

Appendix 3 to Statement of Case

Global note of discrepancies or clarifications in the information contained in the Book of Reference

Purpose - this note is intended to highlight relevant information that is missing from the Book of Reference where such matters affect a number of Plots listed in the Book of Reference and where it is easier and clearer to illustrate the issue in question by commenting globally rather than making notes against specific entries in the Book of Reference. We have also made a number of specific corrections/clarifications within an extract of the Book of Reference which is at Appendix 4. This note therefore should be read in conjunction with Appendix 4.

User notes –

- We have sought to prefix each of the points in the note with the Scheme Plots numbers that are affected.
 - As we explained in the Statement of Case, we submit the information in this note on behalf of the parties described in the Statement of Case as the Pembertons, some of which are the legal owners of Plots in the Scheme or affected by the Scheme; others have beneficial interests. In the Statement of Case and this Appendix and in Appendix 3 we have confirmed or clarified the legal ownerships. Further information on beneficial ownerships can be provided if needed.
1. Plots 1 to 36 - The Pembertons have sold four freehold plots to Cambridge University NHS Foundation Trust (“CUHFT”) which include the grant of rights to CUHFT of access and for services which will need to be preserved and reserve the benefit of covenants to the Pembertons’ landholdings. Not all the transfers are correctly listed against the relevant Plots in the Book of Reference: The relevant transfers are as follows:
 - 1.1 Transfer dated 26 March 2013 (“MSCP”) (title number CB378498).
 - 1.2 Transfer dated 23 July 2015 (“Energy Centre”) (title number CB404605).
 - 1.3 Transfer dated 30 March 2020 (“West Plot”) (title number CB452104).
 - 1.4 Transfer dated 30 March 2020 (“East Plot”) (title number CB452107).
 2. The Pembertons have granted the following leases of infrastructure to Cambridge Medipark Limited as tenant the demises of which will be affected by the Scheme in relation to the Plots specified (N.B.– we have tried to accurately identify the Plots affected by the relevant lease demises affected, but this will be dependent on the boundary details of the Scheme):

- 2.1 Plot 1 to 7: Lease of top of Francis Crick Avenue dated 29 July 2008 registered under title number CB338760.
- 2.2 Plots 1-10, 12, 13 and 15: Lease of Francis Crick Avenue dated 9 March 2010 registered under title number CB353750.
- 2.3 Plots 1,3,4,5,6,7 and 8: Lease of the Circus and Piazza /The Green and the Gardens dated 30 March 2015 registered under title number CB401245.
- 2.4 Plots 10 and 14C: Lease of Dame Mary Archer Way dated 28 November 2013 registered under title number CB387420.
- 2.5 Plots 14C, 14D and 16: Lease of Infrastructure south of Dame Mary Archer Way ("Abcam Infrastructure") dated 27 February 2017 registered under title number CB422664.

together the "Affected Infrastructure Leases".

- 3. Plots 1-36 - Cambridge Medipark Limited as tenant will need to retain the ability to access and service the demises of all Affected Infrastructure Leases and the following additional Infrastructure leases:

- 3.1 Lease of Infrastructure south of Dame Mary Archer Way dated 11 May 2022 ("1000 Discovery Drive Infrastructure Lease") registered under title number CB470255 as varied by a supplemental deed dated 20 December 2023.
- 3.2 Lease of Infrastructure south of Dames Mary Archer Way dated 20 December 2024 ("2000 Discovery Drive Infrastructure"). This lease is currently pending registration at the Land Registry.

The ability to access and service such leases is affected by the Scheme and will need to be protected.

- 4. Plots 1 to 10, 12, 13,15, 14C , 14D and 16 - The Affected Infrastructure Leases include the reservation of rights for access, services, drainage and to make connections and carry out works to benefit the following Pembertons' land holdings which rights are affected by the Scheme and will need to be protected;

- 4.1 CB345371 (land on the southwest side of Robinson Way, Trumpington, Cambridge : **Registered Proprietor:** Richard Francis Antony Pemberton and Philip Edward Cowen.
- 4.2 CB345398 (land lying to the south of Robinson Way, Cambridge) : **Registered Proprietors:** Antony Francis Pemberton, William Robert Bartle Edwards, Richard Francis Antony Pemberton.

- 4.3 CB345456 (land lying to the south of Long Road, Cambridge) : **Registered Proprietor:** Antony Francis Pemberton.
 - 4.4 CB241427 (land on the west side of Granhams Road, Great Shelford, Cambridge): **Registered Proprietors:** Richard Francis Antony Pemberton, Charles Jerney Pemberton, Jeremy Wingate Pemberton.
 - 4.5 CB353226 (Land on the west of Granhams Road, Great Shelford, Cambridge): **Registered Proprietors** - Richard Francis Antony Pemberton, Charles Jerney Pemberton, Jeremy Wingate Pemberton.
 - 4.6 CB466305 (Land at Whitehill Farm, Granhams Road, Great Shelford, Cambridge CB22 5JY) **Registered Proprietors** - Richard Francis Antony Pemberton, Charles Jerney Pemberton, Jeremy Wingate Pemberton.
 - 4.7 CB345503 (Whitehill Farm, Granhams Road, Great Shelford CB22 5JY) : **Registered Proprietor** - Jeremy Wingate Pemberton.
5. Plots 1 to 36 – The Pembertons’ land holdings referred to in paragraphs 4.1- 4.7 above benefit from the potential for the grant (inter family) of freehold rights of access, drainage and services including for future development of any or all of those parcels by virtue of the parcels all being in the ownership of the Pembertons . In addition to the potential grant of rights, the landholdings benefit from and require actual usage of the access and services referred to. The Scheme/Book of Reference does not currently deal with the protection of these rights and interests.
6. Plots 1 to 36 - The Pembertons have granted occupational or development leases/agreements (“Tenancies”) which include the grant of rights of access and for services and other rights over relevant Plots 1 to 36 . These rights will be affected by the Scheme and not all these interests are correctly listed against the relevant Plots in the Book of Reference:
- 6.1 **Original Tenant:** Medical Research Council.
 - 6.1.1 Interest: Lease dated 29 July 2008 registered under title number CB337731 “MRC Site”.
 - 6.2 **Original Tenant:** Cambridge Medipark Limited.
 - 6.2.1 CML Leases (as listed in paragraphs 2 and 3 above)
 - 6.2.2 Overriding Lease dated 29 July 2008 registered under title number CB338762 “Overriding Lease MRC Site”.

- 6.2.3 Overriding lease dated 27 February 2017 registered under title number CB422665 “Abcam Overriding Lease”.
- 6.2.4 Infrastructure Lease – Cycle Path (“2000 Discovery Drive Cycle Path “) dated 20 December 2024 – pending registration.
- 6.2.5 Infrastructure Lease – Temporary Access Road (“2000 Discovery Drive Access Road”) dated 20 December 2023- pending registration.
- 6.2.6 Infrastructure Lease (Temporary Car Park in connection with 2000 Discovery Drive) dated 20 December 2024 – pending registration.
- 6.2.7 Compound Lease (Compound Area in connection with 2000 Discovery Drive) dated 20 December 2024.
- 6.2.8 Soil Storage Licence (in connection with 2000 Discovery Drive) dated 20 December 2024.
- 6.3 **Original Tenant:** AstraZeneca UK Limited and MedImmune Limited
 - 6.3.1 Lease dated 30 March 2015 registered under title number CB401313 as varied by three deeds of variation dated 26 January 2018, 25 July 2022 and 9 May 2024 (“AZ North”).
 - 6.3.2 Lease dated 30 March 2015 registered under title number CB401311 as varied by three deeds of variation dated 26 January 2018, 25 July 2022 and 9 May 2024 (“AZ South”).
 - 6.3.3 Lease dated 12 June 2018 registered under title number CB433371 (“Gas Governor Lease”).
- 6.4 **Original Tenant:** HSBC Trust Company (UK) Limited as nominee of Tesco Pension Fund.
 - 6.4.1 Lease dated 27 February 2017 registered under title number CB422257 as varied by a deed of rectification dated 30 June 2017 (“Abcam “).
- 6.5 **Original Tenant:** The Chancellor Masters and Scholars of the University of Cambridge:
 - 6.5.1 Lease dated 26 September 2016 registered under title number CB417903 (“Plot A”).
 - 6.5.2 Lease dated 24 March 2017 registered under title number CB423030 (“Plot B”).

6.6 **Original Tenant:** Papworth Hospital NHS Foundation Trust

6.6.1 Lease dated 22 December 2014 registered under leasehold title CB397998 ("Papworth").

6.7 **Original Tenant :** Prologis UK CCCXI SARL

6.7.1 Lease dated 11 May 2022 registered under leasehold title CB470252 ("1000 Discovery Drive").

6.7.2 Deed of grant of easement dated 20 December 2023 ("LN Gas Tank") - pending registration.

6.8 **Original Tenant:** Prologis UK 120 Limited

6.8.1 Lease dated 20 December 2024 ("2000 Discovery Drive) – pending registration at the Land Registry.

7. Plots 1-36 - We are aware that some of the Tenancies referred to in paragraph 6 are also now subject to underleases which will also be reliant on the access and services easements granted in the Tenancies and these will be affected by the Scheme and need to be protected. The Pembertons would not necessarily have needed to consent to those underleases and therefore we cannot provide a comprehensive list, but further detail should be sought from the relevant tenants. We are, however, aware of the following underlease:

7.1 Plots 1 to 7 – An underlease dated 30 March 2015 (granted as an underlease to the lease referred to in paragraph 2.2 above) to Original Subtenant: AstraZeneca UK Limited and MedImmune Limited. Our clients were not a party ("AZ Tunnel") .

8. Plots 1-36 - The Pembertons have granted and/or consented to the grant of easements as follows which will include rights that are affected by the Scheme that will need to be protected:

8.1 **Easement Grantee :** AstraZeneca UK Limited and Medimmune Limited

8.1.1 Plots 1-7 - Deed of Easement for Underground Service Media dated 29 November 2019 ("Foul Drainage Easement") .

8.2 **Easement Grantee:** The Electricity Network Company Limited

8.2.1 Plots 11A, 13 and 14A - Easements granted in a lease of an electricity substation dated 20 September 2018 and registered under title number CB436400 ("Abcam Electricity substation")

8.3 Easement Grantee: Cambridge University Hospitals NHS Foundation Trust

8.3.1 Plots 1-11 – Deed of Easement dated 2 December 2013 as varied by a deed of variation dated 30 March 2022 .

8.4 Easement Grantee: Cadent Gas Limited

8.4.1 Deed of grant of Easements (gas pipe) dated 23 September 2024 - pending registration at the Land Registry.

8.5 Easement Grantee: Prologis UK CCCSI SARL

8.5.1 Deed of grant of easement dated 20 December 2023 - pending registration.

9. Plots 1-7 - The Pembertons have the following agreements in place with Cambridgeshire County Council in relation to the transfer of land and the grant of easements required for the Cambridge Guided Bus and the reservation of easements in favour of Pembertons' land holdings which are affected by the Scheme and will need to be protected:

9.1.1 Agreement dated 15 October 2009 made between (1) Cambridgeshire County Council (2) Cambridge Medipark Limited and (3) AF Pemberton and others.

9.1.2 Agreement dated 20 March 2007 made between (1) Cambridgeshire County Council (2) AF Pemberton and others (3) Countryside Properties (UK) Limited (4) Cambridge Medipark Limited (5) Cambridge University Hospital Foundation Trust

10. Plots 1-36 - The Pembertons have long term development and option agreements which include obligations to grant easements and rights for access and services and for the reservation of rights of access and services for the benefit of the Pembertons' land holdings set out in paragraph 2.1 above which are affected by the Scheme. The rights will need to be protected:

10.1 Option Holder: Cambridge University Hospitals NHS Foundation Trust

10.1.1.1 A Co-operation Agreement dated 23 July 2003 as varied by two deeds of variation dated 28 May 2008 and 11 May 2022

10.2 Option Holder: Cambridge Medipark Limited

10.2.1.1 Option Agreement dated 23 July 2003 as varied by 12 Supplemental Agreements.

11. South ditch present and future interests

11.1 Plots 1-36 - The Scheme includes part of the South Ditch within Plots 18 - 22 (there is potential that the location of the South Ditch affects other Plots dependent on boundaries). The Pembertons own all or part of the South Ditch within the affected plots. The South Ditch provides surface water drainage to the Affected Infrastructure Leases defined above and the Tenancies listed at paragraph 6 above and to the Pembertons' landholdings specified in paragraph 4.1-4.7.

11.2 The ability to drain through the existing surface water infrastructure and to and through the South Ditch for both the existing interests and the future development of the Pembertons' landholdings at the appropriate capacity is affected by the Scheme and needs to be preserved.

12. Hobsons Conduit present and future interests

Plots 1-36 The Campus benefits from easements for surface water drainage into Hobson's Conduit which will potentially be interrupted by the Scheme. The Campus benefits from drainage into Hobson's Conduit as follows:

12.1 Each of the freehold plots transferred to CUHFT and listed in paragraph 1 and the land subject to the Tenancies and listed in paragraph 6 (including the Pembertons freehold reversions to them) benefit from express deeds of grant from the Hobson Conduit Trustees.

12.2 The Hobson's Conduit Trustees have by way of an Agreement dated 25 June 2008 entered into an agreement to grant additional freehold drainage easements for the benefit of both future leasehold development plots and freehold land to be transferred to CUHFT.

12.3 The Campus and other Pemberton land holdings benefit from existing prescriptive or historic drainage rights into Hobson's Conduit.

12.4 The Pembertons also own the unregistered freehold reversion to part or parts of Hobson's Conduit.

The ability to drain to and through Hobson's Conduit for both the existing interests and the future development of the Pembertons' landholdings at the appropriate capacity is affected by the Scheme and needs to be preserved.

13. The Book of Reference includes details of the following Pemberton parties which are historic, and it is not clear which parcels of land are referenced. These will need to be investigated and corrected:

- 13.1 Plot 1 - Viola Patience Campbell Pemberton (died 1972).
- 13.2 Plot 32 – Peter Richard Wingate Pemberton (died 2023).