

Review of the pre-contract search results

Purchase of 9 Castle Hill Blakey

1. The local authority search

There is one entry in the local land charges register and that is a planning entry: "Rear bedroom dormer extension with balcony, 1 rear and 1 side roof light, removal of chimney and other external alterations (part-retrospective)."

This confirms the existence of a planning consent for the extension bedroom at the rear of the property and should be reported to the clients.

Arising out of the replies to standard enquiries the following points should be noted and reported to the clients:

- The property is in a recently declared conservation area. The effect of this should be mentioned to the client, i.e. the external appearance of the property cannot be altered in any way without the permission of the local authority.
- Castle Hill is an adopted road maintained by the local authority.
- The rear passageway is private, not being maintained by the council and there is the possibility that an owner of this property might be liable for the cost of the upkeep of the rear passageway.
- Finally properties in this location appear to have a low risk of radon gas contamination. This information should be passed to the clients with the suggestion that they seek further advice on the point from their surveyor. The surveyor should be urged to contact the Health Protection Agency direct at the following address: Health Protection Agency Centre for Radiation, Chemical and Environmental Hazards Radiation Protection Division Chilton Didcot Oxon OX11 0RQ.

2. The water and drainage search (The search result only is available, not the search application form)

There are extensive answers the details of which should be reported to the client with the suggestion that should any concerns arise that these should be referred to their surveyor for further guidance. In particular the following points should be noted:

- Foul water from the property drains to the public sewerage system.
- Surface water from the property does drain to the public sewerage system.
- The sewerage and water undertakers for the area are Cornshire Water Plc, The Valley Blakey, CL22 4HO.
- Records indicate that the property is connected to mains water supply.
- The property has a water meter and so water charges are based on actual volumes of water measured through the water meter. The meter serial number is: 14226579551.
- Records confirm that a surface water drainage charge is payable for the property at £34.75 per year.

- Details of a water quality analysis made by the water undertaker for the water supply zone in respect of the most recent calendar year confirm that tests met the standards prescribed by the 2000 Regulations or the 2001 Regulations, except that: 1 of 36 tests failed to meet the standard for odour.
- Finally the nearest sewage treatment works is 1.04 kilometres south east of the property.

What other pre-contract searches should be considered?

As the property is unregistered a **search of the Index Map** at the Land Registry should be completed to make sure that no part of the subject property is already registered. The result will also say if another tenure is already registered, e.g. leasehold and whether or not here is a caution against first registration already registered against the subject property.

There may be environmental concerns because the two searches above have highlighted that radon may affect the property, (a radioactive gas) and there is an odour problem with the water. Consequently an **environmental search** should be completed to check on such matters including pollution and flood risk that might affect insurance for the subject property.

A **physical inspection** of the property is always required to check the condition of the property as well as boundaries and fixtures and fittings. The buyers and their surveyor should carry out this inspection.

A **land charges search** should be completed before exchange of contracts if you have the title, the search request going to the land charges department. By doing this search any title concerns can be dealt with at the earliest opportunity, e.g. an undisclosed encumbrance such as a restrictive covenant registered as a D(ii) but not mentioned in the deeds disclosed.

A **chancel repairs search** is required. A chancel is the part of a church containing the altar, sanctuary, and choir, usually separated from the nave and transepts by a screen. If the subject property is in a parish with a vicar of a medieval church then there can be a liability to contribute to the cost of repairs to the chancel of that church. A commercial search provider currently offers a screening report that establishes if a property is located within the boundary of a 'risk parish' which could charge for chancel repairs. 'Chancelcheck' is available online at www.clsi.co.uk/. Where potential risk is identified, the same company offers indemnity insurance.

Any **locality driven searches**, e.g. is coal mining likely in Cornshire? If so then a coal mining search is required.

Finally if the property is newly built or on the edge of town then a **commons registration search** is required by way of an extra question to the local council. This will confirm if the property is subject to any registrations under the Commons Act 2006.