

106 REGENTS PARK ROAD, NW1 8UG

SWORN DECLARATION BY OWNER/VENDOR

I, MARK DYSON GORDON CRAN, of 106 Regents Park Road, London NW1 8UG, MAKE OATH AND SAY AS FOLLOWS:-

1. I was appointed Queen's Counsel in 1988. I practise from Brick Court Chambers, 7/8 Essex Street, WC2R 3LD; tel 7379 3550, email mark.cran@brickcourt.co.uk.
2. I purchased the freehold of 106 Regents Park Road from Roger and Caroline Hall in December 1990, and have owned the whole house, which comprises 5 floors, since that date.
3. When I bought the house it was configured as one unit of 4 upper storeys and one unit consisting of the basement flat.
4. The 4 upper storeys comprised:-
 - Top floor -- 2 bedrooms (or 1 bedroom, 1 study), 1 bathroom.
 - Second floor -- 1 bedroom, 1 bathroom
 - First floor -- sitting room, library, conservatory, utility room.
 - Ground floor -- kitchen, dining room, cloakroom, plus main garden.
5. The basement flat comprised:-
 - Living room, bedroom, kitchen, bathroom, and separate patio garden.
6. In the thirteen years since I purchased the house, no changes have been made to the configuration described above. The flat is and always has been entirely separate from the house, with its own entrance, and there is no internal connection between the upper 4 storeys and the flat. The flat is wholly self-sufficient, and no facilities are shared with the house. The utility companies (gas, electricity, water, telephone) render separate bills for the house and for the flat.
7. However, I have never let the flat out commercially. The reason for that is that when I rented the house from Mr and Mrs Hall in 1989, prior to buying it in 1990, they did at that time have tenants in the basement flat. There were frequent problems of noise and difficulties with visitors, and so I decided after buying the whole house that I would not let the flat out commercially. Since

1990, it has been used for spells of time by friends or family, but for the most part it has remained unlive in, although furnished.

8. Working from memory, it was used for 6 months in about 1996 by some friends (a couple) who had sold their maisonette at 110 Regents Park Road, and who were renovating a house into which they subsequently moved. It was again used for about 9 months in about 1997/8 by a friend who had left his wife, prior to his moving in with his girlfriend (now second wife). It was used for about 6 months by a godson in about 2001/2 whilst working in London pending the availability of his pupillage as a barrister in Chambers in Leeds. Each of these users led a completely independent existence in the flat to my occupation of the rest of the house -- they had all their own facilities, and there would be many weeks when I did not see them at all, except sometimes to wave through the window as they went down the external steps to the flat. Whenever the flat was occupied as described above, I notified the council that more than one person was living at 106 Regents Park Road, so that I ceased to receive the 25% discount on my council tax for the duration of their occupancy of the flat. In every other respect, the two units were entirely separate.
9. Since my godson moved out in March 2001, I have kept my exercise bicycle in the living room of the flat, and have used it there intermittently. To do so, I have to leave my house, go down the external steps to the flat, let myself in with the separate keys, and then go back up to the house to shower and change (because I don't keep towels etc in the flat bathroom). I do not believe that this has changed the separate nature of the flat in any way.
10. I declare that the foregoing is true and complete.

SWORN this 21st day of October 2003 by the above-named Mark Dyson Gordon Cran

AT:

15/19

WC 2R 355.

BEFORE ME

Commissioner for Oaths/Solicitor authorised to administer oaths.

JR Blacker