

## **Annex 4**

### Restrictions and Covenants on proposed sites for disposal

#### **1. Land to the rear of Courtstairs Manor, Pegwell Road, Ramsgate**

There are no restrictions or covenants which would restrict sale of the site. S.123 LGA will require advertising of the site and representations considered. The site has not been used by the public for many years as it has been held under licence by various operators of Courtstairs. Any sale should be subject to a restriction against development for the benefit of the retained land.

#### **2. Part of former railway line, College Road/Tivoli Road, Margate**

There are no covenants or restrictions registered against the Council's title which specifically affect the Council's right to dispose of the site or its future use but any transfer should be subject to the following; charges and other matters currently registered against the Council's title and any statutory services on or under the land.

#### **3. Land adjoining the viaduct, Margate Road, Ramsgate**

There are no covenants or restrictions registered against the Council's title which would effect disposal of the site. There are restrictions on dust destructor apparatus being placed on the site or the site being used as a town yard.

#### **4. Land at Westgate Bay Avenue, Westgate**

The land is held by TDC subject to covenants imposed in 1899, modified 1938. There are no restrictions on TDC disposal. Whilst TDC holds particulars of covenants which potentially affect this site we do not hold a copy of the 1899 deed itself nor the deed plan itself or that referred to and without this information the effect of certain restrictions is uncertain. With this in mind, key user restrictions appear to relate to; building line/fencing restrictions; land not be made into or used as a road or way; no temporary building to be erected, nor steam engine or mortar mill to be placed on the land; no hotel, tavern, public house, beerhouse or shop for sale of wines, spirits etc. to be built. No manufacture or obnoxious business to be carried on. No building to be used for the reception of lunatics or idiots or for an infirmary. No building to be used for any purpose other than a private dwelling house.

#### **5. Ramsgate Swimming Pool, Newington Road, Ramsgate**

The land is subject to rights to use the services running through the land (gas, water, drains, conducting media of), and "rights of way and other easements as any person was or is entitled to".

A deed made between TDC and British Railways Board grants BRB a right of way over

TDC's land to BRB's land (there is a clubhouse there). This access way is on the NW side of the TDC's filed plan, in front of the pool land almost parallel with Newington Rd.

Thanet Leisure Force has a lease of the swimming pool (amongst other recreational facilities) dated 10 May 2004 for a term of 25 years from and including 1 November 1999.