

Mathew Tait

From: Mordain, Richard (Capita) [Richard.Mordain@capita.co.uk]
Sent: 25 September 2015 09:11
To: Jane French; Mathew Tait
Cc: Vanessa Errington
Subject: RE: Asset of community value application [Scanned]

Matty/Vanessa– Did we inform the current owners of the asset of community value application. Can you confirm when this was done.

Thanks

Richard

From: Jane French [mailto:Jane.French@northtyneside.gov.uk]
Sent: 24 September 2015 22:41
To: Mordain, Richard (Capita); Mathew Tait
Subject: RE: Asset of community value application [Scanned]

Hi Richard

As discussed earlier today, I confirm that I have obtained office copies from the Land Registry in respect of the Berkeley Tavern (the Property). The Property is not in the ownership of the Council. There are currently two freehold titles that apply to the Property one relating to the actual ownership of the Property and the other in relation to the mines and minerals. I will summarise the former below. The mines and minerals are owned by the Duke of Northumberland in so far as they subsisted at the time of first registration and do not prejudice any enforcement of any estate, right or interest in the land prior to September 2012

In addition as I was obtaining the office copies in respect of the ownership it was revealed that a search of the register has been made and priority has been given to a potential purchaser. The process can be summarised as follows:

The Office Copy Entries given by the Sellers to the Buyers at the beginning of the transaction will contain details of the title and it will have an "edition date". They are a conclusive statement of the ownership of the land and any rights or restrictions that affect the property as at that date. Towards the end of the transaction a further search is carried out (a "Form OS1" search) and will reveal if any more recent applications (e.g. by a disgruntled ex wife or another charge) have been made to the Land Registry and vitally will also give a "priority period" so that provided the Buyer's application to register the transfer of title into the buyer's ownership is made within the next 30 working days, it will have priority over any subsequent application i.e. no later application to change the register can be registered until the expiry of the priority period. The existence of priority search usually indicates that a purchase is either very close to exchange of contract or indeed contracts have been exchanged and completion is imminent or has occurred and is in the administrative process of being registered.

It would appear that the current owner of the Property is very close to selling it to the developer/ investment vehicle detailed in the priority search. No other information will be available to the public as the Land Registry does not require any details of the transaction when a priority search is carried out.

Going back to the freehold title itself, the mines and minerals are excepted from the title (as you would expect given that there are separate mines and minerals rights registered). It has the benefit of rights reserved in a transfer of 1 Links Avenue and 8 Marine Avenue, no details are given and I have not investigated further as the Property has the benefit rather than the burden/obligation.

The Property, along with other land, is subject to covenants contained in a conveyance dated 27 October 1937 which, among other things, prevents the Property being used as a public house, ale house, club or in or for the sale

of alcohol. The land shaded pink on the attached title plan was released from the part of the covenant relating to alcohol sale etc in 1938.

The only other matter relating to the ownership is the existence of a reservation in favour of North East Electric Supply Company Limited to maintain a duct for electric cables in and through the Property as indicated by a blue dotted line on the plan.

If I can help any further give me a shout.

Thanks

Jane

Jane French
Solicitor, Commercial Team
Law and Governance
North Tyneside Council
Quadrant, Silverlink North
Cobalt Business Park
North Tyneside
NE27 0BY

Direct Dial 0191 643 5331
Fax 0191 643 2451

Please note that I am not in the office on Tuesdays and Fridays



NOTE: This communication may contain confidential legal advice or relate to legal proceedings or is sent in contemplation of legal proceedings. It may be legally privileged and exempt from disclosure under the Freedom of Information and Data Protection provisions.

From: Mordain, Richard (Capita) [<mailto:Richard.Mordain@capita.co.uk>]
Sent: 18 September 2015 12:43
To: Mathew Tait; Jane French
Subject: RE: Asset of community value application [Scanned]

Need to check there is nothing onerous on the title. Also if the property makes it onto the community list then this will need to be inputted onto the land registry docs, we will instruct Jane through DPR

Thanks

R

From: Mathew Tait [<mailto:Mathew.Tait@northtyneside.gov.uk>]
Sent: 18 September 2015 09:37
To: Jane French
Cc: Mordain, Richard (Capita)
Subject: RE: Asset of community value application [Scanned]

Hi Jane

Can you please obtain office copies of the title.

Richard - What other information do we need for the title check?

Thanks

Mathew Tait
Trainee Estates Surveyor - Strategic Property



Quadrant, The Silverlink North, Cobalt Business Park,
North Tyneside, NE27 0BY

Tel: (0191) 643 4889
E-Mail: mathew.tait@northtyneside.gov.uk
Web: www.northtyneside.gov.uk/strategicproperty



Please consider the environment before printing this e-mail

From: Jane French
Sent: 17 September 2015 11:48
To: Mathew Tait
Subject: FW: Asset of community value application [Scanned]

Hi

I'll deal with it – what do you mean by title check?

Jane

Jane French
Solicitor, Commercial Team
Law and Governance
North Tyneside Council
Quadrant, Silverlink North
Cobalt Business Park
North Tyneside
NE27 0BY

Direct Dial 0191 643 5331
Fax 0191 643 2451

Please note that I am not in the office on Tuesdays and Fridays



NOTE: This communication may contain confidential legal advice or relate to legal proceedings or is sent in contemplation of legal proceedings. It may be legally privileged and exempt from disclosure under the Freedom of Information and Data Protection provisions.

From: Business Support L and G

Sent: 17 September 2015 11:40

To: Carol Humphries; Emma Simson; Angela Lynn-Hemsley; Jane French; Terry Lee; Graham Coldron; Caroline Turnbull

Subject: FW: Asset of community value application [Scanned]

Hi Everyone,

Would someone be able to deal with this please.

Thank you.

Alison Seaman

Word Processing/Clerical Support

Law and Governance

North Tyneside Council

Quadrant East

Silverlink North

Cobalt Business Park

North Tyneside

NE27 0BY

Tel: 0191 643 5467

Fax: 0191 643 2451

From: Mathew Tait

Sent: 17 September 2015 11:29

To: Business Support L and G

Subject: FW: Asset of community value application [Scanned]

Hi

Could you please see below in Sarah's absence.

Thanks

Mathew Tait

Trainee Estates Surveyor - Strategic Property



Quadrant, The Silverlink North, Cobalt Business Park,
North Tyneside, NE27 0BY

Tel: (0191) 643 4889

E-Mail: mathew.tait@northtyneside.gov.uk

Web: www.northtyneside.gov.uk/strategicproperty



Please consider the environment before printing this e-mail

From: Mathew Tait

Sent: 17 September 2015 11:25

To: Sarah Heslop
Subject: FW: Asset of community value application

Hi

Just to remind you, if you could provide a response to this as soon as possible please.

Thanks

Regards,

Mathew Tait
Trainee Estates Surveyor - Strategic Property



Quadrant, The Silverlink North, Cobalt Business Park,
North Tyneside, NE27 0BY

Tel: (0191) 643 4889
E-Mail: mathew.tait@northtyneside.gov.uk
Web: www.northtyneside.gov.uk/strategicproperty



Please consider the environment before printing this e-mail

From: Mathew Tait
Sent: 04 September 2015 09:45
To: Sarah Heslop
Subject: FW: Asset of community value application

Hi

Please see attached plan

Thanks

Mathew Tait
Trainee Estates Surveyor - Strategic Property



Quadrant, The Silverlink North, Cobalt Business Park,
North Tyneside, NE27 0BY

Tel: (0191) 643 4889
E-Mail: mathew.tait@northtyneside.gov.uk
Web: www.northtyneside.gov.uk/strategicproperty



Please consider the environment before printing this e-mail

From: Mathew Tait
Sent: 03 September 2015 11:59

To: Felicity Shoesmith; Jackie Palmer; Sarah Heslop
Subject: Asset of community value application

Hi all,

The attached application for Community Asset Value Listing has been received and requires your comments /action to be presented to the Strategic Property Group for assessment.

- **Community Engagement** – Undertake audit of group suitability.
- **Legal Team** – Upon receipt of plan can you conduct a LR Search and title check.
- **Planning Team** – Can you provide comments relating to planning history/use/restrictions.

Please could you respond with the relevant comments by close of play on Friday 25th September 2016.

Please send your responses to strategicproperty@northtyneside.gov.uk

Thanks

Mathew Tait
Trainee Estates Surveyor - Strategic Property



Quadrant, The Silverlink North, Cobalt Business Park,
North Tyneside, NE27 0BY

Tel: (0191) 643 4889
E-Mail: mathew.tait@northtyneside.gov.uk
Web: www.northtyneside.gov.uk/strategicproperty



Please consider the environment before printing this e-mail

This email and any attachment are intended solely for the addressee. It may contain information or opinion which is strictly confidential or is legally privileged. If you are not the intended recipient you should not use, disclose, copy, print, distribute or otherwise rely upon the contents of this email. If you have received this email in error please notify the sender immediately by email and then permanently delete this email. This email has been scanned for viruses and inappropriate content by Mimecast Unified Email Management Services. North Tyneside Council does not guarantee this email to be free of any viruses. It is the responsibility of the recipient to ensure that this message and any attachments are virus free. This e-mail may be automatically logged, monitored and/or recorded for legal purposes.

Click [here](#) to report this email as spam.

This email is security checked and subject to the disclaimer on web-page: <http://www.capita.co.uk/email-disclaimer.aspx>