

TITLE INFORMATION SHEET

Re: Land at Holden Fold, Darwen ("the Property")

The following information is given for guidance only to assist potential purchasers in discussing title with their solicitors. This document does not form part of any contract and is not intended to be relied upon and whilst the information is believed to be correct, its accuracy is not guaranteed and it does not obviate the necessity for potential purchasers to appoint solicitors to investigate title, make appropriate searches, enquiries and inspections.

1. Background information

The Property is made up of eight title numbers in six separate ownerships. All titles are freehold with title absolute. Title documents, including office copy entries and the documents referred to therein, are set out in the List of Annexures at the end of this Information Sheet.

Plan 1 at Annex 1 is a land ownership plan showing approximately how the Property is made up of the separate titles. The eight title numbers being LA463601; LA536157; LA752049; LAN93598; LAN165990; LAN182104; LAN184537 and LAN31984. The land shown coloured yellow on Plan 1 at Annex 1 is currently leased to Friends of Square Meadow and is not included in the Property ("the Yellow Land"). Further details are given in clause 1.3 of this Information Sheet.

1.1 The land owned by James Christopher Cummins and Lynne Jayne Cummins - Title Number LA463601, the approximate position of which is shown coloured light blue on Plan 1 at Annex 1 ("the Light Blue Land").

- (a) The Light Blue Land is charged to the Bank of Scotland plc. The charge will be discharged on completion.
- (b) Conveyance 4th August 1981 between T. Bailey (1) P.T. Pressler (2) T. Bailey and P.T. Pressler (3) and W. Dickinson-Brown (4):
 - (i) There purports to be a restrictive covenant not to use the Light Blue Land for any purpose other than that for which it was used prior to 1981 and, in particular, there should be no industrial business or other development of the Light Blue Land. It is believed the restrictive covenant has not been properly drawn and is personal in nature.
 - (ii) There are various other covenants, but these relate to a flying freehold and this land is not included in the Property.

1.2 The land owned by William John Entwistle, Shaun Edward Entwistle, Ian David Entwistle and Jayne Marie Cuffe - Title Number LA536157, the approximate position of which is shown coloured purple on Plan 1 at Annex 1 ("the Purple Land").

- (a) Deed of Grant - 3rd June 1929 between Fred Whalley (1) and Darwen Corporation (2): This is an old deed giving rights to construct and maintain a line of water pipes. No plan is available. Drainage searches should assist.
- (b) Agreement dated 10th June 1938 between Fred Whalley (1) and Darwen Corporation (2):

This relates to the construction and maintenance of overhead electricity lines. These will be apparent from inspection and utility searches.
- (c) Conveyance dated 18th June 1986 between Fred Whalley (1) and William Entwistle and Maureen Entwistle (2)

There are excepted and reserved general rights of easements and quasi-easements which have been enjoyed over the Purple Land. The rights are reserved for

property lying to the North East within Ordnance Survey Parcel Number 1360. The Purple Land is separated from the land in Parcel 1360 by a road and in practice therefore it seems unlikely these rights could be exercised.

1.3 The land owned by BWDC - LAN31984, the approximate position of which is shown coloured dark blue and dark green on Plan 1 at Annex 1 (“the Dark Blue Land and the Dark Green Land”).

- (a) Mines and minerals are excepted from the Dark Green Land.
- (b) Parts of the Dark Blue Land are affected by rights granted by the lease of the Yellow Land between BWDBC (1) and Friends of Square Meadow (2).
 - (i) The Lease Term is for 25 years from 20th September 2017: Expires 19th September 2042.
 - (ii) The tenants are granted a right to use the current car park area, which is within the Dark Blue Land shown hatched black on Plan 1 at Annex 3, for car parking purposes in connection with the use of the land for open playing fields for sports and community use for the benefit of the public within Blackburn and Darwen.
 - (iii) Rights or light are reserved benefiting the Property, to build along the boundary marked ‘W-A’ on Plan 2 at Annex 3.
 - (iv) Option to vary the Lease and provide another car parking area:-
 - BWDBC intends to exercise the Option to require the tenant to surrender part of the land shown hatched green on Plan 2 at Annex 3, between the points ‘Z-X-Y and W’. However, that land cannot be used for any residential housing, residential gardens, residential garden fencing or residential garaging. It is intended this land is used for open space.
 - There will also be fencing obligations on BWDBC to fence between the points ‘X-Y’ and ‘W-Z’ on Plan 2 at Annex 3.
 - Notice is to be served confirming BWDBC will grant a new car parking lease which must lie between the areas bounded by ‘A-B-C-D-E and W’, as shown on Plan 2 at Annex 3, providing a minimum of 25 car parking spaces. The North West boundary of the new car park is to abut the tenant’s existing South East boundary. There is to be provision for vehicular and pedestrian access from the adopted highway on Holden Fold to the car park. Any boundaries of the new car park will be maintained by the tenant.
 - There is reference to this in the Guidance Notes and the preferred purchaser will be required to construct the new car park. The current car park must be kept available for use until the new car park is constructed.

1.4 The land owned by P.E. Collis (deceased) (1) Jacqueline Alison West (2) Keith Gordon Bagot (3) - Title Number LAN182104, the approximate position of which is shown coloured light green on Plan 1 at Annex 1 (“the Light Green Land”).

(a) Conveyance 8th December 1994 between P.E. Collis (1) P.T. Pressler (2) and D. Sullivan (3) (“the 1994 Conveyance”):

- (i) The land sold under the 1994 Conveyance is shown on the plan at Annex 4 edged red and green, although the green looks more like blue. (Part of this land is comprised in the Mallord land shown orange on Plan 1 at Annex 1 and the Connor land shown coloured pink on Plan 1 at Annex 1 and hereinafter referred to as “the Land”).
- (ii) The Land has rights over the Light Green Land for connection into services which were, or are in the future to be put, on or under the Light Green Land to connect into services which were in the Land in 1994. It is thought these rights and obligations will merge by unity of seisin when the Land and the Light Green Land are sold to one purchaser as part of the Property.
- (iii) The Light Green Land has the benefit of a restrictive covenant over the Land “that no building now, nor at any time in the future, be built on part of the property hereby conveyed is to be used other than as a private dwellinghouse and garage and outbuildings”. It is believed that the restrictive covenant would be unenforceable by unity of seisin.

(b) Deed of Grant dated 23rd July 1929 between J. Eccles (1) and The Mayor Aldermen and Burgesses of the Borough of Darwen (2) (“the 1929 Deed”)

The plan at Annex 5 shows a water main running from Knowle Lane through part of the Light Green Land. Rights are granted to maintain and repair access to the water pipes and any flags, pillars or other erections identifying the same, to lay, inspect, repair, relay or renew and to make good any damage caused. The purchasers’ drainage search should reveal whether such water main is still in existence and, if so, any development would need to take account of the same.

(c) Conveyance dated 16th April 1946 between A.A. Eccles and others (1) and J. Bailey and T. Bailey (2) (“the 1946 Conveyance”)

The 1946 Conveyance refers to various documents. HMLR will separately list any documents on the register of the title that affect. Therefore only the matters specifically set out in the 1946 Conveyance and any documents referred to in it that are separately set out on the register of the title will affect. The only document which is separately abstracted is the Deed dated 23rd July 1929 reported on above.

1.5 The land owned by D.C. Cooney - Title Number LA752049, forming part of the land the approximate position of which is shown coloured pink on Plan 1 at Annex 1 (“the Pink Land”).

- (a) The 1994 Conveyance between P.E. Collis (1) P.T. Pressler (2) and D. Sullivan (3)
- (i) The Pink Land is subject to the same rights as reported on above re: the Light Green Land and it is thought that those rights and reservations will cease by unity of seisin in respect of the part of the Pink Land comprised in the Property.
 - (ii) The Pink Land is subject to the restrictive covenants which benefit the Light Green Land as referred to above. Again, it is thought that the covenant would cease by unity of seisin.
 - (iii) The Pink Land is subject to the 1929 Deed reported on in the section dealing with the Light Green Land.
 - (iv) The Pink Land is also subject to the 1946 Conveyance which is reported on in the section dealing with the Light Green Land above.
- (b) Transfer 18th September 2009 between Dawn Christine Cooney (1) and Ian and Linda Mallord (2)
- (i) The land shown coloured orange on the plan at Annex 1 (“the Orange Land”) has rights over that part of the Pink Land shown coloured yellow on the plan at Annex 6 for access to the Orange Land. The area of land shown coloured yellow is outside of the boundary of the Property and therefore is believed not to be relevant.
 - (ii) There are mutual rights of services from the Pink Land over the Orange Land and vice versa. The same point as to unity of seisin applies.
 - (iii) There are sewerage rights through a pipeline to a septic tank shown on the plan at Annex 6. It appears the pipeline is outside of the Property.
 - (iv) There are various fencing obligations between points A and B on the plan at Annex 6 and this could be tidied up when dealing with any fencing obligations between the Property and any Orange Land which is not sold.
- (c) Transfer dated 19th October 2019 between (1) Dawn Christine Cooney and (2) Simon John Mallord and Catherine Sarah Mallord
- (i) Mutual rights for the Pink Land over the Orange Land and vice versa for services and maintenance of the same. Same points arise re: unity of seisin/release.

1.6 The land owned by Simon John Mallord and Catherine Sarah Mallard - Title Numbers LAN165990; LAN184537 and LAN93598, the approximate position of which is shown coloured orange on Plan 1 at Annex (“the Orange Land”).

- (a) **Title Number LAN165990**
- The Property is subject to the Conveyance of 16th April 1946 commented on in section 1.4 of this Information Sheet.
 - The Property is subject to and has the benefit of the same rights contained

in the Conveyance of 8th December 1994 as reported on in section 1.4 of this Information Sheet.

- The Property has the benefit of the rights granted but is subject to the rights reserved in the Transfer of 18th September 2009 referred to in section 1.5 of this Information Sheet.
- **Transfer 18th May 2015 between Ian Mallord and Linda Mallord (1) and Simon John Mallord and Catherine Sarah Mallord (2).** See plan at Annex 7. The retained land is shown hatched black on the plan at Annex 7 and the property sold is shown edged and hatched red on the plan at Annex 7. Part of the Property comprised in the Orange Land has a right of way over the blue accessway. This right will need to be released as it will not be extinguished by unity of seisin.

(b) **Title Number LAN184537:-**

- This land is subject to the Transfer of 18th September 2009; the Conveyance of 19th October 2016; the Deed of Grant of 23rd July 1929; the Conveyance of 16th April 1946 and the Conveyance of 8th December 1994, all of which have been commented upon previously in this Report.

(c) **Title Number LAN93598:-**

- This land is subject to the Conveyance of 8th December 1994; the Transfer of 18th September 2009; the Transfer of 18th May 2015; the Deed of Grant of 23rd July 1929 and the Conveyance of 16th April 1946 all of which have been commented upon previously in this Report.

2. Chancel Search

The Chancel Search attached at Annex 8 shows that the Property is within a district or parish that has no record of risk of chancel repair liability.

LIST OF ANNEXURES

Annex 1	Plan 1 showing approximately how the Property is made up of the different ownerships
Annex 2	Office Copy Entries; Filed Plans and documentation referred to in the office copy registers of Title Numbers LA463601; LA536157; LAN31984; LAN182104; LA752049; LAN165990; LAN184537 and LAN93598 *
Annex 3	1. Lease 20 th September 2017 2. Plans to 20 th September 2017 Lease
Annex 4	Plan to Conveyance 8 th December 1994
Annex 5	Plan to Deed of Grant dated 23 rd July 1929
Annex 6	Plan to Transfer dated 18 th September 2009
Annex 7	Plan to Transfer 18 th May 2015
Annex 8	Chancel Search

* Schedule attached

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 See other Titles

LA752049		
1.	Transfer	18 th September 2009
2.	Transfer	19 th October 2016
3.	Deed of Grant	23 rd July 1929
4.	Conveyance	16 th April 1946
5.	Conveyance	8 th December 1994
LA463601		
6.	Conveyance	4 th August 1981
LA536157		
7.	Deed of Grant	3 rd June 1929
8.	Agreement	10 th June 1938
9.	Conveyance [not filed]	18 th June 1986
LAN31984		
10.	Conveyance [not filed]	12 th December 1962
11.	Lease	20 th September 2017
LAN184537		
12.	Transfer	18 th September 2009 (<i>See LAN93598</i>)
13.	Transfer	19 th October 2016 (<i>See LA752049</i>)
14.	Deed of Grant	23 rd July 1929 (<i>See LA752049</i>)
15.	Conveyance	16 th April 1946 (<i>See LA752049</i>)
16.	Conveyance	8 th December 1994 (<i>See LA752049</i>)
LAN165990		
17.	Transfer	18 th September 2009
18.	Conveyance	16 th April 1946
19.	Conveyance	8 th December 1994
20.	Transfer	18 th May 2015
LAN182104		
21.	Conveyance	8 th December 1994
22.	Deed of Grant	23 rd July 1929
23.	Conveyance	16 th April 1946
LAN93598		
24.	Conveyance	8 th December 1994
25.	Transfer	18 th September 2009
26.	Transfer	18 th May 2015
27.	Deed of Grant	23 rd July 1929
28.	Conveyance	16 th April 1946