

## Local Land Charges Frequently Asked Questions

### ***What is a Local Land Charges Search?***

When you buy a house, your solicitor will make a search of the Council's records to ensure there are no hidden surprises, such as proposed motorways at the bottom of your garden or outstanding Notices requiring you to take action to remedy an earlier wrong doing.

Local Land Charges Searches come in two parts:

LLC1- this first part, the Official Certificate of Search Form, deals with all the register-able charges, for example:

- financial charges (registered against the property by the local authority)
- improvement grants
- tree preservation orders
- conditional planning consents and agreements

CON 29- the second part called Enquiries of Local Authorities Form deals with issues such as:

- road schemes
- the planning history of the property
- various notices which affect the property

### ***What is the CON 29?***

The CON 29 enquiries questionnaire, which forms part of the official search, contains many 'Warning' questions, the answers to which you will not find on any of the statutory registers.

Examples of the information only to be found by submitting a CON 29 are given below:

- compulsory Purchase Orders
- proposed Tree Preservation Orders
- many informal notices under planning and highways laws not found on any register
- road proposals or schemes (including road widening)
- proposed enforcement action or breach of conditions notices

If you rely on a personal search from a solicitor or personal search company may we remind you that they are not given, or entitled to receive, answers to the questions on the CON 29, and any information they do obtain is not covered by Section 10(3) of the Local Land Charges Act 1975 which relates to compensation for loss. The only way to receive this information is to submit the official LLC1 and CON 29 forms.

### ***Do you provide an answer to optional question 8?***

From 31st October 2012 North Yorkshire County Council advised they would no longer provide answers to CON 290 question 8. They state that the information required under Optional Question 8 is available free of charge from the following website <https://lsbud.co.uk/>

If any search requests are submitted to us which include a request for optional question 8 the response provided will just point to websites where the information can be accessed. There is therefore no fee for this question and a refund of any paid optional question fee will be made.

This only relates to Con 290 question 8 and all remaining optional questions will be answered as normal if requested and the appropriate fees will apply.

### ***Do you provide information for water searches?***

Yorkshire Water looks after the network of public sewers in Harrogate Borough.

If you are asking for a search to be undertaken or you are waiting to undertake a personal search, please contact your water company.

See also advice on advice on [highway flooding](#) from North Yorkshire County Council.

### ***What is your policy on Personal Searches?***

The following policy has been adopted by Harrogate Borough Council to deal with personal searches, requests to view public registers and requests for assistance and information normally contained within the Official CON 29 and CON 290 Enquiries of District Councils. This policy took effect from 1 April 2009.

#### **Aims of the Policy**

- To promote good practice and working relations amongst the Authority's staff and personal searchers, by providing Land Charges data, access to other records open for public inspection free of charge and the provision of other information and assistance on a cost basis, without unnecessary disruption of work.
- To alleviate the increased pressure on the Authority's staff who have to accommodate growing numbers of personal searchers in addition to other work including maintaining the Land Charges Register and other records and providing an official search service for the Authority.
- To ensure that the Authority does not exercise anti-competitive behaviour or discriminate against either itself or its competitors. Whilst any person is entitled to inspect free of charge any records open for public inspection held by the Authority, this does not, however, include Officer assistance or interpretation of such records. If assistance is required, or information is requested which is not within records open to public inspection, a charge will be made on a cost basis, in accordance with the 2008 Regulations

### ***What else can I inspect?***

You can also view the Planning Register and registers held by Environmental Protection. The viewing of these registers does not form part of a personal search.

#### **Planning**

- Register of Planning applications/decisions
- Stop and Enforcement Notice Register
- District Wide Local Plan
- Tree Preservation Orders
- Register of Hazardous Substances

#### **Environmental Health**

- Register of Food Premises
- Register of Licensed Premises
- Register of Waste Management Licences issued by the Environment Agency
- Register of Radioactive Substances
- Register of Cooling Towers & Evaporative Condensers
- Register of Industrial Processes Permitted by the Environment Agency under Part A1 of the Pollution Prevention Control Act 1999
- Register of Industrial Processes Permitted under Parts B & A2 of The Pollution Prevention Control Act 1999
- Register of Contaminated Land

Much of the Planning Register is available [online](#) or it is available for inspection by appointment with Customer Services, please telephone 01423 500600 to make an appointment.

To view registers held by the Environmental Protection Team please telephone 01423 500600.

For search requests received after 1 September 2017 see -

Local Land Charges: Fees 2022-2023 from 01/04/2022

[Schedule of Registers/Information for Local Enquiries Search](#)

#### ***How do I obtain copy documents or planning decision notices?***

These requests should be made in writing by [email](#) to the Planning Administration team.