

<b>APPENDIX 3</b>						
<b>Rights affecting freehold titles</b>						
<b>Title Number</b>	<b>Property Description</b>	<b>Registered or Unregistered Proprietor</b>	<b>Encumbrance</b>	<b>Beneficiary</b>	<b>Extent of Interference</b>	<b>S237Ref.</b>
ON194961	Land adjoining Abbey Place Car Park, Thames Street, Oxford <b>as shown tinted mauve and lettered 'C' in mauve</b> on the attached development plan	Oxford City Council	The land is subject to unknown restrictive covenants as may have been imposed thereon before 6 February 1997 and are still subsisting and capable of being enforced.	Unknown	Unknown. The nature and extent of the restrictive covenants cannot be identified to determine the extent of any interference.	Restriction to use s237(1A)
ON21844	Westgateas <b>shown tinted blue</b> on the attached development plan	The Oxford City Council	<ol style="list-style-type: none"> <li>1. The land tinted brown on <b>Plan 1</b> is subject to unknown restrictive covenants as may have been imposed thereon before 9 July 1958 and are still subsisting and capable of being enforced.</li> <li>2. The land edged and numbered 1 in blue on <b>Plan 1</b> is subject to rights of light and air and rights of access for the benefit of adjoining land to the East.</li> </ol>	Unknown  Unknown	<p>Unknown. The nature and extent of the restrictive covenants cannot be identified to determine the extent of any interference.</p> <p>Unknown. The nature and extent of the benefiting land and the rights cannot be identified to determine the extent of any</p>	<p>Restriction to use s237(1A)</p> <p>Rights annexed land adversely affecting other land s237(2)</p>

			<p>3. The land shown edged red on <b>Plan 5</b> (the Library) has the benefit of certain rights as set out below. These are expressed to be for all purposes connected with the use and enjoyment of the Library (reference to "the Retained Premises" refers to the Council's title to the Westgate Centre within title number ON21844 which is shown tinted blue on the attached development plan):</p> <p>(a) The right at all times to pass/repass on foot only through and over such parts of the Retained Premises for access/egress to/from all its rear and emergency entrances and exits;</p>	<p>Oxford County Council</p>	<p>interference.</p> <p>The majority of the rights referred to in the Encumbrance column affect parts of the site which are already held for planning purposes, and so are not relevant for the purpose of the appropriation resolution. To the extent that this is not the case (i.e. in respect of land that has not been appropriated), we make the following comments:</p> <p>A new feature wall will be constructed across the front of the existing centre, and landscaping undertaken, to form the new public square at Bonn Square. This is necessary to provide the development with a presence to the city and will frame the new public space. A</p>	<p>Rights annexed land and adversely affecting other land s237(2)</p>
--	--	--	--	------------------------------	---	---

			<p>(b) The right to support, shelter and protection from the Retained Premises;</p> <p>(c) The right to the free and uninterrupted passage and running of services, smoke, fumes, air etc through the appropriate conduits/channels constructed in and on the Retained Premises.</p>		<p>small part of the public highway will be stopped up to enable these works to take place. Access / egress to the Library will be interfered with as part of these works but access and / egress will be maintained at all times.</p> <p>No interference.</p> <p>There may be interference with the services benefiting the Library. New replacement services are being installed as part of the development. This is required to upgrade the services required for the new development. Services will be maintained at all times by means of a temporary supply until the</p>	
--	--	--	--	--	---	--

			<p>(d) The right to pass/ re-pass on foot (but in case of emergency only or to practice for such an emergency) as a means of escape from fire over and along the basement fire escape corridors and stairs of the Retained Premises leading to the neighbouring streets;</p> <p>(e) The right to pass/re-pass over certain areas (which cannot be identified as there is no plan) in connection with the use of the Library.</p> <p>(f) A right to enter from time to time on the Retained Premises and to remain with scaffolding or ladders for the duration of any necessary works for the purposes of:</p> <p>(i) repairing so far as may be necessary the conduits/channels etc referred to above;</p> <p>(ii) rebuilding altering</p>	Oxford County Council	<p>replacement services are completed.</p> <p>The rights over the basement corridors and stairs fall within the land that has already been appropriated. To the extent that there are rights to access the adjoining street, see commentary on point (a).</p> <p>See commentary on point (a).</p> <p>No interference save that if access is required the beneficiary would need to comply with any necessary health and safety requirements regards to entry onto a construction site.</p>	<p>Restriction to use s237(1A) and interests annexed land and adversely affecting other land s237(2) and</p>
--	--	--	---	-----------------------	--	--

			<p>repairing and repainting any parts of the Library including the roof;</p> <p>(iii) cleaning the windows thereof</p> <p>(iv) examining the condition of the Retained Premises and executing repairs</p> <p>4. The Library has the benefit of the following covenants:</p>		<p>Negotiations are ongoing with Oxfordshire County Council primarily about carrying out works to the Library and it is proposed that an agreement will be entered into which incorporates issues related to rights such as servicing and means of escape during the construction and operation of the development.</p> <p>The majority of the covenants referred to in the Encumbrance column affect parts of the site which are already held for planning purposes, and so are not relevant for the purpose of the appropriation</p>	
--	--	--	---	--	--	--

			<p>(a) Not to lessen the support and protection given to the Library;</p> <p>(b) Not to obstruct any service media serving the Library.</p> <p>(c) Not to permit the escape of gas.</p>		<p>resolution. To the extent that this is not the case (i.e. in respect of land that has not been appropriated), we make the following comments:</p> <p>No interference</p> <p>There may be interference with the services benefiting the Library. New replacement services are being installed as part of the development. This is required to upgrade the services required for the new development. Services will be maintained at all times by means of a temporary supply until the replacement services are completed.</p> <p>No interference</p>	
--	--	--	---	--	---	--

			<p>(d) Not to do anything that may be a nuisance annoyance or cause damage or which may render the insurance of the Library void or the rate increased;</p> <p>(e) To maintain the structure supporting the Library and to keep the same in good repair;</p> <p>(f) Not to repair or carry out works to any part of the floor of the shopping centre at shopping deck level without giving notice of the intention to do so including details of the works;</p> <p>(g) To keep in good repair the service media serving the Library and the unloading bay / service road referred to above;</p>		<p>There may be nuisance and annoyance as part of carrying out of the development. No damage will be caused to the Library and nothing will be done to render the insurance void,</p> <p>No interference.</p> <p>This covenant has been complied with.</p> <p>No interference in relation to the land being appropriated. In relation to the land which has already been appropriated, alternative unloading bays and service roads will be provided at all times during the course of the works to the extent that</p>
--	--	--	---	--	---

			<p>(h) To permit the owner of the Library to enter the adjoining land to determine compliance with these covenants;</p> <p>(i) To repair air-conditioning the basement area, the fire escape routes referred to above and related lighting air-conditioning and water sprinkler systems;</p>	<p>there is an interference and to the extent that it is necessary to do so to enable the continuing operation of the Library.</p> <p>No interference.</p> <p>No interference in relation to the land being appropriated. In relation to the land which has already been appropriated, alternative fire escapes routes, lighting, air-conditioning and water sprinkler systems will be provided at all times during the course of the development works to the extent that there is an interference and to the extent that it is necessary to do so to enable the</p>
--	--	--	--	---



			<p>(j) To maintain fire insurance in respect of the shopping centre;</p> <p>(k) To repair all party walls and reinforced concrete or horizontal divisions between the Library and the shopping centre and all party service media; and</p> <p>(l) To repair a plant room.</p>		<p>continuing operation of the Library. Such systems need to be upgraded for the purposes of the new development.</p> <p>No interference.</p> <p>No interference.</p> <p>No interference.</p>	
ON218672	Land on the East Side of Paradise Square, Norfolk Street, Oxford <b>as shown tinted mauve and lettered 'E' in mauve</b> on the attached development plan	The Oxford City Council	The land is subject to restrictive covenants as may have been imposed before 14 March 2000 and are still subsisting and capable of being enforced. The beneficiary of such covenants is unknown.	Unknown	Unknown. The nature and extent of the restrictive covenants cannot be identified to determine the extent of any interference.	Restriction to use s237(1A)
ON79306	Land at St Ebbes North of Thames	The Oxford City Council	1. Transfers of those parts edged and numbered in green on <b>Plan 2</b> made pursuant to Chapter 1 of Part I of the	Unknown	The extent to which the benefiting land benefits from	Rights annexed land a

	<p>Street, Oxford  <b>as shown</b>  <b>tinted pink</b>  on the  attached  development  plan</p>		<p>Housing Act 1980 took effect subject to the easements and other rights prescribed by paragraph 2 of Schedule 6 of that Act. These are rights of support, access of light and air, passage of services and use / maintenance of service media granted where a right to buy is exercised.</p>		<p>service media in on or under the development site is unknown because such service media is underground. It is therefore not possible to determine the extent of any interference. See separate note on rights of light. There is no interference with rights of support or access.</p>	<p>adversely affecting other land s237(2)</p>
			<p>2. The land is also subject to the following rights in favour of adjoining land shown coloured orange on <b>Plan 2</b>(the Property):</p> <p>(a) The right (subject to prior written consent not to be unreasonably withheld or delayed and payment of the costs of the repair/renewal/maintenance costs of any conduits installed (whether or not use in common with the owner of the land)):</p> <p>(i) to connect to and use any conduits in on under or over the land for the passage of services to and from the Property;</p> <p>(ii) to install and use new conduits under the</p>	<p>Unknown</p>	<p>The extent to which the benefiting land benefits from service media in on or under the development site is unknown because such service media is underground. It is therefore not possible to determine the extent of any interference.</p>	<p>Rights annexed and adverse affecting other land s237(2)</p>

			<p>relevant parts of the Land.</p> <p>(b) The right to enter and remain on so much of the land as is necessary to:-</p> <p>(i) repair/maintain/replace /sever etc connections withany conduits over which rights are granted</p> <p>(ii) (repair/maintain/replace etc any buildings or fences on the Property or boundary fences or party walls between the land and the Property.</p>			
			<p>3. Pursuant to the transfer creating the rights, the land is also subject to "all rights of drainage passage of light air and water and all liberties privileges and advantages now used or enjoyed with the Retained Land (whether as easements quasi-easements or otherwise and whether or not continuous apparent or reasonably necessary).</p>	Unknown	The extent to which the benefiting land and/or the rights etc. is unknown. It is therefore not possible to determine the extent of any interference.	Rights liberties privileges and advantages annexed and adverse affecting other land s237(2)
			<p>4. The land tinted pink on <b>Plan 2</b> is subject to the right of free and uninterrupted passage and running of water and soil from the adjoining or neighbouring hereditaments through or into the channels sewers drains and water courses in or under the land.</p>	Unknown	The extent to which the benefiting land and/or the rights is unknown. It is therefore not possible to determine the extent of any interference.	Rightsannexed to an adversely affecting other land s237(2)
			<p>5. The land tinted brown on <b>Plan 2</b> is subject to a restrictive covenant</p>	Unknown	The extent of interference will	Restriction to use

			precluding use as licensed premises or as a club or for the sale or supply of any intoxicating liquor.		depend upon the final occupier of this part of the development which is not yet known. It is therefore not possible at this stage to determine the extent of any interference.	s237(1A)
			6. The land edged mauve on <b>Plan 2</b> is subject to restrictive covenants precluding use for any religious or spiritual meeting, the sale of wines or spirits or other liquors, as a Music Hall or Hall for dancing, for any trade or business of a noisy or noxious character or anything which may be or become a nuisance or annoyance to the owners/occupiers of any adjoining premises.	Unknown	The extent of interference will depend upon the final occupier of this part of the development which is not yet known. It is therefore not possible at this stage to determine the extent of any interference.	Restriction to use s237(1A)
			7. The land edged brown on <b>Plan 2</b> is subject to restrictive covenants precluding use for the manufacture distribution sale or supply of intoxicating liquors or for use as a public dance hall or for any purpose involving betting or gambling in any way whatsoever.	Unknown	The extent of interference will depend upon the final occupier of this part of the development which is not yet known. It is therefore not possible at this stage to determine the extent of any interference.	Restriction to use s237(1A)
			8. The land within title ON79306 is subject to unknown rights of drainage.	Unknown	The extent of the benefiting land and/or the rights	Rightsannexed to an adversely

					are unknown. It is therefore not possible to determine the extent of any interference.	affecting other land s237(2)
			9. The land is subject to all such rights, licences, easements and quasi easements "as are now or usually enjoyed" by the parts edged and numbered in green on <b>Plan 2</b> .	Unknown	The nature and extent of the rights is unknown. It is therefore not possible to determine the extent of any interference.	Rightsannexed to and adversely affecting other land s237(2)
			10. The parts of the footpaths within title ON79306 are subject to rights of way on foot only.	Unknown.	The benefiting land is unknown to determine the extent of interference. The footpaths are in part to be built upon.	Rightsannexed to and adversely affecting other land s237(2)
			11. The land edged and lettered A in red on <b>Plan 2</b> is subject to such restrictive covenants as may have been imposed before 18 October 1988 and are still subsisting and capable of being enforced.	Unknown	Unknown. The nature and extent of the restrictive covenants cannot be identified to determine the extent of any interference.	Restriction to use s237(1A)
			12. The private access road at the rear of properties in Faulkner Street (to the extent that it falls within the land) is subject to unknown rights of way.	Unknown	The extent of the private road is unknown and so it is not possible to determine the extent of any interference	Rightsannexed to and adversely affecting other land s237(2)

			<p>13. Part of the land is subject the following rights granted in a sale off in 2005. It is not possible to identify the exact location over which these rights are granted other than "land at Castle Mill Stream Oxford" under title number ON79306:</p> <p>(a) The right to locate on the land and thereafter keep located the appropriate footings for the bridge.</p> <p>(b) The right at all times and for all purposes connected with the existing use of the land sold to pass and repass on foot only over the bridge and over the a footway.</p> <p>(c) A right to enter onto the land where reasonably necessary for the purposes of carrying out works of repair and maintenance to any perimeter fencing erected on the boundary and the right to erect new perimeter fencing.</p>	Unknown	The extent of the benefiting land cannot be identified and so it is not possible to determine the extent of any interference. That said, it is not intended that there be any interference with any footings for any bridge and/or access over any bridge.	Rightsannex to an adversely affecting oth land s237(2)
ON79307	Land at St Ebbes South of Thames Street, Oxford <b>as shown tinted green</b> on the attached development plan	The Oxford City Council	<p>1. Transfers of those parts of the land edged and numbered in green on <b>Plan 4</b> made pursuant to Chapter 1 of Part I 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. These are rights of support, access of light and air, passage of services and use / maintenance of service media granted.</p>	Unknown	The extent to which the benefiting land benefits from service media in on or under the development site is unknown because such service media is underground. It is therefore not possible to determine the	Rights an easements annexed land an adversely affecting oth land s237(2)

					extent of any interference. See separate note on rights of light. There is no interference with rights of support or access.	
			2. The land is subject to such rights of drainage, passage and running of water, gas and electricity, rights of entry and rights to use the forecourts for the parking of private motor cars and motor cycles only.	Unknown	The extent to which the benefiting land is unknown. It is therefore not possible to determine the extent of any interference	Rights annexed land and adversely affecting other land s237(2)
			3. The leases specified in the schedule of leases in the transfers 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 in paragraph 2 of Schedule 2 of that Act. These are rights of support, access of light and air, passage of services and use / maintenance of service media granted.	Unknown	The extent to which the benefiting land benefits from service media in on or under the development site is unknown because such service media is underground. It is therefore not possible to determine the extent of any interference. See separate note on rights of light. There is no interference with rights of support or access.	Rights and easements annexed land and adversely affecting other land s237(2)

			<p>4. The leases specified in the schedule of leases in the transfers which were made pursuant to Part V of the Housing Act 1985 took effect with the benefit of and subject to the easements and other rights specified in paragraph 2 of Schedule 6 of that Act. These are rights of support, access of light and air, passage of services and use / maintenance of service media granted.</p>	Unknown	<p>The extent to which the benefiting land benefits from service media in on or under the development site is unknown because such service media is underground. It is therefore not possible to determine the extent of any interference. See separate note on rights of light. There is no interference with rights of support or access.</p>	<p>Rights and easements annexed to land are adversely affecting other land s237(2)</p>
			<p>5. Part of the land is affected by:</p> <p>(a) a right on foot only over and along a footpath when constructed and also along a strip of land, in each case until such time as the said footpath is taken over by the Highway Authority. The plan accompanying the relevant conveyance appears to be incorrectly coloured up. It is believed the area of footway is hatched black on <b>Plan 4</b> and the other area is hatched blue and tinted yellow on <b>Plan 4</b>.</p> <p>(b) a right to lay surface water drains in the land in</p>	Unknown	<p>No interference assuming that our assumptions "Encumbrance" column are correct. However due to the fact the plan references are incorrect, we are unable to definitively confirm this.</p>	<p>Rights annexed to land are adversely affecting other land s237(2)</p>



			<p>approximate positions said to be marked on a plan, but there is no plan as referred to in the relevant document. It is understood, however, that the position referred to is shown with blue broken lines on <b>Plan 4</b>.</p> <p>(c) The right to enter upon the land and to connect into any foul and surface water sewers wires cables (subject to prior agreement not to be unreasonably withheld) and a right to the passage of soil foul and storm water mains water gas electricity respectively through those conduits and to maintain repair cleanse reconstruct and relay the same.</p>			
			<p>6. The land is subject to rights of drainage and rights in respect of water supply services.</p> <p>7. The common driveways included in the land (if any) are subject to rights of way.</p> <p>8. The parts of the pathways included in the land adjoining the parts edged and numbered in green on <b>Plan 4</b> (if any) are subject to unknown rights of way.</p> <p>9. The land edged and numbered in green on <b>Plan 4</b> is subject to all such</p>	Unknown	<p>The land benefiting from such rights and the extent of the rights is unknown. It is not therefore possible to determine the extent of any interference.</p> <p>The extent of the rights is unknown. It is not therefore possible to determine the extent of any interference.</p>	<p>Rights and easements annexed to land are adversely affecting other land s237(2)</p>

			<p>licences, easements, quasi-easements and other rights as are enjoyed.</p> <p>10. The parking spaces within the land (if any) are subject to unknown rights of user.</p>		<p>The extent of the rights is unknown. It is not therefore possible to determine the extent of any interference.</p> <p>The land benefiting from such rights and the extent of the rights is unknown. It is not therefore possible to determine the extent of any interference.</p>	
--	--	--	--	--	--	--

Title Number	Property Description	Registered or Unregistered Proprietor	Encumbrance	Beneficiary	Extent of Interference	S237Ref.
ON16446	1, 2, 3 and 6 Castle Street, 37 and 45 St Ebbe's Street and 36 Church Street, Oxford <b>as shown tinted brown and lettered 'A'</b> on the attached development plan	Westgate Oxford Alliance Nominee No 1 Limited and Westgate Oxford Alliance Nominee No 2 Limited	The land tinted pink on <b>Plan 6</b> is subject to restrictive covenants precluding use of the land for any noisome or obnoxious trade or business which is a nuisance or annoyance or the carrying out of any activity which will interfere with the enjoyment and use of the land tinted yellow on <b>Plan 6</b> as a Meeting House for the Society of Friends.	Unknown	The extent of interference will depend upon the final occupier of this part of the development which is not yet known. It is therefore not possible at this stage to determine the extent of any interference.	Restriction as to use - s237(1A)
ON211472	Land on the west side of Norfolk Street, Oxford <b>as shown tinted brown and lettered 'D'</b> on the attached development plan	Westgate Oxford Alliance Nominee No 1 Limited and Westgate Oxford Alliance Nominee No 2 Limited	Part of the land was conveyed subject to all rights of way water light and other easements and profits a prendre and all rents charge quit rents chief rents tithe redemption annuities rights of common and other rights and encumbrances and to all covenants and restrictions affecting the same and to all leases and tenancies and agreement for leases and tenancies.	Unknown	The extent of the rights and any benefiting land is not known. It is not therefore possible to determine the extent of any interference.	Rights and easements annexed to land and adversely affecting other land - s237(2) and restriction as to use - s237(1A)
ON283248	Part Evenlode Building, Oxpens Road, Oxford <b>as shown</b>	Westgate Oxford Alliance Nominee No 1 Limited and Westgate	1. The land is subject to the following rights: (a) A right of way at all times on foot or with bicycles across the land to the adopted highway in	Oxford and Cherwell Valley College.	We have been unable to obtain from the Land Registry a coloured copy of the plan	Rights annexed to land and adversely affecting other

	<p><b>hatched green and numbered 'G'</b> on the attached development plan</p>	<p>Oxford Alliance Nominee No 2 Limited</p>	<p>Paradise Square along the route shown by a blue line on <b>Plan 8</b> (or such alternative route as may be designated from time to time);</p> <p>(b) the right to erect and maintain a sign (subject to prior approval of the location, content and design, not to be unreasonably withheld), subject to provisions regarding the re-location from time to time of such sign. The right to cease if the area on which the sign is situated becomes adopted as highway;</p> <p>(c) the right to use any existing services installed at the time the right was granted (31 July 2008) under that part of the Property shown hatched green on <b>Plan 8</b> and which serve the land.</p> <p><b>NOTE</b> – the plans attached as <b>Plan 8</b> do not show any colour. Enquiries have been made of the Land Registry who have confirmed that the plans attached to the transfer dated 31 July 2008 that the Land Registry holds do not show any colour.</p> <p>2. The land tinted yellow on <b>Plan 9</b> is subject to unknown rights of drainage. The beneficiary of such rights is unknown.</p>	<p>Unknown</p> <p>Unknown</p> <p>Unknown</p> <p>Oxford and Cherwell</p>	<p>referred to. We have requested a coloured copy from Oxford and Cherwell College on a number of occasion but none has been provided. We are therefore unable to determine the route of the rights of way or the location of the sign to determine the extent of interference.</p> <p>The extent of the rights and the land that benefits from them is unknown. It is therefore not possible to determine the extent of the interference.</p> <p>The extent of the</p>	<p>land</p> <p>Rights annexed to land and adversely affecting other land – s237(2)</p> <p>Rights annexed to land and adversely affecting other land – s237(2)</p> <p>Rights annexed to</p>
--	---	---	--	---	---	--

			<p>3. The land tinted pink on <b>Plan 9</b> is subject to a right of free and uninterrupted passage and running of water and soil from the adjoining or neighbouring land through or into the channels sewers drains and watercourses in or under the land.</p> <p>4. The land tinted pink and mauve on <b>Plan 9</b> is subject to the rights of access across the land shown on Plan 9A from and to Paradise Square to and from 14 Abbey Place for the sole purpose of obtaining access to 14 Abbey Place by tenants of the City Council (who are legal occupiers of 14 Abbey Place).</p> <p>5. The land tinted pink and mauve on <b>Plan 9</b> is subject to a right to pass and repass at times to be agreed in advance (except in the case of emergency) both on foot and with vehicles over part of that land for the purposes of inspection and maintenance of the road-bridge over Castle Mill Stream.</p>	Valley College	<p>land that benefits from them is unknown. It is therefore not possible to determine the extent of the interference.</p> <p>Given the historic nature of the plans, it is not possible to determine the extent of the rights and the interference.</p> <p>The extent of the agreed rights of way is not known. It is therefore not possible to determine the extent of any interference.</p>	<p>land and adversely affecting other land – s237(2)</p> <p>Rights annexed to land and adversely affecting other land – s237(2)</p>
--	--	--	--	----------------	---	---

Title Number	Property Description	Registered or Unregistered Proprietor	Encumbrance	Beneficiary	Extent of Interference	S237Ref.
ON315334, ON315553, ON316136	Land shown coloured brown, orange, pink and green on the attached development plan.	Oxford City Council or Westgate Oxford Alliance Nominee No 1 Limited and Westgate Oxford Alliance Nominee No 2 Limited.	Until very recently, title was unregistered. No adverse entries have been made on first registration.	N/A	N/A	N/A