

The following is a list of the kinds of documents that are frequently referred to when investigating a boundary or a private right of way. Not all of them will apply in every case. Page 4 of this leaflet provides a checklist for you to record those documents that you have obtained.

1. Title Register and Title Plan

The Title Register and Title Plan are the obvious starting points for any discussion of a boundary. Land Registry usually issues a copy to the registered proprietor of a property whose title is registered. You can also buy from Land Registry a copy of the Title Register and Title Plan for any other registered title in the country.

At right is the header of a fictitious Title Register.

The Title Register comprises three parts: the Property Register, the Proprietorship Register, and the Charges Register.

The example of the Charges Register, below right, includes an example of a Transfer Deed that is available for purchase from Land Registry as an "official copy", which is indicated by the footnote to paragraph 2 that reads: "*NOTE: Original filed*".

A: Property register

The register describes the registered estate comprised in the title.

B: Proprietorship register

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

Land Registry



Official copy of register of title

Title number CS72510

Edition date 11.04.2007

- This official copy shows the entries in the register of title on 23 July 2007 at 11:39:46.
- 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 23 July 2007.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- For information about the register of title see Land Registry website www.landregistry.gov.uk or Land Registry Public Guide 1 – A guide to the information we keep and how you can obtain it.
- This title is dealt with by Land Registry Maradon office.

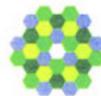
C: Charges register

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

1. (19.12.1989) The passageway at the side is included in the title is subject to rights of way on foot only.
 2. (10.07.2000) A Transfer of the land in this title dated 2 June 2000 made between (1) John Charles Brown and (2) Paul John Dawkins and Angela Mary Dawkins contains restrictive covenants.
- NOTE: Original filed.*

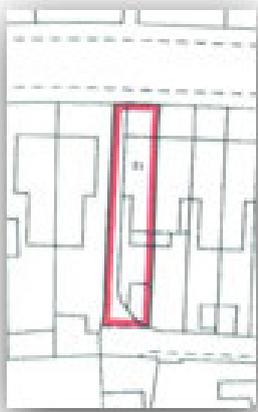
Land Registry Official copy of title plan

Title number **CS72510**
Ordnance Survey map reference **ST1680NE**
Scale 1:1250
Administrative area **Cornshire: Maradon**



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At left is the header for a Title Plan. The Title Plan shows the general positions of the boundaries



by attaching red edging to those lines on an Ordnance Survey map that appear to Land Registry to approximate to the boundaries indicated on the documents submitted to Land Registry at first registration of the title to the land (as seen in the extract at left).

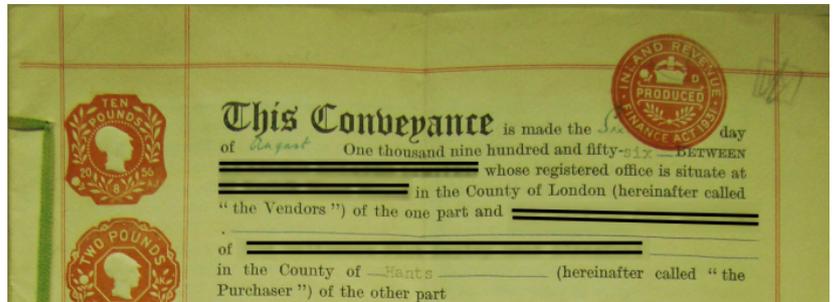
Because Land Registry does not define boundaries but simply interprets onto an Ordnance Survey map the information submitted to them, it is necessary to turn to the title deed in which the boundary was first described. There are two possibilities:

- If the land was unregistered when the boundary was first described then the relevant deed is the earliest Conveyance relating to the land;
- If the land was created by the division of a larger parcel of registered land then the relevant deed is the Transfer of Part.

2. Conveyances

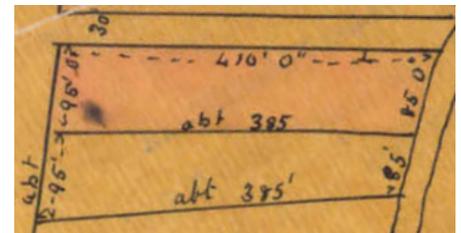
A Conveyance may be typed, like the example on the right, but older conveyances were hand written, the older ones being referred to as an "Indenture of Conveyance".

If the land was mortgaged then the mortgage lender held the title deeds (including the Conveyances) and would make copies for the borrower on request - but only for the borrower.



Once land is registered, the mortgage lender has no need to retain the title deeds, relying instead on a charge against the land recorded on the Title Register. The original title deeds are usually returned to the landowner, but many have been lost. Sometimes the Title Register will indicate that an official copy may be ordered from Land Registry, as in the "NOTE: Original filed" footnote of an entry in the Title Register.

ALL THAT piece or parcel of land situate in a newly formed road leading out of [redacted] at [redacted] aforesaid and for the purpose of identification only delineated on the plan annexed hereto and thereon edged red and numbered [redacted] Together with a right of way at all times and for all purposes in common with the Vendor and other persons entitled thereto over the road and footpath edged brown on the said



The boundaries of a parcel of land are described in the parcels clause to a conveyance (above left) or in the conveyance plan attached to the conveyance (above right, but this example relates to a different piece of land from that described at left). It is from evidence such as that above left and right that the officially recognised description of the boundaries comes.

3. Transfers



A Transfer Deed is usually drawn up on a Land Registry pro-forma, of which there are two kinds, a TR1 (Transfer of the whole of a registered title) and a TP1 (Transfer of Part of a registered title, example at left).

Form TR1 deals with the sale of the whole of the land that is registered under a particular title number. It is usually necessary to investigate the history to find either the TP1 Transfer of Part or the Conveyance that

was used to create the parcel of land. The typical use of a TP1 Transfer is for the sale of a new house built on land that is owned by and is already registered to a developer. There is usually a transfer plan attached to a TP1 transfer deed.

4. Seller's Property Information Form

This is a standard form prepared by the vendor's solicitor to provide answers to questions that the buyer's conveyancing solicitor will ask concerning the property. It covers a standard range of questions, those of interest here include:

- the responsibility for and ownership of boundary features;
- the use of any private rights of way;
- the presence of underground and overhead services that may be the subject of an easement;
- whether there has been any dispute between the vendor and neighbouring landowner/s.

SELLER'S PROPERTY INFORMATION FORM (4th edition)

Address of the Property: _____

5. Estate Agents' sales particulars

If you have kept a copy of the estate agent's description of your property, dating from the time when you purchased it, then it is just possible that this contains some useful historical information.

6. Planning drawings

Copies of planning drawings – for any property - can be purchased from the archives of the Planning Department of the District, Borough, or City Council in which the land in the registered title is located. The elements of the drawing that record pre-existing ground features are of interest. These might include an indication of what physical features there were in the vicinity of the boundary before the building works (the subject of the planning application) were carried out.

7. Ordnance Survey maps

Whilst these are not definitive as to the positions of property boundaries, they can sometimes give a useful indication of the historical layout of the land.

8. Old aerial photographs

Old aerial photographs are a more reliable indication than old maps of what was on the ground on the date the photograph was taken – provided that the ground is not obscured by trees, shrubs, hedges, or tall buildings. They are a specialised product, obtainable from specialist suppliers who are not well known to the general public, and they usually require interpretation by an expert.



9. Your own photographs

Your own photographs may be very important, in one of two ways:

- a current or very recent photograph, particularly if taken close-up, can demonstrate what is happening on the ground at present and may be a vital illustration of the issues you wish to discuss with the Boundary Advisor;
- old photographs from the family photo album are rarely taken with a view to showing off a boundary, but boundaries are visible in the background of a good number of outdoor photographs taken at home. If a reasonably reliable date can be attached to them, then they may be instrumental in proving the age and the approximate position of a boundary feature past or present.

DOCUMENTS CHECK LIST

Use this list to help you decide which documents are relevant and whether you have them available or can obtain them.

<i>For your property</i>		<i>For your neighbour's property</i>										
1 a. Title Register and Title Plan	Do you have it? <input type="checkbox"/> Can you buy it from Land Registry? <input type="checkbox"/>	1 a. Title Register and Title Plan	Do you have it? <input type="checkbox"/> Can you buy it from Land Registry? <input type="checkbox"/>									
1 b. Deeds and Plans referred to on register	Are any referred to on register? <input type="checkbox"/> If yes, contact Land Registry to buy an official copy. <input type="checkbox"/>	1 b. Deeds and Plans referred to on register	Are any referred to on register? <input type="checkbox"/> If yes, contact Land Registry to buy an official copy. <input type="checkbox"/>									
2. Conveyance deeds	Do you hold these? <input type="checkbox"/> Can you get a copy of your "title deeds" from your mortgage lender? <input type="checkbox"/> Can you purchase "official copies" of any referred to on your title register? <input type="checkbox"/>	2. Conveyance deeds	Can you purchase "official copies" of any referred to on your neighbour's title register? <input type="checkbox"/>									
3. Transfer deeds and transfer plans	Do you hold these? <input type="checkbox"/> Can you purchase "official copies" of any referred to on your title register? <input type="checkbox"/>	3. Transfer deeds and transfer plans	Can you purchase "official copies" of any referred to on your neighbour's title register? <input type="checkbox"/>									
4. Seller's Property Information Form	Did you retain a copy with the paperwork that attended your purchase of the property? <input type="checkbox"/>	Not available unless your neighbour offers it.										
5. Estate Agents' sales particulars	Did you retain a copy with the paperwork that attended your purchase of the property? <input type="checkbox"/>	Not available unless your neighbour offers it.										
6. Planning drawings	Are any held at your District Council Planning office? <input type="checkbox"/> Can you purchase copies of any drawings that show what was on the ground at the time of the planning application? <input type="checkbox"/>	6. Planning drawings	Are any held at your District Council Planning office? <input type="checkbox"/> Can you purchase copies of any drawings that show what was on the ground at the time of the planning application? <input type="checkbox"/>									
9. Your own photographs	If you are able to verify dates, then your own photos may provide useful evidence. Have you checked your old photos? <input type="checkbox"/>	Not available unless your neighbour offers it.										
<i>Relevant to both properties</i>												
7. Ordnance Survey maps	If your property is old enough, and if there have been significant changes over time, then it is possible that old Ordnance Survey maps (1:1250 or 1:2500 scales) may offer useful evidence. Possible sources are: <table style="width: 100%; border: none;"> <tr> <td>www.old-maps.co.uk <input type="checkbox"/></td> <td>local County Records Office <input type="checkbox"/></td> <td>your local County Library <input type="checkbox"/></td> </tr> <tr> <td>The "Legal Deposit Libraries", i.e. <input type="checkbox"/></td> <td>British Library, London <input type="checkbox"/></td> <td>Bodleian Library, Oxford <input type="checkbox"/></td> </tr> <tr> <td>Cambridge University Library <input type="checkbox"/></td> <td>National Library of Scotland <input type="checkbox"/></td> <td>National Library of Wales <input type="checkbox"/></td> </tr> </table>			www.old-maps.co.uk <input type="checkbox"/>	local County Records Office <input type="checkbox"/>	your local County Library <input type="checkbox"/>	The "Legal Deposit Libraries", i.e. <input type="checkbox"/>	British Library, London <input type="checkbox"/>	Bodleian Library, Oxford <input type="checkbox"/>	Cambridge University Library <input type="checkbox"/>	National Library of Scotland <input type="checkbox"/>	National Library of Wales <input type="checkbox"/>
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Cambridge University Library <input type="checkbox"/>	National Library of Scotland <input type="checkbox"/>	National Library of Wales <input type="checkbox"/>										
8. Old aerial photographs	A list of suppliers can be found under the heading "Sources of Aerial Photography" at http://www.boundary-problems.co.uk/boundary-problems/links.html											