

Kendal : 17 Miles

Kirkby Lonsdale : 10.5 Miles

Sedbergh : 6.2 Miles

YORKSHIRE DALES NATIONAL PARK



East Banks Farm and Geslings, Dent, LA10 5QT

168.91 Acres (68.35 ha) To be sold in up to 8 Lots

FOR SALE BY PUBLIC AUCTION

(Subject to Conditions & Unless Sold Previously)

AUCTION TO BE HELD AT DENT MEMORIAL HALL THURSDAY 7th JULY 7.30PM

Selling agents: Richard Turner & Son, 14 Moss End Business Village, Crooklands, LA7 7NU
Tel: 015395 66800 Fax: 015395 66801

Solicitors: The Rural Law Practice – Thompson Hayton Winkley, Junction 36 Rural Auction Centre,
Crooklands, Milnthorpe LA7 7FP - 015395 67571

Particulars revised 22 June 2022

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MONEY LAUNDERING REGULATIONS UNDER 'THE MONEY LAUNDERING, TERRORIST FINANCING AND TRANSFER OF FUNDS (INFORMATION ON THE PAYER) REGULATIONS 2017' (SI 2017/692), BROUGHT INTO EFFECT IN JUNE 2017:

*In order for selling agents to comply with HM Revenue and Customs (HMRC) Anti-Money Laundering regulations we are now obliged to ask all purchasers to complete an Identification Verification Questionnaire form which will include provision of prescribed information (identity documentation etc.) and a search via Experian to verify information provided however please note the Experian search will **NOT** involve a credit search. Prospective purchasers should bring a photographic ID (passport/driving licence) and a proof of address such as a council tax or utility being not more than 3 months old.*

LOCATION: The farm is located in Deepdale near Dent and Sedbergh within the Yorkshire Dales National Park and occupies a prominent rural location. From the cobbled centre of Dent take the right hand turn at the George and Dragon and after approx. 0.3 miles you will see the concrete track of East Banks Farm lane turn to your right. Please do not follow your Sat Nav up the lane to West Banks if your are driving to the post code. Please pass the gate to West Banks on your right and keep driving further out of Dent. You will see a Richard Turner & Son Sale board at the bottom of East Banks farm track.

VIEWING:

Viewing of the land is at any daylight hour with a set of particulars to hand. Viewing of the house is highly recommended and is via an appointment through the selling agents on the specified viewing days. Viewing of Geslings (Lot 2) is also by appointment only. When viewing Geslings access should be taken via the track to East Banks and walking across to Geslings.

Viewing days (Lot 1):

Saturday 11th June 2pm – 4pm

Tuesday 14th June 12 noon – 2pm

Saturday 18th June 10am – 12 noon

Thursday 23rd June 12 noon – 2pm

Monday 27th June 10am – 12 noon

Friday 1st July 10am – 12 noon

SALE BY PUBLIC AUCTION:

The Auction will be held at Dent Memorial Hall, Thursday 7th July at 7.30pm. The land will be offered in individual lots, with Lots 1 and 3 also being offered together as a combined lot. Successful bidders will be required to sign contracts and pay a 10% deposit on the night. Completion will take place 4 weeks within following the sale. While we do not intend to amalgamate any lots during the sale the auctioneers reserve the right to do so. Payment of the deposit to be by cheque or electronic payment and must be within 2 hours of the fall of the hammer. Other Methods of payment by prior arrangement with the vendors' solicitor. No card facility available. Buyers will be required to provide evidence of proof of funds and source of funds.

BASIC PAYMENT SCHEME:

The 2022 Basic Payment has been claimed (and will be retained) on the land for 2022 and the entitlements for each parcel may be purchased within 1 week of the sale. The price to be at £100/ha plus VAT for SDA entitlements and £20/ha plus VAT for Moorland entitlements.

AREA MEASUREMENTS: Please note all area measurement are approximate.

ENVIRONMENTAL STEWARDSHIP:

Some of the land is subject to an existing environmental stewardship agreement. Successful purchasers are to comply with the agreement requirements and indemnify the vendors against any penalties resulting from any breach of the environmental stewardship agreement requirements. The current active land options on the Stewardship are as follows.

SCHEDULE 1

Parcel ID	Lot Number	Option Code	Area in Option	End Date
SD7086 8366	2	GS15	0.3294 ha	31/12/2022
SD7086 8366	2	GS6	0.3294 ha	31/12/2022
SD7086 7046	2	HS1	0.0105 ha	31/12/2022
SD7086 9537	3	HS1	0.0060 ha	31/12/2022
SD7086 9537	3	HS1	0.0209 ha	31/12/2022
SD7086 8042	3	GS15	1.5500 ha	31/12/2022
SD7086 8305	3	GS15	1.1793 ha	31/12/2022
SD7086 8756	3	GS15	1.5000 ha	31/12/2022
SD7086 7720	3	GS5	9.9753 ha	31/12/2022
SD7086 8042	3	GS6	1.5500 ha	31/12/2022
SD7086 8305	3	GS6	1.1793 ha	31/12/2022
SD7086 8756	3	GS6	1.5000 ha	31/12/2022
SD7086 7720	3	HS8	0.0070 ha	31/12/2022
SD7086 7720	3	HS8	0.0040 ha	31/12/2022
SD7085 5373	3	SP6	11.1600 ha	31/12/2022
SD7086 7720	3	SP6	9.9753 ha	31/12/2022
SD7085 5373	3	UP1	11.1600 ha	31/12/2022
SD7085 4784	3	UP1	3.26 ha	31/12/2022
SD7085 4784	3	SP6	3.26 ha	31/12/2022
SD7186 0477	4	GS15	0.0069 ha	31/12/2022
SD7186 0477	4	GS15	1.3224 ha	31/12/2022
SD7186 0866	4	GS15	1.5380 ha	31/12/2022
SD7186 3080	4	GS15	0.0088 ha	31/12/2022
SD7186 3080	4	GS15	1.6493 ha	31/12/2022
SD71860477	4	GS6	1.3224 ha	31/12/2022
SD7186 0477	4	GS6	0.0069 ha	31/12/2022
SD7186 0866	4	GS6	1.5380 ha	31/12/2022
SD7186 3080	4	GS6	0.0088 ha	31/12/2022
SD7186 3080	4	GS6	1.6762 ha	31/12/2022
SD7186 0866	4	HS1	0.0075 ha	31/12/2022
SD7284 5544	6	GS15	2.9468 ha	31/12/2022
SD7284 5544	6	GS6	2.9468 ha	31/12/2022
SD7284 5544	6	HS1	0.0119 ha	31/12/2022
SD7184 9536	7	GS5	3.7100 ha	31/12/2022
SD7284 2239	7	GS5	2.0312 ha	31/12/2022
SD7184 5024	7	UP1	3.6800 ha	31/12/2022
SD7082 4515	8	UP1	17.1277 ha	31/12/2022

(Estimated payment rates based on currently available figures)

The 2022 payment for these options has been claimed by the vendors and will be retained in full. Given that the options all end on 31/12/2022 there will be no further payments to claim on these options. Purchasers will however be required to fulfil the requirements of these options until the agreement end date and indemnify the vendors against any breaches.

STEWARDSHIP OPTION REQUIREMENTS: (Please see the following links)

HS1: Maintenance of weatherproof traditional farm or forestry buildings:
<https://www.gov.uk/countryside-stewardship-grants/maintenance-of-weatherproof-traditional-farm-buildings-hs1>

HS8: Maintenance of weatherproof traditional farm buildings in remote areas:
<https://www.gov.uk/countryside-stewardship-grants/maintenance-of-weatherproof-traditional-farm-buildings-in-remote-areas-hs8>

GS5: Permanent grassland with very low inputs in SDAs:
<https://www.gov.uk/countryside-stewardship-grants/permanent-grassland-with-very-low-inputs-in-sdas-gs5>

GS6: Management of species-rich grassland:
<https://www.gov.uk/countryside-stewardship-grants/management-of-species-rich-grassland-gs6>

GS15: Haymaking Supplement:
<https://www.gov.uk/countryside-stewardship-grants/haymaking-supplement-gs15>

UP1: Enclosed Rough Grazing:
<https://www.gov.uk/countryside-stewardship-grants/enclosed-rough-grazing-up1>

SP6: Cattle Grazing Supplement:
<https://www.gov.uk/countryside-stewardship-grants/cattle-grazing-supplement-sp6>

SPORTING RIGHTS

Sporting rights are excluded on Lot 1, Lot 2, Lot 3 and part of lot 4. With regards to the rest of the land the sporting rights will be included as far as they are owned. Please refer to the sales pack for more information.

WATER SUPPLY PIPES, TANKS AND FIXTURES

Where water pipes, tanks and fixtures are shared liability for repairs and maintenance will be split according to user. Please also note that properties at West Banks have a right to a water supply from a spring in Lot 3, lying to the south of Geslings. The necessary rights will be reserved. Please refer to auction pack.

BARNS

There are multiple traditional stone barns available in different lots in this sale. Some of which provide excellent opportunities for development most notably the barn in Lot 3 opposite the farmhouse. Please seek advice from an independent planning consultant or the Yorkshire Dales National Park Planning department regarding development potential.

LOT 1 – The Farmhouse – (edged red and shaded grey on the sale plan)



The Farmhouse: A large stone built grade 2 listed farm house with an annex. The property is a traditional stone farmhouse under a stone flagged roof.

Listed Building: East Banks Farm House is grade 2 listed under the following reference: 1383853 see link: <https://historicengland.org.uk/listing/the-list/list-entry/1383853>.

The farmhouse has been modernised and offers an excellent base for further development if desired (subject to appropriate permissions).

Lot 1 benefits from a right of way to pass and repass over and along the track in Lot 3 on foot and also with or without domestic or agricultural vehicles and machinery subject to the owner of Lot 1 paying his due proportion according to the number of properties having the benefit of the track of the costs of repairing, maintaining and renewing the track and keeping the track in good repair and condition.

A right of way on foot and also with or without domestic or agricultural vehicles and machinery and animals is reserved across the yard in Lot 1 for the benefit of Lot 3 for access to the farm buildings and land.

The water supply to Lot 1 is a private water supply that is taken off the land in Lot 3. There are two collection tanks with associated pipework in Lot 3 related to this supply. This supply also provides water for Geslings (Lot 2). Lot 1 benefits from a right to the free and uninterrupted passage and running of water subject to payment of their due proportion according to the number of properties having the benefit of the services of the costs of repairing, maintaining and renewing the services and keeping them in good repair and condition.

Lot 2 will have rights reserved over Lot 3 for services. Lot 1, Lot 2 and Lot 3 will share the maintenance costs according to user on shared pipework and cover their own costs on pipework that solely feeds their own properties.

Lot 1 benefits from a right to drain water, soil and effluent through the pipes and drains into the septic tank located in Lot 3. Lot 1 benefits from a right to enter to inspect, repair, maintain, clean, empty, renew and replace the existing pipes and the septic tank.

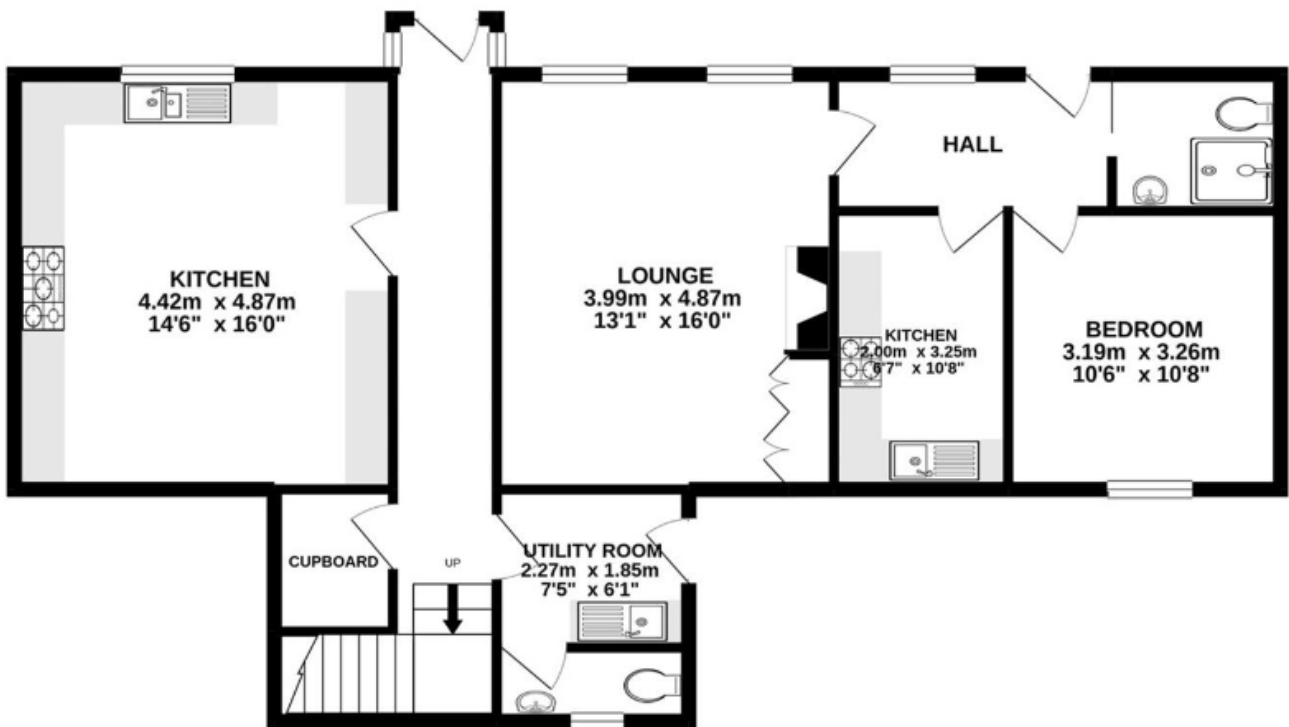
There are no Environmental Stewardship options active on Lot 1.

Plan of Lot 1 (Edged Red & Shaded Grey)



Description	Parcel ID	Area (ha)	BPS Area	Area (acres)	Land Designation
House and Yard	SD7086 9537 (Part)	0.13	0.00	0.32	SDA
Garden	SD7086 9733	0.06	0.00	0.15	SDA

Ground Floor & Annex



Kitchen: (4.42m x 4.87m) The modern kitchen benefits from under floor heating and contains an electric oven and gas hob (run on bottled gas). The large modern fridge freezer, washing machine and integrated dishwasher are included in the sale of the property as well as the large wall mounted flat screen TV. The kitchen also benefits from a nearby pantry/cupboard.





Utility: (2.27m x 1.85m) Single drainer stainless steel sink unit, fitted units and access to the WC.

WC: The downstairs toilet is located next to the utility room. The entrance can be seen in the photo above on the right hand side.

1st FLOOR:



Lounge: A bright and spacious lounge/sitting room benefitting from a wood burner as well as an excellent outlook down into the valley (5.26m x 4.28m).



Bedroom 1: A Large bright double room with an excellent outlook (4.74m x 2.91m).



Bedroom 2: A single room with a skylight (2.27m x 2.7m).



Bathroom: A spacious modern bathroom with WC, built in sink unit and shower (below).



Landing: Benefitting from a skylight and access to boarded out loft space.



Outside: Outside the rear of the property is a low maintenance garden and orchard containing various fruit trees, raised beds, vegetable plot with garden shed, the oil tank and an outdoor seating area. The garden shed and greenhouse are included in the sale. The front door leads out into the yard and down onto the lane.

Services: The farmhouse and annex benefit from mains electric, private water supply (shared with Geslings– Lot 2), oil fired central heating and broadband connection (B4RN high speed broadband is located in the valley). The house and farm buildings currently share an electricity supply. The purchasers of Lot 3 will be required to install a sub meter for their supply within Lot 3 to allow billing to be split correctly.

Council Tax – House & Annex: Council tax band E.

Score	Energy rating	Current	Potential
92+	A		117 A
81-91	B		
69-80	C	69 c	
55-68	D		
39-54	E		
21-38	F		
1-20	G		

The Annex: The attached Annex is all one the ground floor and was previously part of the farmhouse but has recently been used as separate accommodation. The Annex comprises:

Living Room: A comfortable living room with an electric fire and built in cupboard.



Kitchen: Modern Kitchen with fitted units and tiled floors (2m x 3.25m).



Bathroom/Wet room: Tiled floor and walls, a shower and WC.



Double Bedroom: Bright double room with radiator and window (3.19m x 3.26m).



The cottage provides an excellent opportunity for use as a holiday let (subject to appropriate permissions).

LOT 2 – Geslings: (Coloured Green on the plan)



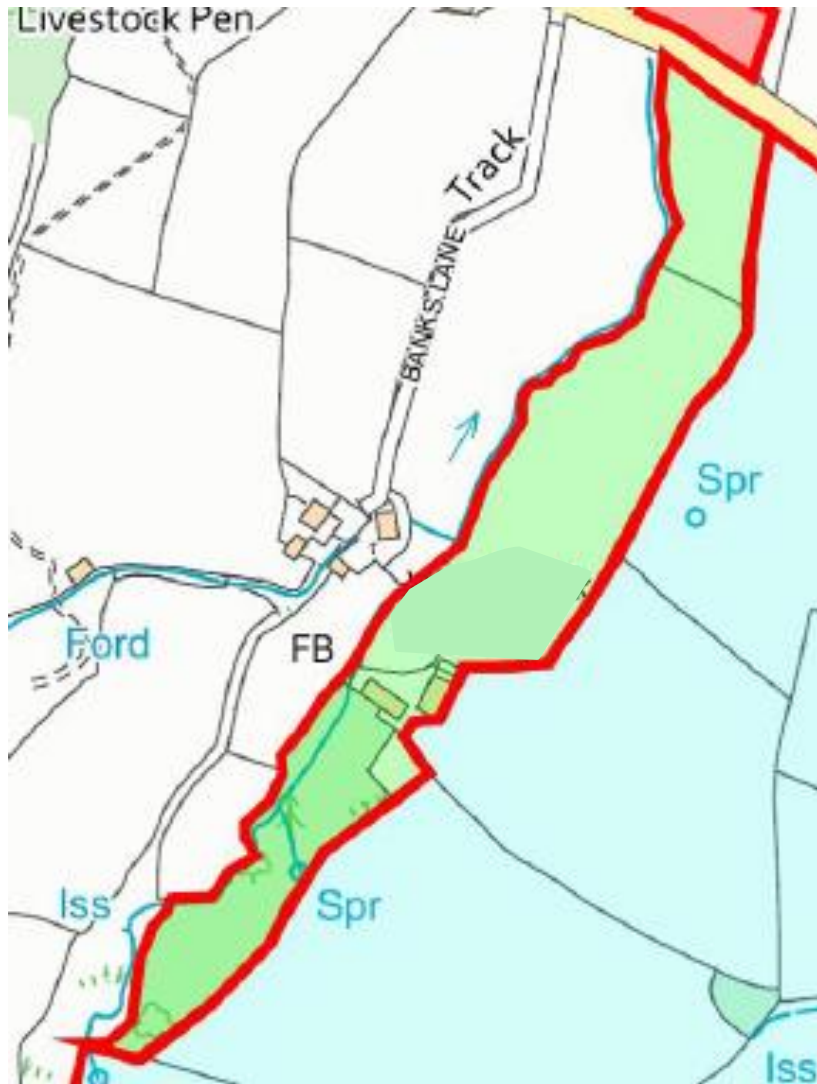
Geslings:

The old Geslings farm house offers an excellent opportunity for redevelopment subject to appropriate permission. The property is set up on the hill side with an excellent outlook over the valley. Geslings farm house and the attached barn are a grade 2 listed building under the listing entry: 1383872 or go to the following link: <https://historicengland.org.uk/listing/the-list/list-entry/1383872>. The farm house and attached barn measure approximately 7m x 20m (external measurement) with an external front porch. As well as the farm house and attached barn there is another barn approximately 10 metres North East of the farm house. This barn is also grade 2 listed under the listing reference: 1383873 or go to the following link:

<https://historicengland.org.uk/listing/the-list/list-entry/1383873>. The barn at Geslings measures approximately 9m x 15m (external measurement). The house and barns are set in approximately 5.06 acres. The farm house has a historic water supply. The source of which originates in lot 3 and is shared with East Banks Farm house (Lot 1). There is also a spring just south of lot 2 (running south to north) that has the potential to be used as a separate private supply. The purchasers of lot 2 will have the rights reserved in order to access this supply, install, maintain, repair and replace the necessary equipment to use this spring as a water supply to lot 2. It should be noted that this does not include a right to connect of the existing supply to West Banks. There is an access that runs up to Geslings from the road that is accessed via the field gate.

Geslings has huge potential and offers opportunities for a wide variety of prospective purchasers. If you have any queries regarding redevelopment please seek advice from an independent planning consultant or the Local Planning Authority (Yorkshire Dales National Park). Viewing of Geslings is strictly by appointment only and access should be taken via the track up to East Banks and walking across Lot 3 from the farm yard.

For information on active stewardship options on Lot 2 see schedule 1.



Geslings Land Parcels:

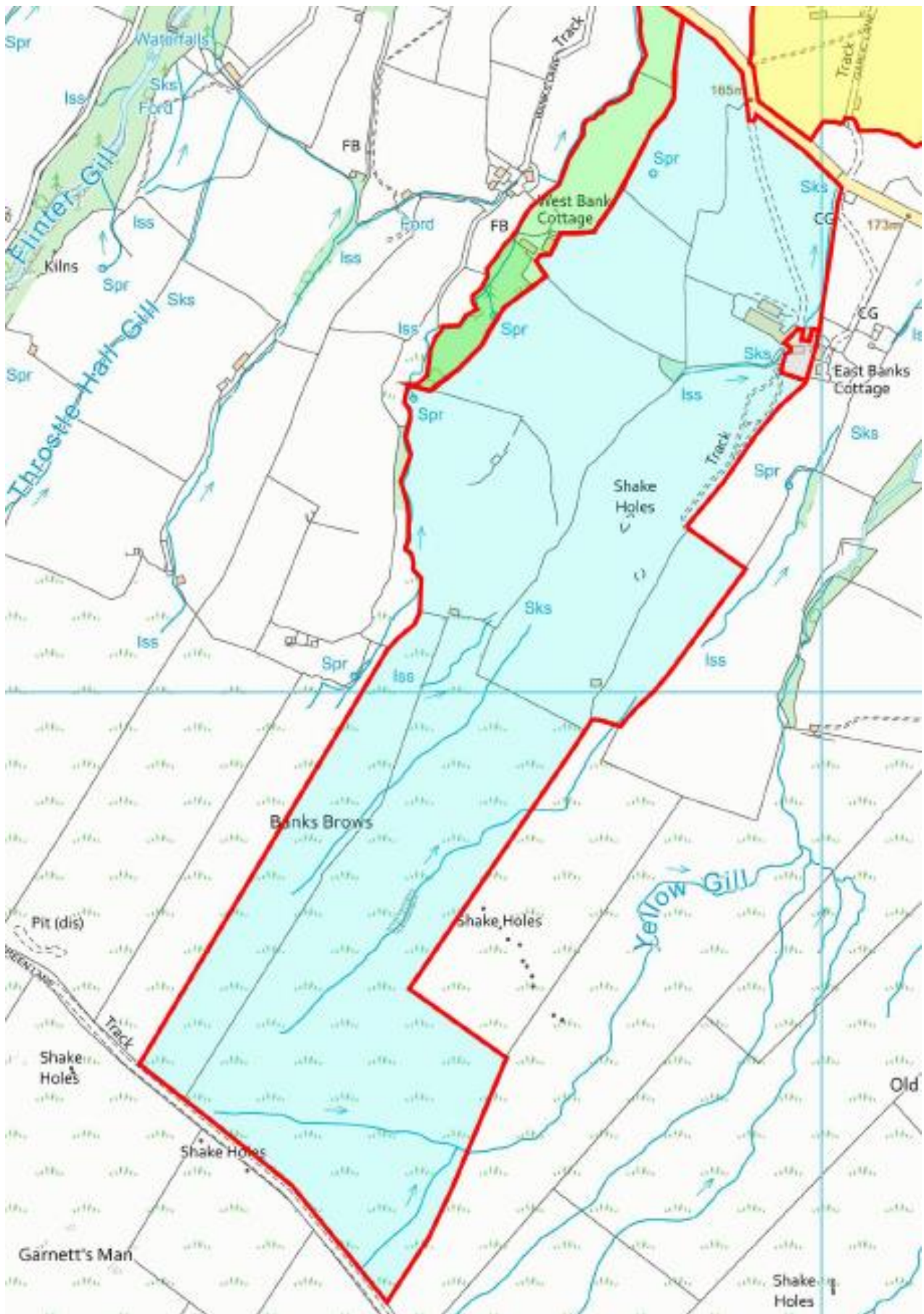
Description	Parcel ID	Area (ha)	BPS Area	Area (Acres)	Classification
House & Barns	SD 7086 7046	0.08	0.00	0.19	SDA
Pasture	SD 7086 6538	0.54	0.54	1.33	SDA
Pasture	SD 7086 7143	0.04	0.04	0.09	SDA
Pasture	SD 7086 7148	0.09	0.09	0.22	SDA
Pasture	SD 7086 7854	0.96	0.96	2.37	SDA
Pasture	SD 7086 8366	0.33	0.33	0.81	SDA
	Total:	2.04	1.96	5.01	

LAND AT GESLINGS

The land below Geslings is productive meadow/pasture that rises up away from the road towards the property. The land further up above Geslings provides a useful pasture for grazing livestock. The land has been farmed well and is in good heart. It also offers opportunities for future environmental stewardship and land management agreements that could offer biodiversity gains and could provide some annual revenue payments dependant on the agreement.



LOT 3 - LAND AND BUILDINGS AT EAST BANKS (coloured edged red & blue on the plan)



Lot 3 contains the agricultural buildings at East Banks Farm set in approx. 76.68 acres. The land in Lot 3 is made up of a mix of meadow and pastureland. This land runs from the road below East Banks Farm up to the old occupation road and has access out onto the track there if necessary. The water supplies for Lot 1 and 2 originate in and run through Lot 3. The purchasers of Lot 1 and 2 will have the necessary rights reserved in order to inspect, maintain, repair and replace their water supplies. Please also note properties at West Banks have rights to a water supply from a spring arising in Lot 3 and situated to the south of Geslings. The water supply for lot 4 also arises in Lot 3 and the purchaser of lot 4 will be granted a right to construct and use a collection tank adjacent to the spring subject to making good any damage and other conditions as outlined in the auction pack. The buildings in Lot 3 contain a 75ft x 30ft sheep shed of steel portal frame construction, a 75ft x 45ft cow shed of steel portal framed construction and a 45ft x 50ft covered muck store. The septic tank for the farmhouse is also located on Lot 3. Lot 1 will have the necessary rights to inspect, repair, maintain and replace. The stable and stone barn are both listed under references: 1383855 & 1383854.

Description	Parcel ID	Area (ha)	BPS Area (ha)	Area (Acre)	Classification
Yard and Buildings	SD7086 9537 (Part)	0.21 ha	0.00	0.52	SDA
Pasture	SD7086 9535	0.01	0.01	0.03	SDA
Meadow	SD7086 9546	2.14	2.05	5.29	SDA
Meadow	SD7086 8756	1.50	1.50	3.71	SDA
Pasture	SD7086 8042	1.55	1.55	3.83	SDA
Pasture	SD7086 7720	9.99	9.89	24.68	SDA
Pasture	SD7086 8532	0.04	0.00	0.09	SDA
Meadow	SD7086 8305	1.18	1.18	2.91	SDA
Pasture	SD7085 5373	11.16	11.16	27.57	SDA Moorland
Pasture	SD7085 4784	3.26	3.26	8.05	SDA Moorland
	Total	31.04	30.60	76.68	

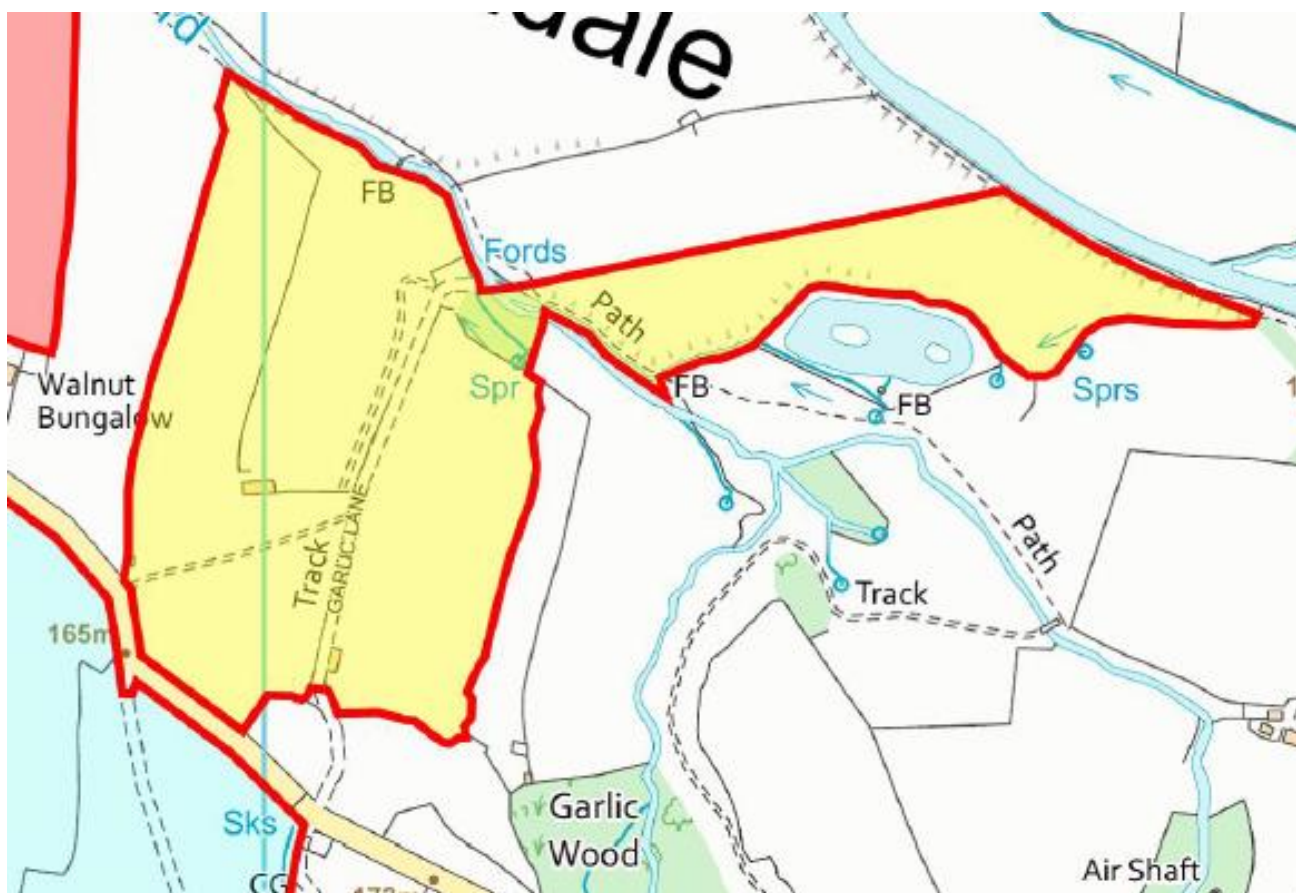
For information on active stewardship options on Lot 3 see schedule 1.







LOT 4 – 17.28 Acres including two field barns (edged red & coloured yellow on the plan)



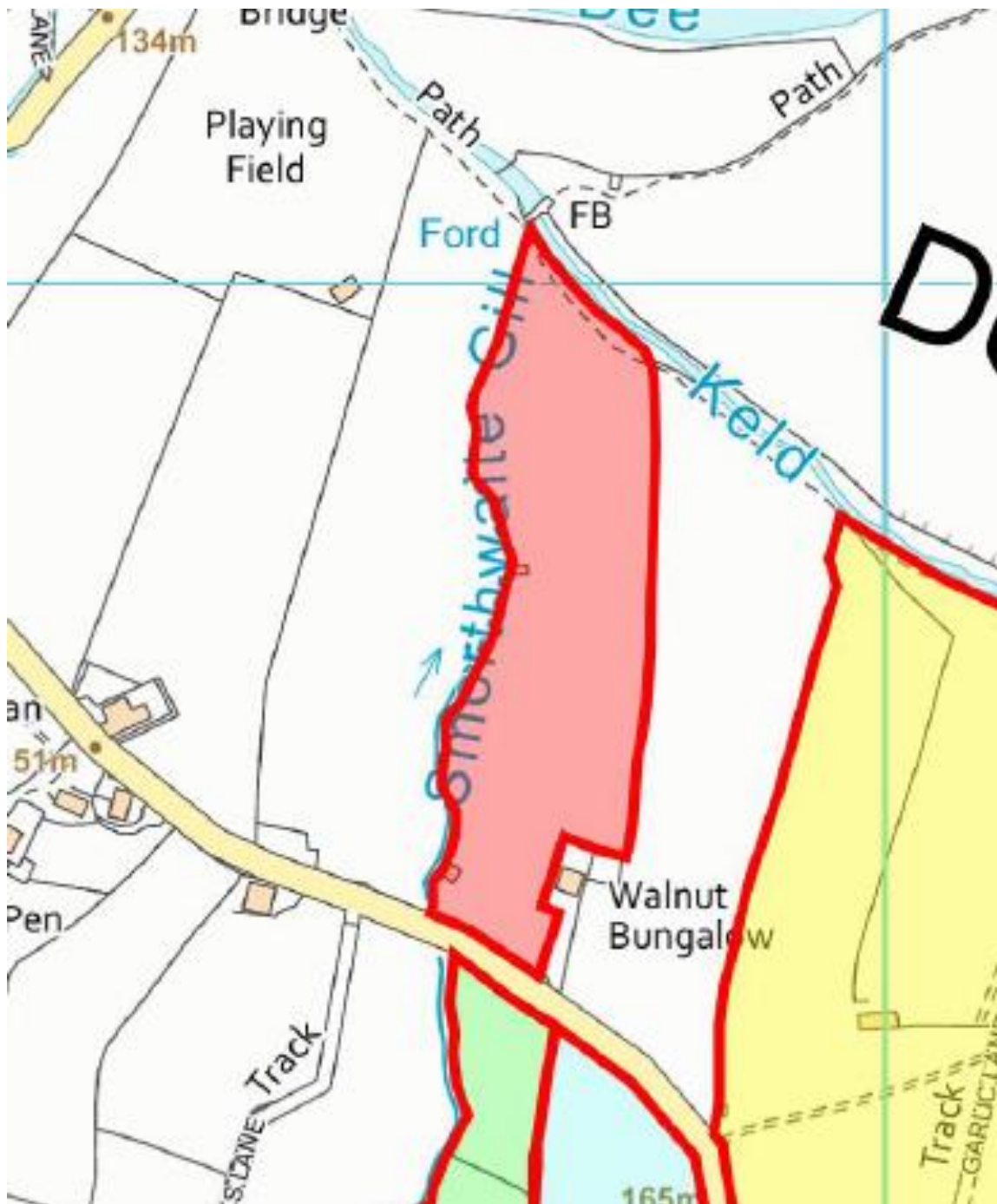
Description	Parcel ID	Area (ha)	BPS Area	Area (Acres)	Classification
Meadow	SD7086 9671	2.19	2.16	5.33	SDA
Meadow	SD7186 0477	1.34	1.32	3.26	SDA
Track	SD7186 0464	0.10	0.00	0.24	SDA
Meadow	SD7186 0866	1.55	1.54	3.83	SDA
Pasture	SD7186 1177	0.19	0.16	0.47	SDA
Meadow	SD7186 3080	1.68	1.65	4.15	SDA
	Total	7.05	6.83	17.28	

Lot 4 comprises a block of productive meadow and pasture land. For information on active stewardship options on Lot 4 see schedule 1. The shooting rights are owned by a syndicate on Parcels SD7086 9671 and SD7186 0477. There are two stone field barns in lot 4, being located in parcels SD7186 0477 and SD7186 0866. Lot 4 also includes a river crossing that provides access to SD7186 3080. After heavy rain parcel SD7186 3080 can sometimes flood but otherwise it is a productive meadow. The parcels south of the river are heading back up to the road provide excellent grazing and the stone barns have potential for a variety of uses subject to appropriate permissions. The land is subject to a right of way down Garlic Lane that provides access to the land lying to the north.





LOT 5 – 4.65 Acres adjacent to Walnut Bungalow (edged red & coloured red on the plan)



Description	Parcel ID	Area (ha)	BPS Area	Area (Acres)	Classification
Meadow	SD7086 8685	1.88	1.88	4.65	SDA

The land at Lot 5 is an excellent meadow on the eastern side of Smorthwaite Gill with the River Keld to the North. The neighbouring property (Walnut Bungalow) has a septic tank located in the field and the property benefits from rights to use, maintain, repair, renew and empty the septic tank and the pipes, wires, gutters and drains and the boundaries and rights for the soakaway. We also believe they have a mains water supply pipe that crosses the field for which they have the necessary right to inspect, repair, maintain and replace if necessary. The land at Lot 5 is subject to a restrictive covenant stating that the land must always be used as agricultural land and cannot be built upon. There are no Environmental Stewardship options active on this parcel.



LOT 6 – 7.29 Acres Opposite Platt Cottage (edged red & coloured pink on the plan)

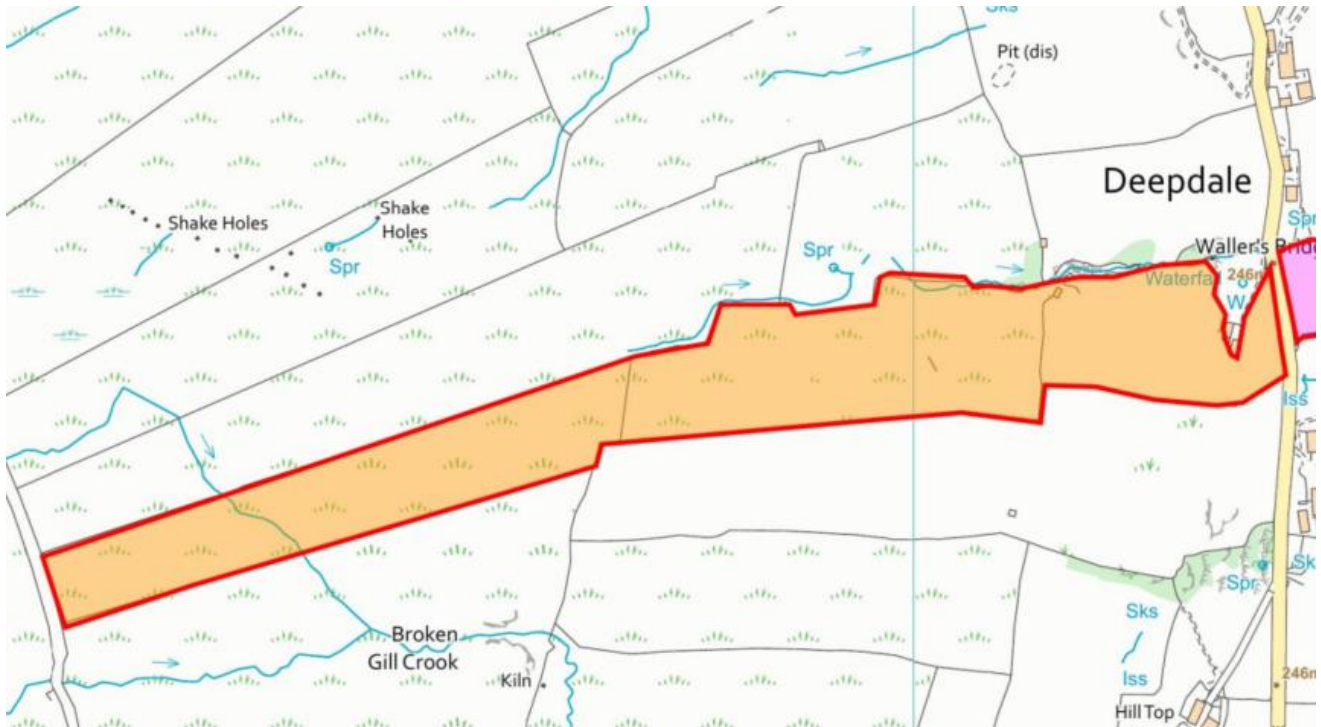


Description	Parcel ID	Area (ha)	BPS Area	Area (Acre)	Classification
Meadow	SD7284 5544	2.95	2.95	7.29	SDA

Lot 6 is made up of 7.29 acres of productive meadow land located between Deepdale lane to the west and Deepdale Beck to the east. There is a stone built barn located in Lot 6 87m away from the road. For information on active stewardship options on Lot 6 see schedule 1. The land offers excellent potential for agricultural, equine or environmental uses subject to appropriate permissions.



LOT 7 – 23.26 Acres Adjacent to Platt Cottage (coloured orange on the plan)



Description	Parcel ID	Area (ha)	BPS Area	Area (Acre)	Classification
Pasture	SD7284 2239	2.03	2.03	5.01	SDA
Pasture	SD7184 9536	3.71	3.71	9.16	SDA
Pasture	SD7184 5024	3.68	3.68	9.09	SDA Moorland
Total:		9.42	9.42	23.26	

Lot 7 comprises a 23.26 acre block of productive upland grazing between Deepdale Lane and the old occupational road. On the opposite side of the road from Lot 6 this land also offers excellent potential for agricultural, equine and environmental uses. Platt Cottage (located at the eastern end of Lot 7) has a septic tank, water collection tank and water supply pipes located within the land at Lot 7 for which they have the necessary rights in order to inspect, maintain, repair and renew . They also have the right to enter for the purpose of inspection, upkeep, maintenance, repair and renewal of the septic tank.



For information on active stewardship options on Lot 7 see schedule 1.

Lot 8 – 42.32 Acres (edged red & coloured purple on the plan)



Lot 8 comprises a 42.32 acres allotment, the land is accessed by the old occupation road. When viewing it is recommended to access the land from the east rather than the North as track has been better maintained in that direction. The land has provided a useful section of grazing allotment and would also lend itself towards environmental uses as well as agriculture.

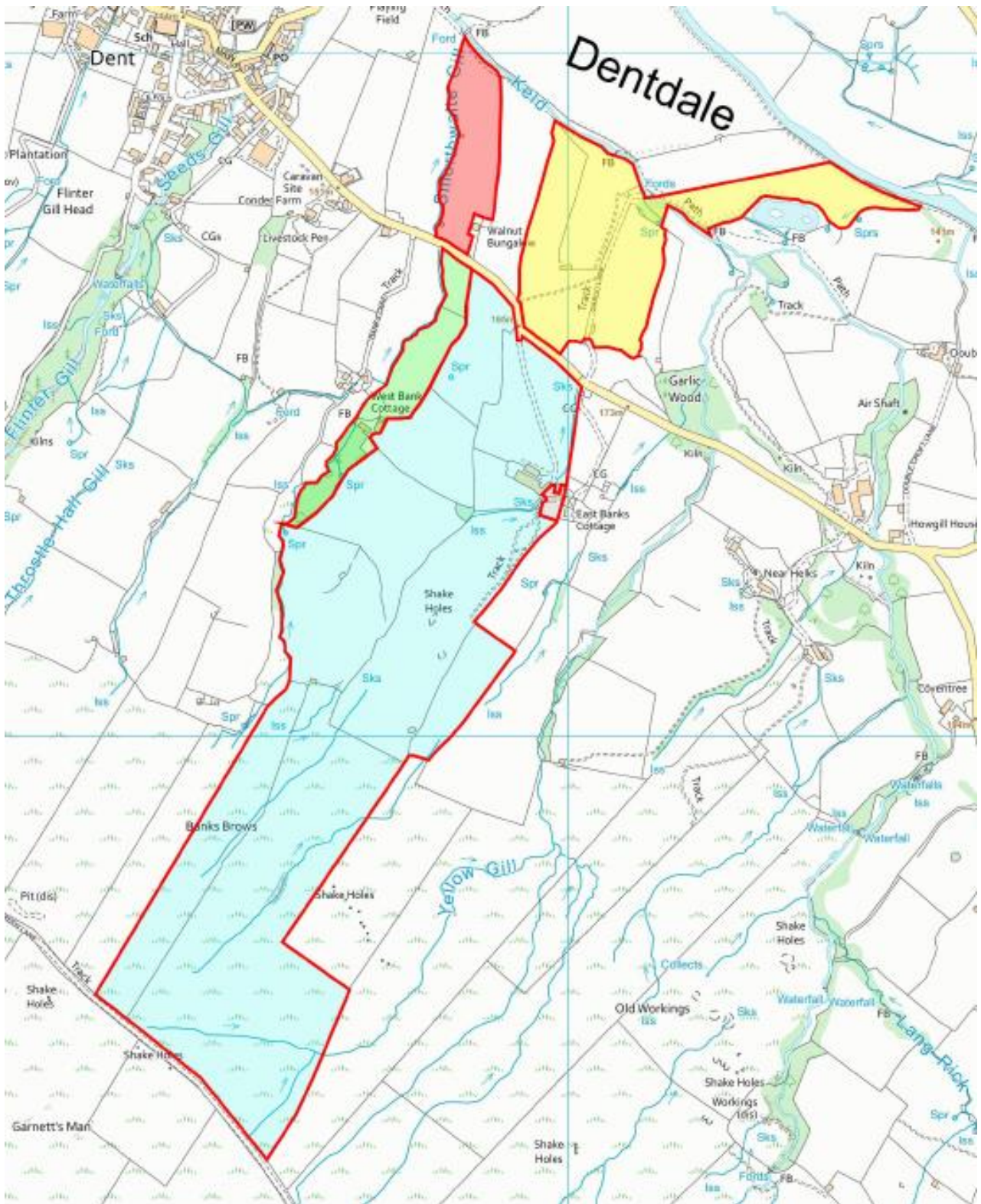
For information on active Environmental Stewardship options on this land see Schedule 1.

Description	Parcel ID	Area (ha)	BPS Area	Area (Acres)	Classification
Pasture	SD7082 4515	17.13	17.13	42.32	SDA Moorland

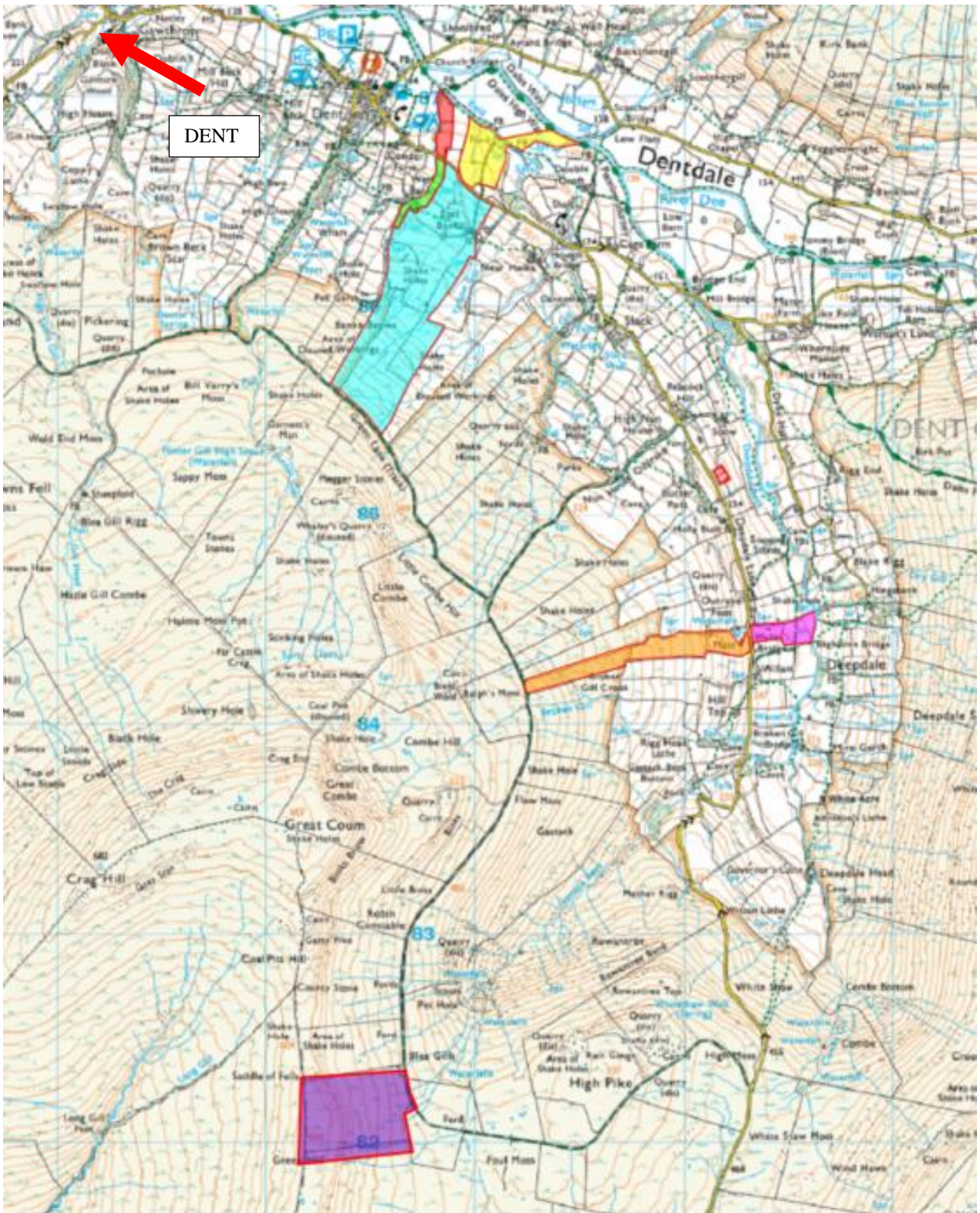


Sale Plans

Lots 1, 2, 3, 4, 5



Location Plan



GENERAL REMARKS AND STIPULATIONS

LOCAL SERVICE AUTHORITIES:

South Lakeland District Council: South Lakeland House, Lowther St, Kendal LA9 4UF

Yorkshire Dales National Park Authority: Yoredale, Bainbridge, Leyburn, North Yorkshire DL8 3EL: Tel: 0300 456 0030

Electricity North West: Parkside Road, Kendal. Tel (01539) 721 301

United Utilities Water PLC: Haweswater House, Lingley Mere Business Park, Great Sankey, Warrington. Tel 0845 746 2255

PARTICULARS OF SALE:

The descriptive particulars (but not the stipulations and special conditions of sale) do not constitute, or constitute any part of any offer or Contract and all statements made herein are made without responsibility on the part of the Auctioneers or the Vendor. All intending purchasers should satisfy themselves as to their correctness. The Vendor does not make nor give and neither Richard Turner & Son nor any person in their employment has any authority to make or give any warranty as to the land and property.

SALES PARTICULARS AND PLANS:

The plan and quantities are based upon the latest available editions of the Ordnance Survey as revised by the Auctioneers. Such plan and quantities and these particulars are believed to be correct but any error or omission or mis-statement shall not annul the sale nor entitle either party to compensation or in any circumstances give ground for any action at Law.

TENURE AND POSSESSION:

The land is freehold and vacant possession will be given on completion or earlier by arrangement.

SPORTING AND MINERALS

The sporting rights and minerals rights are included in the sale in so far as they are owned. Please see earlier notes regarding Sporting which is not owned.

FIXTURES AND FITTINGS:

All fixtures and fittings are excluded from the sale, unless they are expressly stated as being included.

TIMBER AND WOOD:

All growing timber and fallen timber are included in the sale.

TOWN PLANNING AND LOCAL LAND CHARGES:

So far as the Vendor is aware the present use of the property is in accordance with the Town and Country Planning Acts. No requisition shall be raised in regard to the user or otherwise in relation to the said Acts and the Vendor shall not be required to give any further information in regard to the Town and Country Planning. The land is sold subject to:

- a) all local and land charges and any requirements enforceable by any local or other Public Authority.
- b) all encumbrances and other matters, the existence of which can or ought to be discovered by enquiry of any Local or other Public Authority and the Purchaser shall not be entitled to any compensation or right of rescission in respect thereof.

RIGHTS AND EASEMENTS:

The land is sold and will be conveyed with the benefit of and subject to the burden of all existing rights of way, all rights for the continuance of any means of supply of water, gas or electricity, all rights for drainage and sewerage and any other pipelines over or under the land, together with all necessary rights of access for maintenance, renewal and repair of any apparatus or constructions in connection with such rights.

OVERHEAD ELECTRICITY & TELEPHONE LINES & UNDERGROUND CABLES:

The Purchaser of the land shall take it subject to such wayleave as affects the same and shall be responsible to notify the appropriate authority of his interest.

FENCES & BOUNDARIES:

The Purchaser of each lot will be required to maintain in stockproof condition the fences marked with a "T" on the side of the fence to which it belongs. Where there is no fence built or existing, or, where the existing fence is not in reasonable repair, then the Purchaser of the Lot with "T" marked on that side will be required to erect an adequate stockproof fence within three months of completion and thereafter maintain it in a stockproof condition. The responsibility of fencing of the original boundary of the land has been marked according to the best knowledge of the Vendor, but it is in no way guaranteed and intending Purchasers should make their own enquiries. Any discrepancy in this respect shall not annul the sale nor give rise to any claim for compensation whatsoever.

DISPUTES:

Should any dispute arise before or after the date of completion between the Vendor and the Purchaser as to the interpretation of the particulars, or any matter whatsoever arising therefrom, or thereout, that matter in dispute shall be referred to the arbitration of RICHARD TURNER of Richard Turner & Son, Royal Oak Chambers, Main Street, Bentham, whose decision shall be final and binding on the parties in dispute.

ORDER OF SALE:

Whilst it is intended to offer the land in lots as catalogued nevertheless the Vendor reserves the right to either amalgamate, divide or withdraw any Lot or Lots prior to the Auction Sale.

UNSOLD LOTS:

In the event of any Lots remaining unsold the Vendor shall be entitled to exercise any rights or other matters over Lots reserved in the Particulars, Stipulations or Conditions of Sale and shall hold subject to any such rights granted in favour of the Purchaser of any other Lots.

CONDITIONS OF SALE:

The Conditions of Sale WILL NOT be read out at the Auction Sale, but a copy thereof will be available for inspection at the offices of the Vendors solicitors during normal hours for 14 days prior to the date of the Auction Sale.

INSURANCE

As from the date of sale/signing of the Contract, the property shall be at the sole risk of the purchaser(s) and he/they shall effect his/their own insurance's accordingly.

TENANT RIGHT

All tenant rights, unexhausted manorial values etc are included in the purchase price of the land and there will be no right to claim compensation for any dilapidations etc.

MISREPRESENTATION ACT 1967:

Richard Turner & Son, for themselves and for the vendors or lessors of these properties whose agents they are, give notice that these particulars do not constitute any part of an offer or a contract. All statements contained in these particulars as to these properties are made without responsibility on the part of Richard Turner & Son or the vendors or lessors, none of the statements contained in these particulars as to these properties are to be relied on as statements or representations of fact and any intending purchasers or lessees must satisfy themselves by inspection or otherwise as to the correctness of each of the statements contained in these particulars. The vendor or lessors do not make or give and neither Richard Turner & Son nor any person in their employment, has any authority to make or give any representation of warranty whatever in relation to these properties.