

Property Searches

Although the seller has a duty to disclose information, it is the buyer's responsibility to find out as much about the property as possible before exchanging contracts. Sometimes the seller's solicitor carries out searches and passes them on to the buyer's solicitors, subject to reimbursement of the cost. It is, however, more usual for the buyer's solicitors to make the searches.

Searches should be put in hand as early in the transaction as possible, although sometimes information only comes to light at a later stage, whereby it becomes apparent a further search is required.

There are numerous searches that can be made dependant upon the circumstances of the transaction. It is, therefore, important that you make as much information available to us as possible to enable us to decide which searches are required.

The most usual searches are as follows:-

1. Local Land Charges Search and Enquiries of the Local Authority

This reveals among other things planning history, Compulsory Purchase Orders, Tree Preservation Orders, financial charges, road schemes, outstanding Notices, Environmental and Pollution Notices, Radon. It does not reveal matters which affect neighbouring properties.

2. Drainage and Water Enquiries

This reveals inter alia the location of public sewers, whether foul water and

sewerage drain into a public sewer, whether the sewers are adopted, and the basis of charging for sewerage and water supply.

3. Commons Registration

This reveals where the land has been registered as a common or as a town or village green. If it has been, there may be third party rights over it and generally it may not be developed.

4. Coal Mining or Tin Mining Search

5. Index Map Search

This is used to check whether the land is already registered or falls within more than one title number.

6. Chancel Repair Liability

This reveals where the property is located in a parish where there remains a potential to enforce chancel repair liability.

7. Company Search

This is usually carried out where the seller is a company to check that it is still in existence and is not being wound up.

8. Environmental Search

There are various types of Environmental Search available to determine whether the land has been contaminated. You will need to discuss with us further to establish which search is appropriate to your transaction.

Searches can also be made to ascertain further information regarding rivers, canals, railways and agricultural.



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