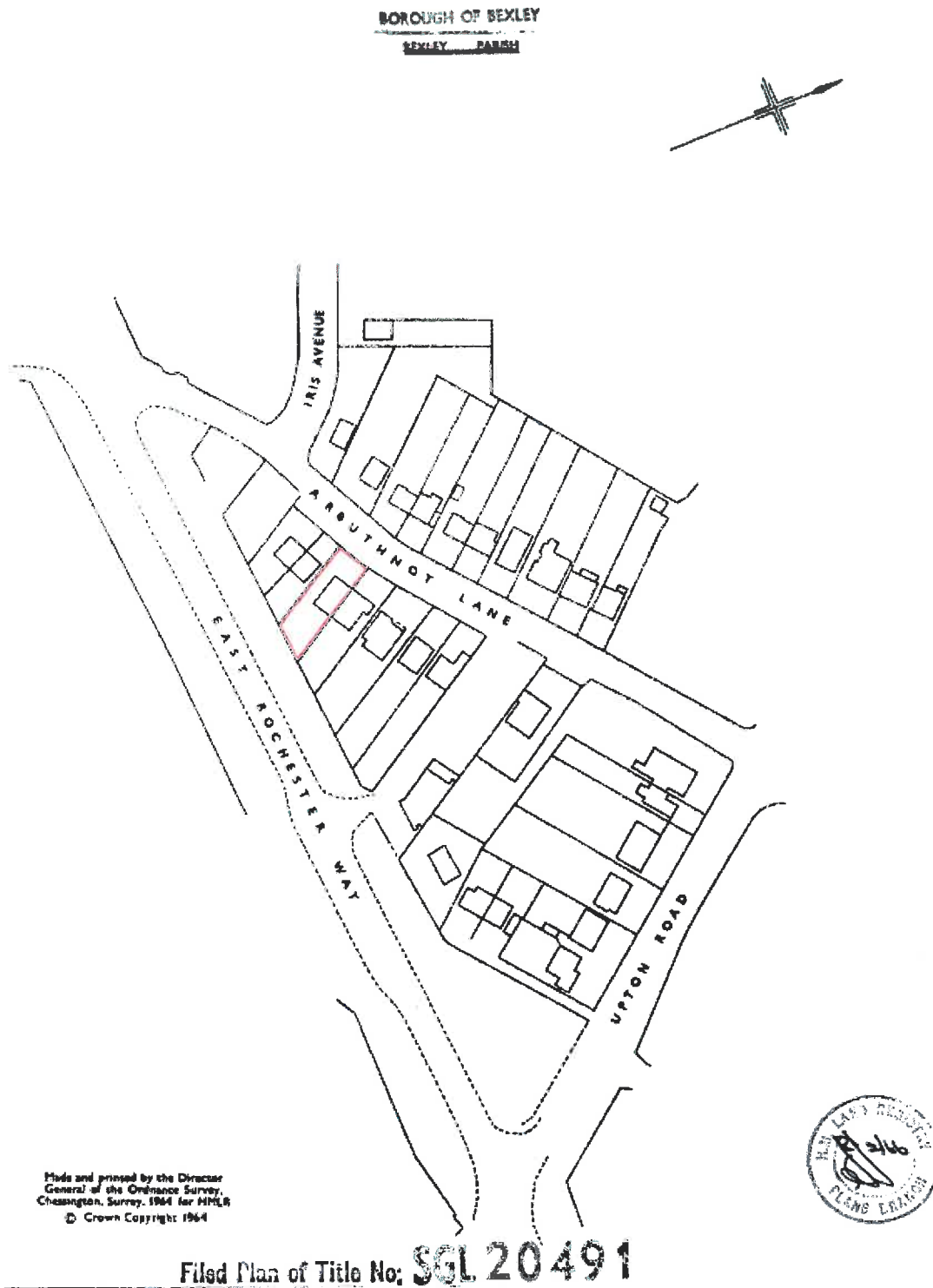
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Filed Plan of Title No. **SGL45522**

Title Plan - SGL20491



Title Plan - SGL14405

H. M. LAND REGISTRY

CREATED BY 2011

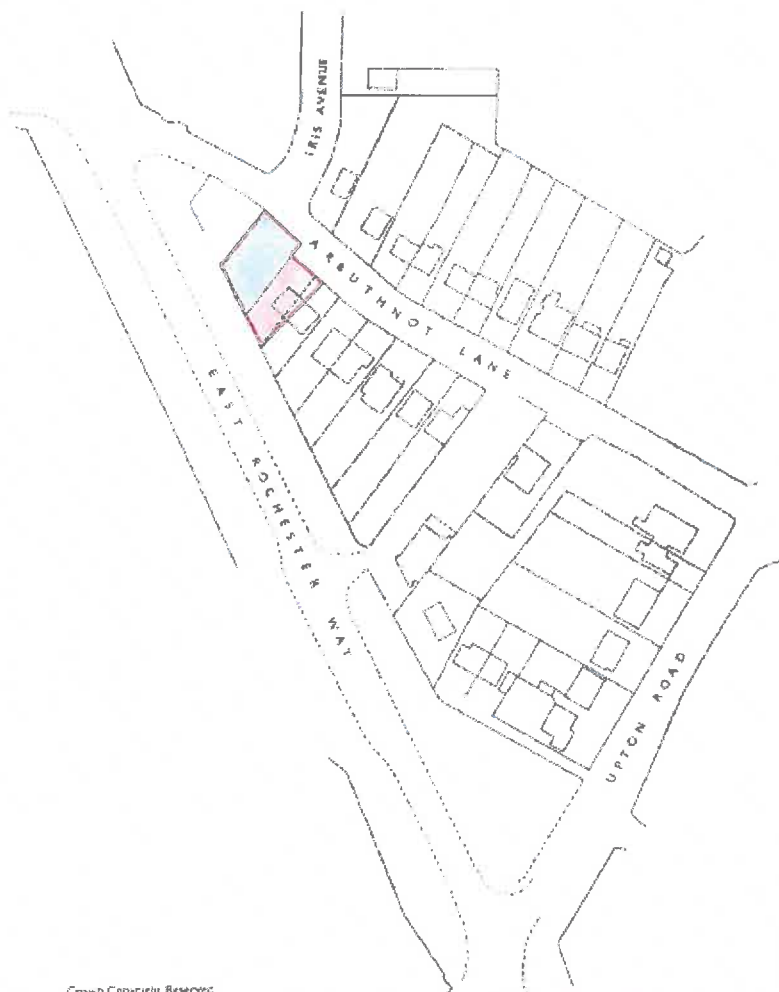
NATIONAL GRID PLAN TQ 4874 SECTION K

~~(KENT)~~

Scale 1/1250

~~BOROUGH OF BENLEY~~

~~BENLEY PARISH~~



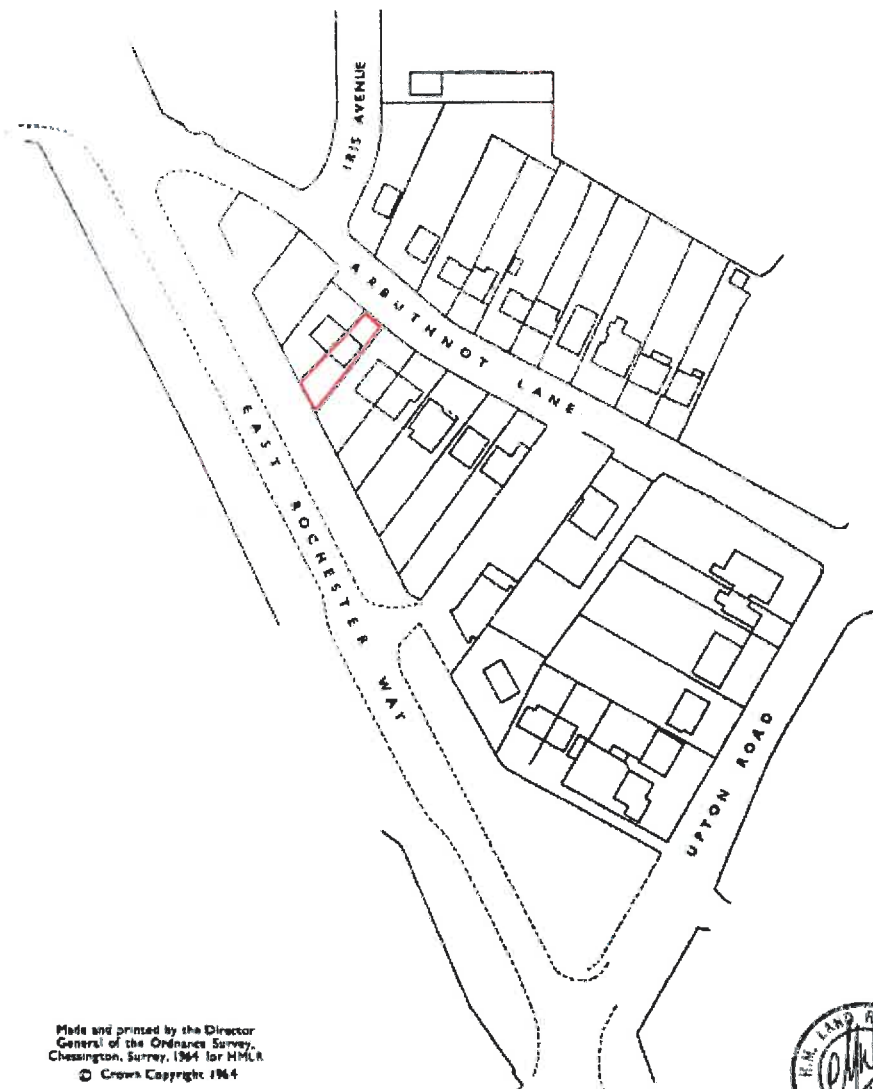
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Filed Plan of Title No. **SGL 14405**



Title Plan - SGL23944

BOROUGH OF BEXLEY
~~BEXLEY ROAD~~



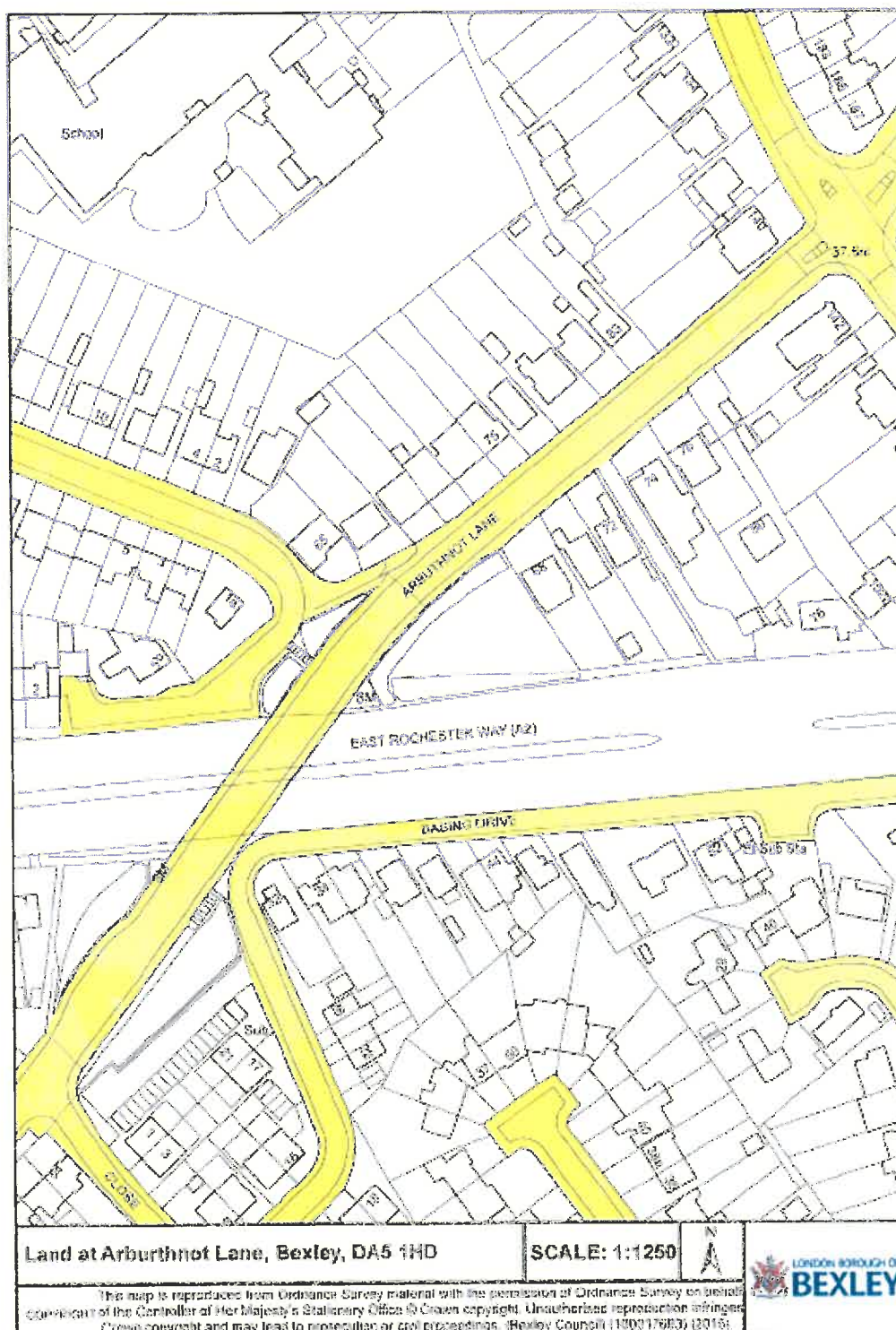
Made and printed by the Director
General of the Ordnance Survey,
Chessington, Surrey. 1964 for HM/LR
© Crown Copyright 1964

Filed Plan of Title No. **SGL 23 944**

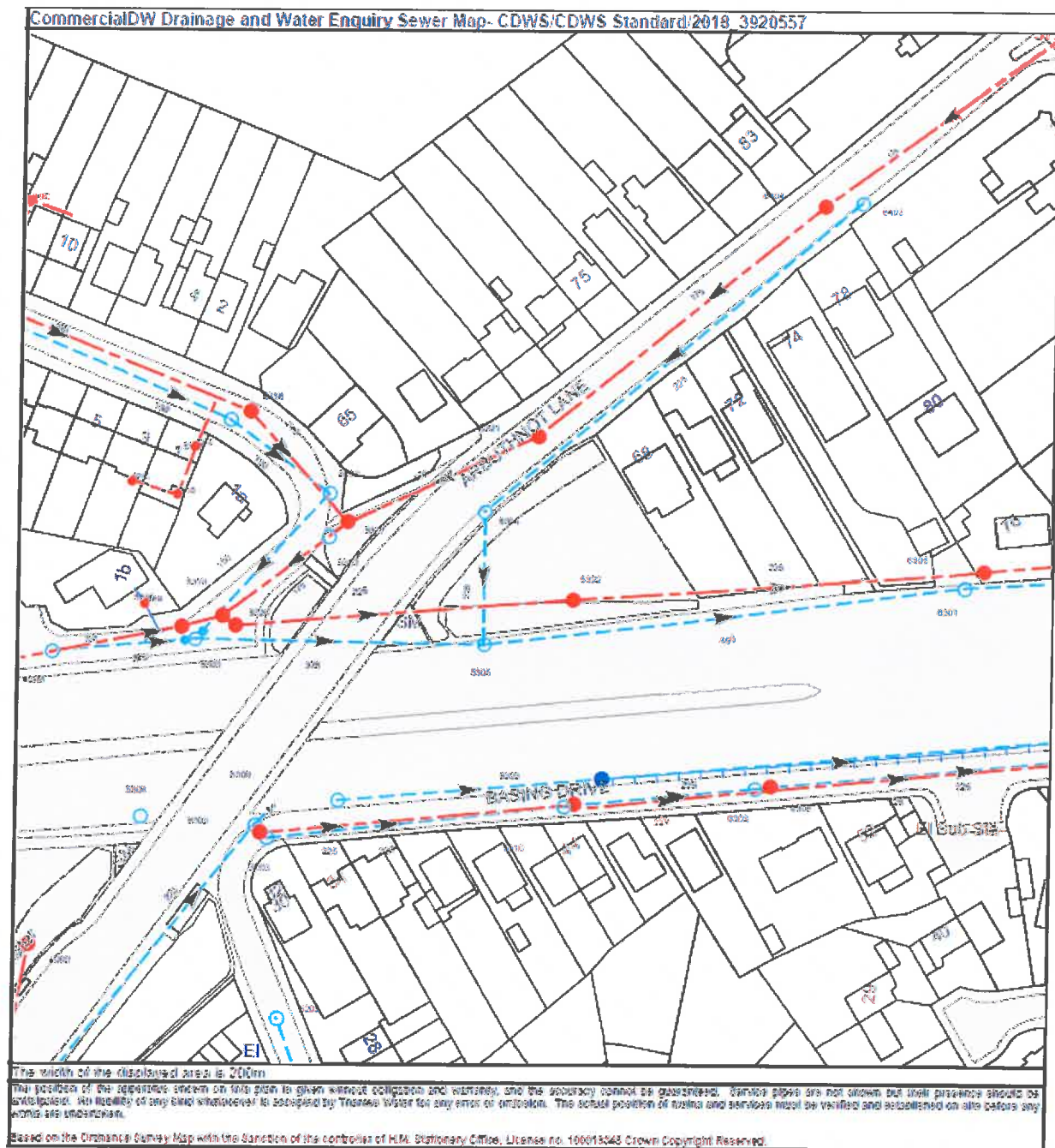


Annex B: Search plans

Highways Search Plan



Drainage and Water search plans



NS: Levels quoted in metres Ordnance Newlyn Datum. The value -9999.00 indicates no survey information is available.

Manhole Reference	Manhole Cover Level	Manhole Invert Level
4308	n/a	n/a
5310	n/a	n/a
4410	n/a	n/a
531B	n/a	n/a
531D	n/a	n/a
5318	n/a	n/a
531E	n/a	n/a
5303	n/a	n/a
5319	n/a	n/a
5301	n/a	n/a
5320	n/a	n/a
5316	n/a	n/a
5309	n/a	n/a
5206	n/a	n/a
5203	n/a	n/a
5202	n/a	n/a
5312	n/a	n/a
5302	n/a	n/a
53A6	n/a	n/a
5317	n/a	n/a
5304	n/a	n/a
5305	n/a	n/a
5321	n/a	n/a
5310	n/a	n/a
5322	n/a	n/a
5323	n/a	n/a
53AH	n/a	n/a
6303	n/a	n/a
4202	36.99	32.17
5308	n/a	n/a
6404	n/a	n/a
6403	n/a	n/a
6306	n/a	n/a
6301	n/a	n/a
6305	n/a	n/a

The position of the apparatus shown on this plan is given without obligation and warranty, and the accuracy cannot be guaranteed. Service pipes are not shown but their position should be ascertained. No liability on any third whatsoever is accepted by Trenchless Limited for any error or omission. The correct position of mains and services must be verified and ascertained on site before any works are undertaken.



Sewer Key - Commercial Drainage and Water Enquiry

Public Sewer Types (Operated & Maintained by Thames Water)

- Foul:** A sewer designed to convey waste water from domestic and industrial sources to a treatment works.
- Surface Water:** A sewer designed to convey surface water (e.g. rain water from roofs, yards and car parks) to rivers or watercourses.
- Combined:** A sewer designed to convey both waste water and surface water from domestic and industrial sources to a treatment works.
- Trunk Surface Water**
- Trunk Foul**
- Storm Relief**
- Trunk Combined**
- Bio-solids (Sludge)**
- Proposed Thames Surface Water Sewer**
- Proposed Thames Water Foul Sewer**
- Gallery**
- Foul Rising Main**
- Surface Water Rising Main**
- Combined Rising Main**
- Sludge Rising Main**
- Proposed Thames Water Rising Main**
- Vacuum**

Notes:

- 1) All levels associated with the plans are to Ordnance Datum Newlyn.
- 2) All measurements on the plans are metric.
- 3) Arrows (on gravity fed sewers) or feeds (on rising mains) indicate direction of flow.
- 4) Most private pipes are not shown on our plans, as in the past, this information has not been recorded.
- 5) 'N/A' or 'D' on a manhole level indicates that it is unavailable.

Sewer Fittings

A feature in a sewer that does not affect the flow in the pipe. Example: a vent is a fitting as the function of a vent is to release excess gas.

- Air Valve**
- Disinfectant**
- Fitting**
- Manhole**
- Vent Column**

Operational Controls

A feature in a sewer that changes or diverts the flow in the sewer. Example: A hydrobrake limits the flow passing downstream.

- Control Valve**
- Check Pipe**
- Amalgam**
- Weir**

End Items

End symbols appear at the start or end of a sewer pipe. Examples: an Undefined End at the start of a sewer indicates that Thames Water has no knowledge of the position of the sewer upstream of that symbol. Outfall on a surface water sewer indicates that the pipe discharges into a stream or river.

- Outfall**
- Undefined End**
- Water**

Other Symbols

Symbols used on maps which do not fall under other general categories

- Public/Private Pumping Station**
- Change of characteristic indicator (C.O.C.I.)**
- Invert Level**
- Summit**

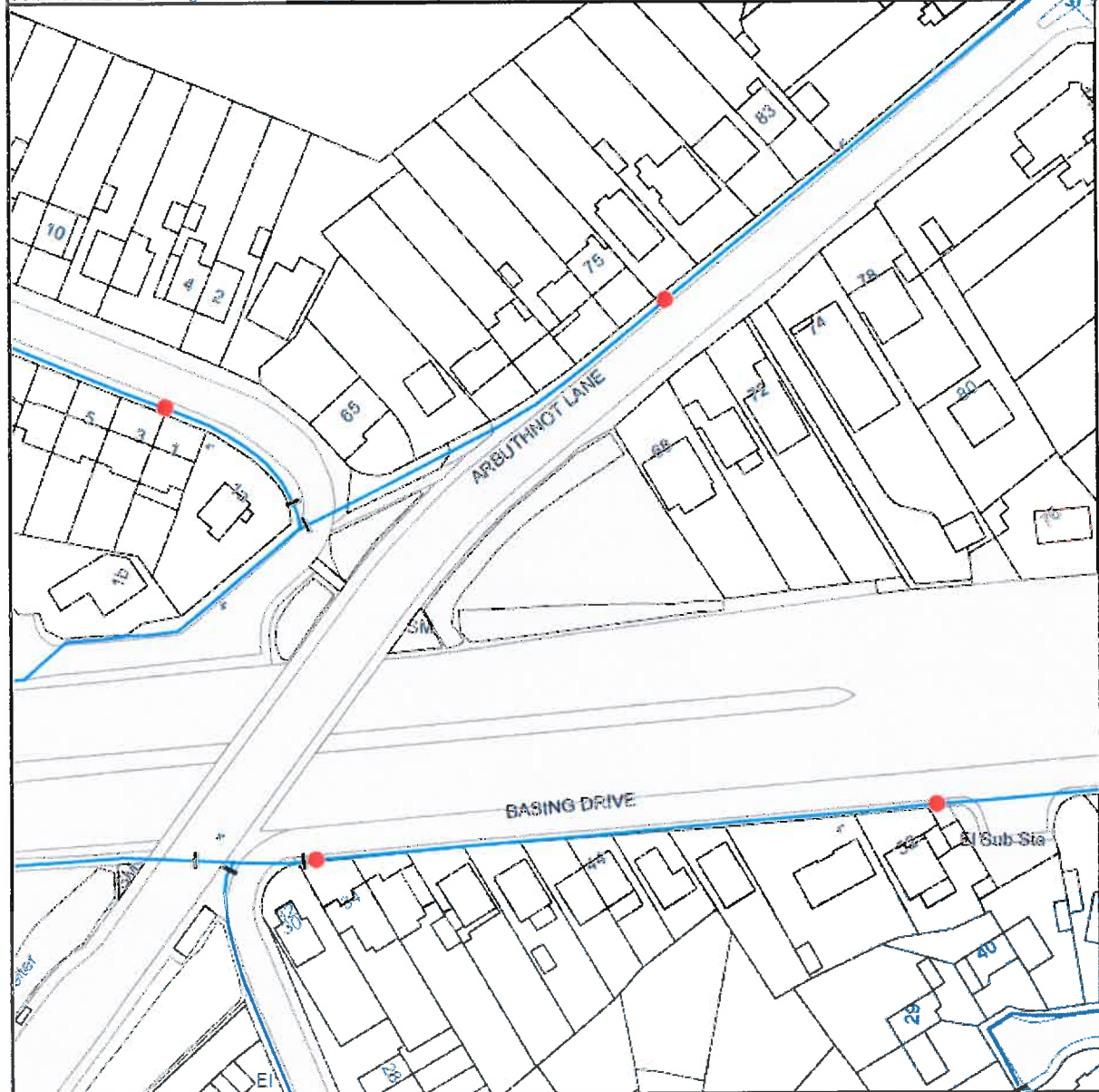
Areas

Lines denoting areas of underground surveys, etc.

- Agreement**
- Operational Site**
- Chamber**
- Tunnel**
- Conduit Bridge**

Other Sewer Types (Not Operated or Maintained by Thames Water)

- Foul Sewer**
- Surface Water Sewer**
- Combined Sewer**
- Gully**
- Curved Watercourse**
- Proposed**
- Abandoned Sewer**



The width of the displayed area is 200m.
The position of the apparatus shown on this plan is given without obligation and warranty, and the accuracy cannot be guaranteed. Service pipes are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Thames Water for any error or omission. The actual position of mains and services must be verified and established on site before any works are undertaken.
Based on the Ordnance Survey Map with the sanction of the controller of H.M. Stationary Office, License No. 100018345 Crown Copyright Reserved.



Waterworks Key - Commercial Drainage and Water Enquiry

Water Pipes (Operated & Maintained by Thames Water)

- Distribution Main:** The most common pipe shown on water maps. With few exceptions, domestic connections are only made to distribution mains.
- Trunk Main:** A main carrying water from a source of supply to a treatment plant or reservoir, or from one treatment plant or reservoir to another. Also a main transferring water in bulk to smaller water mains used for supplying individual customers.
- Supply Main:** A supply main indicates that the water main is used as a supply for a single property or group of properties.
- Fire Main:** Where a pipe is used as a fire supply, the word FIRE will be displayed along the pipe.
- Metered Pipe:** A metered main indicates that the pipe in question supplies water for a single property or group of properties and that quantity of water passing through the pipe is metered even though there may be no meter symbol shown.
- Transmission Tunnel:** A very large diameter water pipe. Most tunnels are buried very deep underground. These pipes are not expected to affect the structural integrity of buildings shown on the map provided.
- Proposed Main:** A main that is still in the planning stages or in the process of being laid. More details of the proposed main and its reference number are generally included near the main.

PIPE DIAMETER	DEPTH BELOW GROUND
Up to 300mm (12")	600mm (2')
300mm - 600mm (12" - 24")	1100mm (3' 6")
600mm and bigger (24" plus)	1200mm (4')

Valves

- General Purpose Valve
- Air Valve
- Pressure Control Valve
- Customer Valve

Hydrants

- Single Hydrant

Meters

- Meter

End Items

Symbol indicating what happens at the end of a water main.

- Blank Flange
- Capped End
- Emptying Pit
- Undefined End
- Manifold
- Customer Supply
- Fire Supply

Operational Sites

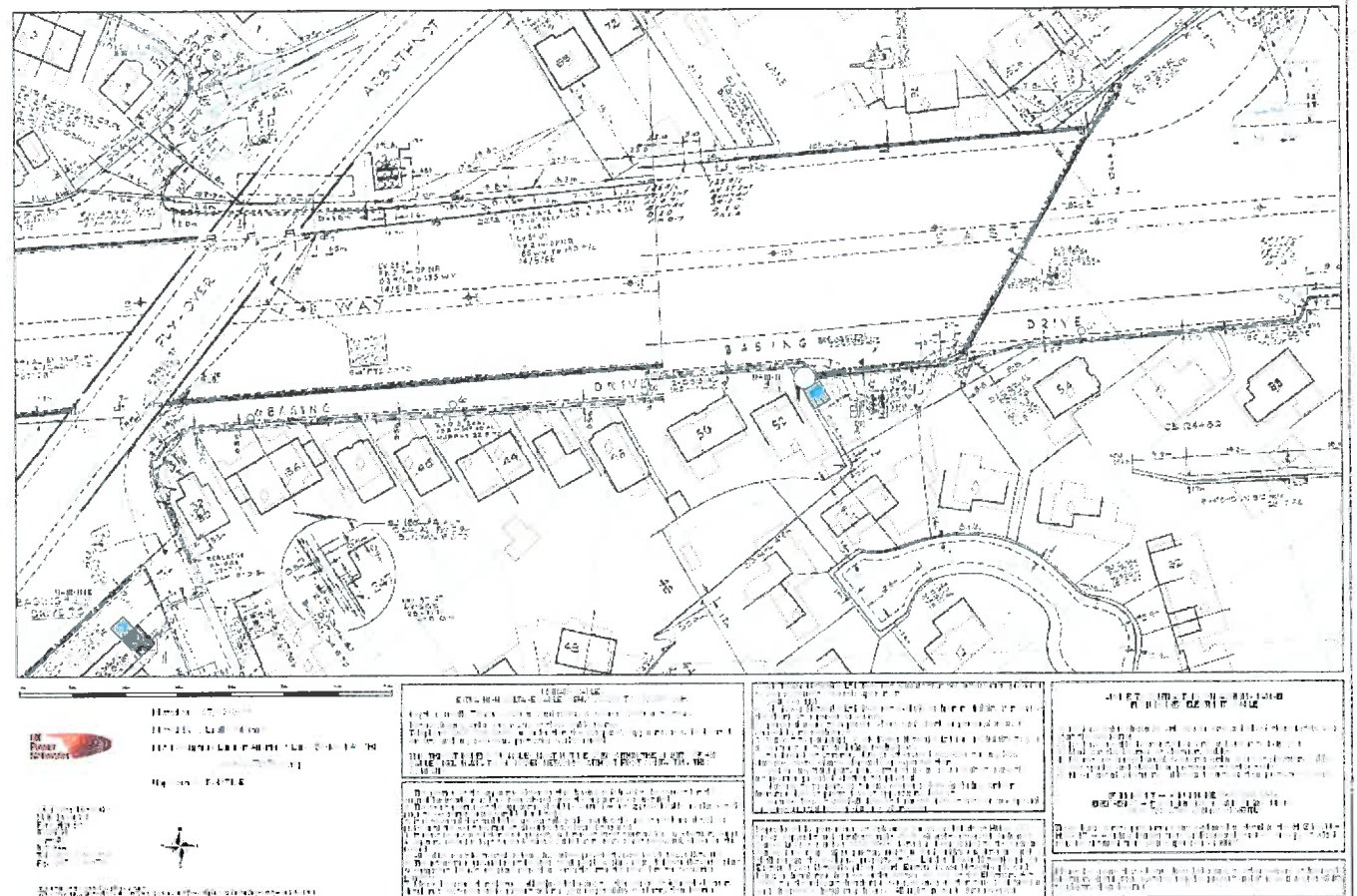
- Booster Station
- Other
- Other (Proposed)
- Pumping Station
- Service Reservoir
- Shaft Inspection
- Treatment Works
- Unknown
- Water Tower

Other Symbols

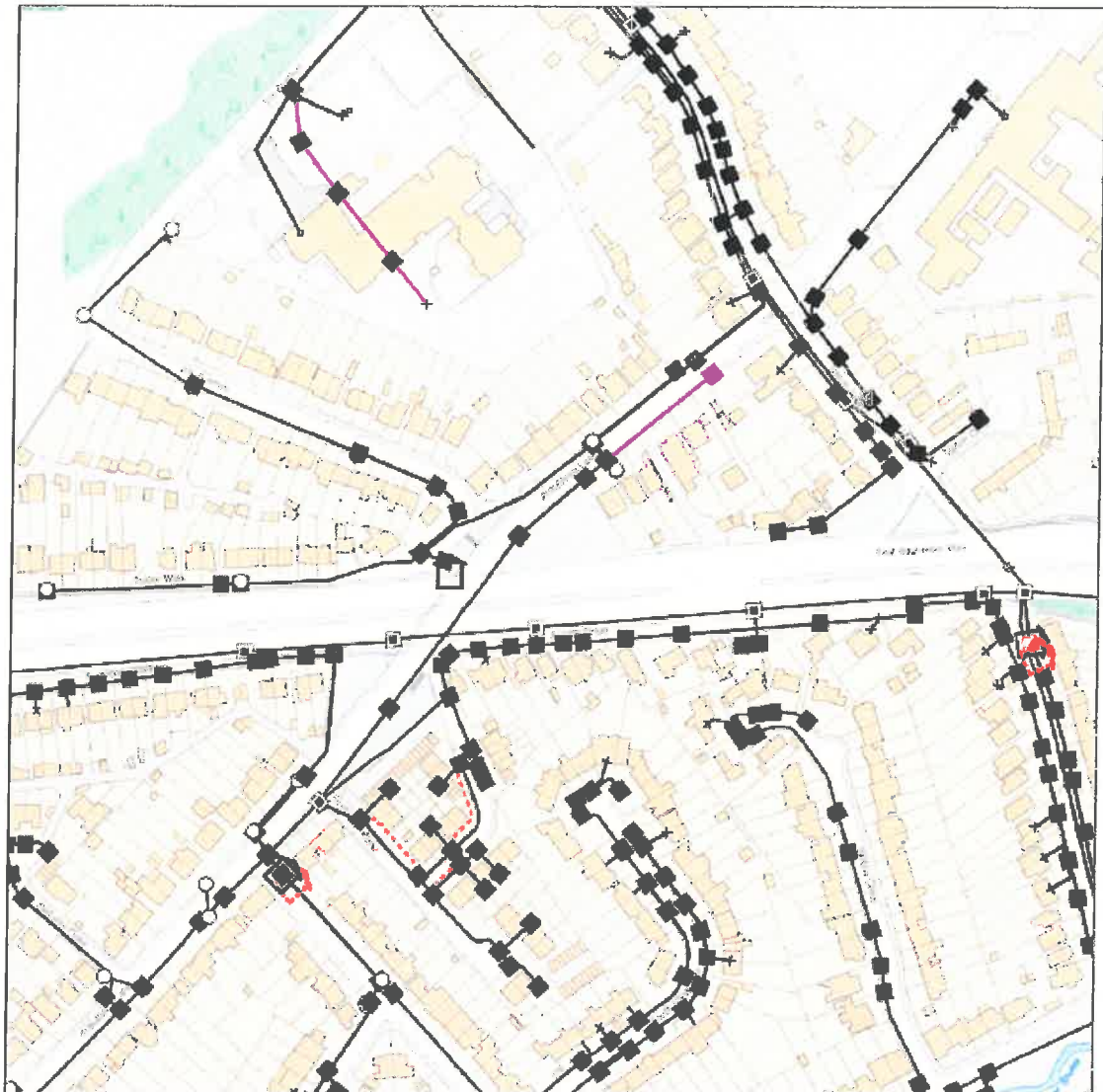
- Data Logger

Other Water Pipes (Not Operated or Maintained by Thames Water)

- Other Water Company Mains:** Occasionally other water company water pipes may overlap the border of our clean water coverage area. These mains are denoted in purple and in most cases have the owner of the pipe displayed along them.
- Private Main:** Indicates that the water main in question is not owned by Thames Water. These mains normally have text associated with them indicating the diameter and owner of the pipe.



BT Infrastructure Search Plan



IMPORTANT WARNING

Information regarding the location of BT apparatus is given for your assistance and is intended for general guidance only. No guarantee is given of its accuracy. It should not be relied upon in the event of excavations or other works being made near to BT apparatus which may exist at various depths and may deviate from the marked route.



openreach

CLICK BEFORE YOU DIG

FOR PROFESSIONAL FREE ON SITE ASSISTANCE PRIOR TO COMMENCEMENT OF EXCAVATION WORKS INCLUDING LOCATE AND MARKING SERVICE
email cbyd@openreach.co.uk

ADVANCE NOTICE REQUIRED
Office hours: Monday - Friday 08:00 to 17:00
www.openreach.co.uk/cbyd

Reproduced from the Ordnance Survey map by BT by permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office

KEY TO BT SYMBOLS

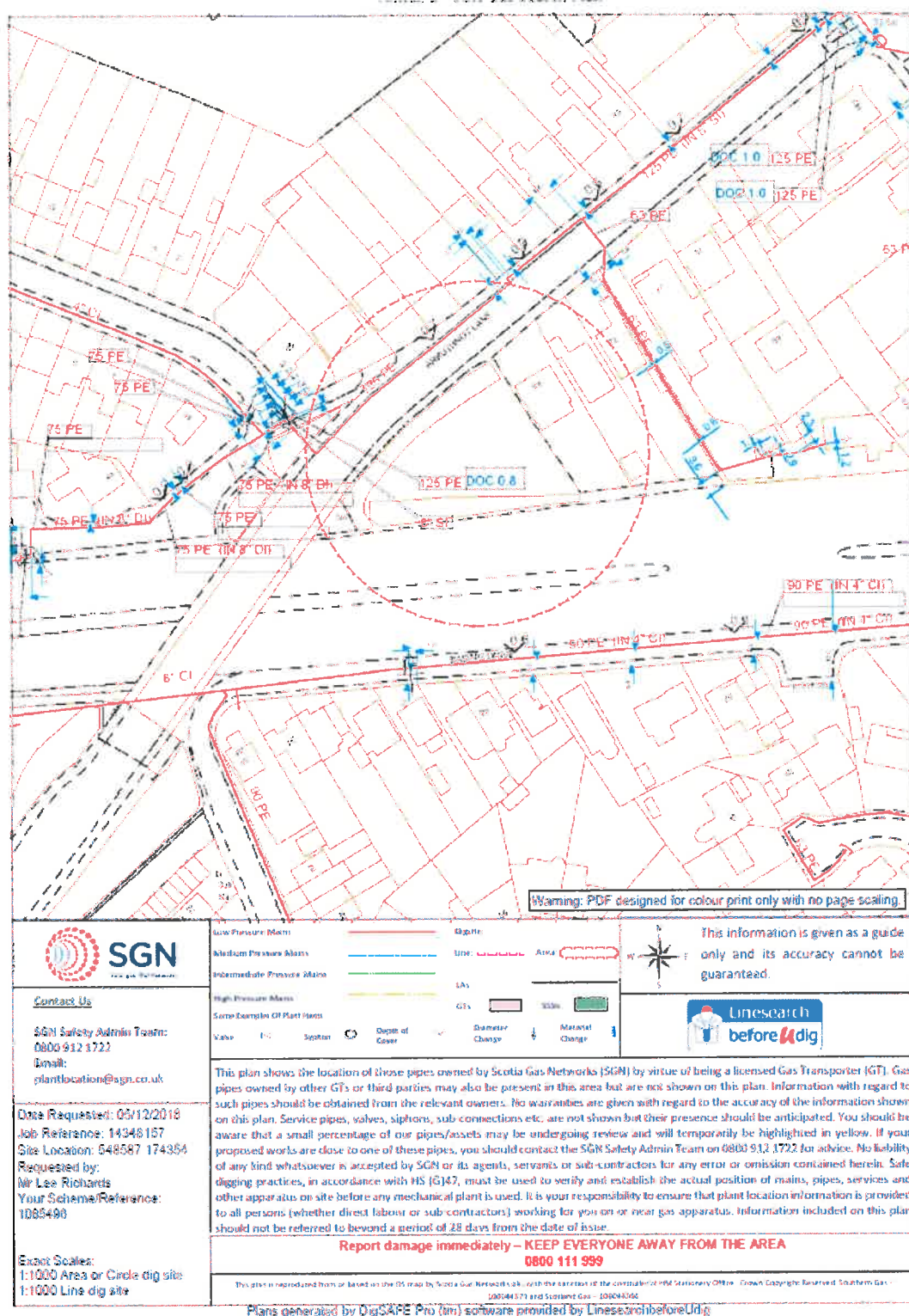
	Planned	Live	Change Of State	+	Matchings
BCP			Split Coupling		Built
Pole			Duct Tee		Planned
Box			Building		Inferred
Manhole			Work		Duct
Cabinet			Other proposed work is shown as red dashed lines. BT Symbols not listed above may be disregarded. Existing BT Plant may not be recorded. Information as at time of preparation. Maps are only valid for 50 days after the date of publication.		
Power Cable			Pending Removal		Not In Use
Power Duct					N/A

BT Ref : LIQ1244R

Map Reference (centre) TQ485774345

Easting/Northing : (centre) 548577,174345

SGN Gas Search Plan



Map Symbols

VALVE OPEN	VALVE CLOSED	GOVERNOR	END CLOSURE	SYPHON	REDUCER	TEE
TEST POINT	CATHODIC PROTECTION	GENERAL REFERENCE	FLOW MEASURE	DIP POINT	MONO ETHYLENE GLYCOL	OILING POINT
FLOW STOP	PRESSURE MEASUREMENT	STAND PIPE	OFFICIAL MINISTRY RECORD	PURGE POINT	GAS CONDITIONER	DRAIN POINT
SKETCH BUBBLE	DEPTH OF COVER	METER	MATERIAL CHANGE	LP MAINS	MP MAINS	IP MAINS
PIG TRAP	CROSSOVER CONNECTION	CHANGE OF DIAMETER	PIPE JOINT	LHP MAINS	HISTORY DATA	SSSI
						GTs
						LTS
						CONTACT ZONE