

Committee:	Dated:
Community and Children's Services	04/07/2024
Subject: Holloway Park	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	[N/A]
Does this proposal require extra revenue and/or capital spending?	N
If so, how much?	£
What is the source of Funding?	
Has this Funding Source been agreed with the Chamberlain's Department?	Y/N
Report of: Judith Finlay, Executive Director of Community and Children's Services	For Decision
Report author: Michael Kettle Senior Housing and Commercial Development Manager	

Summary

Peabody Developments Limited (Peabody) are building 985 new flats on the former Holloway Prison site, Parkhurst Road, London (Title number NGL804775). This development is adjacent to the City's Holloway Estate, Parkhurst Road, London (Title number AGL362129).

Following the registration of their title, the Land Registry informed Peabody that they have found that the 'red-edged' extents of freehold titles NGL804775 and AGL362129 overlap with one another (referred to as double registration).

I have received a request from Peabody's lawyers to rectify the double registration which affects both of our respective title plans. The physical possession of the land, subject to the double registration, falls within the physical boundary of the former Holloway prison site owned by Peabody.

The most expedient way to correct the double registration is for the City to transfer the overlapping strip of land to Peabody. Peabody have agreed to pay the City's legal fees of up to £5,000 for this process.

Recommendations

Members are requested to:

- Agree to the transfer of the overlapping strip of land from the City's Title AGL362129, as shown tinted blue on the plan in the appendix, to Peabody for a nominal payment of £1.
- Note that our reasonable legal costs of up to £5,000 will be met by Peabody in connection with the transfer.

Main Report

1. Peabody are delivering, in conjunction with London Square, 985 new properties on the former Holloway Prison site. These properties will be completed by 2029 and will include 415 properties for social rent, 178 shared ownerships, with 392 for private sale.
2. This development will be adjacent to our Holloway Estate, and I shall submit a report with regard the Right of Light implications that this will have on our estate, as some of their buildings will be nine storeys high.
3. Correcting the double registration will not affect the City's land at Holloway Estate or our Right of Light claims, which will arise because of Peabody's development.
4. The transfer will rectify a Land Registry defect where an overlapping area is included in both freehold titles belonging to the City and Peabody, and it is in the interests of both parties to ensure accurate land registration records.
5. It is almost certain that future easements and interests will need to be granted over the former Holloway Prison site to service Peabody's development. The transfer will regularise the physical possession of the land and ensure that the City is not unnecessarily consulted in respect of land that is neither within its control or part of the Holloway Estate.
6. Attached in the Appendix of this report is the Transfer Plan showing the land tinted blue.
7. Physical possession of the land is already with Peabody under title NGL804775, and the purpose of the transfer is purely to regularise the position on the ground. The disposal is permitted by the General Housing Consents 2013 – Section 32 of the Housing Act (1985).
8. The Comptroller & City Solicitor (Property Division) have been consulted and will deal with the transfer to Peabody.

Corporate & Strategic Implications

9. There are no strategic implications directly related to this report.
 - Financial implications – N/A
 - Resource implications – N/A
 - Legal implications – N/A
 - Risk implications – N/A
 - Equalities implications – N/A
 - Climate implications – N/A
 - Security implications – N/A

Conclusion

10. The transfer to rectify this Land Registry duplication will regularise the current position and will be beneficial for the City.

Appendix

- Transfer Plan (showing land to be transferred tinted blue)

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