

The Property:

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The Clients:

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Inspection on:

2008

Inspected by:

Daniel Cooper BSc (Hons) MRICS DipSurv

REAL surveys

121 St James Road

Tunbridge Wells

Kent

TN1 2HG

01892 515381

PLEASE READ THIS
PAGE WITH EXTRA
CARE

A: INTRODUCTION

Please note that this Report is solely for your use and your professional advisers, and no liability to anyone else is accepted. Should you not act upon specific, reasonable advice contained in the Report, no responsibility is accepted for the consequences. [Standard Terms of Engagement, Clause 6].

The Report has been prepared in line with the *Description of the HOMEBUYER Service* already provided (an additional copy is attached). If any addition to the standard Service was agreed before the Inspection, this is confirmed at the foot of the last page.

n OBJECTIVE

OBJECTIVE

The principal objective of the Report and Valuation is to assist you to:

- make a reasoned and informed judgement on whether or not to proceed with the purchase;
- assess at what price it would be reasonable to purchase the Property;
- be clear what decisions and actions should be taken:
 - in ENGLAND AND WALES before contracts are exchanged;
 - in SCOTLAND before concluding an offer to purchase.

n CONTENT

CONTENT

The general condition and particular features of the Property are covered, but the Report focuses on the matters which I judge to be urgent or significant.

Urgent matters are defects judged to be an actual or developing threat to the fabric of the building; it will be advisable to have these put right as soon as possible after purchase (in some cases even before). *Significant matters* are defined as matters which could reasonably be expected in negotiations over price to be reflected in the amount finally agreed.

Matters assessed as *not urgent* or *not significant* are outside the scope of the HOMEBUYER Service, and are generally not reported. However, other matters (such as legal and safety considerations) may be reported where I judge this to be helpful and constructive.

n ACTION

ACTION

If - after reading and considering all the information and advice in the Report - you decide to proceed with the purchase, then there are probably some things on which you should take action at once. Each such item is highlighted in the Report with the word ACTION and is also listed in Section F: *Summary* together with advice on what to do next.

OVERALL OPINION

Below are my conclusions, in brief, on the price at which it would be reasonable to purchase the Property, and on particular features which affect its present value and may affect its future resale. The opinion takes no account of factors outside the scope of the HOMEBUYER Service.

This property is considered to be a reasonable proposition for purchase provided that you are prepared to accept the costs and inconvenience of dealing with the various repair/ improvement works reported. These deficiencies are quite common in properties of this age and type. Provided the necessary works are carried out to a satisfactory standard, we can see no reason why there should be any special difficulty on resale. The purchase price is considered to be excessive and we recommend that you renegotiate the purchase price after collating the results of the further investigations recommended.

**PLEASE READ THESE
NOTES**
B: THE PROPERTY & LOCATION

This section covers the important general background information on the Property and its location, including amenities and features of the vicinity as well as any environmental and other wider considerations. It also includes who appeared to be in occupation, the weather at the time of the Inspection, and any limitations on the Inspection.

Please note that, throughout the Report, the principle features and parts of a property are given in the left-hand margin thus: **B1 THE PROPERTY**
 - often followed by a list of supplementary items, such as: **n Type and Age**

**B1
THE PROPERTY**
n Type and age

The subject property comprises a detached chalet bungalow with accommodation over two floors, likely to have originally been constructed circa 1970. A loft conversion has been undertaken in recent years.

n Construction

In summary, the property is constructed as follows:

Roof: The main roof is of pitched and tiled design. There is a substantial section of flat felt roof over the rear dormer window.

Walls: The external walls are of loadbearing masonry construction with external finishes of brick and stonework.

Floors: The upper floor is of suspended timber design, i.e. chipboard decking or square edged boards over intermediate timber joists. The ground floor is of solid groundbearing concrete construction.

n Accommodation

Ground floor level: Covered porch leading into inner hallway with staircase to first floor. Door to study, WC, bedroom with en suite shower room, kitchen, dining room and living room.

First floor level: Landing, two bedrooms and family bathroom.

**n Garage and
grounds**

There is a detached single garage and small gardens are present to the front and rear.

**B2
THE LOCATION**

The property is located within a popular residential area within reasonable proximity to local amenities and services. The M20 is in close proximity, and unfortunately, some road noise is audible from the dwelling.

We assume that you have familiarised yourself with the local area and amenities and have not expanded further within the confines of this report.

**B3
CIRCUMSTANCES OF
THE INSPECTION**

The inspection was carried out in dry but overcast weather. Fitted floor coverings and furniture together with stored goods within the loft void restricted the extent of our investigations. We were unable to inspect the upper flat roof due to its height above ground level. You should arrange for an inspection to be undertaken prior to proceeding further as a precautionary measure, to determine its condition. Given the age of the flat roof it is likely to be in reasonable order.

PLEASE READ THESE
NOTES

C: THE BUILDING

Movement, timber defects and dampness are, in their various forms, the three greatest potential threats to the structure of a building. Where evidence is found of any of these conditions, advice is given on what action should be taken. (Where a problem is judged to be serious, it might prove necessary for a separate, detailed examination to be undertaken - perhaps by specialists. For example, the foundations might have to be laid open to analyse the cause of some structural movement, or the full extent of timber defects might require further investigation).

C1
MOVEMENT

We found no evidence to suggest that the property has been subject to significant movement to date nor is there evidence of ongoing instability. There are a number of semi mature trees adjacent to the left-hand side boundary. These do not appear to have resulted in significant defect to date. You should determine if there is a maintenance agreement for these trees.

The property is likely to be founded upon shrinkable clay soils which have the propensity to heave with changing moisture contents and climatic conditions. As a result, whilst we can state that there were no signs of subsidence on the day of inspection, we are unable to provide categorical assurances as to its future integrity.

C2
TIMBER DEFECTS

There were no obvious or substantial signs of timber defects on the day of inspection.

C3
DAMPNESS

A sheet damp-proof course is present to the perimeter of the property. In general this appears to be at a satisfactory height above external ground levels. The driveway falls towards the house and it would be prudent to reinspect to determine the adequacy of the external surface water drainage arrangements. Additional external drainage would be expensive to provide.

No obvious or substantial signs of internal dampness were noted. From our external investigation we noted some staining to the ridge board within the covered area adjacent to the stack. Stonework chimneys of this type are difficult to keep wholly watertight and further remedial measures are likely to be required. These can be relatively expensive to put in hand. You should obtain competitive estimates for this work prior to proceeding further.

Sections of the lead flashings between the front roof slope and the rear flat roof were showing some signs of lifting. We recommend that these sections of leadwork are re-dressed to prevent this causing internal dampness in future. There were with no obvious or substantial signs of internal dampness on the day of inspection.

**C4
CONDENSATION &
INSULATION**

There were with no obvious or substantial signs of condensation within the dwelling on the day of inspection.

The insulation of the property is reasonable, there being cavity walls, double glazed windows and doors, and some insulation within the roof void. We recommend that the insulation within the roof void is increased to match current requirements, i.e. a depth of 250mm. This should be undertaken to reduce your future heating costs.

**PLEASE READ THESE
NOTES**
C: THE BUILDING (Continued)

The roof, chimneys and other external surfaces of the building are examined from ground level, where necessary from adjoining public property and with the help of binoculars. The roof structure is examined from inside the roof space where accessible (insulation material, stored goods and other contents are not moved or lifted). The efficiency of rainwater fittings (gutters and downpipes) can only be assessed properly during the Inspection if there is heavy rain.

**C5
THE EXTERIOR**
**n Roof structure and
covering**

The main roof is of simple up and over design with a substantial flat roofed dormer window to the rear parts. Four Velux windows have been inserted to the front roof slope. The pitched roofs are covered with single lap interlocking concrete tiles. Sand and cement verges have been provided to the flanks. The flat roof is clad with green mineral felt and appears to be relatively modern.

In general the roofs were in satisfactory order. There is a general build up of moss, lichen and leaf debris to the front left-hand side that should be cleaned off as part of your upgrading and improvement programme. Some decay was noted to the sand and cement verges and the worst affected parts should be raked out and repointed.

As mentioned previously, we recommend that the lead flashings between the pitched roof and flat roof are checked and adjusted to prevent water penetration occurring in poor weather conditions.

The flat roof over the rear dormer window could not be accessed due to its height above ground level. No sign of internal water penetration was apparent and therefore we conclude that the existing arrangements are currently watertight. We recommend that you determine the age of the flat roof and arrange for an inspection to be undertaken prior to proceeding further as a precautionary measure.

Overall the roofs were in fair order with no obvious or substantial sign of disrepair.

n Chimneys

There is a single stack of stonework construction to the flank of the dwelling. An aerial has been attached to the side together with a satellite dish. No pots were visible. No fireplaces remain within the dwelling.

The stack was continuous throughout its height, no parts having been removed. Isolated repointing works would be beneficial. Should you wish to reuse the stack you will need to budget for opening up the fireplace together with sweeping and testing the flue. This should be undertaken by a reputable heating engineer prior to a legal commitment to purchase the property.

n Rainwater fittings

The rainwater fittings are of relatively modern plastic materials. The gutters should be cleaned out on a periodic basis to prevent blockage by debris. We recommend that all gutters are observed during periods of rainfall and overhauling /realignment works undertaken as necessary. The downpipe to the left-hand side flank elevation is very shallow and should be upgraded.

n Main walls

The main walls are of fair face cavity brickwork construction together with a flank elevation of coursed stone design. Creasing tile sills have been provided to a number of the windows. Isolated elevations of the brickwork have been painted, principally in the covered area.

The walls were in fair and functional condition with no obvious or substantial sign of disrepair. Hairline cracks were noted in a number of areas that should be filled, made good and monitored in future. You may wish to conceal surface mounted cable and conduit for aesthetic reasons.

There are a number of semi mature trees to the left-hand side flank, although not on land of the subject property. Your legal adviser should provide further guidance as to the ease of maintenance of these trees.

Isolated sections of the mortar pointing are weak and, whilst not urgent, the worst affected parts should be raked out and replaced. Where making good has been undertaken this is to a fair standard only and would benefit from upgrading and improvement works. Some areas of making good remain outstanding and should be put in hand to prevent water ingress.

Overall the external walls were in fair and functional condition.

The enclosing walls to the first floor accommodation are of timber frame design with an external finish of tile hanging. We were unable to inspect the timber frame and cannot confirm its adequacy, however we saw no evidence of substantial disrepair. We understand that the Local Authority has provided a completion certificate in respect of the loft conversion works.

n External joinery and decoration
Eaves

The eaves are of white uPVC materials and appear to be in fair and reasonable condition. The covered yard area has the underside clad with what is likely to be an asbestos cement board construction. You should arrange for this material to be tested prior to proceeding further as removal costs can be expensive.

Action: Arrange for test on soffit to covered area to determine whether there is an asbestos content. If asbestos fibres are present obtain an estimate for removal and reinstatement.

Windows

The windows are of modern uPVC construction with opening casements. Four Velux windows have been provided. Where tested, the windows opened and closed adequately with no obvious or substantial sign of disrepair.

Doors

The doors are of uPVC design and, where tested, opened and closed adequately. We recommend that you confirm that all glazing is in safety materials to prevent any unnecessary accidents from occurring.

Decorations

The external decorations have not been undertaken recently. We recommend that you budget for renewal within the next twelve months and every third year thereafter to provide a protective coating to the previously painted elements. Prior to this being put in hand you should budget for making good of all previously painted surfaces and general preparation.

n Other

None.

PLEASE READ THESE
NOTES

C: THE BUILDING (Continued)

Floor surfaces and under-floor spaces are examined so far as they are accessible (furniture, floor coverings and other contents are not moved or lifted). If a part or area normally examined was found to be not accessible, this is reported; if a problem is suspected, advice is given on what action should be taken. It is not possible to assess the internal condition of any chimney, boiler or other flues. (In some cases, furnishings may conceal defects).

C6

THE INTERIOR

n Roof space

The roof void is only accessible to the front, there being a trap within the cupboard off the main first floor bedroom. In summary, the roof is of substantial timber construction with timber purlins supporting timber rafters. The loft conversion is built off steel beams. No access is available to the rear loft void and we cannot therefore report on the structure and condition in the roof in this area. We recommend that the Building Regulations plans are obtained in order that the works on site can be assessed against what was designed by the structural engineer. Part of the rear roof void was concealed by stored goods that restricted our inspection.

Areas of insulation are missing to the ceiling joists and to the enclosing walls of the loft conversion. These sections should be pieced in to reduce future heating costs. The steel beam supporting the rear wall is in two sections with a bolted connection. A number of metal "shims" are placed beneath this junction and electric cable passes under the shims. We cannot confirm the adequacy of this arrangement and further comments should be obtained prior to proceeding further. Mice appear to be gaining entry into this loft void, as evidenced by chewed material.

Overall the roof structure appeared to be generally satisfactory with no obvious or substantial sign of disrepair apparent.

n Ceilings

The ceilings appear to be of modern plasterboard construction with a plaster and paint finish. Some defects are present, including hairline cracks and nail pops, that require making good prior to redecoration.

n Floors

The upper floor is of suspended timber design, i.e. chipboard decking over intermediate timber joists. The ground floor is of solid groundbearing concrete construction. The floors are not entirely level and even but are considered to be satisfactory for their purpose with no obvious sign of fundamental failure.

n Internal walls and
partitions

The internal walls and partitions are of solid and lightweight materials with finishes of plaster and paint. Again, hairline cracks were noted that should be filled and made good. A number of hairline cracks were noted adjacent to the window openings and this is likely to be due to differential expansion and contraction of the concrete and the adjoining brickwork. This is likely to be an ongoing maintenance obligation. You may wish to conceal surface mounted cable and conduit in future.

- n Fireplaces, etc No fireplaces remain within the dwelling.
- n Internal joinery and decoration
- Doors
The doors are of veneered timber construction with chrome door furniture. Isolated fanlights have been provided. The doors opened and closed adequately with no obvious or substantial sign of disrepair. Minor overhauling would be beneficial.
- Skirting Boards and Architraves
The skirting boards and architraves are of white painted profiled materials. Aside from minor decorative maintenance, these were in satisfactory condition.
- Staircase
There is a modern timber staircase to the property rising from ground to first floor level. This was in fair and functional condition with no sign of significant defect apparent. The staircase is relatively narrow.
- Kitchen
There is a relatively modern kitchen installation with wall and base units together with fitted and free standing appliances. You should satisfy yourself as to its adequacy for your requirements.
- Decorations
The property is decorated to a neutral standard. You should satisfy yourself as to its adequacy for your requirements. Thorough preparation will be necessary prior to redecoration.
- n Other None.

**PLEASE READ THESE
NOTES**
D: THE SERVICES & SITE

The efficiency, compliance with regulations and adequacy of design of services can only be assessed by tests conducted by suitably qualified specialists. Although surveyors are not specialists in these particular areas, an informed opinion can be given on the basis of the accessible evidence. Where possible, drainage inspection-chambers are examined (except in the case of flats), but drains are not tested during the Inspection. However, in all cases advice is given if there is cause to suspect a problem. Leisure facilities and non-permanent outbuildings are noted but not examined.

**D1
THE SERVICES**
n Electricity

The property is connected to mains electricity, the meter and a modern RCD type fuse board are located within the kitchen larder. There are a range of modern and older sockets present. A sticker on the front of the consumer unit states the next test date is 2012. We have no reason to suspect any significant deficiencies with the system, however you may wish to arrange for a specialist test and report as a precautionary measure.

ACTION: You are advised to instruct a NICEIC registered electrician to undertake an electrical test and report on the system prior to a legal commitment to purchase the property. See F1.

n Gas

The property is connected to mains gas, the meter being located within the kitchen larder. We have no reason to suspect any significant deficiencies with the system, however we recommend that a test and report is undertaken prior to reuse for safety reasons.

ACTION: You are advised to instruct a CORGI registered technician to undertake a safety test on the system prior to its re-use. See F1.

n Water

The property is connected to mains water. No tanks are present. The system is mains fed. We have no reason to suspect any particular problems.

n Heating

Heating and hot water is provided via a wall mounted Baxi combination boiler within the kitchen. There are a range of modern and older style radiators. The boiler appeared to be relatively modern. You should determine whether it is under a service contract. If not, you should arrange for a test and report to be undertaken prior to a legal commitment to purchase the property.

ACTION: You are advised to instruct a reputable heating engineer to test and report on the system prior to a legal commitment to purchase the property. See F1.

n Other
Sanitary fittings

The sanitary fittings are modern and generally in clean and functional order. The side panel to the bath is missing that you may wish to replace.

**D2
DRAINAGE**

In accordance with your instructions, a contractor attended and undertook a drains test. In summary, the drains extend from the left-hand side flank of the property down towards the rear garden, parallel with the rear elevation and into a chamber within the garden. A further run extends down the right-hand side flank of the property and also enters the chamber within the garage. The chamber within the garage was partially full of sewage, indicative that there is a blockage on the main drain run. The vendors were informed of this. Due to this, we were unable to test all the runs, however the runs to the rear and left-hand side flank of the dwelling were tested and appear to be generally satisfactory with no obvious sign of disrepair.

The above ground drainage works do not appear to have been wholly undertaken in accordance with good practice and some upgrading and improvement works are warranted.

We understand from the vendor that the blockage has occurred previously. We strongly recommend that the cause of this defect is ascertained in order that the remedial works can be determined. This should be undertaken prior to proceeding further as drainage works can be expensive.

ACTION: Determine reason for blockage and appropriate remedial works, prior to a legal commitment to purchase the property.

**D3
THE SITE****n Garage and
outbuildings**

There is a basic garage to the side of the property. This is of lightweight construction with corrugated roof on masonry walls together with a concrete floor. There is a metal up and over door set within a timber frame.

The garage was in poor repair generally. Upgrading and improvement works are required to put and keep it in reasonable order for the future. This is likely to include the replacement of the masonry parapet due to the cracking and failure of the lintel beneath. Rot and decay has affected the garage door frame. We cannot confirm that the corrugated roof sheets do not contain asbestos and therefore samples should be taken prior to a legal commitment to purchase the property as a precautionary measure. Some water ingress appears to be ongoing and some damp and decay was noted to the wall plate. Replacement of the worst affected sections is required.

Overall the garage was in fair order only and in need of general upgrading and improvement to put and keep it in reasonable order for the future.

**n Grounds and
boundaries**

The boundaries are made up of timber and masonry materials and were generally in satisfactory order. Some upgrading and improvement works are necessary to put them in reasonable order for the future. The hard landscaping was in fair condition and in need of general upgrading and improvement to put and keep them in reasonable order for the future. Some replacement would be beneficial.

**PLEASE READ THESE
NOTES**
E: LEGAL & OTHER MATTERS

Your Legal Advisers are responsible for checking relevant documents relating to the Property (these might include servicing records and any guarantees, reports and specifications on previous repair works) as well as for carrying out all the standard searches and inquiries. However, if any specific matters are identified which the Legal Advisers should investigate on your behalf, these are reported in this section.

**E1
TENURE**

Assumed to be freehold with vacant possession upon completion together with no onerous restrictions or encumbrances with regard to title. Your legal advisor to confirm prior to proceeding further.

**E2
REGULATIONS etc**

Your legal adviser to confirm that planning permission was granted for the loft conversion and that a completion certificate has been provided by the Local Authority for the loft conversion works.

**E3
GUARANTEES etc**

None known.

**E4
OTHER MATTERS**

Your legal advisor to confirm the following:

- That *** Road is a made up and adopted highway
- Confirm precise extent of land to be conveyed
- Confirm boundary positions and maintenance responsibilities thereof
- Confirm planning permission and building regulations approval was sought and granted for the loft conversion

ACTION

You should **IMMEDIATELY** pass a copy of this Report to your Legal advisers, asking them to check:

1. the standard searches and inquiries;
2. all the relevant items referred to in sub-sections E1-E4;
3. the assumptions made in arriving at the Market Value (which are itemised in the footnote to Section G1).

PLEASE READ THESE NOTES
F: SUMMARY

Assuming that you decide to proceed with the purchase of this Property, there may be some things on which you should take action, such as obtaining competitive quotations for urgent repairs. (If any further investigation of some urgent matter is recommended, this will involve a second visit to the Property, perhaps by an appropriate specialist who will submit a separate report).

F1 ACTION
ACTION

If, after reading and considering this Report, you intend to proceed with the purchase, or in Scotland make an offer, you should IMMEDIATELY pass a copy of this Report to your Legal Advisers – as advised in Section E. They will check (i) the standard searches and inquiries; (ii) all the relevant items covered in sub-sections E1-E4; and (iii) the assumptions made in arriving at Market Value.

Any ACTION recommendations made in Sections B, C and D are listed below under the relevant headings. In each case (if any), I strongly advise you to obtain competitive quotations from reputable contractors at once.

As soon as you have these, as well as the responses from your Legal Advisers, I will be pleased to advise you whether or not they would cause us to change the advice or Valuation given in this Report. Only when you have all this information will you be fully equipped to make an informed judgement on whether or not to proceed.

If you should decide to exchange contracts (or in Scotland, make an offer) without obtaining this information, you might have to accept the risk that some adverse factors might come to light after you are committed to the purchase.

n Urgent matters

It is recommended that you treat the following matters – all discussed earlier in the Report – as urgent matters, to be remedied as soon as possible after purchase:

- None.

n Further investigation

It is recommended that the following specialist reports and investigations are obtained prior to exchange of contracts:

- C3 - Confirm adequacy of external surface water drainage arrangements, particularly to the front of the site
- C5 - Asbestos investigation
- C5 - Confirm adequacy of flat roof
- D1 - Electrical test
- D1 - Gas safety test
- D1 - Heating and hot water test
- D3 - Obtain estimates for repairs to garage
- D2 - Determine reason for blockage of drains and obtain estimate for remedial works

F2
MAINTENANCE
CONSIDERATIONS

- Clean out gutters and clean off roof slopes
- Confirm stack is fully weathered

F3
OTHER CONSIDERATIONS

- None

PLEASE READ THESE
NOTES

G : VALUATION

In arriving at the opinion of the Property's Market Value as defined in Section D2 of the *Description of the HOMEBUYER Service* (attached), various assumptions* are made, subject to any change stated below. Legal Advisers, and others who undertake property conveyancing, should be familiar with the assumptions and are responsible for checking those concerning legal matters. *The opinion of the Market Value given below could be affected by the outcome of the inquiries by your Legal Advisers [Section E] and/or any further investigation and quotations for urgent repairs [Section F]. The Valuation assumes that your Legal Advisers will obtain satisfactory replies to their inquiries relating to the assumptions made in this Report.*

G1
MARKET VALUE

In my opinion, the Market Value on ** 2008, of the freehold interest in this property - as inspected, with vacant possession - was £000,000.00 (HUNDRED AND THOUSAND POUNDS).

You are invited to refer back to us for further advice relating to the valuation following receipt of further reports and estimates recommended within this report.

G2
INSURANCE COVER
[Reinstatement Cost]

On the assumption that the property is insured under a satisfactory policy covering the whole building, the current cost of reinstating the property in its present form is estimated to be £000,000.00 (HUNDRED AND THOUSAND POUNDS). The external floor area of the accommodation is approximately 148 sq.m.

- This Report is provided in accordance with the terms of the *Description of the HOMEBUYER Service* previously supplied, subject to any agreed addition noted below. (An additional copy is attached herewith).
- The Report is solely for your use and your professional advisers, and no liability to anyone else is accepted. Should you not act upon advice contained in the Report, no responsibility is accepted for the consequences.
- I hereby certify that the Property has been inspected by me and that I have prepared this Report, including the opinion of Market Value.

Signature

Surveyor's Name and
Professional Qualifications Daniel Cooper BSc (Hons) MRICS DipSurv

Name and Address
of Surveyor's organisation **REAL** surveys
121 St James Road
Tunbridge Wells
Kent TN1 2HG

Date of Report *** 2008

Agreed Addition (if any) to
The *Description of the Service* Contractor to undertake drains test

« Full details of these assumptions are available from the Surveyor. The most important are, in brief:

- Concerning the materials, construction, services, fixtures and fittings, etc. that:
- No significant defects or cause to alter the Valuation would be revealed by an inspection of those parts which have not been inspected;
 - No hazardous or damaging materials or building techniques have been used in the Property; there is no contamination in or from the ground; and the ground is not land-filled;
 - The Property is connected to, and there is the right to use, the reported main services; and
 - The Valuation takes no account of furnishings, removable fittings and sales incentives of any description.

Concerning legal matters, that:

- The Property is sold 'with vacant possession';
 - No laws are broken by the condition of the Property or by its present or intended use;
 - The Property is not subject to any particularly troublesome or unusual restrictions; it is not affected by any problems which would be revealed by the usual legal inquiries; and all necessary planning permissions and building regulations consents (including consents for alterations) have been obtained and complied with; and
- The Property has the right to use the main services on normal terms; and the sewers, main services and roads giving access to the Property have been 'adopted' (i.e. are under local authority, not private, control).