

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Finance and Staffing Portfolio Holder 6.10.09  
**AUTHOR/S:** Executive Director (Corporate Services)/Land Charges Manager

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### PROPOSED INTRODUCTION OF A 'REFRESHER' SEARCH

#### Purpose

1. The Land Charges Section proposes that the Council introduces a new type of search, a 'refresher' search, where an identical site plan is being searched against within six months of a full official search, residential for a Home Information Pack (HIP), by the same applicant (Solicitor/Conveyancer).
2. This is not a key decision but involves the introduction of a new type of search and fee.

#### Background

3. The HIP is compulsory for most homes on the market in England and Wales. A HIP is a set of documents that provides the buyer with key information on the property and must be provided by the seller or seller's agent. It is a legal requirement to have a HIP and you cannot market your property without one. The HIP lets buyers see important information about the property at the start of the process, free of charge. This means there is less chance of buyers becoming aware of any surprises at the end of the process. The HIP can help reduce delays and extra expense to the buyer and seller. A search is one of the compulsory documents to be included within a HIP.
4. There are two ways searches are undertaken: searches by third parties, usually Personal Search Companies (PSC's); and 'official' searches submitted to the Land Charges Team usually by Solicitors. The Land Charges Team then searches against the Local Land Charges Register and collates information from planning, building control and health and environmental services relating to CON29 enquiries. We do not currently offer 'refresher' searches and are unable to project the number that will be requested.

#### Considerations

5. It is proposed to set the fee at a level proportionate to the charge for a full 'official' search in order to encourage solicitors to carry out an 'official' search with the Council initially rather than using a Personal Search Company. This could potentially help the Council regain some of the market share which has been lost to PSC's. It is proposed that the fee is set at £45.00.

## Implications

6	Financial	This could potentially increase our market share of 'official' searches and impact positively upon our income.
	Legal	No implications
	Staffing	No immediate implications as we are unsure how many requests would be received. The position will be monitored.
	Risk Management	The level of 'refresher' searches will need to be carefully monitored to ensure that cost recovery is maintained and based upon evidence.
	Equal Opportunities	No implications

## Consultations

7. The Land Charges Team has consulted with their financial accountant regarding the proposed fee level and he is agreeable to the proposal

## Effect on Strategic Aims

8.	<b>Commitment to being a listening council, providing first class services accessible to all.</b>	The introduction of the HIPS regulations necessitates the inclusion of a search and a 'refresher' search will give added financial benefit to South Cambridgeshire residents.
	<b>Commitment to ensuring that South Cambridgeshire continues to be a safe and healthy place for all.</b>	None
	<b>Commitment to making South Cambridgeshire a place in which residents can feel proud to live.</b>	None
	<b>Commitment to assisting provision for local jobs for all.</b>	None
	<b>Commitment to providing a voice for rural life.</b>	None

## Conclusions/Summary

9. The Land Charges Team will monitor the number of 'refresher' searches being received in order to assess the need for any review of the charge within the three year period to ensure that charges do not exceed costs.

## Recommendations

10. It is recommended that the Portfolio Holder approves the introduction of a 'refresher' search at a fee of £45.00.

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