

GEM Associates Ltd

**Independent
Chartered Surveyors**

44a Stanley Street,
Bedford,
Bedfordshire,
Telephone: 0800 298 5424
E-Mail: GEMsurveyors@aol.com

Ref: J393/RBS/MC

SCHEDULE OF CONDITION

Prepared November 2002

BAR TAB
52 Wellington Street



Prepared By

GEM Associates Ltd

INDEPENDENT CHARTERED SURVEYORS, ENGINEERS AND VALUERS.

RESIDENTIAL VALUATIONS . HOMEBUYERS REPORTS . BUILDING/STRUCTURAL SURVEYS.
NEIGHBOURHOOD DISPUTES . PARTY WALL AWARDS . ENGINEERS REPORTS. EXPERT WITNESS.

DESIGN AND DEVELOPMENT WORK.

ADVICE ON ALL ASPECTS OF COMMERCIAL AND INVESTMENT PROPERTY.

0800 298 5424
ASSOCIATED OFFICES NATIONWIDE

<u>Address</u>	Presently known as Bar Tab, 52 Wellington Street, Luton
<u>Prospective Tenant:</u>	Tim Steele and Sam Ming
<u>Repairing Covenant:</u>	We have assumed the property has a full repairing and insuring covenant. Your legal adviser should confirm this and advise us of any unusual or onerous clauses immediately.
<u>Photographs:</u>	We have taken approximately 150 photographs during the course of this Schedule of Condition. We reserve the right to produce these photographs to establish the condition of the property over and above the ones included in the report.
<u>Limitations:</u>	As per our original Terms of Engagement, we would remind you specifically that: We have not inspected parts of the structure which were covered, unexposed or inaccessible during our inspection. We therefore cannot confirm that such parts are free from defect, structural or otherwise.

Limitations
Continued:

We have not determined whether any hazardous materials such as high alumina cement, calcium chloride, asbestos etc have been used in the construction.

Our report is for the use of the party to whom it is addressed above and no responsibility is accepted under the Third Parties Act or for any third parties who use this report in whole or in part.

We have not carried out a comprehensive test of any electrical, mechanical or drainage services. We therefore cannot confirm that they are operational and in good condition. If you wish us to arrange tests, please advise.

We have not carried out or arranged for specialists to undertake any reports, for example an environmental report or an audit report upon the property. We are therefore unable to advise whether any contaminated or other adverse environmental issues affect the site.

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Limitations
Continued)

We have not inspected the first or the second floor of this premises as discussed and agreed with Tim Steele.

The Schedule of Condition has been prepared by GEM Associates Ltd in November 2002. The inspection was carried out on 2 November 2002 and this report does not constitute a Structural Survey (now known as a Building Survey).

Orientation:

All directions are taken as if viewing the property from the front, which we have taken as Wellington Street.

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INTRODUCTION

This premises is located in a secondary position on Wellington Street. Wellington Street has prime properties towards the Luton High Street and tertiary properties on the far side of the bypass. Predominately the road has estate agent businesses, although there is also a reasonable mix of food retailers. The property is located to the bypass end of Wellington Street on the town side.

The trading areas consists of:

Front of House

- Entrance Lobby
- Main Bar
- Male WCs – consisting of one WC, two urinals and a wash hand basin
- Female WCs – consisting of two WCs and two wash hand basins

Back of House

Catering Kitchen with Fire Exit from it and also access to the first and second floors

Externally

The front sits directly on to the public pavement. To the rear there is a small courtyard parking area, which is accessed via what we assume is a right of way over a variety of owners land.

First and Second Floor

The first and second floor are vacant and in a shell format. It is not possible to distinguish what they have previously been used for, although it was intimated by the present owner that they were once offices. These areas have not been inspected, as they do not form part of the proposed lease.

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SUMMARY OF CONSTRUCTION

Externally

Roofs

Main Roof – Flat with an asphalt covering (less than the recommended twelve and a half degree fall) assumed to be on a concrete structure.

High Level Roof – Flat asphalt (minimal falls) assumed to be on a concrete structure.

Adjoining Roofs

Left hand side - There are adjoining pitched roofs at high level and an adjoining building to the rear of the property

Right hand side – At high level to the front of the property there are adjoining roofs, to the rear at low level there are adjoining valley gutters.

Roof Lights

There are two purpose made traditional roof lights.

Walls

The front elevation is a shop front ground floor level and would appear to be a pre-cast panel rendered finish. Above this is brick work in a stretcher bond pattern.

The rear walls have a painted semi-rendered brick finish to the ground floor area and a mixture of render and brickwork at high levels.

The side walls, where visible, are brickwork in a stretcher bond finish.

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Windows and Doors

To the front there is a fully glazed fixed pane window in a timber frame. To the upper floors there are timber casement windows, which are in a poor condition, probably needing replacement.

To the rear there is a door, which is also a fire exit – there are no windows.

Rainwater Goods

The rainwater goods are internal and have not been inspected.

Fire Escape Stairs

To the rear of the property is a cast iron fire escape leading up to the roof level, which is corroding, and in need of repair.

Overall Structure

Our considered opinion is that this building is built on a load bearing concrete frame with concrete floors and is clad with brickwork and render panels with an inner non-load bearing wall.

Without opening up the structure and carrying out a Building Survey we cannot be conclusive in our comments.

As discussed at our meeting on 5 November 2002, the Local Authority should hold building regulations and planning application drawings on the property (although this may not actually be how it was built). This is the easiest way to establish the structure.

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SUMMARY OF COSTS

Due to the nature of the work required, it will be necessary to tenure the work to establish costs.

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Internally

Floors

Ground Floor – Assumed concrete.

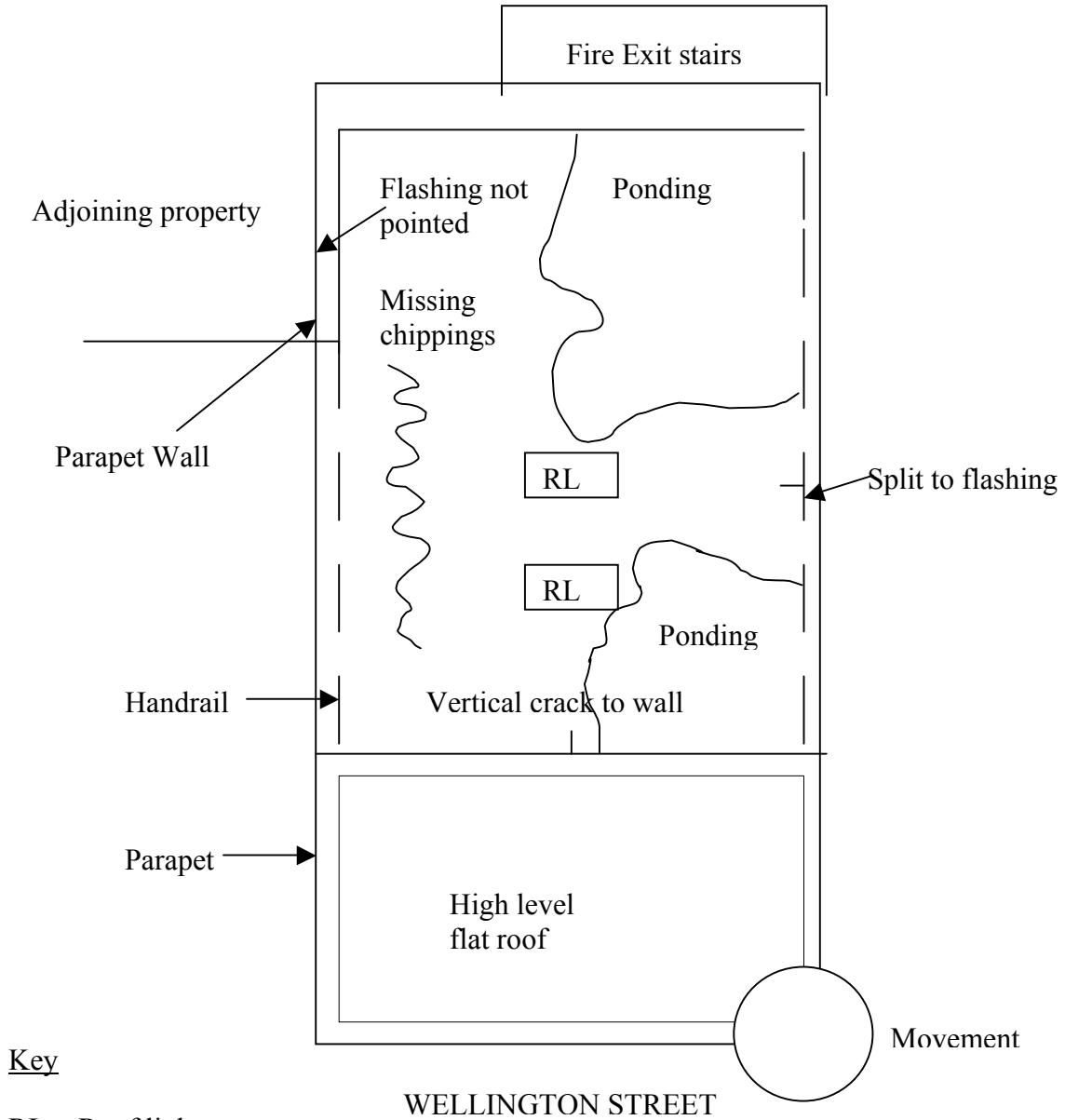
Services

We have assumed the property has mains gas, electricity, drains and water supply. These have not been checked; please see notes within our limitations section.

We have used the term ‘assumed’ in some instances as we have not opened up the structure and therefore cannot be one hundred percent certain what materials and construction techniques have been used.

EXTERNAL ROOF PLAN

This sketch shows a sample of issues and problems identified.



Key

RL = Roof light

Not to scale

Roofs

Both roofs are flat and covered with asphalt with a chipping finish, we assume on a concrete decking sitting onto the concrete frame. We will consider the roofs in two areas.

Front High Level Roof

This is a flat asphalt covered roof with minimal falls. The flashing is also formed in asphalt. It is in reasonable condition. We would anticipate is as five to ten years life, assuming maintenance is carried out as a when required.

The flashings have also been formed in asphalt and there is a metal capping to the top of the parapet wall.

There has been some movement to the front right hand corner parapet wall, which we believe is due to water ingress.

This roof was not accessed but viewed from a ladder, as it was not considered safe to access.

We believe that the capping and the asphalt have been added after the original construction to try and rectify a design defect.



Photo 81

52 Wellington Street, Luton

General view of the roof, the moss indicates that water is sitting on the roof and there are areas where the chippings need re-distribution.

This photo shows deterioration in the asphalt flashing and also rising damp occurring.



Vertical crack to the wall of the high level roof

Front low level Roof

We were unable to access this roof and we reserve the right to return and take photographs with regard to this element of the dilapidation.

Rear Low Level Roof

An asphalt roof on, we assume, a concrete base.

The property has extensive ponding, particularly to the rear right hand side and front right hand side.

Repairs can be seen to have been carried out to the rear right hand side in the form of a bitumen compound (rather than an asphalt repair). We have no way of knowing how long this has been leaking into the property, prior to it being 'repaired'.

Flashing around the majority of the property is formed in asphalt with the exception of metal flashing to the far left hand side which meets the adjoining property. This has not been detailed correctly as the flashing has not been pointed in or sealed with a mastic.

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Action Required: You should ask the landlord to contact the adjoining owners to rectify this problem.

There is also a section of parapet wall to the rear, which has had metal capping added to it. This has had bitumen repairs indicating that there has been a leak in this area.

There would appear to have been problems over the years to the rear of this property.

The asphalt flashing is splitting in some areas, for example, to the right hand side to the middle of the roof.

To the surrounding part of the property, there is a metal handrail, this is showing signs of corrosion and requires redecoration.

Action Required: Landlord to redecorate.

The main part of the roof is asphalt, with a chippings covering. In areas the chippings have banked up and in other areas the chippings are missing from the roof. The chippings offer a reflective layer and protection from frost damage and they should be redistributed across the roof.

Action Required: Redistribute chippings across the roof.

The roof has internal gutters and down pipes that do not appear to be taking the water away as the roof does not fall sufficiently towards the outlets.

Action Required: The entire roof should be altered to provide a fall to the outlets to stop the existing ponding.

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General view of the roof. Note the exposed areas of asphalt and the ponding at the rear of the roof

A close up of the ponding

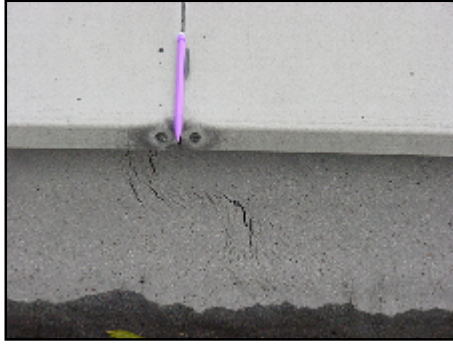


Repairs can be seen to have been previously carried out to the capping



Repairs can also be seen to have been carried out to the roof and the junction of the parapet wall

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A close up of the parapet wall indicates this is starting to deteriorate



A build up of chipping has occurred in some areas on the roof, these need to be evenly distributed



The handrail requires redecoration

The water is inches deep in many areas

Wall to High Level Roof

There is a vertical hairline crack central to this wall.

Adjacent Roof to the Right Hand Side (as you face the property from Wellington Street)

There are two roofs to the rear, one asphalt and one slate, both of which discharge the water towards subject property, with a valley gutter being formed against the subject property. Where visible this valley gutter was in poor condition. Where we have previously come across this we have found this to cause dampness.

Action Required: Landlords to contact adjoining neighbours and advise them of the poor condition of their properties.

Adjacent Roof to the Left Hand Side

To the front of the property at high level there is an adjoining pitched roof where the flashing has not been added, it simply butts the property.

Action Required: Landlord to contact adjoining neighbours and advise them of the detail and agree/pay for the work to be carried out.

The flashing to the rear low-level building that butts the parapet wall has not been finished correctly.

Action Required: Landlord to contact adjoining neighbours and advise them of the detail.



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The flashing has not been finished correctly to the adjoining property to the rear left hand side

Where the adjoining building meets this property there should be a lead flashing. Note again the exposed areas of asphalt

Roof Lights

There are two roof lights, both are deteriorating and showing signs of paint flaking, which requires redecoration and repair.

We also believe that they should be fire resistant in the case of the roof having to be used as a safe point in the event of a fire and we do not believe that these meet appropriate standards and may allow a fire to access the roof using a chimney effect.



A close up of the roof light showing the deterioration occurring.

Making good and redecorating required

Fire Escape

There is a metal fire escape to the rear of the property. This is generally rusty and requires a rust stop agent and a protective coating. Many of the stair treads have become unwelded from

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the stair structure beneath and require re-welding. Care should be taken when on this fire exit.



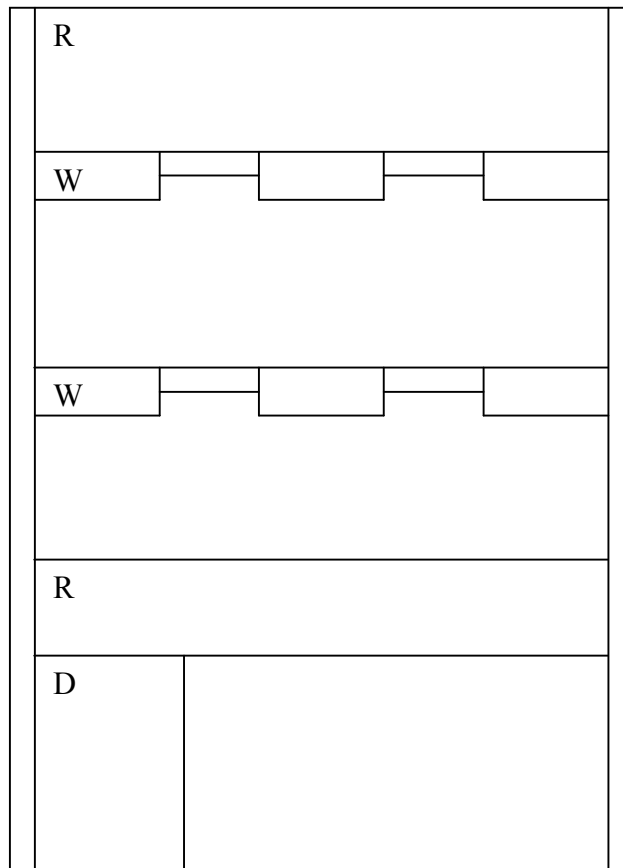
General rusty condition of fire exit



Showing corrosion and metal plate (tread) to have come away from the riser

FRONT ELEVATION

This sketch drawing shows a sample of the problems and issues identified.



Key

W = Window

R = Render

D = Door

Not to scale

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FRONT ELEVATION



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FRONT ELEVATION

Walls

The brickwork is generally dirty and grimy.

Render Panels

The render panels have been inspected from ground level; they too are dirty and grimy and have ingrained dirt. With properties of this age the mastic seal is often starting to deteriorate. We feel this is likely in this instance due to the dampness we could see to the upper parapet wall.

External Joinery

Windows and Doors

First and second floor windows are timber and in a poor state of repair. The central first floor window is boarded up. Paintwork to the front window is marked and chipped and paint is starting to flake.

Signs

There is a wood fascia board with the name 'Tab' on it; this is starting to deteriorate with the timber panels visible.

Other

Ductwork

There is ductwork to both the right and left hand side and ductwork to the right hand side.

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The ductwork has been added at a later date and will, we believe, need planning permission if it has not already been obtained.

Action Required: Your legal advisor to confirm whether planning permission has been obtained for all ductwork together with landlord's approval.



Ductwork normally requires planning permission and is not normally allowed to the front of a property in this type of location

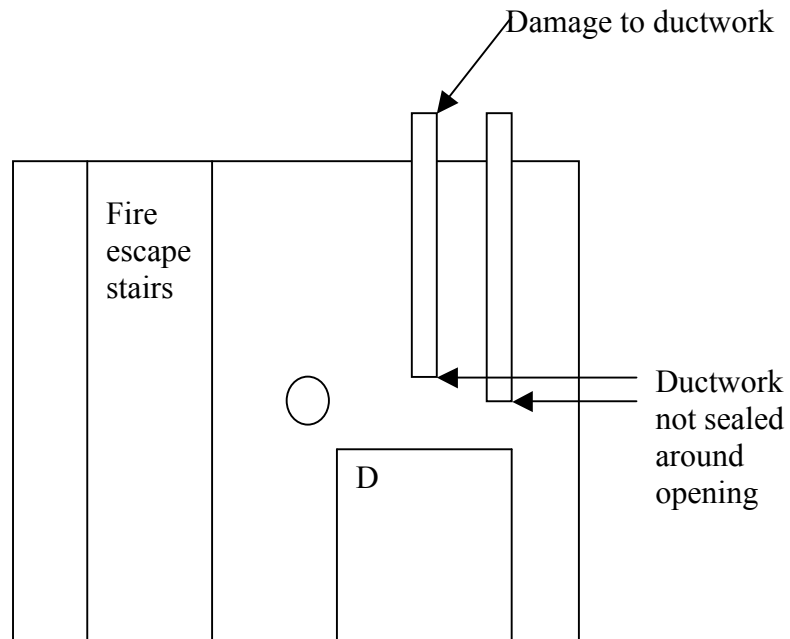
General damage to the window frame



Paintwork on party wall and flaking paint to window frame

REAR ELEVATION

This sketch drawing shows a sample of the problems and issues identified.



Key

D = Door

Not to scale

REAR ELEVATION

Walls

The render has pattern staining and is deteriorating and missing in some areas. Directly above the rear door is a horizontal hairline crack.

There has been no making good where the duct-working has been taken through the building.

External Joinery

Windows and Doors

There are no windows to the rear of the property but there are double doors with borrowed light glazing above it. One of the panels has a fan hanging half in and half out of it and part of the frame has been painted.

Fire Escape

There is a metal fire escape to the rear of the property. This is generally rusting and requires redecoration. Many of the stair treads have become unwelded from the stair structure beneath and require re-welding. Care should be taken on this fire exit. Please see our comments within the roof section.

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The ductwork has not been made good. Also note the pattern staining to the render, along with general deterioration



Note horizontal crack above the door and the general poor condition of the door and associated framework



Making good has not been properly carried out

EXTERNAL AREAS - COURTYARD

Boundary Wall

The boundary wall is spalling particularly heavily at the top.

There is a stepped crack to the right hand side as you enter the area.

Generally the courtyard/parking area requires clearing of vegetation, tables, ductwork, an oil tank and generally rubbish.

Ground

The ground is formed with a tarmac that is breaking up in areas.

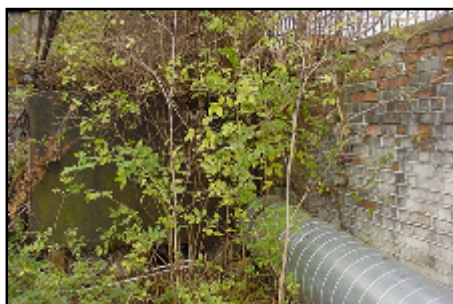
The access to this area is via a concrete road, which is shared with other adjoining owners, we assume there is a right of way. Your legal advisor should confirm this and also establish your liabilities in association with repairing this road.



Spalling to brickwork



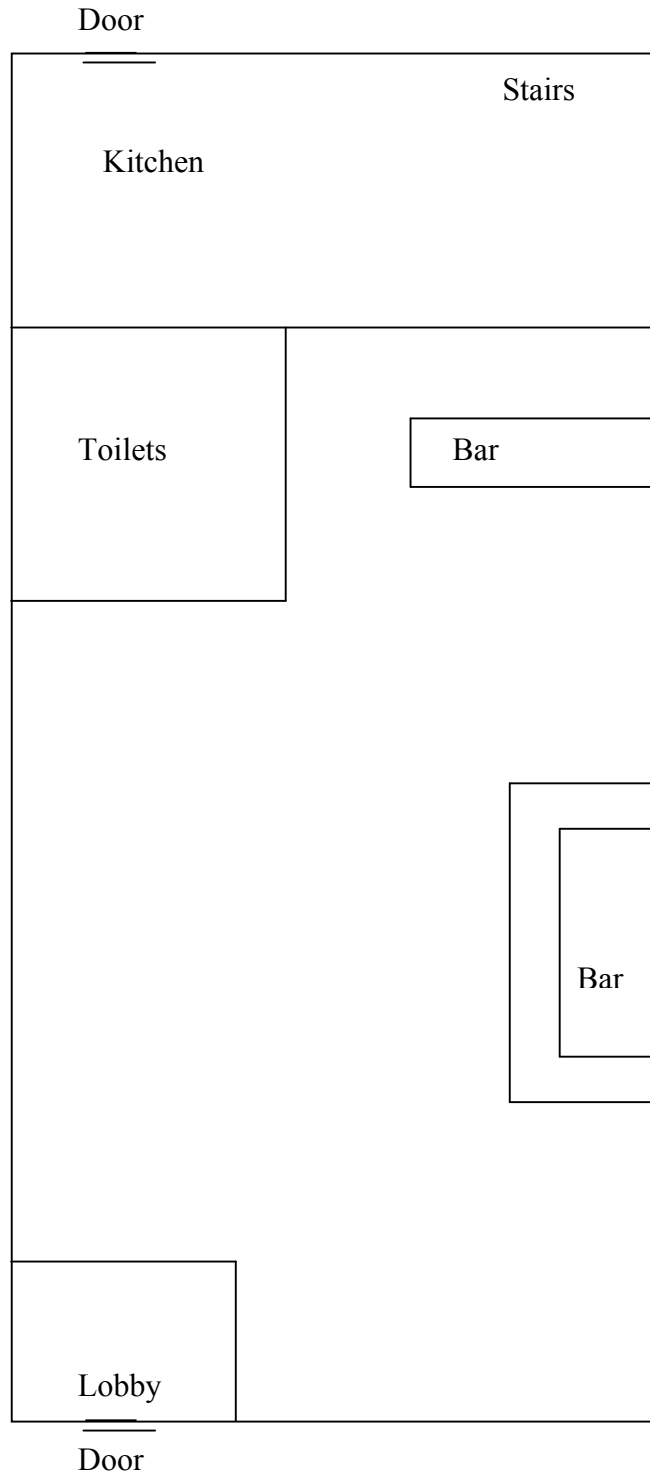
Horizontal cracking



Vegetation and rubbish left in courtyard

INTERNAL

LAYOUT PLAN ONLY



Not to scale

INTERNAL

GROUND FLOOR – TRADING AREA

Front of House

Lobby Area

Floors

Timber. General marks.

Walls

Glazed studwork. Woodwork marked and chipped.

Ceilings

Painted suspended ceiling. Minor marks.

Main Trading Area

Ceilings

Predominantly concrete, some of which has been randomly painted. There is also timber slats fixed to the ceiling and material draped from the ceiling; again we are not able to establish whether this has been treated appropriately to make it fire resistant.

Action Required: If you wish to keep the aforementioned, you should ensure that it is appropriately treated to make it fire resistant.

Walls

A mixture of render and exposed brickwork and artwork.

Much of the render is marked and scuffed, particularly at the base.

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There are light panels to the sides of the wall and the Perspex is broken.

There are electric mounted wall heaters, which are the only form of heating.

Floors

Wooden floor, which would appear to be laid directly onto a dove-levelling screed (from our discussions with the owner). Timber floor is marked from heels, we could not establish whether it is suitably protected in the case of fire.

Action Required: If you wish to retain the floor your legal advisor should confirm that the timber has been appropriately treated.

The flooring is heavily marked around the kitchen area.

Bar Servery Area

There is a bar in the middle of the trading area and also one to the rear. These areas are formed with a timber top and timber behind the bar servery area. It would be more usual to have a seamless polyvinyl floor to this area, as Environmental Health require a clean impervious surface.

We also noted that generally the units were domestic quality.

Ceilings

See main trading area comments.

Walls

See main trading area comments.

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Floors

See main trading area comments.



Damage at low level to the walls

General marking to the floor



Close up of bar floor showing staining and deterioration to the varnish. Environmental Health require a smooth impervious surface in this area

Gents Toilets

Ceilings

Minor marks.

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Walls

Part tiled, part painted. Ingrained dirt to the tiled joints with some tiles being blown.

Wash hand basin fitted into a vanity unit, which is generally marked.

Floors

Quarry tiled floors with ingrained dirt particularly to the joints.

Doors

General marks to the door.



Vanity unit marked,
sink has no mastic seal
around it, ingrained dirt to
tiling and marks to the walls

Ladies Toilets

Ceilings

Minor marks.

Walls

52 Wellington Street, Luton

Part tiled, part painted. Ingrained dirt to the tiled joints with some tiles being blown.

Both wash hand basins are fitted into vanity units, which are heavily marked.

Floors

Quarry tiled floors with ingrained dirt, particularly to the joints.

Windows and Doors

Minor marking to the doors. Window into kitchen.



No making good has been carried out where units have been moved and ideally hand driers should be hard wired in.

General marking and deterioration to vanity unit

General Note

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Toilets are required to have a vented lobby and a number of air changes per hour. We do not believe that these toilets meet this requirement.

Action Required: Invert and alter to meet current building regulations.

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Back of House

Catering Kitchen

Ceilings

Painted ceiling.

Walls

Finished in what we assume is a stainless steel.

Floors

In some areas a mixture of tiles have been use and grout looks to be missing. Floor ingrained with dirt and in need of a deep clean.

Doors and Windows

Double door fire exit. Marked and damaged and windows boarded over.

Catering Equipment

Generally of a commercial quality, however requires a deep clean.

Pipe work has been left exposed and we would recommend that this be boxed in to create a clean, smooth impervious surface, which is required by the Environmental Health Officer.

We also noted the drainage from the wash hand basin did not have a downhill run to it.

Some of the stainless steel panelling to the wall has not been finished correctly or fixed correctly.

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Above the rear fire exit doors the borrowed light windows have been boarded over.

Within the kitchen is the staircase to the upper floors. As a kitchen is regarded as a high-risk area this would not be suitable if and when the upper floors are occupied.

General Note

We do not believe this kitchen would meet Environmental Health standards. We also do not believe it would meet building regulation requirements as it is classified as a high risk area through which fire escapes are not usually positioned and the staircase to the other floors forms a chimney effect.



Note ingrained dirt to tiles and pipe work not boxed in



Rear fire exit with windows boarded over, we assume for security



Surface mounted electrics within a cooking area, generally not considered good practice



Ingrained dirt and no skirting at perimeter of wall to allow for easy cleaning

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SERVICES

We would reiterate that services have not been tested. We suspect from a visual inspection that the electricians would not meet current IEE Regulations.

We would recommend that the electricians are tested by an NICEIC approved electrician, to ensure it meets current IEE Regulations.

We would also suggest that a CORGI registered plumber checks the gas appliances.

For a catering establishment it is usually recommended that grease traps be added to the drainage system, we think it is unlikely that they have been added in this instance, as we were unable to find any access covers.

Action Required: If the landlord is selling this as an A3 unit you should discuss the possibility of adding grease traps to shared cost.

GENERAL COMMENT

Fire Regulations

As discussed, you are aware that this does not meet fire regulations and requires considerable alterations to make it compliant.

Disability Discrimination Act

You should be aware that it is now a requirement to give access to the disabled and make reasonable amendments to the property as is necessary to accommodate them. There does not appear to have been any provision with regards this. You should ask to see if a report has been carried out in line with the Disabilities Act highlighting areas that can be improved or have been improved.

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Building Regulations

There are various issues that do not meet current building regulations, for example the toilets, which require vented lobbies and a set number of air changes per hour.

Planning

We have not made any enquiries with the planning department to establish if suitable applications have been made for the ductwork for example, or the signage to the front of the property.

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**Signature Document in Relation to
Schedule of Condition**

This signature document represents page 37 and page 38 of a 38 page Schedule of Condition relating to

52 Wellington Street, Luton

as prepared by

GEM Associates Ltd Chartered Surveyors

You should ensure your Legal Advisor gets this document signed by the relevant parties and agreed prior to legal commitment to purchase. Delete/amend as you require

Lessees Representative

We verify that this is a true and accurate record of the condition of:

52 Wellington Street, Luton

As inspected on 2 November 2002

By

GEM Associates Ltd
Chartered Surveyors

Signed:Dated: 13 November 2002
For and on Behalf of
GEM Associates Ltd Chartered Surveyors

GEM Associates Ltd
Chartered Surveyors
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Lessee

Mr Tim Steele and Mr Sam Ming have seen and forwarded it on by recorded delivery on the.....to the owners/landlords or their legal representatives in relation to the proposed Lease.

Signed: Dated.....
Tim Steele

Signed: Dated.....
Sam Ming

Landlords Representative (delete as applicable)

Print Name.....For and on Behalf of.....

.....has inspected and read the Schedule of

Condition for an on behalf of.....and accepts that it

is a true and accurate record.

Signed: Dated.....
For and on Behalf of

I have the authority to sign this document on behalf of the aforementioned company.