

Annexe J

Specimen property search forms

September 2005

OFT810j

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1 LLC1 FOR USE IN ENGLAND AND WALES

LLC1.(Local Land Charges Rules 1977 Schedule 1, Form C)

Official Number _____
(To be completed by the registering authority)

The duplicate of this form must also be completed:
a carbon copy will suffice

For directions, notes and fees see overleaf

Insert name and address of registering authority in space below

Register of local land charges

Requisition for search and official certificate of search

Requisition for search

(A separate requisition must be made in respect of each parcel of land except as explained overleaf)

An official search is required in Part(s) _____ of the register of local land charges kept by the above-named registering authority for subsisting registrations against the land [defined in the attached plan and]² described below.

Description of land sufficient to enable it to be identified

Name and address to which certificate is to be sent

Signature of applicant (or his solicitor)

Date

Telephone number

Reference

Enclosure
Cheque/Money Order/Postal Order/Giro

Official certificate of search

It is hereby certified that the search requested reveals no subsisting registrations³

or the _____ registrations described in the Schedule hereto³ up to and including the date of this certificate.

Signed

On behalf of

Date

1 Delete if inappropriate. Otherwise insert Part(s) in which search is required.

2 Delete if inappropriate. (A plan should be furnished in duplicate if it is desired that a copy should be returned.)

3 Delete inapplicable words. (The Parts of the Schedule should be securely attached to the certificate and the number of registrations disclosed should be inserted in the space provided. Only Parts which disclose subsisting registrations should be sent.)

4 Insert name of registering authority.

Directions and notes

- 1 This form and the duplicate should be completed and sent by post to or left at the office of the registering authority.
- 2 A separate requisition for search should be made in respect of each parcel of land in respect of which a search is required except where, for the purpose of a single transaction, a certificate is required in respect of two or more parcels of land which have a common boundary or are separated only by a road, railway, river, stream or canal.
- 3 'Parcel of land' means land (including a building or part of a building) which is separately occupied or separately rated or, if not occupied or rated, in separate ownership. For the purpose of this definition an owner is the person who (in his own right or as trustee for any other person) is entitled to receive the rack rent of land, or, where the land is not let at a rack rent, would be so entitled if it were so let.
- 4 The certificate of the result of an official search of the register refers to any subsisting registrations,

To be completed by authorised officer

SPECIMEN

2 CON29 PART ONE FOR USE IN ENGLAND AND WALES

CON 29 Part I STANDARD ENQUIRIES of Local Authority (2002 Edition)

This form and a plan must be submitted in duplicate.



The Law Society

Please type or use BLOCK LETTERS

A.

For Local Authority Completion only

2

To:

Search No _____
The replies are attached

Signed: _____
Proper Officer

Dated: _____

B.

C.

CON 29 Part I STANDARD ENQUIRIES of Local Authority (2002 Edition)

PLANNING AND BUILDING REGULATIONS	
<p>1.1. Decisions and Pending Applications What applications for any of the following (if applicable) have been granted, refused or are now pending?</p> <ul style="list-style-type: none"> (a) planning permissions (b) listed building consents (c) conservation area consents (d) certificates of lawfulness of use or development (e) building regulation approvals (f) building regulation completion certificates (g) certificate of compliance of a replacement window, rooflight, roof window or glazed door. <p>How can copies of any of the above be obtained?</p> <p>1.2 Planning Designations and Proposals What designations of land use for the property or the area, and what specific proposals for the property, are contained in any current adopted or proposed development plan?</p>	<p>3.6. Traffic Schemes Approval by the Council of any of the following, not yet implemented, in respect of such of the roads, footways and footpaths mentioned in Box B (and, if applicable, Box C) which abut the boundaries of the property:</p> <ul style="list-style-type: none"> (a) permanent stopping up or diversion (b) waiting or loading restrictions (c) one way driving (d) prohibition of driving (e) pedestrianisation (f) vehicle width or weight restriction (g) traffic calming works e.g. road humps (h) residents parking controls (i) minor road widening or improvement (j) pedestrian crossings (k) cycle tracks (l) bridge construction.
ROADS	
<p>2. Which of the roads, footways and footpaths mentioned in boxes B and C are:</p> <ul style="list-style-type: none"> (a) highways maintainable at public expense; (b) subject to a current legal agreement for adoption and, if so, is the agreement supported by a bond or other financial security; (c) to be made up at the cost of the frontagers under a current Council resolution; (d) to be adopted without cost to the frontagers under a current Council resolution. 	<p>3.7. Outstanding Notices Current statutory notices relating to the property under legislation relating to building works, environment, health and safety at work, housing, highways or public health, other than those falling elsewhere within 3.1 to 3.13.</p> <p>3.8. Infringement of Building Regulations Proceedings authorised by the Council for infringement of the Building Regulations in respect of the property.</p> <p>3.9. Notices, Orders, Directions and Proceedings under Planning Acts Subsisting notices, orders, directions, or proceedings, or those which the Council has decided to issue, serve, make or commence in the following categories (other than those which are shown in the Official Certificate of Search or which have been withdrawn or quashed) relating to the property:</p>
OTHER MATTERS	
<p>Apart from matters entered on the registers of local land charges, do any of the following matters apply to the property? How can copies of relevant documents be obtained?</p>	

3 CON29 PART TWO FOR USE IN ENGLAND AND WALES

CON 29 Part II OPTIONAL ENQUIRIES of Local Authority (2002 Edition)

This form and a plan must be submitted in duplicate. This form may be returned if the land/property cannot be easily identified.



The Law Society

Please type or use BLOCK LETTERS

A.

For Local Authority Completion only

To: SPECIMEN	Search No _____ The replies are attached Signed: _____ Proper Officer Dated: _____
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4

B.

Address of the land/property NLPG UPRN: Address 1:

C.

Optional Enquiries [please tick as required] <input type="checkbox"/> 4. Road proposals by private bodies <input type="checkbox"/> 5. Public paths or byways

CON 29 Part II OPTIONAL ENQUIRIES of Local Authority (2002 Edition)
OPTIONAL ENQUIRIES FROM BOX C

<p>ROAD PROPOSALS BY PRIVATE BODIES</p> <p>4. What proposals by others (i), still capable of being implemented, have the Council approved for any of the following, the limits of construction of which are within 200 metres of the property:</p> <p>(a) The construction of a new road, or</p> <p>(b) The alteration or improvement of an existing road, involving the construction, whether or not within existing highway limits, of a subway, underpass, flyover, footbridge, elevated road, dual carriageway, the construction of a roundabout (other than a mini-roundabout) (ii) or the widening of an existing road by the construction of one or more additional traffic lanes?</p> <p>(i) This enquiry refers to proposals by bodies or companies (such as private developers) other than the Council (and where appropriate the County Council) or the Secretary of State.</p> <p>(ii) A mini-roundabout is a roundabout having a one-way circularity carriageway around a flush or slightly raised circular marking less than 4 metres in diameter and with or without flared approaches.</p>	<p>URBAN DEVELOPMENT AREAS</p> <p>12.1. Is the area an urban development area designated under Part XVI of the Local Government, Planning and Land Act 1980?</p> <p>12.2. If so, please state the name of the urban development corporation and the address of its principal office.</p>
<p>PUBLIC PATHS OR BYWAYS</p> <p>5.1. Is any public path, bridleway or road used as a public path or byway which abuts on, or crosses the property shown in a definitive map or revised definitive map prepared under Part IV of the National Parks and Access to the Countryside Act 1949 or Part III of the Wildlife and Countryside Act 1981?</p> <p>5.2. If so, please mark its approximate route on the attached plan.</p>	<p>ENTERPRISE ZONES</p> <p>13. Is the area an enterprise zone designated under Part XVIII of the Local Government, Planning and Land Act 1980?</p>
<p>ADVERTISEMENTS</p> <p>Entries in the Register</p> <p>6.1. Please list any entries in the Register of applications, directions and decisions relating to consent for the display of advertisements.</p> <p>6.2. If there are any entries, where can that Register be inspected?</p> <p>Notices, Proceedings and Orders</p> <p>6.3. Except as shown in the Official Certificate of Search:</p> <p>(a) has any notice been given by the Secretary of State or served in respect of a direction or proposed direction</p>	<p>INNER URBAN IMPROVEMENT AREAS</p> <p>14. Have the Council resolved to define the area as an improvement area under s.4 of the Inner Urban Areas Act 1978?</p>
<p>ENTRIES IN THE REGISTER</p> <p>6.1. Please list any entries in the Register of applications, directions and decisions relating to consent for the display of advertisements.</p> <p>6.2. If there are any entries, where can that Register be inspected?</p> <p>Notices, Proceedings and Orders</p> <p>6.3. Except as shown in the Official Certificate of Search:</p> <p>(a) has any notice been given by the Secretary of State or served in respect of a direction or proposed direction</p>	<p>SIMPLIFIED PLANNING ZONES</p> <p>15.1. Is the area a simplified planning zone adopted or approved pursuant to s.83 of the Town & Country Planning Act 1990?</p> <p>15.2. Have the Council approved any proposal for designating the area as a simplified planning zone?</p>
	<p>LAND MAINTENANCE NOTICES</p> <p>16. Have the Council authorised the service of a maintenance notice under s.215 of the Town & Country Planning Act 1990?</p>
	<p>MINERAL CONSULTATION AREAS</p> <p>17. Is the area a mineral consultation area notified by the county planning authority under Schedule 1 para 7 of the Town & Country Planning Act 1990?</p>
	<p>HAZARDOUS SUBSTANCE CONSENTS</p> <p>18.1. Please list any entries in the Register kept pursuant to s.28 of the Planning (Hazardous Substances) Act 1990.</p> <p>18.2. If there are any entries:</p> <p>(a) how can copies of the entries be obtained?</p> <p>(b) where can the Register be inspected?</p>

4 EDINBURGH COUNCIL PROPERTY ENQUIRY CERTIFICATE



LP2 [REDACTED]

EDINBURGH 17

Date: [REDACTED]

Your PEC User Reference:

AK/AF/Walker

This Certificate's Ref No: [REDACTED]

PROPERTY ENQUIRY CERTIFICATE

With Reference to your recent enquiry, regarding the property at: [REDACTED] Detailed below is the information available from the City of Edinburgh Council and its partners.

Planning, Listed Building and Conservation Area Information. (See

PROPERTY ENQUIRY CERTIFICATE

Part One - Planning (See Note One)

The property is affected as follows :

Listed Buildings (D1)

The property is referred to in the Statutory List of Buildings of Architectural and/or Historic Interest

Category: B

Reference: 03/00366/B

Conservation Area (D2)

Area Name: Portobello Conservation Area

Reference: CONARA/1340

Article 4 Direction (D6)

This property is affected by an Article 4 Direction

Reference: ART4/20048

Note:- The information on Enforcement Notices covers Notices issued to date.

Part Two - Roads Information (See Note Two)

The general adoption status of the road, description of it's extent and any Transport Proposals which affect the property are as follows:

Adopted (E1)

From the north side of Portobello HIGH STREET at No.164 to the PROMENADE. Carriageways and adjacent footways adopted for maintenance. Excluding the PRIVATE STREET: BATH STREET LANE adjoining at the gable ends of the Hotel at Nos1-3 and house No 5. And again at the gable ends of Nos1315.

Adopted (E1)

From the north side of Portobello HIGH STREET at No.164 to the PROMENADE. Carriageways and adjacent footways adopted for maintenance. Excluding the PRIVATE STREET: BATH STREET LANE adjoining at the gable ends of the Hotel at Nos1-3 and house No , 5. And again at the gable ends of Nos13,15.

Road Proposal within 50m (E7)

- Within 50m of the following Road Proposal - SAFEGUARDED OFF ROAD CYCLE

PROPERTY ENQUIRY CERTIFICATE

ROUTE - Portobello Promenade, 1600m or thereby. For further information please refer to the Local Area Plan available at No.1 Cockburn Street.

Part Three - Building Warrant and Related Statutory Notices Information (See Note Three)

The property is affected as follows :

H2 dangerous buildings notice

This property is affected by a Dangerous Building Notice served under section 13 of the Building (Scotland) Acts 1959/70. For further information please contact the survey section. Ext 459 5550/5552.

Notice Reference: 2BA04

Further details from G. Findlay, 0131-529-3592

Common Charge Invoice Number: 45005821

Internal Reference: DB54701

Notice Served: 21/12/2000

H6 section 24(2) and 31(4) emergency notice

Notice Reference: 3BQ35

N/23228/KC/Repairs

Common Charge Invoice Number: 41395251

Common Charge Invoice Number: 41391221

Internal Reference: TE69472

Notice Served: 28/11/2001

H6 section 24(2) and 31(4) emergency notice

Notice Reference: 3BR37

N/26613/DJ/Repairs

Common Charge Invoice Number: 41149255

Common Charge Invoice Number: 41149275

Internal Reference: TE70384

Notice Served: 08/07/2002

**Part Four - Housing Notices, Environmental Protection and Health and Safety Information
(See Note Four)**

The property is affected as follows :

HAA improvement (L3)

Notice Reference: 7

Notice Served: 25/10/1990

Certificate Reference number [REDACTED]

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Part Five - Water and Drainage (See Note Five)

The property is affected by none of the above

SPECIMEN

PROPERTY ENQUIRY CERTIFICATE

Notes

In preparing this certificate a range of factors have been examined. Where the property you have sought a certificate for is a flat, as part of a tenement building, the information detailed below relates to the notices served on the flat's address.

Note One: Planning Information

The planning information given in this certificate relates to the following matters:

Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997: Section 01 (Listing of buildings of special architectural or historic interest), Section 34 (Listed Building Enforcement Notice) and Section 61 (Designation of Conservation Areas).

Town & Country Planning (Scotland) Act 1997:Section 189 (Compulsory Purchase Order); and Section 127 & 140 (Enforcement Notice).

Town & Country Planning (General Permitted Development)(Scotland) Order 1992 - Article 4. An Article 4 direction is a direction restricting the permitted development rights given to a property under the Planning Acts. If you require information as to which permitted development rights are affected by the Article 4 please contact City Development Department (Planning and Strategy), details provided below.

NB: Any planning applications recorded for this property since 1 October 1990 are noted in this certificate. For applications made before this, please see the contact list at the end of this certificate. In addition, the information on Enforcement Notices covers Notices issued up to date.

Note Two: Roads Information

The roads information given in this certificate relates to the following matters:

Roads (Scotland) Act 1984: Section 01 (Powers and Duties of Local Road Authorities (The List of Public Adopted Roads)) - providing information on the general adoption status of the carriageways, kerbs, footways and verges where they exist in the street.

Additional information is provided on Transport Proposals, approved by the Council. The majority of these are included within the Development Plan for the City

Note Three: Building Warrant and Related Statutory Notices Information

The building warrant and associated information given in this certificate relates to the following matters:

Building (Scotland) Acts 1959/70: Section 10 (Work without Warrant), Section 10 (Work in contravention of Warrant), Section 10 (Temporary Building outwith Authorisation), Section 11 (Requirement for an existing building to conform to Building Regulations) and Section 13 (Dangerous Building).

Civic Government (Scotland) Act 1982: Section 6(1) Statutory Notice Repairs and Section 87(3) (Emergency Notice Repairs).

Edinburgh District Council Order Confirmation Act 1991: Section 24(1) (Statutory Notice Repairs), Section 24(2) (Emergency Notice Repairs), Section 31(1) (Statutory Notice Repairs) and Section 31(3) (Emergency Notice Repairs).

NB: Only notices that have been issued since June 1988 have been included on this certificate.

Where the works identified in a notice have been carried out by the owners, rather than a Council contractor, the notice shall continue to be included in this certificate for a period of 12 months subsequent to the notice being served.

Where the works identified in a notice have been carried out by the owners, that notice could also continue to be included in this certificate where they have failed to inform the Council.

Where owners have failed to take action and the Council has authorised repairs to be carried out, there may be some circumstances when this information is not revealed on this certificate.

Where a written request is received relating to detailed account information and/or photocopies of statutory repair notices, a standard fee will be levied for written responses from this Department.

Note Four: Housing Notices, Environmental Protection and Health and Safety Information

The housing notices, environmental protection and health and safety information given in this certificate relates to the following matters:

Housing (Scotland) Act 1987: Section 88 (Improvement Order), Section 89 (Statutory Notice Repairs), Section 90 (Housing Action Area for Improvement and Demolition), Section 91 (Housing Action Area for Improvement and Demolition), Section 108 (Repairs notice), Section 114 (Closing Order), Section 157 (Management Order relating to House in Multiple Occupancy), Section 160 (Multiple

Certificate Reference number [REDACTED]

PROPERTY ENQUIRY CERTIFICATE

Occupancy Management code works notice), Section 161 (Works Notice Relating to House in Multiple Occupancy), Section 162 (Notice Requiring provision of fire escape) and Section 166 (Direction Order - Overcrowding).

Housing (Scotland) Act 1969: Section 24 (Repairs Notice)

Civic Government (Scotland) Act 1982: Section 92(6) (Stair Painting Notice)

Environmental Protection Act 1990: Section 78R(1) (Register contaminated land), Section 78R(3) (Notice of contaminated land), Section 78G(3) (Consultation regarding adjoining or adjacent contaminated land) and Section 78B(3) (Notice of adjoining or adjacent contaminated land)

Health and Safety at Work etc Act 1974 - Inclusion in a possible Compulsory Rehabilitation

Programme Compulsory Purchase Orders under Legislation Food Safety Act 1990: Section 10 (Improvement Notice), Section 11 (Prohibition Order) and Section 12 (Emergency Prohibition Order).

Note Five: Water and Drainage

The information given relates to the provision of Water and Sewerage Services as covered in the Sewerage (Scotland Act) 1968 and the Water (Scotland) Act 1980

Most properties are connected to the water supply by an unmetered to a public water main owned and maintained by Scottish Water, and to the drainage system by means of a public sewer owned and maintained by Scottish Water. Exceptions to this will be where the property is:

- Not connected to a public water supply
- served with public water through a meter, or;
- not connected to a public sewer
- served by a septic tank not maintained by Scottish Water.

NB: Properties Connected to the Public Water main may be connected via a section of private service pipe which can vary greatly in its length.

Note Six: Indemnity Insurance

This service is covered by Indemnity Insurance – Details are available on request. City Development Department (Planning and Strategy), at 1 Cockburn Street, Edinburgh, EH1 1BJ. Telephone 0131-529-3941.

Contact Details

For further details about the information included in this certificate, or on any other related matters you do not feel have been covered, please contact the relevant Parts listed below:

Part One: Planning Issues

For information on planning matters, and applications made before 1 October 1990, please contact the City Development Department (Planning and Strategy), at 1 Cockburn Street, Edinburgh, EH1 1BJ. Telephone 0131-529-3941.

NB: In certain circumstances, a written request may be required and a charge made for the response. This would relate to matters such as land use allocation and/or authorised use of a property.

Part Two: Roads and Transport Issues

For information on roads and transport matters please contact the City Development Department (Transport) at King Stables Road, Edinburgh, EH1 2JY. Telephone 0131-529-3642. Fax. 0131-529-3607. Email roads.enquiries@edinburgh.gov.uk

Part Three: Building Warrant and related Statutory Notice Information Issues

For information on Statutory notice recovery accounts issued but remaining unpaid telephone 0131-529-4465/4401/4436. For all other enquiries on building warrant and related statutory notice information please contact City Development Department (Property Management), at 329 High Street, Edinburgh EH1 1PN. Telephone 0131-529-4594/4632.

For further information on accounts or payments, contact the Revenue Division, 500 Gorgie Road, Edinburgh, EH11 3YE. Telephone 0131-469-5111/5206.

Part Four: Environmental Protection, Health and Safety and Housing Act Issues

For further information on environmental protection, health and safety and housing act issues please contact the Environmental & Consumer Services Department, 500 Gorgie Road, Edinburgh EH11 3YJ. Telephone 0131 469 5192.

Part Five: Water and Drainage Issues

For information relating to water and drainage please contact Customer Services, Scottish Water, 55 Buckstone Terrace, EH10 6XH. Telephone 08457 420 420.

Certificate Reference number: [REDACTED]

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