

# Law Society CON 29 Enquiries of the Local Authority (2016)

<p><b>PLANNING AND BUILDING REGULATIONS</b></p> <p><b>1.1. Planning and building decisions and pending applications</b></p> <p>Which of the following relating to the property have been granted, issued or refused or (where applicable) are the subject of pending applications or agreements?</p> <p>(a) a planning permission            (b) a listed building consent            (c) a conservation area consent            (d) a certificate of lawfulness of existing use or development            (e) a certificate of lawfulness of proposed use or development            (f) a certificate of lawfulness of proposed works for listed buildings            (g) a heritage partnership agreement            (h) a listed building consent order            (i) a local listed building consent order            (j) building regulations approval            (k) a building regulation completion certificate and            (l) any building regulations certificate or notice issued in respect of work carried out under a competent person self-certification scheme?</p>	<p>(f) vehicle width or weight restriction            (g) traffic calming works including road humps            (h) residents parking controls            (i) minor road widening or improvement            (j) pedestrian crossings            (k) cycle tracks            (l) bridge building</p>
<p><b>1.2. Planning designations and proposals</b></p> <p>What designations of land use for the property, or the area, and what specific proposals for the property, are contained in any existing or proposed development plan?</p>	<p><b>3.7. Outstanding notices</b></p> <p>Do any statutory notices which relate to the following matters subsist in relation to the property other than those revealed in a response to any other enquiry in this form?</p> <p>(a) building works            (b) environment            (c) health and safety            (d) housing            (e) highways            (f) public health            (g) flood and coastal erosion risk management</p>
<p><b>ROADS AND PUBLIC RIGHTS OF WAY</b></p> <p><b>Roads, footways and footpaths</b></p> <p><b>2.1.</b> Which of the roads, footways and footpaths named in the application for this search (via boxes B and C) are:</p> <p>(a) highways maintainable at public expense            (b) subject to adoption and, supported by a bond or bond waiver            (c) to be made up by a local authority who will reclaim the cost from the frontagers            (d) to be adopted by a local authority without reclaiming the cost from the frontagers</p>	<p><b>3.8. Contravention of building regulations</b></p> <p>Has a local authority authorised in relation to the property any proceedings for the contravention of any provision contained in building regulations?</p> <p><b>3.9. Notices, orders, directions and proceedings under Planning Acts</b></p> <p>Do any of the following subsist in relation to the property, or has a local authority decided to issue, serve, make or commence any of the following?</p> <p>(a) an enforcement notice            (b) a stop notice            (c) a listed building enforcement notice            (d) a breach of condition notice            (e) a planning contravention notice            (f) another notice relating to breach of planning control            (g) a listed building repairs notice            (h) in the case of a listed building deliberately allowed to fall into disrepair, a compulsory purchase order with a direction for minimum compensation            (i) a building preservation notice            (j) a direction restricting permitted development            (k) an order revoking or modifying planning permission            (l) an order requiring discontinuance of use or alteration or removal of building or works            (m) a tree preservation order            (n) proceedings to enforce a planning agreement or planning contribution</p>
<p><b>Public rights of way</b></p> <p><b>2.2.</b> Is any public right of way which abuts on, or crosses the property, shown on a definitive map or revised definitive map?</p> <p><b>2.3.</b> Are there any pending applications to record a public right of way that abuts, or crosses the property, on a definitive map or revised definitive map?</p> <p><b>2.4.</b> Are there any legal orders to stop up, divert, alter or create a public right of way which abuts, or crosses the property not yet implemented or shown on a definitive map?</p> <p><b>2.5.</b> If so, please attach a plan showing the approximate route.</p>	<p><b>3.10. Community infrastructure levy (CIL)</b></p> <p>(a) Is there a CIL charging schedule?            (b) If, yes, do any of the following subsist in relation to the property, or has a local authority decided to issue, serve, make or commence any of the following:-            (i) a liability notice?            (ii) a notice of chargeable development?            (iii) a demand notice?            (iv) a default liability notice?            (v) an assumption of liability notice?            (vi) a commencement notice            (c) Has any demand notice been suspended?            (d) Has the Local Authority received full or part payment of any CIL liability?            (e) Has the Local Authority received any appeal against any of the above?            (f) Has a decision been taken to apply for a liability order?            (g) Has a liability order been granted?            (h) Have any other enforcement measures been taken?</p>
<p><b>OTHER MATTERS</b></p> <p>Apart from matters entered on the registers of local land charges, do any of the following matters apply to the property? If so, how can copies of relevant documents be obtained?</p> <p><b>3.1. Land required for public purposes</b></p> <p>Is the property included in land required for public purposes?</p>	<p><b>3.11. Conservation area</b></p> <p>Do the following apply in relation to the property?</p> <p>(a) the making of the area a conservation area before 31 August 1974            (b) an unimplemented resolution to designate the area a Conservation Area</p>
<p><b>3.2. Land to be acquired for road works</b></p> <p>Is the property included in land to be acquired for road works?</p>	<p><b>3.12. Compulsory purchase</b></p> <p>Has any enforceable order or decision been made to compulsorily purchase or acquire the property?</p>
<p><b>3.3. Drainage matters</b></p> <p>(a) Is the property served by a sustainable urban drainage system (SuDS)?            (b) Are there SuDS features within the boundary of the property? If yes, is the owner responsible for maintenance?            (c) If the property benefits from a SuDS for which there is a charge, who bills the property for the surface water drainage charge?</p> <p><b>3.4. Nearby road schemes</b></p> <p>Is the property (or will it be) within 200 metres of any of the following?</p> <p>(a) the centre line of a new trunk road or special road specified in any order, draft order or scheme            (b) the centre line of a proposed alteration or improvement to an existing road involving construction of a subway, underpass, flyover, footbridge, elevated road or dual carriageway            (c) the outer limits of construction works for a proposed alteration or improvement to an existing road involving:-            (i) construction of a roundabout (other than a mini roundabout), or            (ii) widening by construction of one or more additional traffic lanes            (d) the outer limits of:            (i) construction of a new road to be built by a local authority,            (ii) an approved alteration or improvement to an existing road involving construction of a subway, underpass, flyover, footbridge, elevated road or dual carriageway,            (iii) construction of a roundabout (other than a mini roundabout) or widening by construction of one or more additional traffic lanes            (e) the centre line of the proposed route of a new road under proposals published for public consultation            (f) the outer limits of:-            (i) construction of a proposed alteration or improvement to an existing road involving construction of a subway, underpass, flyover, footbridge, elevated road or dual carriageway            (ii) construction of a roundabout (other than a mini roundabout)            (iii) widening by construction of one or more additional traffic lanes, under proposals published for public consultation</p>	<p><b>3.13. Contaminated land</b></p> <p>Do any of the following apply (including any relating to land adjacent to or adjoining the property which has been identified as contaminated land because it is in such a condition that harm or pollution of controlled waters might be caused on the property)?</p> <p>(a) a contaminated land notice            (b) in relation to a register maintained under section 78R of the Environmental Protection Act 1990            (i) a decision to make an entry            (ii) an entry            (c) consultation with the owner or occupier of the property conducted under section 78G(3) of the Environmental Protection Act 1990 before the service of a remediation notice</p>
<p><b>3.5. Nearby railway schemes</b></p> <p>(a) Is the property (or will it be) within 200 metres of the centre line of a proposed railway, tramway, light railway or monorail?            (b) Are there any proposals for a railway, tramway, light railway or monorail within the Local Authority's boundary?</p>	<p><b>3.14. Radon gas</b></p> <p>Do records indicate that the property is in a "Radon Affected Area" as identified by Public Health England or Public Health Wales?</p>
<p><b>3.6. Traffic schemes</b></p> <p>Has a local authority approved but not yet implemented any of the following for the roads, footways and footpaths which are named in Boxes B and C and are within 200 metres of the boundaries of the property?</p> <p>(a) permanent stopping up or diversion            (b) waiting or loading restrictions            (c) one way driving            (d) prohibition of driving            (e) pedestrianisation</p>	<p><b>3.15. Assets of Community Value</b></p> <p>(a) Has the property been nominated as an asset of community value? If so:-            (i) Is it listed as an asset of community value?            (ii) Was it excluded and placed on the "nominated but not listed" list?            (iii) Has the listing expired?            (iv) Is the Local Authority reviewing or proposing to review the listing?            (v) Are there any subsisting appeals against the listing?            (b) If the property is listed:            (i) Has the Local Authority decided to apply to the Land Registry for an entry or cancellation of a restriction in respect of listed land affecting the property?            (ii) Has the Local Authority received a notice of disposal?            (iii) Has any community interest group requested to be treated as a bidder?</p>