

Mountview Freehold Limited

C/o Keats Estate Agents,
500 Muswell Hill Broadway,
Muswell Hill
London,
N10 1BT

22nd November 2021.

Shreekant Patel
Principal Transport Planner.
London Borough of Haringey,
Planning Policy, Transport, and Infrastructure
River Park House (6th. Floor)
225 High Road
Wood Green
London, N22 8HQ

Dear Mr Patel,

Re: Schedule 7 Application,

I write further to your email to us dated 4th November 2021, and I can confirm that Mountview (Freehold) Limited, bought the Freehold of Highmount in October 2005. There was a locked gate in place but shortly there after the Gate was removed due to Vandalism.

As per your email dated 21st October 2021, please find below a list of evidence to support that this small piece of land has never been a public Right of Way. All evidence is attached to this email and labelled accordingly.

Item A:

This document is a copy of expenses incurred by The Highmount Residents Association that shows the cost of the removal of a previous gate in 2005, due to structural damage. This supporting evidence indicates that a gate was in situ in 2005.

Item B:

This is a letter to the management company at the time, IPM Property Management, from one the leaseholders of Highmount discussing the proposed erection of a new gate to replace the old one that was taken away. This letter is dated 3rd September 2006. Again, this shows the existence of a gate.

Item C:

Picture taken circa 2005 of the wooden gate that was in place at the time, locked.

Item D:

Picture taken circa 2005 of the wooden gate that was in place, broken due to vandalism.

Item E:

Notice on garages that divide Highmount & Woodlands stating, 'Private Property, No Right of Way'.

Item F:

Judgement order to show case against Ms C Bowden, of Keats, for the illegal erection of a gate was dismissed by a court of law.

Item G:

Consent order signed by Mr D McCann confirming dismissal of case.

Item H:

Letter from Ms J Banks of [REDACTED] 25-27 Mount View Road London N4 4ST confirming the existence of previous gates and the highlighting the reasons for a gate being in place.

Item I:

Letter from Ms V Freeburne of [REDACTED] 25-27 Mount View Road London N4 4ST also confirming the existence of previous gates and the highlighting the reasons for a gate being in place.

Item J:

Letter from Keats Estate Agents confirming their management of Flat 5 Highmount from mid-1995 confirming the locked gate was in place until 2005

In conclusion, after complaints from the owners and residents of Highmount due to Anti-Social Behaviour and attempted break ins to the two Ground Floor Flats, a gate was re-erected in June 2021, with the immediate effect of curtailing the Anti-Social Behaviour afflicting both Blocks and making all Ground Floor Tenants feel much more secure.

We would also like to point out that some of the witness statements in the original schedule 7 application confirm the previous existence of a gate between the two properties.

We are disappointed that a small minority of local people don't like the re erection of the Gate. But as Freeholders of Private land we are fully entitled to protect our property and residents. As clearly shown in the attached evidence, this is well within the 20 year time period for a Schedule 7 application to even be considered by Haringey Planning Department.

Yours Sincerely,

[REDACTED]

Ian Rose MRICS
Director Mountview (Freehold) Limited

Mountview Freehold LIMITED Company No. 5591894
Registered Office: COLLARDS 5-9 Eden Street Kingston Upon Thames Surrey KT1 1BQ

Highmount Resident's Association.

DATE	NAME	AMOUNT	DEBIT	BALANCE
13/3/05	6 MR. J. MASTRO	100	-	
24/7/05	6 MR. GARDNER	50	-	
27/7/05	8 MR. R. WILD	150	-	
28/7/05	3 MS. J. BARKER	150	-	
28/7/05	7 MS. V. FRIEDMAN	150	-	
23/7/05	5 MRS. STONE	150	-	
10/9/05	1 MR. P. ASHLEY	150	-	
14/9/05	4 MR. P. SCHUTZ	150	-	
14/9/05	BALANCE CASH IN HAND			1050 -
	FROM WOODLAND IN GATE			
10/12/05	MS. V. MULLIGAN	23	-	
10/12/05	MR. A. AFIA	23	-	
10/12/05	MR. R. BOLAN	23	-	
14/12/05	MR. DALLA PAPER	23	-	
14/12/05	MR. N. KELLY	23	-	92 -
14/12/05	BALANCE CASH IN HAND			1142 -
18/10/05	REMOVAL OF GATE		40	-
6/12/05	CONTRIBUTION OF HIGHMOUNT OFF		308	-
31/12/05	CASH IN HAND			£794 -
31/12/05	AMOUNT PAID 2 MR. J.			-(150 -)
4th Feb 14	RE P. FRIEDMAN 5th Feb		6	90

[REDACTED]
25/27 Mountview Road
London N4 4ST
3rd September 2006
e-mail [REDACTED]
Phone no. [REDACTED]

Dear Andrew,

Re Gate,

The Highmount Lessees met on 12th August 2006 to discuss the proposed locked gate between Woodlands and Highmount.

Five of the Woodlands lessees also wanted a gate, and had contributed towards the costs. Mr. Franks agreed the gate could go in the previous position provided a majority agreed and the gate was made of steel. However one lessee in Woodlands changed his mind, and this meant four were for the gate and four against. Those against cited - the gate would be vandalised, it was a waste of money, and could cause bad feeling with the local parents who used the alleyway as a short cut to school.

Seven of the Highmount lesses want the gate. We have been subjected to anti-social behaviour, and we are concerned if the alleyway remains open for 20 years it will become a public right of way, and the freeholder Mrs. Stern and lesses will lose control over our area.

As the freeholds of Woodlands and Highmount are no longer one, we decided to refer this to Mrs. Stern. There are now three freeholders involved - Mrs. Stern Highmount, Mr. Franks Woodlands, and Mr. & Mrs. Husband Garage Owners. Rights of way and the terms and conditions regarding the issuing of keys may have to be discussed and agreed between freeholders. The residents' association felt it would be more appropriate for Mrs. Stern to make the decision to place the gate on her property if this is what she wished.

You informed Ms. Banks (Flat 3) and myself that the boundary had changed since the sale of the freehold. We are only responsible for the area up to the garages (Marked A on Map) not to where the communal gate was marked (B) on the map. In our leases it shows we are responsible for the area up to B. The lessees have not been formally told of this change, and we want to know what area our leases cover and any change in responsibilities.

I look forward to hearing from you,

Yours sincerely,

Vera P. Freeburne (Miss)





**RENT
A
GARAGE**

**LOCK-UP GARAGES
STORAGE UNITS
PARKING-CARAVANS
... ALSO OTHER LOCATIONS**

Contact: **DUDRICH (HOLDINGS) LTD**

081-882 8575

PRIVATE PROPERTY - NO RIGHT OF WAY
TRESPASSERS WILL BE PROSECUTED

General Form of Judgment or Order

In the County Court at
Edmonton

Claim Number	H00ED729
Date	14 October 2021



DEREK JOHN MCCANN	1 st Claimant Ref
CLAIRE BOWDEN	1 st Defendant Ref SSC/10631.01

Before District Judge Davies sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.

Upon agreement by the parties,

IT IS ORDERED BY CONSENT THAT:

1. The claim be dismissed;
2. The hearing listed for 12pm on 11 January 2022 be vacated;
3. The Claimant shall pay the Defendant's costs of £2,081.88 in monthly instalments of £60 commencing from 8 October 2021.

Dated 12 October 2021

IN THE COUNTY COURT AT EDMONTON

Claim No: H00ED729

BETWEEN:

DEREK JOHN MCCANN

Claimant

-and-

CLAIRE BOWDEN

Defendant

CONSENT ORDER

Upon agreement by the parties, IT IS ORDERED BY CONSENT THAT:

1. The claim be dismissed;
2. The hearing listed for 12pm on 11 January 2022 be vacated;
3. The Claimant shall pay the Defendant's costs of £2,081.88 in monthly instalments of £60 commencing from 8 October 2021.

We consent to an order in these terms:

[REDACTED]
Mr Derek McCann

[REDACTED]
London
N4 4SL

The Claimant

[REDACTED]
Streathers Highgate LLP
18 Highgate High Street
London
N6 5JG

Solicitors for the Defendant
Reference: SSC/1937 04

2 November 2021

Jane Banks

25-27 Mount View Road
London N4 4ST

To Whom it May Concern

Re: Newly erected Gate on the property of at N4 4ST

I have been a resident at the above address having purchased a first floor flat in 2003. At the time of purchase there was a wooden door between Highmount and property at the back known as Woodlands. At the back of the property, secured by two walls, one being 23 Mount View Road and the other being the garages that are at the back of the property there was a wooden door covered in brambles. The door, at the time was not used, rather, it occurred as a health and safety risk as children would be seen running around our building after school, from the Mount View side, up the drive down the alley way – seeing it led nowhere and back across the back forecourt down the east side of Highmount coming back out onto Mount View Road and meeting up with a parent and or guardian out on the street.

In 2006 it was considered appropriate to remove the rotting door as it was so rotten and hanging off its hinges. (one would not have risked passing through if, but for brambles, you could have attempted to) The residents of Highmount did not want children to be messing about and have the door fall on them. This door was removed.

Over time, even though there was and remains a sign up on the garage doors stating that this is private property more of the community began to take a "short cut". This created a whole host of challenges with any number of drug runs between Mount View Road and Dickenson Road; burglars that hot-footed between the two properties; human excrement, needles, used condoms, along with bus-loads of school children screaming excitedly and or crying hysterically, as buses would arrive to take a class on a school trip and escort the children between the two properties. As a resident this has been a very stressful situation as the sanctity of the private space of the home became unwittingly violated. My lease states that I have use of the garden and the land at back of the building for recreational purposes. This is difficult to achieve when you have strangers, dogs, children etc walking across your supposed private, yet communal (among other leaseholders) recreational private space.

At night the drunken, loud, abusive sounds would go on long in to the night often culminating in urination up the wall of the building. Mopeds would drive at speed up the drive and then struggle to pass through the limited gap between wall and garage and rev the moped motor while they tried etc.

As someone who bought a property on a first floor, secure, and peaceful, my home turned into somewhere that one could no longer relax. Taking the rubbish out in a winters evening was fraught with an anticipation that one didn't know who you may meet. Security had

been eroded peace eroded. Having teenagers larking up the drive throwing stones at each other one that came through my open kitchen window and landed in my eye!

Since a new gate has been erected, tranquillity has been restored. Notably the residents of Woodlands, who I can see from my balcony, are using their living space differently as a result. Residents have their doors open and come outside to enjoy the outdoor environment even from a limited space of a balcony, something I now enjoy more so because I don't have to worry who and or what is coming across the threshold of the property to spoil the peace and quiet. This is restorative and creating a greater sense of health and well-being and community in a secure living environment. I now have no hesitation also when I consider selling my flat in the future which I may have otherwise struggled to do under the former circumstances.

Your sincerely

Jane Banks

Owner, [REDACTED]

[REDACTED]
25/27 Mountview Road,
London N4 4ST.
26th October 2021.

Mountview Freehold Limited,
500 Muswell Hill Broadway,
Muswell Hill
London N10 1BT,
England.

Dear Sirs,

I acquired the leasehold of [REDACTED] 25-27 Mountview Road London N4 4 ST on 31st. July 1987.

The alleyway between Highmount Flats and Woodland Flats had a locked gate. I did not have a key to this gate nor did any of the other leaseholders of Highmount or Woodlands. There was a notice on the end garages of Highmount and Woodlands stating "PRIVATE PROPERTY. NO RIGHT OF WAY TRESPASSERS WILL BE PROSECUTED". This was put up by the garage owners Dudrich Holdings Limited. That notice is still in situ. The locked gate was replaced in 1988 with a new locked gate. The residents of Highmount inquired if we could have keys to the gate and were informed we were not entitled to them. The gate was removed on 18th October 2005 as it was unsafe.

I cannot remember exactly when the new gate went up. It was discussed and paid for in Nov. 1987. From memory it was in January 1988 when the work was done. The residents of Highmount requested the building work was to be done in the New Year and not over Christmas. I don't have anything in writing re this, but I do remember the discussion as we were worried about security over Christmas when the flats could be empty.

A few years ago I witnessed an incident on Mountview Road, where the criminal escaped through the alleyway chased by police. The police recommended that a gate should be put up in the alley way as it was an escape route for criminals.

I do not consider the alleyway to be a safe route. An elderly resident of Video Courts, a resident of Highmount and myself were all mugged in the alleyway. Since the replacement gate went up, I have noticed a marked improvement in the security of Highmount. All anti-social behaviour is now non-existent.

Yours faithfully,

[REDACTED]

Vera P. Freeburne.

10th November 2021.

To whom it may concern,

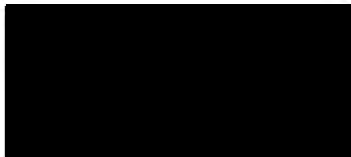
I am the current lessee of [REDACTED] 25-27 Mountview Road N4 4ST.

The property was originally purchased in mid 1995 by my late mother, Judge Linda Stern QC. The property was, and still is, managed by Keats Estate Agents. As an owner of Keats I was heavily involved in the management of the flat and attended numerous Resident Association meetings on behalf of my mother. During these meetings the re-erection of the gate was discussed on several occasions.

I purchased the property at a later date after the passing of mother.

I can confirm to my recollection that a locked gate was in place until 2005 as the land is private.

Yours sincerely,



Mr Jeremy Rose