

Conveyancing Searches

I thought I would explain the Searches that we carry out when you are purchasing a property.

Local Search – This shows if there are any Land Charges against the property. These will relate from the original construction of the property.

There may be various items highlighted in relation to Railways and Airfield Safeguarding Area Development Restriction which would affect development round the area and the website in the Search would provide full details.

A list of work carried out at the property relating to Building Regulation Authority and Completion Certificates, and Planning Consents.

It also advises if the road the property is on is a private road or one adopted by the Council and maintained at public expense.

Other matters are whether there are any road or traffic schemes in the area. Radon may be mentioned but Cotswold District Council does not keep a Register for this.

1.2 of a Local Search refers to the Local Plan and again a website is detailed where more information can be obtained.

Other points that may appear are Tree Preservation Orders and Areas of Natural Beauty and Conservation Areas.

Water/Drainage Search – This confirms whether the property is connected for foul and surface water and mains water.

It also contains information relating to whether there are any public sewers or lateral drains within the boundary of the property, or within 100 feet of the property. If an application has been made to erect a building over the public sewer if within the boundary. The basis for charges for surface and foul water or if the property is served by a water meter.

Other information is the distance of the property from the nearest boundary of the nearest sewage treatment works. There are maps attached showing the nearest foul and surface drains.

Environmental Search – We now carry out this search since the Environmental Protection Act and the regulations arising from it. This deals mainly with Contaminated Land and whether the property is built on it. Most but not all properties receive a Pass Certificate.

The search also refers to Flood, Energy and Infrastructure, Ground Stability, Radon and Other Influential Factors.

Flood is self-explanatory. Energy and Infrastructure deals with new rail developments, oil and gas exploration and production, proposed and existing wind farms and turbines, and existing and proposed solar farms.

Ground Instability refers to both man made factors i.e. coal mines, and natural factors. Radon relates to an inert low lying gas and what the percentage of homes in the property area are of having Radon, and whether protective measures for new dwellings and extensions are required.

Lastly, other Influential Factors relate to overhead power lines, and any environmental restraints.

Flood Search – this Search is carried out for everyone that is having a mortgage on their property purchase. It confirms the overall flood risk, the insurability, whether there are any flood defences, and the individual flood risks at the property itself.

Chancel Search Check – confirms whether the property is located within the historical boundary of a tithe district with a parish which continues to have a potential for chancel repair liability, based upon historical boundary date and the National Archives.

This is a medieval anomaly where the Church of England and Wales was granted power to charge those owning property on church land for the upkeep of some Parish Churches.

If there is a liability then a Policy can be purchased for a minimal sum to cover for any claims by the Church.

These are the main Searches that are carried out against all properties with or without a mortgage within England and Wales.

There are some additional Searches which are location specific.

Mining Search this normally relates to coal mining, tin mining in Cornwall and also gold mining which is normally in Wales.

Cheshire Brine is another search which is relevant only to that area and relates to salt mining, and extraction through the use of hot water pumped through the mines.

I hope this gives you some idea of the Searches we carry out on every purchase transaction, and the information they provide.