

CON 29 GUIDANCE NOTES

Introduction

1. These notes are issued by the Law Society in consultation with Land Data, the Local Land Charges Institute and the Local Government Association, to provide guidance to local authorities in replying to CON 29 and CON 29O enquiries of local authorities. They are also intended to provide guidance when interpreting replies. Following the guidance is not mandatory, and the notes are not legal advice. While care has been taken to ensure the notes accurate, up to date and useful, the Law Society will not accept any legal liability in relation to them.
2. These notes apply both to enquiries submitted electronically and those submitted on paper.
3. Two new forms, CON 29 Enquiries of Local Authority (2016) and CON 29O Enquiries of Local Authority (2016), come into force on Monday 4 July 2016. Transitional Arrangements can be found at 'Annex A'.
4. The standard principles adopted during previous revisions have been maintained. These mean that enquiries will:
 - (a) be capable of an objective answer;
 - (b) from enquiry 3.1. onwards, exclude matters on the local land charges register and/or those no longer within the jurisdiction of local authorities;
 - (c) exclude reference to specific Acts of Parliament where the subject matter can be described generically.

VAT on CON29 searches

5. See 'Annex B' for the position on VAT.

Format

6. The CON 29 form is likely to be submitted by enquirers in every case, together with the search of local land charges registers on form LLC1.
7. The optional CON 29O form may be submitted together with the CON 29. However, the CON 29O is designed to 'stand-alone' and may be submitted independently. Local authorities should accept a CON 29O that is submitted independently on payment of the specified fee.
8. The enquiries on the CON 29 follow an established format; enquiries asking for positive information (about planning matters, road adoption, etc.) are at the beginning of the form and those seeking a negative response (about the absence of potentially adverse matters) are grouped together after (and including) enquiry 3.1.
9. The CON 29 is designed, from enquiry 3 onwards, to reveal matters affecting the area and/or property that are yet to be implemented and/or would not be ascertained by a visual inspection. Schemes that have been, or which are currently being implemented, e.g. parking restrictions, bridge building, etc., should not be revealed in answer to enquiries on the CON 29.
10. Electronic submissions of form CON 29 and/or CON 29O need only contain one copy of the form and plan. Paper submissions will continue to be in duplicate.

Style of replies

11. Local authorities are expected to reply to the enquiries electronically or on a separate sheet of paper. In every case, replies should include:
 - the name of the appropriate officer of the local authority;
 - the local authority search reference number (on every 'sheet');
 - the applicant's reference number;
 - the property address, including postcode;
 - the name of the local authority responding (on every 'sheet');
 - page numbers;
 - The enquiry header and enquiry; and
 - The date of the CON 29 reply.
12. To facilitate standardisation in this area, a response template has been designed and can be found [here](#). This format should be used by all local authorities.
13. In order to be as user-friendly as possible, it is intended that the replies should be textual so that they can be understood by end users. Where a reply to individual enquiries from 3.1. to 3.15. is to be provided, the reply should set out the heading of each enquiry and the enquiry text before giving the short form of reply. This should follow the recommended template format.
14. Where "informative notes" are provided, they should ideally be replicated on the response form following the question to which they relate. If this is not possible an additional sheet may be appended, provided it is clearly referenced.
15. The phrase "see attached schedule" can be used where local authorities are providing a history sheet or similar when replying to an enquiry.
16. When answering the enquiries, **all** relevant records should be inspected. If, due to computerisation or for other reasons, historic records are unavailable (and will not therefore form part of the response to the enquiry), a reference should accompany the response giving details of the (limits of the) information that has been provided. If further information is available, from another source on payment of a fee, those details should also be provided.

Example response: Local authority records from [insert date] have been inspected to provide this response. Further information can be obtained by contacting [insert contact details]. A fee will be charged for the provision of any required data.

Logos on reply sheet

17. Logos should appear on every page of the reply sheet.

Notes, words and phrases

18. These notes draw attention to the following:
 - (a) the replies will relate to the property as described in Box B (and any additional roads etc. in Box C) but generally not to adjoining or nearby land or property;
 - (b) where the word "area" is used in any enquiry, it means whatever size of area is used for the particular designation or application to which the enquiry relates and which

- happens to include the property; it could be the whole of the local authority's area, or just part of it, or even a larger area;
- (c) the records to be referred to by the local authority when processing enquiries and dealing with the enquiries of third parties are to be those of that authority and (where there has been a change of authority) its predecessor, and in appropriate cases the records of the county council;
 - (d) any references in the enquiries to particular Acts of Parliament or regulations are to be read as including former Acts or regulations which they have replaced, as well as present and future amendments of the stated Acts or regulations.

Definitions

19. For the purposes of the following terms used on the CON 29, the definitions below should be applied:

a) Adjacent and Adjoining:

For the purposes of the CON 29, "adjacent" means parcels of land that are not widely separated, though they may not be actually touching. "Adjoining" means parcels of land united so closely that no other parcel comes between them (other than a road, railway, river, stream or canal). Adjoining parcels will always share a common boundary, or common point.

b) Proposal: (Enquiries 1.2, 3.4. (b)(c)(e)(f), 3.5.)

The following will be revealed in answer to enquiries containing this word:

- Any scheme or proposal published for public consultation, or
- Any scheme or proposal published in local authority minutes or agendas, or
- Any proposal to take an action (under delegated powers).

This would also include any proposals given the 'go-ahead' by committees.

c) Authorised: (Enquiry 3.8.)

The following will be revealed in answer to questions containing this word:

Any decisions or approvals (not yet implemented) including those made by committees, or officers acting under delegated powers. In relation to the local authority's own acts, 'approval' includes a decision to proceed.

d) Approved: (Enquiries 3.4.(d)(ii), 3.6.)

The following will be revealed in answer to enquiries containing this:

As per authorised (see above).

Includes approvals made by County Councils where relevant.

e) Decided: (Enquiry 3.9.)

The following will be revealed in answer to enquiries containing this:

As per authorised (see above).

f) Been Made: (Enquiry 3.12.)

The following will be revealed in answer to enquiries containing this:

As per authorised (see above).

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20. Details of any roadways, footways or footpaths which abut or directly give access to (or means of escape) from the property, but which are not included in the main address placed in Box B may be placed in Box C (subject to a maximum of three roads). Roads must be named or, where a road has no name/is known by a variety of local names, be shown clearly marked in colour/hatched on an attached plan. The terms “all roads abutting” or “all roads in the vicinity” are invalid for the purposes of identification. Any plan attached for this purpose should be an up-to-date Ordnance Survey extract.

21. All road(s) named in Boxes B and C must be considered when answering enquiries 2.1. and 3.6.

CON 29 ENQUIRIES, INTERPRETIVE, REPLY FORMATS AND INFORMATIVE NOTES

PLANNING AND BUILDING REGULATIONS

1.1. Planning and building decisions and pending applications

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?

- (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?*

Interpretative:

This enquiry asks the local authority to provide a list of granted, issued, refused and, where applicable, pending applications and agreements relating to the property in respect of the matters set out in the enquiry. These cover planning and building regulation matters as well as planning determinations and regularisations.

As previously, references to specific types of planning documents include the equivalent documents under previous planning legislation (e.g. references to certificates of lawfulness of use should include established use certificates).

This enquiry also covers new items such as Heritage Partnership Agreements and locally listed building consent orders (agreements).

Reply Format:

The reply, except where there are no such relevant matters, should comprise a list for each enquiry sub-point (1.1(a)–(l)). The information provided should include a reference to the nature of the document (as set out in the document itself) along with the following details:

- Reference number (by which the document can be traced);
- Brief description;
- Date of application;
- Date of decision (if relevant); and
- Outcome of decision (or, if still pending, state 'pending').

The reply should also state how copy documents can be obtained, including contact details and fees.

An example response can be found in the template appended to this guidance.

Informative Note(s):

Where a local authority computer system is used to reply to the enquiries, but the computerisation does not include records before a certain date, an informative note should be added stating the period covered by the response(s).

If manual records prior to the date of computerisation are available for inspection – for free or for an additional cost – a note to that effect should be added to the reply.

Example informatives:

- (i) *“The local authority’s computerised records of [specify the type of document(s)] do not extend back before [insert date] and this reply covers only the period since that date.”*
- (ii) *“The local authority’s computerised records of [specify the type of document(s)] do not extend back before [insert date] and this reply covers only the period since that date. Manual records can be searched [for free or for an additional charge], if this service is required please contact [insert details] for further information.”*
- (iii) *“The local authority’s computerised records of [specify the type of document(s)] do not extend back before [insert date] and this reply covers only the period since that date. Records before this date are no longer available.”*
- (iv) *“The local authority’s computerised records of [specify the type of document(s)] decisions do not extend back more than [insert period] years and this reply covers the period since that date. Records prior to that date do not contain detailed information.”*

Enquiry 1.1(I) takes into account the variety of purposes covered by the competent person self-certification scheme (CPS). Local authorities who store certificates should supply details of any which relate to the property.

Those authorities who do not store certificates, or believe their database to be incomplete, should add a note to the reply:

Example Informative for 1.1.(I):

Informative: The local authority may not always be aware of such works and enquiries should also be made of the seller.

In addition, if building control for the property is being administered by an outside body (e.g. the NHBC for a new residential development in the course of construction) this should be stated in the reply.

Planning designations and proposals

1.2. *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?*

Interpretative:

Unlike the majority of enquiries on the CON 29 form, this enquiry is seeking information about the designations of land use for the property and for the area in which the property is located. The information required to answer this enquiry can be found on development plans created by all levels of local authority.

Reply Format:

The reply should state the development plan in which the policy or proposal is contained and it should include a brief summary of the policy or proposal. Contact details for further information are not expressly required to be given, but would be useful.

Example Responses:

NB: An example response can be found in the template appended to this guidance.

The land/property falls within:

[give the name of the relevant development plan]

which contains the following designations or proposals:

[give details]

Further details can be obtained from [provide contact details].

This reply reflects the Policies or Proposals in any existing adopted Development Plan and in any formally Proposed Alteration or Replacement Plan, but does not include Policies contained in Planning Guidance Notes or Supplementary Planning documents.

An additional note regarding flood information may be included if required:-

Information regarding flooding is not provided in answer to this enquiry and should be sought directly from the Environment Agency/Natural Resources Wales. Enquiries should be made to [insert contact details for the area].

Informative Note(s):

There is no preferred informative.

ROADS AND PUBLIC RIGHTS OF WAY

Roadways, footways and footpaths

2.1. Which of the roads, footways and footpaths named in the application for this search (via boxes B and C) are:

- (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

Interpretative:

This enquiry relates to the status of the roadways, footways and footpaths mentioned by the enquirer in Box B and, if used, Box C (subject to a maximum of three additional roads).

All roads must be named. The use of phrases such as “all roads abutting”, “any roads abutting”, or “any or all roads in the vicinity” are invalid for the purposes of identification. In the event that roads are not named, a standard form of response should be inserted stating “un-named roads cannot be identified and it has not therefore been possible to provide a response”.

The information required will be supplied by the Highways Department which may be located within the authority or at the relevant County Council.

Reply Format:

The road name(s), where supplied, should always be quoted as part of the reply.

Where a road name cannot be ascertained, the road should be clearly marked in colour or hatched on an up-to-date Ordnance Survey plan.

Where any or all of the roads are **not** currently “highways maintainable at the public expense” the replies to 2.1.(b) and 2.1.(c) should be as detailed as possible.

Where (b), (c) and (d) are not applicable, the answer should read “not applicable”.

Informative Note(s):

In instances where the response to **enquiry 2.1.(a)** is that the highway **is not** maintained at the public expense, a standard informative note should be added below the response to the question:

Informative: If a road, footway or footpath is not a highway, there may be no right to use it and the local authority cannot express an opinion without seeing the title plan of the property and carrying out a site inspection.

To deal with queries regarding highway extents, the following notes should be appended (as applicable) following the enquiry response:-

- (i) *The local authority cannot comment on the width of a highway, or whether or not any existing highway directly abuts the boundary of the property.*
- (ii) *The local authority does not hold information on highway extents.*
- (iii) *A Highway Extent search is required, this can be obtained from [insert details] at a cost of [insert details].*

Public rights of way

2.2. *Is any public right of way which abuts on, or crosses the property, shown on a definitive map or revised definitive map?*

2.3. *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?*

2.4. *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?*

2.5. *If so, please attach a plan showing the approximate route.*

Interpretative:

This enquiry is seeking information about existing and pending public rights of way which might cross or run alongside the boundary of the specified property. The enquirer is also seeking any information about legal orders created under any Act* that might affect the current route of a public right of way.

The main source of this information will be the local authority's definitive map which may, in the case of a District Council, be held at the relevant County Council.

* Where a planning authority is satisfied that a footpath or bridleway should be stopped up or diverted to enable development to be carried out, they can use powers granted under the Town and Country Planning Act 1990. Local authorities must ensure that all sources of information are covered by their data collation process.

Reply Format:

Where the answer is 'yes', a plan showing the approximate route of the public right of way should always be returned with the completed enquiries.

Informative Note(s):

The definitive map is not conclusive proof that no public footpath or byway exists, so one of the following standard informative notes should be added below the response to the question:

Example informative(s):

- (i) A definitive map for *[insert local authority name]* has now been published *[insert relevant date]*. However, a survey of all paths has not been completed and whilst this does not preclude the existence of unrecorded rights of way, the local authority is unaware of any claimed rights of way existing over the search site. If in doubt please contact *[insert contact name and details]* for further information.
- (ii) No, none. However additional public rights of way (e.g. cycle tracks) may exist other than those shown on the definitive map.
- (iii) Yes, *[public footpath / bridleway / byway open to all traffic/Path No. xx crosses/abuts] [delete as applicable]* the site as shown on the attached plan. Additional public rights of way (e.g. cycle tracks) may exist other than those shown on the definitive map. If in doubt please contact *[[insert contact name and details]* for further information.

To deal with queries regarding highway extents, the following notes should be appended (as applicable) following the enquiry response:

- (i) *The local authority cannot comment on the width of a highway, or whether or not any existing highway directly abuts the boundary of the property.*
- (ii) *The local authority does not hold information on highway extents.*
- (iii) *A Highway Extent search is required, this can be obtained from
[insert details]
at a cost of
[insert details].*

OTHER MATTERS:

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?

Interpretative:

Enquiries 3.1. to 3.15. inclusive cover those areas to which the satisfactory answer, from the enquirer's/buyer's viewpoint, is generally that there are none affecting the property. The enquiries ask whether the property is affected by any of the matters listed in the 15 individual sub-paragraphs numbered 3.1. to 3.15.

Although where a 'No' response is generated to all enquiries a single reply could be provided, research shows that local authorities and applicants prefer to see an answer to each individual enquiry. In recognition of that feedback, the standardised format requires that the header, question and a response should be generated for each of the enquiries.

The CON 29 is designed from enquiry 3 onwards, to reveal matters affecting the area and/or property that are yet to be implemented and/or would not be ascertained by a visual inspection. Schemes that have, or are currently being implemented, e.g. parking restrictions, bridge building, etc., should not be referred to in answer to questions on the CON 29.

Reply Format:

The enquiry header, followed by the enquiry should be replicated in all cases, followed by the answer and any required advice or explanatory note.

To facilitate standardisation in this area, a response template has been designed and is appended to this guidance. This format should be used by all local authorities.

Informative Note(s):

Matters already entered onto the Local Land Charges Register, or visible by property/site inspection, must not be duplicated or referred to (where relevant) in answer to the enquiries 3.1. to 3.15.

Where a search of the Local Land Charges Register would reveal information about the matters in enquiries 3.1. to 3.15., an informative note may be given as follows:

Informative: Matters already entered on the Local Land Charges Register will not be revealed in answer to this enquiry.

3.1. Land required for public purposes

Is the property included in land required for public purposes?

Interpretative:

This concerns land in a category specified under the Town & Country Planning Act as being required for public purposes. For example, the local authority may designate land as being required for the building of a new school.

Reply Format:

No, or Yes (*in which case please supply further details including contact details*).

Informative Note(s):

The response to **enquiry 3.1.** should not reveal or duplicate information that would be revealed by searching the Local Land Charges Register. An informative note may be given as follows:

Informative: Matters already entered on the Local Land Charges Register will not be revealed in answer to this enquiry.

3.2. Land to be acquired for road works

Is the property included in land to be acquired for road works?

Interpretative:

This concerns land to be acquired for highway construction or improvement, e.g. village bypass proposals, etc.

Reply Format:

No, or Yes (*in which case please supply further details including contact details*).

Informative Note(s):

The response to **enquiry 3.2.** should not reveal or duplicate information that would be revealed by searching the Local Land Charges Register. An informative note may be given as follows:

Informative: Matters already entered on the Local Land Charges Register will not be revealed in answer to this enquiry.

3.3. Drainage matters

(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?

Interpretative:

Sustainable urban drainage systems, or SuDS as they are commonly called, are structures and techniques aimed at draining surface water efficiently and sustainably. Some SuDS features are simply dips or grooves in the land, which could easily be built over or damaged by a property owner who didn't know they were there for a specific reason, so it is important that owners and occupiers of properties know about any SuDS features within the boundary of their property so that they do not damage or build over them.

In addition, county and unitary authorities may be able to levy a maintenance charge on occupiers of properties that are served by an adopted SuDS, so it is important that buyers are able to find out who is responsible for collecting the maintenance charges so that they can find out the amount of the charge. The new enquiry specifically asks "who bills the property. The maintenance charges may be collected by water companies, management companies or private commercial companies.

The local authority may not know who is responsible for collecting the charges, however, if the local authority does know who is responsible, they should provide details. If the local authority does not know who is responsible for collecting the maintenance charges, they should recommend that further enquiries be made of water companies, management companies or private commercial companies.

Reply Format:

3.3.(a) No, Yes *(in which case please supply further details including contacts)*, Yes *(not known)* or *Not yet implemented*.

3.3.(b) No, Yes *(in which case confirm whether the owner is responsible for maintenance)*.

At 3.3.(c) supply the address of the surface water drainage provider. If the local authority is not the surface water drainage provider, but knows who is, they should give details. If this information is not known, the response should be "No further information available, please contact the water drainage provider or management company".

In addition, the local authority should confirm the date from which the information is provided, for example, "information provided from June 2015".

Informative Note(s):

The latest position in Wales is at

<http://gov.wales/topics/environmentcountryside/epq/flooding/drainage/?lang=en>. The outcome of the consultation on the implementation of schedule 3 of the Flood and Water Management Act 2010 has not yet been published. The present position is that there has been no establishment of SuDS Approving Bodies within lead local flood authorities in Wales and therefore a response of "Not yet Implemented" should be used.

In England, where SuDS have not been implemented, the response of "Not yet Implemented" should be used.

3.4. Nearby road schemes

Is the property (or will it be) within 200 metres of any of the following?

(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

Interpretative:

This enquiry concerns road schemes that are within 200 metres of the property. Because of the different stages of planning at which road schemes are notified, it has been necessary to continue references to centre lines as well as limits of construction. All forms of "public consultation" are included.

The table below gives details of whether the enquiry relates to schemes proposed and approved by the Secretary of State, local authority, or both.

<p><i>(a) the centre line of a new trunk road or special road specified in any order, draft order or scheme</i></p> <p><i>(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</i></p> <p><i>(c) the outer limits of construction works for a proposed alteration or improvement to an existing road involving:-</i> <i>(i) construction of a roundabout (other than a mini roundabout), or</i> <i>(ii) widening by construction of one or more additional traffic lanes</i></p> <p><i>(d) the outer limits of:-</i> <i>(i) construction of a new road to be built by a local authority,</i> <i>(ii) an approved alteration or improvement to an existing road involving construction of a subway, underpass, flyover, footbridge, elevated road or dual carriageway,</i> <i>(iii) construction of a roundabout (other than a mini roundabout) or widening by construction of one or more additional traffic lanes</i></p> <p><i>(e) the centre line of the proposed route of a new road under proposals published for public consultation</i></p> <p><i>(f) the outer limits of:-</i> <i>(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</i> <i>(ii) construction of a roundabout (other than a mini roundabout)</i> <i>(iii) widening by construction of one or more additional traffic lanes, under proposals published for public consultation</i></p>	<p>(a) Trunk and special roads in this context are Secretary of State approved schemes.</p> <p>(b) This enquiry is about Secretary of State schemes. It may look as if it mirrors 3.4.(d), but the measurement point is different (e.g. centre line verses outer limits).</p> <p>(c) The measurement point for this enquiry is from the “outer limits of construction work” – making it different from (a) and (b) above and (e) below. The emphasis of this question is to find out about schemes proposed and notified by the Secretary of State.</p> <p>(d) (i) This enquiry is aimed at new local authority (including county local authority where relevant) schemes. Secretary of State schemes should be revealed above. (ii) This enquiry to some extent replicates 3.4.(b) BUT the measurement point is different and the enquiry is seeking information about the plans of the local authority (including county local authority plans where relevant).</p> <p>(e) This enquiry is aimed at new road schemes proposed by either the Secretary of State or the local authority (including county local authority where relevant). The measurement reverts to the centre line.</p> <p>(f) The measurement moves to outer limits and the enquiry focuses on proposals to existing roads by either the Secretary State or the local authority.</p>
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Reply Format:

No, or Yes (*in which case please supply further details including contact details*).

Informative Note(s):

A standard informative note should be added below the response to the question:

Informative: A mini roundabout is a roundabout having a one-way circulatory carriageway around a flush or slightly raised circular marking less than 4 metres in diameter and with or without flared approaches.

3.5. Nearby railway schemes

(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 boundary?*

Interpretative:

This enquiry relates to proposals for new railways (e.g. Crossrail, HS2), light railways and tramways. The measurement should be taken from the centre line of any proposed scheme. Existing rail or tramways do not need to be revealed in answer to this enquiry.

Enquiry 3.5.(b) asks whether there are any proposals for a railway, tramway, light railway or monorail within the local authority's boundary. Any proposed applicable scheme should be revealed.

In instances where a proposed scheme, such as Crossrail or HS2, is relevant, details of the main point of contact where further information can be obtained, if required, should also be provided.

Reply Format:

No, or Yes (*in which case please supply further details including contacts*).

Informative Note(s):

In the event that the property sits near or close to a local authority boundary a standard informative note should be added below the response to the question.

Informative: This property sits near to the local authority boundary; enquirers are therefore advised to seek further information from the neighbouring local authority [insert details].

3.6. Traffic schemes

Has a local authority approved but not yet implemented any of the following for the roads, footways and footpaths which are named in Box B & C and are within 200 metres of the boundaries of the property?

- (a) permanent stopping up or diversion
- (b) waiting or loading restrictions
- (c) one way driving
- (d) prohibition of driving
- (e) pedestrianisation
- (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

Interpretative:

The roads detailed in Box B and, where relevant, Box C, which are within 200 metres of the property should be used to answer this enquiry. This includes roads that are included in Box C that are not named but shown clearly marked in colour or hatched on an up-to-date Ordnance Survey plan.

If a scheme, as defined in the enquiry, abuts the boundary of the property it should be revealed.

Reply Format:

No, or Yes (*in which case please supply further details including contacts*).

Informative Note(s):

A standard informative note should be added below the response to the question:

Informative: In some circumstances, road closures can be obtained by third parties from magistrate's courts, or can be made by the Secretary of State for Transport without involving the local authority.

Informative: This enquiry is designed to reveal matters that are yet to be implemented and/or could not be ascertained by a visual inspection. Schemes that have, or are currently being implemented will not be referred to in answer to this enquiry.

In the event that the property sits near or close to a local authority boundary a standard informative note should be added below the response to the question.

Informative: This property sits near to the local authority boundary; enquirers are therefore advised to seek further information from the neighbouring local authority [insert details].

The response to **enquiry 3.6.** should not reveal or duplicate information that would be revealed by searching the Local Land Charges Register. An informative note may be given as follows:

Informative: Matters already entered on the Local Land Charges Register will not be revealed in answer to this enquiry.

3.7. Outstanding notices

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?

- (a) building works*
- (b) environment*
- (c) health and safety*
- (d) housing*
- (e) highways*
- (f) public health*
- (g) flood and coastal erosion risk management*

Interpretative:

This enquiry is seeking information about any statutory notices which may exist in relation to the property under the areas listed.

The reference to statutory notices relating to flood and coastal erosion risk management refers to Provisional Designation Notices under the Flood & Water Management Act 2010. Local Authorities and the Environment Agency have powers to designate structures or features of the environment which, if changed or altered, create a flood or coastal erosion risk. If designated, such structures / features cannot be altered, removed or replaced without the consent of the authority. Once the designation procedure has completed, it is to be registered as a land charge (which will be revealed by a search of the Local Land Charges Register).

Question 3.7(g) would reveal any pending applications, or cover any periods of representations, decision and appeals in relation to designations made by the Local Authority (not the Environment Agency). Separate enquiries may be made by the enquirer to the Environment Agency / Natural Resources Wales in relation to flood risk from a main river or the sea.

Reply Format:

No, or Yes (*in which case please supply further details including contact details*).

Informative Note(s):

Where information is held by another agency or body, contact details should be provided.

The response to **enquiry 3.7.** should not reveal or duplicate information that would be revealed by searching the Local Land Charges Register. An informative note may be given as follows:

Informative: Matters already entered on the Local Land Charges Register will not be revealed in answer to this enquiry.

Flooding information held by the Environment Agency / Natural Resources Wales is not provided in answer to this enquiry. If the property is affected by flooding from a main river or the sea, information may be sought from the Environment Agency/Natural Resources Wales. Enquiries should be made to *[insert contact details for the area]*.

3.8. Contravention of building regulations

Has a local authority authorised in relation to the property any proceedings for the contravention of any provision contained in building regulations?

Interpretative:

Any authorised actions should be revealed including those initiated using delegate powers.

Reply Format:

No, or Yes (*in which case please supply further details including contact details*).

Informative Note(s):

There is no preferred informative.

3.9. Notices, orders, directions and proceedings under Planning Acts

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?

- (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

Interpretative:

This concerns notices, orders, directions and proceedings under the Town and Country Planning Act. The enquiry is limited to “subsisting” matters, so anything which is defunct or no longer capable of implementation (or referred to on the Local Land Charges Register) will be omitted and should not be referred to by the responding local authority.

Reply Format:

No, or Yes (*in which case please supply further details including contact details*)

Informative Note(s):

A standard informative note should be added below the response to the question.

Informative (where relevant): National Park authorities also have the power to serve a building preservation notice, so an enquiry should also be made with them.

Informative (where relevant): Cadw (meaning “to keep” or “to protect”) is the Welsh Government’s historic environment service working for an accessible and well-protected historic environment for Wales. Additional enquiries should also be made with them at: Welsh Government, Plas Carew, Unit 5/7 Cefn Coed, Parc Nantgarw, Cardiff, CF15 7QQ.

Informative (in the case of London Boroughs): The Historic Buildings and Monuments Commission (English Heritage) also had the power to issue building preservation notices for listed buildings in London Boroughs. Further information can be found at [insert details].

The responses to **enquiries 3.9.(a), (c) and (f)–(n)** should not reveal or duplicate information that would be revealed by searching the Local Land Charges Register. An informative note may be given as follows:

Informative: Matters already entered on the Local Land Charges Register will not be revealed in answer to this enquiry.

3.10. Community infrastructure levy (CIL)

(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?*

Interpretative:

The Planning Act 2008 provides for a discretionary planning charge known as the Community Infrastructure Levy (CIL). The government subsequently published the draft Community Infrastructure Levy (Amendment) Regulations 2015 which were intended to implement its proposals. These Regulations came into effect on 24 February 2015.

The required information should be held by the local authority planning department.

As at April 2015 the community infrastructure levy or “CIL” mainly affected local authorities in London, but it will gradually begin to affect local authorities outside of London as well.

Matters revealed on the Local Land Charges Register will not be duplicated in answer to this enquiry.

Reply Format:

3.10.(a) Yes (*in which case please supply further details including contact details*), Or where the answer to 3.10.(a) is “No”, 3.10.(b)–(h) can be marked “not applicable”.

Informative Note(s):

The response to **enquiries 3.10.(b)(i), (b)(iii), (d) and (f)–(h)** should not reveal or duplicate information that would be revealed by searching the Local Land Charges Register. An informative note may be given as follows:

Informative: Matters already entered on the Local Land Charges Register will not be revealed in answer to this enquiry.

3.11 Conservation area

Do the following apply in relation to the property?

(a) the making of the area a conservation area before 31 August 1974

(b) an unimplemented resolution to designate the area a Conservation Area

Interpretative:

This enquiry is seeking information that cannot be found on the Local Land Charges Register. Conservation areas designated before 31 August 1974 are not Local Land Charges. Conservation areas designated and implemented after 31 August 1974 should not be referred to in response to this enquiry.

Reply Format:

No, or Yes *(in which case please supply further details including contact details).*

Informative Note(s):

There is no preferred informative.

3.12. Compulsory purchase

Has any enforceable order or decision been made to compulsorily purchase or acquire the property?

Interpretative:

This seeks to elicit information about pending orders, or those still capable of being implemented. Compulsory Purchase Orders are not local land charges, although General Vesting Declarations (GVDs) and Notices to Treat are registrable as local land charges. Matters already entered onto the Local Land Charges Register should not be revealed in answer to this enquiry.

Reply Format:

No, or Yes (*in which case please supply further details including contact details*).

Informative Note(s):

The response to **enquiry 3.12.** should not reveal or duplicate information that would be revealed by searching the Local Land Charges Register. An informative note may be given as follows:

Informative: Matters already entered on the Local Land Charges Register will not be revealed in answer to this enquiry.

3.13. Contaminated land

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)?

(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

Interpretative:

This question asks the local authority to reveal any information held on the specific areas listed at enquiry (a), (b) and (c).

Reply Format:

No, or Yes (*in which case please supply further details including contact details*).

Informative Note(s):

A standard informative note should be added below the response to the question:

Informative: A negative reply does not imply that the property or any adjoining or adjacent land is free from contamination, or from the risk of it, and the reply may not disclose steps taken by another local authority in whose area adjacent or adjoining land is situated.

3.14. Radon gas

Do records indicate that the property is in a “Radon Affected Area” as identified by Public Health England?

Interpretative:

This enquiry is seeking information about radon, a colourless, odourless radioactive gas. This information is not generated by the local authority. Public Health England holds the records for England and Wales.

Reply Format:

No, or Yes (*in which case please supply further details including contact details*).

Example Response(s):

[insert property address/name of area]
is designated as a radon affected area. It is recommended that the level of radon gas should be measured in all properties within Radon Affected Areas.
Public Health England can be contacted for further advice and support.
See www.ukradon.org

Informative Note(s):

Any standard informative note(s) should be added below the response to the question.

Radon Affected Areas are those designated by Public Health England (PHE). It is recommended that the level of radon should be measured in all properties within Radon Affected Areas.

Public Health England contact details:

Radon Group

Public Health England

Centre for Radiation, Chemicals and Environmental hazards

Chilton

Didcot

Oxon

OX11 0RQ

Tel: 01235 822622

Email: radon@phe.gov.uk

Further information on radon is available at www.ukradon.org

3.15. Assets of Community Value

- (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?*

Interpretative:

This scheme gives ‘local groups’ (a term defined by regulation) a right to nominate a building or land as an asset of community value. It is envisaged that when an asset of community value then comes up for sale or change of ownership, this scheme will give the local community group an early warning of the impending sale, and allow eligible groups to delay the sale by six months to give them time to develop a competitive bid and to raise money to buy the asset, thereby keeping much loved sites in public use and part of local life.

Although the Localism Act 2011 (under which this scheme was created) covers both England and Wales, the responsibility for the development of specific regulations and implementation timescales in Wales lies with the Welsh Assembly.

Local authorities cannot list land or buildings on their own initiative, but they are under a statutory obligation to review and determine nominations and to keep and maintain a List of Community Assets. In addition, they must also keep and maintain a list of assets that have been nominated but not subsequently listed and this includes applications which fall into the ‘excluded’ category.

Reply Format:

Enquiry 3.15.(a) Yes (*in which case please supply further details including contact details*), Or where the answer to 3.15.(a) is “No”, 3.15.(a)(i)–(v) and (b)(i)–(iii) can be marked “not applicable.”

Informative Note(s):

The response to **enquiry 3.15.(a)(i)** should not reveal or duplicate information that would be revealed by searching the Local Land Charges Register. An informative note may be given as follows:

Informative: Matters already entered on the Local Land Charges Register will not be revealed in answer to this enquiry.

CON 290 GUIDANCE NOTES

Format of CON 290

1. Whilst the CON 29 form of Standard Enquiries is likely to be submitted by enquirers in every case, the CON 290 is optional. It may be submitted alongside form CON 29, but as it has been designed to 'stand-alone', it can also be submitted independently. Local authorities should accept a CON 290 that is submitted independently on payment of the specified fee.

Style of replies

2. Local authorities are expected to reply to the enquiries electronically or on a separate sheet of paper. Replies should contain:

- the name of the appropriate officer of the local authority;
- the local authority search reference number (on every 'sheet');
- the applicant's reference number;
- the property address, including postcode;
- the name of the local authority responding (on every 'sheet');
- Page numbers;
- The enquiry header and enquiry; and
- The date of the CON 29 reply.

3. To facilitate standardisation in this area, a response template has been designed and can be found [here](#). This format should be used by all local authorities.

4. When answering the enquiries all relevant records should be inspected. If, as a result of computerisation or for other reasons, some records are unavailable (and will not therefore form part of the response to the enquiry), a reference should accompany the response giving details of the information that has been provided. If further information is available from another source on payment of a fee, those details should also accompany the response.

Example response: Local authority records from [insert date] have been inspected to provide this response. Further information can be obtained by contacting [insert contact details]. A fee will be charged for the provision of any required data.

Notes, words and phrases

5. These notes draw attention to the following:

- (a) the replies will relate to the property as described in Box B (and any additional roads etc. in Box C) but generally not to adjoining or nearby land or property;
- (b) where the word "area" is used in any enquiry, it means whatever size of area is used for the particular designation or application to which the enquiry relates and which happens to include the property; it could be the whole of the local authority's area, or just part of it, or even a larger area;
- (c) the records to be referred to by the local authority when processing enquiries and dealing with the enquiries of third parties are to be those of that authority and (where there has been a change of authority) its predecessor, and in appropriate cases the records of the county council;
- (d) any reference in the enquiries to particular Acts of Parliament or regulations are to be read as including former Acts or regulations which they have replaced, as well as present and future amendments of the stated Acts or regulations. This applies to the extent that it is clear which sections or regulations have been replaced.

Definitions

6. For the purposes of the following terms used on the CON 29, the definitions below should be applied:

a) Adjacent and Adjoining:

For the purposes of the CON 29, “adjacent” means parcels of land that are not widely separated, though they may not be actually touching. “Adjoining” means parcels of land united so closely that no other parcel comes between them (other than a road, railway, river, stream or canal). Adjoining parcels will always share a common boundary, or common point.

b) Proposal: (Enquiries 4., 14.2.)

The following will be revealed in answer to enquiries containing this word:

- Any scheme or proposal published for public consultation, or
- Any scheme or proposal published in local authority minutes or agendas, or
- Any proposal to take an action (under delegated powers).

This would also include any proposals given the ‘go-ahead’ by committees.

c) Authorised: (Enquiry 15.)

The following will be revealed in answer to questions containing this word:

Any decisions or approvals (not yet implemented) including those made by committees, or officers acting under delegated powers. In relation to the local authority’s own acts, ‘approval’ includes a decision to proceed.

d) Approved: (Enquiry 4., 14.1., 14.2.)

The following will be revealed in answer to enquiries containing this word:

Any decisions or approvals (not yet implemented) including those made by committees, or officers acting under delegated powers. In relation to the local authority’s own acts, ‘approval’ includes a decision to proceed.

Includes approvals made by County Councils where relevant.

e) Decided:

The following will be revealed in answer to enquiries containing this word:

Any decisions or approvals (not yet implemented) including those made by committees, or officers acting under delegated powers. In relation to the local authority’s own acts, ‘approval’ includes a decision to proceed.

f) Been Made: (Enquiry 7.1.)

The following will be revealed in answer to enquiries containing this word:

Any decisions or approvals (not yet implemented) including those made by committees, or officers acting under delegated powers. In relation to the local authority’s own acts, ‘approval’ includes a decision to proceed.

Formats

7. Electronic submissions need only contain one copy of the form and plan. Paper submissions will continue to be required in duplicate.

CON 290 ENQUIRIES, INTERPRETIVE, REPLY FORMATS AND INFORMATIVE NOTES

ROAD PROPOSALS BY PRIVATE BODIES

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-*

(a) the construction of a new road, or

(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?

Interpretative:

This enquiry focuses on proposals which have been approved or are the subject of a pending application. It is similar to enquiry 3.4. on the CON 29, but here it is information about the proposals of private bodies or developers that is being sought.

This enquiry has been relates only to 'adjacent' or 'adjoining' sites.. This is to assist with the standardisation of local authority responses.

Reply Format:

Reference: *[insert reference]*

[insert description of application]

[insert date of application]

[insert outcome of application] on [insert date]

[on large sites or sites with multiple addresses –insert application location details]

Informative Note(s):

There is no preferred informative.

ADVERTISEMENTS

Entries in the register

5.1. Please list any entries in the register of applications, directions and decisions relating to consent for the display of advertisements.

5.2. If there are any entries, where can that register be inspected?

Notices, proceedings and orders

5.3. Except as shown in the official certificate of search:

(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?

(b) Has the local authority resolved to serve a notice requiring the display of any advertisement to be discontinued?

(c) If a discontinuance notice has been served, has it been complied with to the satisfaction of the local authority?

(d) Has the local authority resolved to serve any other notice or proceedings relating to a contravention of the control of advertisements?

(e) Has the local authority resolved to make an order for the special control of advertisements for the area?

Interpretative:

There has been no change to this enquiry, and there is no preferred informative.

Reply Format:

No, or Yes (*in which case please supply further details including contact details*).

Informative Note(s):

There is no preferred informative.

COMPLETION NOTICES

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 & Country Planning Act 1990?

Interpretative:

There has been no change to this enquiry, and there is no preferred informative.

Reply Format:

No, or Yes (*in which case please supply further details including contact details*).

Informative Note(s):

There is no preferred informative.

PARKS AND COUNTRYSIDE
Areas of Outstanding Natural Beauty

7.1. *Has any order under s.82 of the Countryside and Rights of Way Act 2000 been made?*

National Parks

7.2. *Is the property within a National Park designated under s.7 of the National Parks and Access to the Countryside Act 1949?*

Interpretative:

There has been no change to this enquiry, and there is no preferred informative.

Reply Format:

No, or Yes, further details can be obtained from [*insert contact details*].

Informative Note(s):

There is no preferred informative.

PIPELINES

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?

Interpretative:

This enquiry seeks information on two distinct types of pipelines.

The Pipe-lines Act 1962 refers to pipelines as a pipe or system of pipes for the conveyance of anything other than air, water, water vapour or steam. A drain or sewer is not a pipeline under this definition. In addition there are two types of pipelines: a) cross country pipelines whose length exceeds 10 miles; and b) local pipelines, which are shorter.

Cross country pipelines need Secretary of State authorisation. Local pipelines simply need planning permission. More importantly, maps detailing cross-country pipeline routes must be deposited with the relevant local authority and those plans must be kept available for public inspection free of charge.

The Gas Act element of the enquiry focuses on finding out whether any information, by way of deposited plans, is held by the local authority.

It is important to note that both parts of this enquiry are seeking information about pipelines declared on maps which have been deposited with the local authority for public inspection. If such a map has been deposited then the measurement aspect comes into play. The 100 feet measurement is still used because that is the measurement quoted in the legislation.

Reply Format:

No, or Yes, further details can be obtained from [*insert contact details*].

Informative Note(s):

A local authority may not hold any maps on deposit. Whether a map is held or not the following informative note should be appended to this enquiry.

Informative: You are advised to seek further information from
<http://www.linesearchbeforeudig.co.uk>

LinesearchbeforeUdig (LSBUD) is a free internet-based enquiry service. It claims to provide a single point of contact for all enquiries relating to the apparatus owned and/or operated by the Asset Owners protected by LSBUD, including underground and overhead transmission/distribution electricity networks, transmission/distribution gas networks, oil pipelines, and fibre optic networks.

HOUSES IN MULTIPLE OCCUPATION

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?*

Interpretative:

There has been no change to this enquiry, and there is no preferred informative.

Reply Format:

No, or Yes (*in which case please supply further details including contact details*).

Informative Note(s):

There is no preferred informative.

NOISE ABATEMENT

Noise Abatement Zone

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?*

Entries in Register

10.2. *Has any entry been recorded in the Noise Level Register kept pursuant to s.64 of the Control of Pollution Act 1974?*

10.3. *If there is any entry, how can copies be obtained and where can that Register be inspected?*

Interpretative:

There has been no change to this enquiry, and there is no preferred informative.

Reply Format:

No, or Yes (*in which case please supply further details including contact details*).

Informative Note(s):

There is no preferred informative.

URBAN DEVELOPMENT AREAS

11.1. *Is the area an urban development area designated under Part XVI of the Local Government, Planning and Land Act 1980?*

11.2. *If so, please state the name of the urban development corporation and the address of its principal office.*

Interpretative:

There has been no change to this enquiry, and there is no preferred informative.

Reply Format:

No, or Yes (*in which case please supply further details including contact details*).

Informative Note(s):

There is no preferred informative.

ENTERPRISE ZONES, LOCAL DEVELOPMENT ORDERS & BIDS

12.1. *Is the area designated as an enterprise zone?*

12.2. *Is the area subject to a local development order?*

12.3. *Is the area a business improvement district (BID)?*

Interpretative:

This enquiry has been expanded and now includes local development orders and business improvement districts. The information should be derived from the same departmental source.

Reply Format:

No, or Yes (*in which case please supply further details including contact details*).

Informative Note(s):

There is no preferred informative.

INNER URBAN IMPROVEMENT AREAS

13. *Has the local authority resolved to define the area as an improvement area under s.4 of the Inner Urban Areas Act 1978?*

Interpretative:

There has been no change to this enquiry, and there is no preferred informative.

Reply Format:

No, or Yes (*in which case please supply further details including contact details*).

Informative Note(s):

There is no preferred informative.

SIMPLIFIED PLANNING ZONES

14.1. *Is the area a simplified planning zone adopted or approved pursuant to s.83 of the Town & Country Planning Act 1990?*

14.2. *Has the local authority approved any proposal for designating the area as a simplified planning zone?*

Interpretative:

There has been no change to this enquiry, and there is no preferred informative.

Reply Format:

No, or Yes (*in which case please supply further details including contact details*).

Informative Note(s):

There is no preferred informative.

LAND MAINTENANCE NOTICES

15. *Has the local authority authorised the service of a maintenance notice under s.215 of the Town & Country Planning Act 1990?*

Interpretative:

There has been no change to this enquiry, and there is no preferred informative.

Reply Format:

No, or Yes (*in which case please supply further details including contact details*).

Informative Note(s):

There is no preferred informative.

MINERAL CONSULTATION AND SAFEGUARDING AREAS

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 & Country Planning Act 1990?*

Interpretative:

For District Councils, enquiries may also need to be made of the County Council.

Reply Format:

No, or Yes (*in which case please supply further details including contact details*)

Informative Note(s):

There is no preferred informative.

HAZARDOUS SUBSTANCE CONSENTS

17.1. Please list any entries in the Register kept pursuant to s.28 of the Planning (Hazardous Substances) Act 1990.

17.2 If there are any entries:

(a) How can copies of the entries be obtained?

(b) Where can the Register be inspected?

Interpretative:

There has been no change to this enquiry, and there is no preferred informative.

Reply Format:

None, Or, insert details.

Informative Note(s):

There is no preferred informative.

ENVIRONMENTAL AND POLLUTION NOTICES

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?*

(This enquiry does not cover notices under Part IIA or Part III of the EPA, to which enquiries 3.7 or 3.13 apply).

Interpretative:

There has been no change to this enquiry, and there is no preferred informative.

Reply Format:

None, *Or*, insert details.

Informative Note(s):

There is no preferred informative.

FOOD SAFETY NOTICES

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?*

Interpretative:

The Food Hygiene (England) Regulations 2006 (SI 2006/14) were revoked by the Food Safety and Hygiene (England) Regulations 2013 (SI 2013/2996). However, the Food Hygiene (Wales) Regulations 2006 (SI 2006/31) W5 are still in force.

Reply Format:

None, *Or*, insert details.

Informative Note(s):

There is no preferred informative.

HEDGEROW NOTICES

20.1. *Please list any entries in the record maintained under regulation 10 of the Hedgerows Regulations 1997.*

20.2. *If there are any entries:*

(a) How can copies of the matters entered be obtained?

(b) Where can the record be inspected?

Interpretative:

There has been no change to this enquiry, and there is no preferred informative.

Reply Format:

None, *Or*, insert details.

Informative Note(s):

There is no preferred informative.

FLOOD DEFENCE AND LAND DRAINAGE CONSENTS

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?

Interpretative:

This enquiry relates to local authority flood defence or land drainage consents on ordinary watercourses, and is intended to reveal whether there are any of these ordinary watercourse land drainage and flood defence consents affecting the property. The Flood & Water Management Act 2010 amended the Land Drainage Act 1991 and local authorities are now responsible for land drainage and flood defence consents for ordinary watercourses.

Reply Format:

No, or Yes (*in which case please supply further details including contact details*).

An additional note regarding flood information may be included if required:-

Information regarding main rivers is not provided in answer to this enquiry. If the property is affected by flood risk on a main river, information may be sought from the Environment Agency/Natural Resources Wales. Enquiries should be made to *[insert contact details for the area]*.

Informative Note(s):

Where information is held by another agency or body, contact details should be provided.

COMMON LAND AND TOWN OR VILLAGE GREEN

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?*

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?*

22.3 *If there are any entries, how can copies of the matters registered be obtained and where can the register be inspected?*

Interpretative:

This enquiry has been expanded and now includes a reference to statements deposited under s.15A(1) of the Commons Act 2006. The Growth and Infrastructure Act 2013 inserted s.15A(1), which allows an owner of land in England to deposit a statement and map to protect against land being used as a town or village green.

Reply Format:

No, or Yes (*in which case please supply further details including contact details*).

Informative Note(s):

There is no preferred informative.

Annex A – Transitional arrangements

Until end of 1 July 2016

- If a CON 29R and/or the current CON 29O is received in electronic or paper form before the end of 1 July 2016, the local authority will provide replies to the current enquiries.

2 July 2016 to 4 July 2016

- If the current enquiries are received electronically at any time on 2 July 2016 or later, replies will be provided to the new CON 29 and CON 29O enquiries.
- If a current enquiries are received by post, DX or by hand at any time on 2 July 2016 or later, it is for the local authority to decide whether to provide replies to the new or current enquiries.
- If current enquiries are still being processed after the end of 1 July 2016 (whenever the enquiries were received) (e.g. it was entered on local authority systems before or on 1 July and is still being processed after that date), the local authority will provide replies to the current form.

4 July 2016 and beyond

- The new CON 29 and CON 29O enquiries should be used. Local authorities will accept and respond to the enquires from this date.

Annex B – VAT on CON29 searches

The planned implementation date for VAT on CON29 searches of the 4 July 2016 has been deferred by HMRC.