

Pre-sale information Pack for:

21 HOLYOAKE STREET
PELTON
CHESTER LE STREET
DH2 1NU

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Introduction to this pre-sale information pack

This **OUR AUCTION LIMITED TRADING AS MOOVD** pre-sale information pack is designed to provide information for potential purchasers of:

21 HOLYOAKE STREET, PELTON, CHESTER LE STREET, DH2 1NU.

In line with the Consumer Protection Regulations 2008, the information enclosed supports our details in providing the purchaser with as much relevant information as possible that may affect their buying decision.

This enforces **OUR AUCTION LIMITED TRADING AS MOOVD** commitment to providing the most complete and professional service for all our clients, whether buying or selling the property.

Although the information in this pack is designed to help, the information provided is from the seller of the property and **OUR AUCTION LIMITED TRADING AS MOOVD** cannot guarantee the accuracy.

Where the information has been sourced via the risk assessment database it is done so based on the property postcode and again this cannot be guaranteed by **OUR AUCTION LIMITED TRADING AS MOOVD** for accuracy.

Although this pre sale pack provides an overview for a potential purchasers it does not and must not replace the usual checks that would be carried out on both parties' behalf by their acting Solicitors.

The electronic official copy of the register follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.



Official copy of register of title

Title number DU63114

Edition date 01.11.2019

- This official copy shows the entries on the register of title on 14 APR 2020 at 19:58:34.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 14 Apr 2020.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry, Durham Office.

A: Property Register

This register describes the land and estate comprised in the title.

COUNTY DURHAM

- 1 (19.09.1977) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 21 Holyoake Street, Pelton, Chester Le Street (DH2 1NU).
- 2 The mines and minerals are excepted.
- 3 The Conveyance dated 25 June 1912 referred to in the Charges Register contains the following provision:-

"IT IS HEREBY DECLARED that the gable and yard division walls on the East side of the said premises are party walls and gable."

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (14.07.2004) PROPRIETOR: HUGH ALISTAIR McCALLUM and EDITH MARY GERTRUDE PRESTON of 27 Grosmont, Great Lumley, Chester-le-Street, Co Durham DH3 4NG.
- 2 (14.07.2004) The price stated to have been paid on 21 May 2004 was £69,950.
- 3 (14.07.2004) RESTRICTION: No disposition by a sole proprietor of the registered estate (except a trust corporation) under which capital money arises is to be registered unless authorised by an order of the court.
- 4 (14.07.2004) The Transfer to the proprietor contains a covenant to observe and perform the covenants referred to in the Charges Register and of indemnity in respect thereof.
- 5 (05.11.2013) RESTRICTION: No disposition of the registered estate (other than a charge) by the proprietor of the registered estate is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 11 October 2013 in favour of

B: Proprietorship Register continued

Clydesdale Bank PLC referred to in the Charges Register.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 A Conveyance dated 1 July 1911 made between (1) The West Pelton District Industrial and Provident Society Limited and (2) Emmanuel Dyson contains restrictive covenants but no verified particulars of them were produced on first registration. The details set out in the schedule hereto of what purport to be the said covenants that were provided by Messrs. Nigel J. Humes & Co Solicitors acting for Lawrence John Lennon in 2003.
- 2 A Conveyance of the land in this title and other land dated 25 June 1912 made between (1) Emmanuel Dyson (Vendor) and (2) Edward Brown (Purchaser) contains covenants details of which are set out in the schedule of restrictive covenants hereto.
- 3 A Conveyance of the land in this title dated 27 May 1920 made between (1) John Howarth Brown and Herbert Wood (Vendors) and (2) Sidney Rutherford (Purchaser) contains covenants details of which are set out in the schedule of restrictive covenants hereto.
- 4 The land is subject to the following rights reserved by the Conveyance dated 27 May 1920 referred to above:-

"reserving unto the Society and their tenants out of the conveyance hereby made the free running of water and soil in and through the sewers drains and channels made or to be made in upon or under the plot of ground and premises hereby conveyed or any part thereof with liberty at all times to enter upon the said plot to cleanse and repair and make connections with such sewers drains and channels."
- 5 (05.11.2013) REGISTERED CHARGE dated 11 October 2013.
- 6 (01.11.2019) Proprietor: CLYDESDALE BANK PLC (Scot. Co. Regn. No. SC001111) of Jubilee House, Gosforth, Newcastle Upon Tyne NE3 4PL and of DX 60350 Gosforth 2, trading as Virgin Money.

Schedule of restrictive covenants

- 1 The following are details of what purport to be the covenants contained in the Conveyance dated 1 July 1911 referred to in the Charges Register:-

COVENANT by the purchaser with thge Society that no buildings erected or to be erected on the plot of groiund thereby conveyed or any part thereof (with the usual outbuildings thereto) should be used otherwise than as a private dwellinghouse and that the purchaser would not carry on or suffer to be carried on upon the said plot of ground or any building for the time being thereon any manufactory trade or business whatsoever without the consent in writing of the Society or do or suffer to be done any act or thing whatsoever upon the said plot of ground or any buildings for the time being thereof which was could ormight be deemed a public or private inconvenience.
- 2 The following are details of the covenants contained in the Conveyance dated 25 June 1912 referred to in the Charges Register:-

"the Purchaser hereby covenants with the Society that no buildings erected or to be erected on the plot of ground hereby conveyed or any part thereof (with the usual outbuildings thereto) shall be used otherwise than as a private dwelling-house and that the Purchaser will not carry on or suffer to be carried on upon the said plot of ground or any buildings for the time being thereon any manufactory trade or business whatsoever without the consent in writing of the Society or do or suffer to be done any act or thing whatsoever upon the said plot of ground or any buildings for the time being thereon which is can or may be deemed a public nuisance or private inconvenience AND the Purchaser further covenants with the Society that he will pay the charges and

Schedule of restrictive covenants continued

costs incidental to the laying and making of all drains waterpipes footpaths and streets to the plot of ground hereby conveyed so far as the same may be co-extensive with or adjacent thereto and will pay the expense together with the owner or owners of adjoining land of buildings and keeping in repair the party or other walls which separate the hereditaments hereby conveyed from the land and buildings of the adjoining owner or owners."

- 3 The following are details of the covenants contained in the Conveyance dated 27 May 1920 referred to in the Charges Register:-

"the Purchaser hereby covenants with the Society that no buildings erected or to be erected on the plot of ground hereby conveyed or any part thereof (with the usual outbuildings thereto) shall be used otherwise than as a private dwelling-house and that the Purchaser will not carry on or suffer to be carried on upon the said plot of ground or any buildings for the time being thereon any manufactory trade or business whatsoever without the consent in writing of the Society or do or suffer to be done any act or thing whatsoever upon the said plot of ground or any buildings for the time being thereon which is can or may be deemed a public nuisance or private inconvenience AND the Purchaser further covenants with the Society that he will pay the charges and costs incidental to the laying and making of all drains waterpipes footpaths and streets to the plot of ground hereby conveyed so far as the same may be co-extensive with or adjacent thereto and will pay the expense together with the owner or owners of adjoining land of buildings and keeping in repair the party or other walls which separate the hereditaments hereby conveyed from the land and buildings of the adjoining owner or owners."

End of register

These are the notes referred to on the following official copy

The electronic official copy of the title plan follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

This official copy was delivered electronically and when printed will not be to scale. You can obtain a paper official copy by ordering one from HM Land Registry.

This official copy is issued on 14 April 2020 shows the state of this title plan on 14 April 2020 at 19:58:39. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002). This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. This title is dealt with by the HM Land Registry, Durham Office .

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H.M. LAND REGISTRY		TITLE NUMBER	
		DU63114	
ORDNANCE SURVEY PLAN REFERENCE	NZ 2452	SECTION C	Scale 1/1250 Enlarged from 1/2500
COUNTY DURHAM	DISTRICT CHESTER-LE-STREET	© Crown copyright 1977	

PELTON PARISH





The Coal
Authority

CON29M

coal mining report

21 HOLYOAKE STREET, PELTON, DH2 1NU



Known or potential coal mining risks

Past underground coal mining	Page 4
Future underground coal mining	Page 4



Further action

No further reports from the Coal Authority are required. Further information on any next steps can be found in our Professional opinion.

For more information on our reports please visit
www.groundstability.com



Professional opinion

According to the official mining information records held by the Coal Authority at the time of this search, evidence of, or the potential for, coal mining related features have been identified. In view of the coal mining circumstances we would recommend that any planned or future development should follow detailed technical advice before beginning work on site. Please see **page 3** for further details on **Future development**.

Your reference: **ATD-6441355-Z44H**
Our reference: **61002870332001**
Date: **14 April 2020**

Client name:
NLIS

If you require any further assistance please
contact our experts on:
0345 762 6848
groundstability@coal.gov.uk

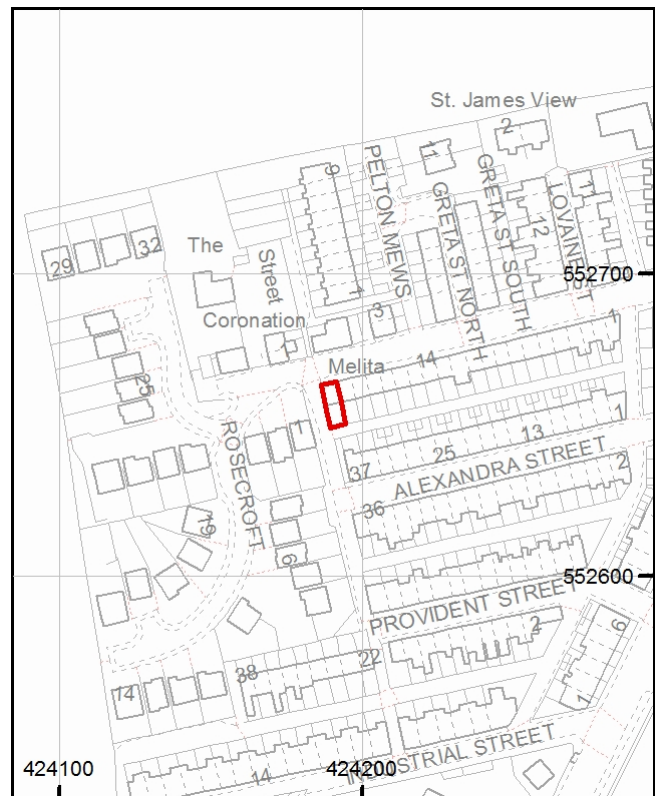


The Law
Society

Enquiry boundary

Key

Approximate position of enquiry boundary shown



We can confirm that the location is
on the coalfield



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This report is prepared in accordance with the latest Law Society's Guidance Notes 2018, the User Guide 2018 and the Coal Authority's Terms and Conditions applicable at the time the report was produced.



Accessibility

If you would like this information in an alternative format, please contact our communications team on 0345 762 6848 or email communications@coal.gov.uk.



What if this information changes?

If this report is for a residential property, insurance is included to cover any loss in property value caused by any changes in the information contained in this report. Please see the attached certificate of insurance for the terms and conditions of this insurance. The insurance does not cover non-residential property or further action reports.

Your reference: **ATD-6441355-Z44H**
Our reference: **61002870332001**
Date: **14 April 2020**

Client name:
NLIS

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Professional opinion



Future development

If development proposals are being considered, technical advice relating to both the investigation of coal and former coal mines and their treatment should be obtained before beginning work on site. All proposals should apply specialist engineering practice required for former mining areas. No development should be undertaken that intersects, disturbs or interferes with any coal or coal mines without first obtaining the permission of the Coal Authority. Developers should be aware that the investigation of coal seams, mine workings or mine entries may have the potential to generate and/or displace underground gases. Associated risks both to the development site and any neighbouring land or properties should be fully considered when undertaking any ground works. The need for effective measures to prevent gases migrating onto any land or into any properties, either during investigation or remediation work, or after development must also be assessed and properly addressed.

If you are looking to develop, or undertake works, within a coal mining development high risk area your Local Authority planning department may require a Coal Mining Risk Assessment to be undertaken by a qualified mining geologist or engineer. Should you require any additional information then please contact the Coal Authority on **0345 762 6848** or email cmra@coal.gov.uk.

Detailed findings

Information provided by the Coal Authority in this report is compiled in response to the Law Society's CON29M Coal Mining enquiries. The said enquiries are protected by copyright owned by the Law Society of 113 Chancery Lane, London WC2A 1PL.

The Coal Authority owns the copyright in this report and the information used to produce this report is protected by our database rights. All rights are reserved and unauthorised use is prohibited. If we provide a report for you, this does not mean that copyright and any other rights will pass to you. However, you can use the report for your own purposes.

1 Past underground coal mining

The property is in a surface area that could be affected by underground mining in 7 seams of coal at shallow to 210m depth, and last worked in 1953.

2 Present underground coal mining

The property is not within a surface area that could be affected by present underground mining.

3 Future underground coal mining

The property is not in an area where the Coal Authority has received an application for, and is currently considering whether to grant a licence to remove or work coal by underground methods.

The property is not in an area where a licence has been granted to remove or otherwise work coal using underground methods.

The property is not in an area likely to be affected from any planned future underground coal mining.

However, reserves of coal exist in the local area which could be worked at some time in the future.

No notices have been given, under section 46 of the Coal Mining Subsidence Act 1991, stating that the land is at risk of subsidence.

4 Mine entries

There are no recorded coal mine entries known to the Coal Authority within, or within 20 metres, of the boundary of the property.

5 Coal mining geology

The Coal Authority is not aware of any damage due to geological faults or other lines of weakness that have been affected by coal mining.

6 Past opencast coal mining

The property is not within the boundary of an opencast site from which coal has been removed by opencast methods.

7 Present opencast coal mining

The property does not lie within 200 metres of the boundary of an opencast site from which coal is being removed by opencast methods.

8 Future opencast coal mining

There are no licence requests outstanding to remove coal by opencast methods within 800 metres of the boundary.

The property is not within 800 metres of the boundary of an opencast site for which a licence to remove coal by opencast methods has been granted.

9 Coal mining subsidence

The Coal Authority has not received a damage notice or claim for the subject property, or any property within 50 metres of the enquiry boundary, since 31 October 1994.

There is no current Stop Notice delaying the start of remedial works or repairs to the property.

The Coal Authority is not aware of any request having been made to carry out preventive works before coal is worked under section 33 of the Coal Mining Subsidence Act 1991.

10 Mine gas

The Coal Authority has no record of a mine gas emission requiring action.

11 Hazards related to coal mining

The property has not been subject to remedial works, by or on behalf of the Coal Authority, under its Emergency Surface Hazard Call Out procedures.

Your reference: **ATD-6441355-Z44H**
Our reference: **61002870332001**
Date: **14 April 2020**

Client name:
NLIS

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0345 762 6848
groundstability@coal.gov.uk

Statutory cover



Coal mining subsidence

In the unlikely event of any coal mining related subsidence damage, the Coal Authority or the mine operator has a duty to take remedial action in respect of subsidence caused by the withdrawal of support from land or property in connection with lawful coal mining operations.

When the works are the responsibility of the Coal Authority, our dedicated public safety and subsidence team will manage the claim. The house or land owner ("the owner") is covered for these works under the terms of the Coal Mining Subsidence Act 1991 (as amended by the Coal Industry Act 1994). Please note, this Act does not apply where coal was worked or gotten by virtue of the grant of a gale in the Forest of Dean, or any other part of the Hundred of St. Briavels in the county of Gloucester.

If you believe your land or property is suffering from coal mining subsidence damage and you need more information on what to do next, please use the following link to our website which sets out what your rights are and what you need to consider before making a claim.

www.gov.uk/government/publications/coal-mining-subsidence-damage-notice-form



Coal mining hazards

Our public safety and subsidence team provide a 24 hour a day, 7 days a week hazard reporting service, to help protect the public from hazards caused by past coal workings, such as a mine shaft or shallow working collapse. To report any hazards please call **01623 646 333**. Further information can be found on our website: www.gov.uk/coalauthority.



On behalf of the insurer

Coal Mining Report Insurance Policy Schedule

Policy number: 27433272

The insurer: Liberty Legal Indemnities – underwritten by Liberty Mutual Insurance Europe SE

Binding Authority contract number: RNMFP1903841

Property: 21 HOLYOAKE STREET, PELTON, DH2 1NU

Report reference number: 61002870332001

Limit of cover: £50,000.00

Dated: 14 April 2020

This policy and schedule shall be read together and any word or expression to which a specific meaning has been attached in either shall bear such meaning wherever it may appear.

Where a Coal Mining Report has been obtained in connection with a sale of the property, cover is provided for the benefit of a purchaser and their lender; in the case of a re-mortgage or where the existing owner chooses to obtain a Coal Mining Report, cover is provided for the benefit of the owner and their lender.

The policy offers protection against loss sustained by the owner of the property if any new problems or adverse entries are revealed in a subsequent Coal Mining Report which were not revealed by the original report to which the policy was attached.

The insured shall at all times comply with the requirements of the Conditions of this Policy.

Coal Mining Report Terms and Conditions can be viewed online at this link:

<https://www.groundstability.com/insurance/terms/20190404/terms.html>

Glossary



Key terms

adit - horizontal or sloped entrance to a mine

coal mining subsidence - ground movement caused by the removal of coal by underground mining

Coal Mining Subsidence Act 1991 - the Act setting out the duties of the Coal Authority to repair damage caused by coal mining subsidence

coal mining subsidence damage - damage to land, buildings or structures caused by the removal of coal by underground mining

coal seams - bed of coal of varying thickness

future opencast coal mining - a licence granted, or licence application received, by the Coal Authority to excavate coal from the surface

future underground coal mining - a licence granted, or licence application received, by the Coal Authority to excavate coal underground. Although it is unlikely, remaining coal reserves could create a possibility for future mining, which would be licensed by the Coal Authority

mine entries - collective name for shafts and adits

payments to owners of former copyhold land - historically, copyhold land gave rights to coal to the copyholder. Legislation was set up to allow others to work this coal, but they had to issue a notice and pay compensation if a copyholder came forward

shaft - vertical entry into a mine

site investigation - investigations of coal mining risks carried out with the Coal Authority's permission

stop notice - a delay to repairs because further coal mining subsidence damage may occur and it would be unwise to carry out permanent repairs

subsidence claim - a formal notice of subsidence damage to the Coal Authority since it was established on 31 October 1994

withdrawal of support - a historic notice informing landowners that the coal beneath their property was going to be worked

working facilities orders - a court order which gave permission, restricted or prevented coal mine workings