

# Law Society CON 290 Enquiries of local authority (2016)

<p><b>ROAD PROPOSALS BY PRIVATE BODIES</b></p> <p>4. What proposals by others have been approved, or are the subject of pending applications, the limits of construction of which are adjoining or adjacent to the property, for-</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) or the widening of an existing road by the construction of one or more additional traffic lanes?</p>	<p><b>SIMPLIFIED PLANNING ZONES</b></p> <p>14.1. Is the area a simplified planning zone adopted or approved pursuant to s.83 of the Town &amp; Country Planning Act 1990?</p> <p>14.2. Has the local authority approved any proposal for designating the area as a simplified planning zone?</p>
<p><b>ADVERTISEMENTS</b></p> <p><b>Entries in the register</b></p> <p>5.1. Please list any entries in the register of applications, directions and decisions relating to consent for the display of advertisements.</p> <p>5.2. If there are any entries, where can that register be inspected?</p> <p><b>Notices, proceedings and orders</b></p> <p>5.3. 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 restricting deemed consent for any class of advertisement?</p> <p>(b) Has the local authority resolved to serve a notice requiring the display of any advertisement to be discontinued?</p> <p>(c) If a discontinuance notice has been served, has it been complied with to the satisfaction of the local authority?</p> <p>(d) Has the local authority resolved to serve any other notice or proceedings relating to a contravention of the control of advertisements?</p> <p>(e) Has the local authority resolved to make an order for the special control of advertisements for the area?</p>	<p><b>LAND MAINTENANCE NOTICES</b></p> <p>15. Has the local authority authorised the service of a maintenance notice under s.215 of the Town &amp; Country Planning Act 1990?</p>
<p><b>COMPLETION NOTICES</b></p> <p>6. Which of the planning permissions in force has the local authority resolved to terminate by means of a completion notice under s.94 of the Town &amp; Country Planning Act 1990?</p>	<p><b>MINERAL CONSULTATION AND SAFEGUARDING AREAS</b></p> <p>16. Is the area a mineral consultation area or mineral safeguarding area notified by the county planning authority under Schedule 1 para 7 of the Town &amp; Country Planning Act 1990?</p>
<p><b>PARKS AND COUNTRYSIDE</b></p> <p><b>Areas of Outstanding Natural Beauty</b></p> <p>7.1. Has any order under s.82 of the Countryside and Rights of Way Act 2000 been made?</p> <p><b>National Parks</b></p> <p>7.2. Is the property within a National Park designated under s.7 of the National Parks and Access to the Countryside Act 1949?</p>	<p><b>HAZARDOUS SUBSTANCE CONSENTS</b></p> <p>17.1. Please list any entries in the Register kept pursuant to s.28 of the Planning (Hazardous Substances) Act 1990.</p> <p>17.2. 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>
<p><b>PIPELINES</b></p> <p>8. Has a map been deposited under s.35 of the Pipelines Act 1962, or Schedule 7 of the Gas Act 1986, showing a pipeline laid through, or within 100 feet (30.48 metres) of the property?</p>	<p><b>ENVIRONMENTAL AND POLLUTION NOTICES</b></p> <p>18. What outstanding statutory or informal notices have been issued by the local authority under the Environmental Protection Act 1990 or the Control of Pollution Act 1974?</p> <p>(This enquiry does not cover notices under Part IIA or Part III of the EPA, to which enquiries 3.7 or 3.13 apply)</p>
<p><b>HOUSES IN MULTIPLE OCCUPATION</b></p> <p>9. Is the property a house in multiple occupation, or is it designated or proposed to be designated for selective licensing of residential accommodation in accordance with the Housing Act 2004?</p>	<p><b>FOOD SAFETY NOTICES</b></p> <p>19. What outstanding statutory notices or informal notices have been issued by the local authority under the Food Safety Act 1990 or the Food Safety and Hygiene (England) Regulations 2013?</p>
<p><b>NOISE ABATEMENT</b></p> <p><b>Noise Abatement Zone</b></p> <p>10.1. Has the local authority made, or resolved to make, any noise abatement zone order under s.63 of the Control of Pollution Act 1974 for the area?</p> <p><b>Entries in Register</b></p> <p>10.2. Has any entry been recorded in the Noise Level Register kept pursuant to s.64 of the Control of Pollution Act 1974?</p> <p>10.3. If there is any entry, how can copies be obtained and where can that Register be inspected?</p>	<p><b>HEDGEROW NOTICES</b></p> <p>20.1. Please list any entries in the record maintained under regulation 10 of the Hedgerows Regulations 1997.</p> <p>20.2. If there are any entries:</p> <p>(a) How can copies of the matters entered be obtained?</p> <p>(b) Where can the record be inspected?</p>
<p><b>URBAN DEVELOPMENT AREAS</b></p> <p>11.1. Is the area an urban development area designated under Part XVI of the Local Government, Planning and Land Act 1980?</p> <p>11.2. If so, please state the name of the urban development corporation and the address of its principal office.</p>	<p><b>FLOOD DEFENCE AND LAND DRAINAGE CONSENTS</b></p> <p>21. Has any flood defence or land drainage consent relating to the property been given or refused, or (if applicable) is the subject of a pending application?</p>
<p><b>ENTERPRISE ZONES, LOCAL DEVELOPMENT ORDERS &amp; BIDS</b></p> <p>12.1. Is the area designated as an enterprise zone?</p> <p>12.2. Is the area subject to a local development order?</p> <p>12.3. Is the area a business improvement district (BID)?</p>	<p><b>COMMON LAND AND TOWN OR VILLAGE GREEN</b></p> <p>22.1. Is the property, or any land which abuts the property, registered common land or town or village green under the Commons Registration Act 1965 or the Commons Act 2006?</p> <p>22.2. Is there any prescribed information about maps and statements, deposited under s.15A of the Commons Act 2006, in the register maintained under s.15B(1) of the Commons Act 2006 or under s.31A of the Highways Act 1980?</p> <p>22.3. If there are any entries, how can copies of the matters registered be obtained and where can the register be inspected?</p>
<p><b>INNER URBAN IMPROVEMENT AREAS</b></p> <p>13. Has the local authority resolved to define the area as an improvement area under s.4 of the Inner Urban Areas Act 1978?</p>	<p><b>Notes:</b></p> <p>1. References to the provisions of particular Acts of Parliament or Regulations include any provisions which they have replaced and also include existing or future amendments or re-enactments.</p> <p>2. The replies will be given in the belief that they are in accordance with information presently available to the officers of the replying local authority, but none of the local authorities or their officers accepts legal responsibility for an incorrect reply, except for negligence. Any legal responsibility for negligence will be owed to the person who raised the enquiries and the person on whose behalf they were raised. It will also be owed to any other person who has knowledge (personally or through an agent) of the replies before the time when he purchases, takes a tenancy of, or lends money on the security of the property or (if earlier) the time when he becomes contractually bound to do so.</p> <p>3. This form should be read in conjunction with the guidance notes available separately.</p> <p>4. 'Area' means any area in which the property is located.</p> <p>5. References to 'the local authority' include any predecessor local authority and also any local authority committee, sub-committee or other body or person exercising powers delegated by the local authority and their "approval" includes their decision to proceed. The replies given to certain enquiries cover knowledge and actions of both the district local authority and county local authority.</p> <p>6. Where relevant, the source department for copy documents should be provided.</p>