



St James'
SQUARE
LAW FIRM

Our Guide to Searches

Local Searches

These searches look into information held by the Local Authority and ask many questions relevant to the property, its title and its use. For example, the search should reveal whether the road to the property is 'adopted' i.e. maintained at public expense by the Highway Authority.

However, it is VITAL that you know and understand that, save only in a few certain aspects, the searches do not offer information on land/property outside the strict boundaries of the property you seek to buy. Accordingly, if you wish to obtain information on a particular issue relating to adjoining or nearby land or property you will either have to carry out your own investigations or request a specialist search.

Naturally, we will do our best to guide you in your investigations and enquiries but they do not form part of the process to be applied by us to the purchase of the property at the agreed fee. Nevertheless, please always ensure that we know of any query you have so that it may be put formally to your Seller's Solicitor for proper response and/or dealt with by specialist search.

An example might be the investigation of planning permission(s) (both historical and proposed) for construction or change of use on nearby land. As the local search will not reveal this, you may wish to spend a short while inspecting the planning registers of nearby land at the Planning (normally the Local) Authority. This would be important where adjoining land looks likely to be developed or redeveloped and may also prove important in fully developed areas where the neighbour may have just applied for a large extension overlooking your new garden. Specialist searches are available to cover this example.

Local Searches are submitted either directly to the Local Authority in prescribed forms or through personal search agents who search the local authority data. Searches made through agents are insured against incorrect or missing data, local authorities should compensate directly for any error or omissions they make.

Speed and cost of searches differ across the country. If we need to carry out a search on your behalf then we will select which method of search we consider appropriate for the property you seek to buy.

Other Searches

For a full and property title/security investigation it is often necessary for us to carry out further searches. Whether it is necessary in respect of your property will depend on the nature of the property and its location. Such searches include:

Index Map Search

A check at the Land Registry to see if the Property is registered.

Coal Search

A check for underground mining etc. Used where the Property is in a coal mining area or former coal mining area.

Tin Search

As for the Coal Search but for tin mining or former tin mining area.

Brine Search

A check to see if the property is affected by former Brine (salt) workings.

Commons Registration Search

A search to check whether any part of the property (or any access to it) is registered as Common Land.

Highway Search

A search to identify the precise extent of the adjoining roads/paths/verges which are adopted and maintainable at public expense. If the road is not adopted and is private then rights of way are required and the cost of maintenance would normally fall to the owners of properties having such rights.

Water Search

A search to check house drainage and fresh water supply arrangements. It does NOT address flooding. This also shows whether any sewers/drains run across the boundaries of the property which could affect any future building you may wish to do on the land/property.

Radon Gas Search

An enquiry to the relevant Health Protection Agency to see if the property is known to be affected by Radon gas.

Chancel Repair Search

A search to check that the property is not liable to contribute to the cost of repairs to the chancel of a church. If we carry out this search and a potential liability is established there is an opportunity to ask the sellers to provide indemnity insurance to protect you in this regard.

Generally

In respect of searches relating to contamination issues please also refer to the memo headed "Environmental Matters".

If we consider during the examination of examining the contract papers that further search(es) are necessary we will discuss this with you together with an indication of the fees involved.

Results that move you

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