

RESIDENTIAL CONVEYANCING CPD COURSE

Thursday 22nd October 2015
Warwick Castle

SEVERN
TRENT

AGENDA

- 9:55am – 10:00am – Welcome – Mark Jarvis, Severn Trent Searches
- 10:00am – 10:45am – Update on the Local Land Charges Programme – Sam Heath, The Land Registry
- 10:45am – 11:45am – Which risk report? - Anthony Rollason, Landmark Information Group
- 11:45pm – 12:00pm – Coffee Break
- 12:00pm – 1:00pm – The CON29DW and latest developments in sewerage legislation – Owen Davies, Severn Trent Searches
- 1:00pm – Finish and lunch



Local Land Charges

Severn Trent CPD– October 2015

Sam Heath



Local Land Charges – 2015-16



Current Status

- Infrastructure Act 2015
- Royal Assent – Feb 2015
- Outline Business Case (OBC)
- Local Authority Advocates
- Major Projects Authority (MPA)
- LLC Advisory Board



The next 12 months

- Secondary Legislation – consultation and rules
- Procurement of solutions/services
- Design and build the register
- Complete the detailed analysis of data in local authorities
- Complete New Burdens Assessment
- Develop migration plans

LLC Advisory Board

- Been established for:
 - Key stakeholders to contribute their knowledge and expertise ensuring that their views, and those of their respective industries, are represented as the policy develops and the service is migrated and implemented.
- Inaugural meeting held in June 15
- Agreed members are:

| | |
|---------|-------------------------|
| – LGA | – Land Data |
| – LLCI | – Land Registry |
| – CoPSO | – LA CEO Representative |

Major Projects Authority (MPA)

- Cabinet Office
- LLC forms part of the Government Major Projects Portfolio (GMPP)
- Top 200 Government programmes
- Series of gates to give added assurance to the Programme
- Provides commercial and operational support
- Publishes annual reports on major projects

Stakeholders

- Maintain and build on current relationships
- Collaborate with stakeholders
- Encourage constructive consultation responses
- Local Authority Advocates



Secondary Legislation

- Representation by the market
- Inform LLC policy creation
- Consultation (expected Jan 2016)
- Rules in place April 17



Procurement

- Further Market Engagement – 4 November 2015
- Pre-procurement ends
- Three distinct procurements:
 - 1. Planning & Delivery Partner**
 - 2. Register Creation:**
 - Holds the data
 - Updates to the register
 - Access to data.
 - 3. Digitisation and Migration**
 - Prepare data
 - Data profiling/Q & A
 - Data transformation.



Timeline

Key milestones

March 2015
Royal Assent:
Granted for LLC and Wider Powers policies as part of the Infrastructure Act 2015.

May - Dec 2015
Engagement and Data Collection:
Local authority visits to understand existing data sets and processes.

2015 - 2016*
Procurement:
Process to secure external suppliers for Digitisation and Migration, and a Planning and Delivery Partner. Land Registry will also start to build the Register Services solution.

2016 - 2017*
Secondary legislation:
We will conduct a 12 week public consultation on the LLC Rules as legislation is required to implement the changes to the service.

2017 - Onwards*
Digitisation:
LLC entries held by local authorities will be transferred into a standardised digital format. This may involve local authorities undertaking a range of data preparation activities. Robust data checks will ensure the accuracy of data uploaded into the new system.

2017 - Onwards*
Migration of data:
There will be an agreed period of phased migration of data from local authorities to Land Registry.

End*
Live service:
Following the successful migration of LLC data, search results and access under the Environmental Information Regulations 2004 will be provided from our single digital database.

* These dates are subject to change



Local Land Charges

Questions?





WHICH REPORT?

THE RIGHT REPORT FOR THE RIGHT TRANSACTION

Anthony Rollason – Regional Manager (Legal)
Oct 2015

WE WILL LOOK AT...

01 Contaminated land & reports

02 Planning (& case studies)

03 Flooding

04 Energy & Infrastructure

❖ COMPLIANCE, DUE DILIGENCE & CLIENT CARE



Manage Risk – Due diligence

Law Society – Contaminated Land practice note

Law Society - Flood practice note



SRA – Compliance & Client care

- Demonstrate compliance, acting clients best interest – ‘across the firm’ policy
- Should have written rules & guidelines on searches



- “Must make all usual and necessary searches ... in addition .. other searches which may be appropriate ... taking into account [the Property] locality and other features”

❖ WHICH SEARCHES SHOULD I USE?

In every transaction

Contaminated
Land

When alerted as a risk

Planning

Flood Risk

Energy &
Infrastructure



CONTAMINATED LAND

01

GUIDANCE: LAW SOCIETY PRACTICE NOTE

Consider whether land contamination is an issue in all conveyancing transactions.

Obtain an independent site report from a commercial provider (Landmark desktop report)

Consider and advise your client of environmental insurance policy


Advise of the consequences of acquiring interests in contaminated land.

- Potential liability (“A” & “B” class persons)
- Complying with a remediation notice.
- Next steps that can be taken to assess the risks.


If necessary, enquire of statutory and regulatory bodies.

Pass this information back to Landmark for a free re-review


RESIDENTIAL ENVIRONMENTAL REPORTS




Risk Summary

**Section 1: Contaminated Land** **PASSED**


We consider there to be no significant risk of contaminated land at or within the vicinity of the property. Please refer to **section 1** for further information.

**Section 2: Flood** **NONE IDENTIFIED**


We consider there to be no significant risk of flooding to the property. Please refer to **section 2** for further information.

**Section 3: Energy & Infrastructure** **IDENTIFIED**


We have identified one or more factors such as HS2, energy exploration, wind or solar farms within the vicinity of the property. Please refer to **section 3** for further information and next steps.

**Section 4: Ground Stability** **IDENTIFIED**


We have identified a factor that may affect the ground stability of the property. Please refer to **section 4** for further information and next steps.

**Section 5: Radon** **IDENTIFIED**

We have identified that the property falls within 25m of a radon affected site. Please refer to **section 5** for further information and next steps.

**Section 6: Other Influential Factors** **NONE IDENTIFIED**

No overhead power lines, environmental factors or other influential factors been identified within the vicinity of the property. Please refer to **section 6** for further information.



This report is issued for the property described as **Sample Site**

Report Reference: **65715417_1_1**

National Grid Reference: **401 040 106950**

Customer Reference: **Passed Sample_ESR**

Report Date: **1 April 2015**

Landmark Contribution


By purchasing this report, the report recipient may be eligible for remediation contribution of up to £100,000 if served with a Remediation Notice by the local authority. Such a notice forces the homeowner to contribute to the costs of remediating the site. For more information see Landmark's Terms and Conditions.


CONTACT DETAILS


If you require assistance please contact our customer services team on: **0844 844 9066**


SITESOL


Residential


**Contaminated Land** **PASSED**

**Flooding** **PASSED**

**Subsidence & Ground Instability** **FURTHER ACTION**

**Masts and Power Lines** **NOT IDENTIFIED**

**Radon** **NOT IDENTIFIED**

**Energy & Infrastructure** **IDENTIFIED**

Report on:

Oil & Gas, Oil Kingdom

Report prepared for:

Sample Company

Site Location

Report prepared on:

Oil & Gas, Other Petroleum, HS2, Crossrail, United Kingdom

Site Area (m²):

25

Current Use:

Residential

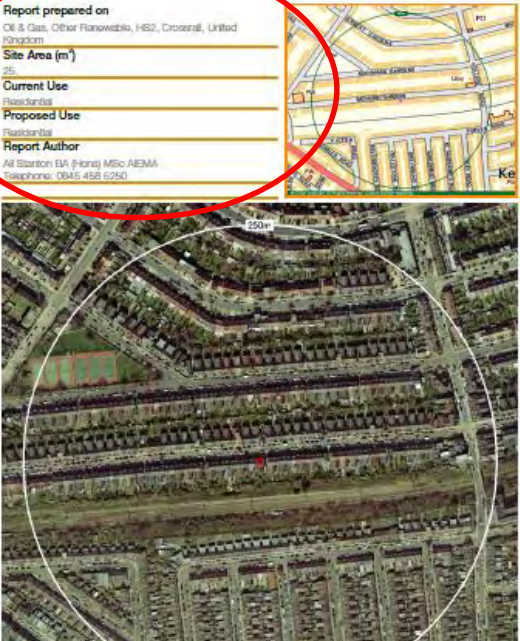
Proposed Use:

Residential

Report Author:

Ali Stanton BA (Hons) MSc AIEMA

Telephone: 0845 458 5250



Report Author

Ali Stanton BA (Hons) MSc AIEMA

Telephone: 0845 458 5250

❖ WHICH SEARCHES SHOULD I USE?

In every transaction

Contaminated
Land

When alerted as a risk

Planning

Flood Risk

Energy &
Infrastructure



PLANNING

02

●● PLANNING REPORTS



Abbey Court, Eagle Way, Sow

Prepared for:
L And01 Landmark1 Account
Landmark(Test Account)
6 - 7 Abbey Court,
Sowton Ind Estate
Exeter
Devon
EX2 7HY

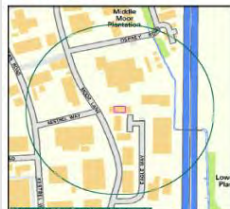
Report Reference: PSC_28634111_1_1

Report Date: 18-AUG-2009

Customer Reference: Sitecheck Planning sam

National Grid Reference: 296680 92280

Site Area: 618 m²



If you have any questions on the contents of this Report please contact us on 0844 844 9966 or via email on info@landmark.co.uk

Telephone: 0844 844 9966
Fax: 0844 844 9980
Email: info@landmark.co.uk
Website: www.sitecheck.co.uk



Residential planning applications

| | | |
|--|---|-----------------------------|
| | Alterations single dwelling | 23 applications within 50m |
| | New build up to 10 dwellings | 0 applications within 100m |
| | New build 10 to 50 dwellings / unknown | 59 applications within 250m |
| | New build 50 to 200 dwellings | 3 applications within 500m |
| | New build over 200 dwellings | 0 applications within 750m |

Non-residential planning applications

| | | |
|--|---|-----------------------------|
| | Small up to 250m ² / unknown | 36 applications within 250m |
| | Medium 250m ² to 1500m ² | 7 applications within 500m |
| | Large over 1500m ² / unknown | 72 applications within 750m |

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Empowering people with information



This report is issued for the property described as:
Sample Site, Sample Street,
Sample Town, TE1 1ST

Report Reference
P&P_55876843_3_1

National Grid Reference
967148, 175628

Customer Reference
SAMPLE

Report Date:
28 April 2014

Requested by
L And01 Landmark1 Account,
Landmark(Test Account), 6 - 7
Abbey Court, Sowton Ind
Estate, Exeter, Devon, EX2 7HY

Contact Details

If you require any assistance
please contact our customer
services team on:

0844 844 9966

or by email at:
helpdesk@landmark.co.uk

Plansearch Plus Sitecheck Planning

- Development Plans
- Planning Applications
- Land use designations
- Mobile phone masts
- Rights of way
- Housing & neighbourhood including:-
- Schools (including results), insurance claims and population demographics

Plansearch Plus: £31+vat

Sitecheck Planning: £115+vat

How can a planning application affect a purchase?

❖ HOLLINGWORTH, HYDE



This property currently enjoys the use of the football pitch and also the views over the Peak District.










PLANSEARCH PLUS REPORT REVEALS



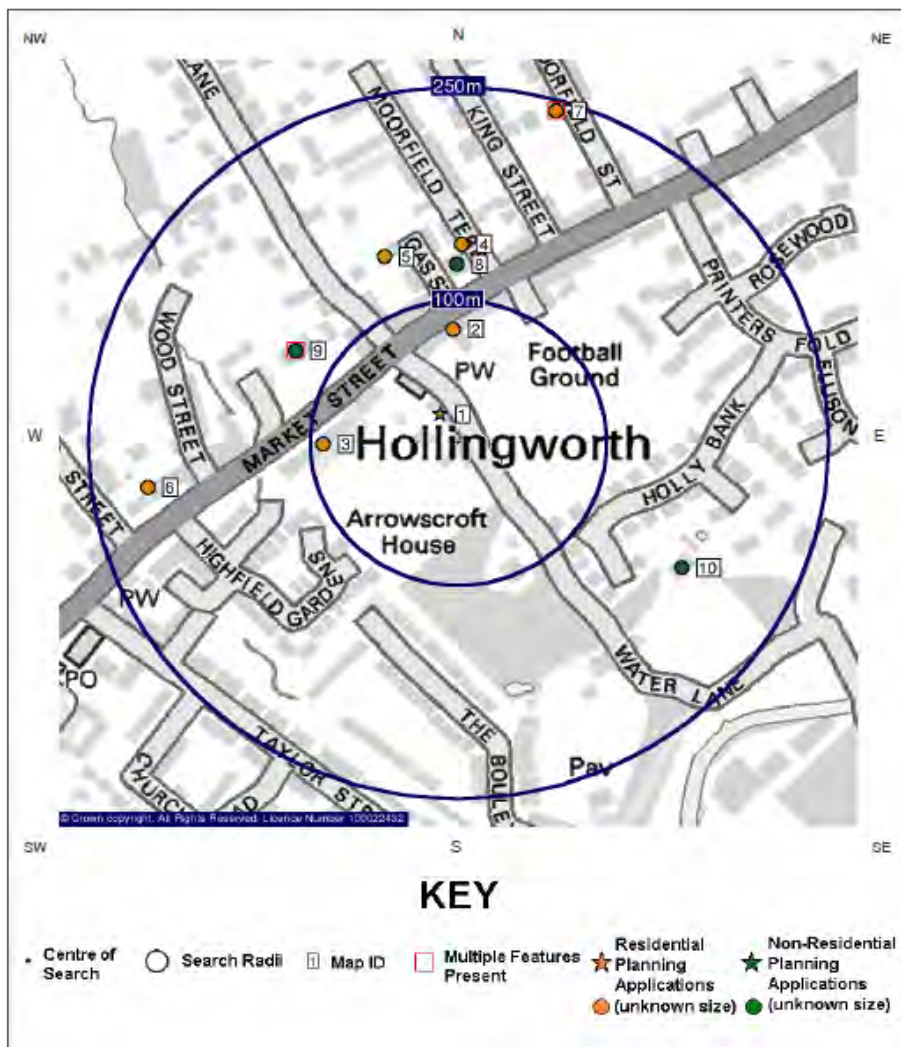
Residential planning applications

| | | |
|---|---|----------------------------|
|  | Alterations single dwelling | 1 application within 50m |
|  | New build up to 10 dwellings | 0 applications within 100m |
|  | New build 10 to 50 dwellings / unknown | 7 applications within 250m |
|  | New build 50 to 200 dwellings | 0 applications within 500m |
|  | New build over 200 dwellings | 0 applications within 750m |

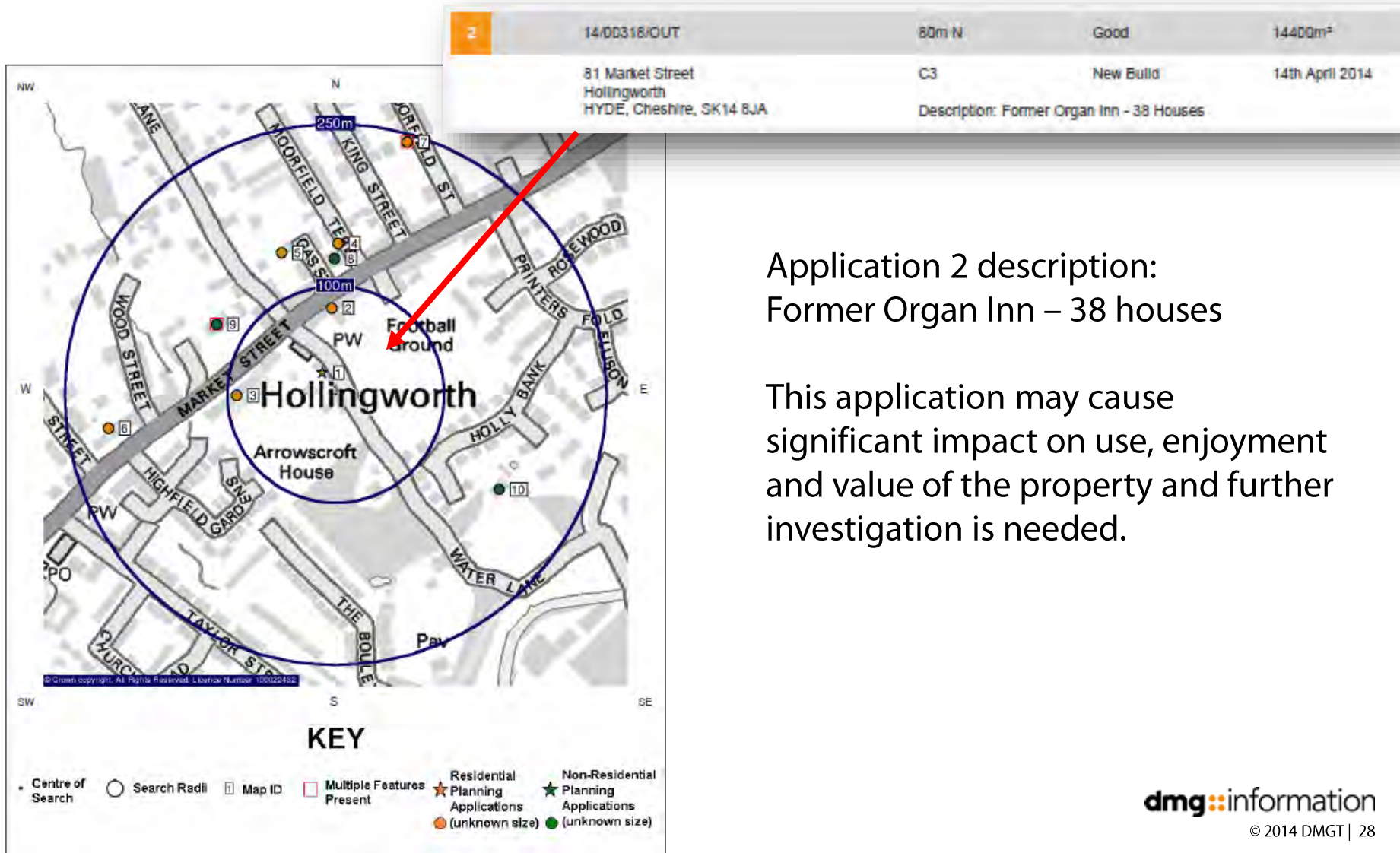
7 planning applications within 250m where:

1. 10-50 New Build dwellings are being built
2. Unknown means development would cost over £100,000

MAP SHOWING APPLICATIONS AND AERIAL VIEW



❖ PLANNING APPLICATIONS WITHIN REPORT



FURTHER INVESTIGATION

| | | | | |
|---|--|-------|-----------|---------------------|
| 2 | 14/00318/OUT | 80m N | Good | 14400m ² |
| | 81 Market Street Hollingworth HYDE, Cheshire, SK14 8JA | C3 | New Build | 14th April 2014 |
| | Description: Former Organ Inn - 38 Houses | | | |

Searching the council website using the application number on the Plansearch Plus report showed the following, along with detailed plans...

| | | | |
|--------------------|---|---|----------|
| Application Number | 14/00318/OUT | Date of Application | 14/04/14 |
| Case Officer | Miss E Knowles | | |
| Proposal | Demolition of The Organ PH and erection of 38no. 2, 3, 4 bed houses on land including that to the rear of the public house with associated landscaping, access and car parking - OUTLINE (Approval for Access, Landscaping, Layout and Scale) | | |
| Site | Organ Inn 81 Market Street Hollingworth Tameside SK14 8JA | | |
| Applicant | Frederic Robinson | C/O Agent | |
| Agent | Leith Planning Limited | 14 South Clifton Street Lytham St Annes Lancashire FY8 5HN | |
| Status | Pending | Comment On This Application | |
| | Show Progress | View Documents View Site Map | |

❖ FURTHER INVESTIGATION



The image on the left shows the plans for these 38 houses over the football pitch.

This means that the owner will no longer enjoy use of the field and the properties will also block the view of the Peak District.

❖❖ PROPERTY IN HOLLINGWORTH, HYDE

Without a Plansearch Plus, a buyer may not have been aware of the development being built opposite their property.

This could affect both the use and enjoyment of the property and also the value



DEVELOPMENT IMPACT – PLANNING CASE STUDY



WHAT PLANSEARCH PLUS SHOWS...



Residential New Build

10 to 50 dwellings / unknown (within 250m)

"Unknown" planning applications refer to those that have been identified as having a financial value in excess of £100,000 however their scale cannot be determined.

| ID | Reference (Application No.) | Distance & Direction | Location Accuracy | Site Area | |
|----|--|-----------------------------|-------------------|----------------------|-------------------------|
| | Address | Use Class | Type | Submission Date | Decision |
| 1 | 11/01336/FUL | 17m N | Good | 1406.1m ² | |
| | 39 Archers Road Southampton SO15 2NB | C3 Description: 20 Flats | New Build | 13th September 2011 | Detail Planning Granted |
| 1 | 08/00383/FUL | 17m N | Good | 1400m ² | |
| | 39 Archers Road Southampton SO15 2NB | C3 Description: 11 Flats | New Build | 19th March 2008 | Detail Planning Refused |



New build
over 200 dwellings

0 applications within 750m

What else does a Plansearch Plus offer the purchaser?

- **Land Use Designations**
- **Rights of Way and Mobile Phone Masts**
- **Education**
- **Local Amenities**

❖ Landmark Planning Reports



The screenshot shows a Landmark Plansearch Plus report. At the top, the Landmark logo is visible. Below it, the Plansearch Plus logo is displayed. The report is divided into two main sections: Residential planning applications and Non-residential planning applications. The Residential section lists five categories of applications with their respective counts and distances. The Non-residential section lists three categories of applications with their respective counts and distances. A grey box on the right contains report details such as the property address, report reference, national grid reference, customer reference, report date, and requested by. An orange box at the bottom right contains contact information for the customer service team, including a phone number and an email address. The footer of the report includes the website URL and a tagline.

Landmark
Environmental Group

Plansearch Plus

Residential planning applications

| | |
|---|----------------------------|
| Alterations single dwelling | 4 applications within 50m |
| New build up to 10 dwellings | 0 applications within 100m |
| New build 10 to 50 dwellings / unknown | 0 applications within 250m |
| New build 50 to 200 dwellings | 0 applications within 500m |
| New build over 200 dwellings | 0 applications within 750m |

Non-residential planning applications

| | |
|---|----------------------------|
| Small up to 250m ² / unknown | 2 applications within 250m |
| Medium 250m ² to 1500m ² | 0 applications within 500m |
| Large over 1500m ² | 1 application within 750m |

This report is issued for the property described as:
9 Compton Avenue, Goring-by-Sea, WORTHING, West Sussex, BN12 4JJ

Report Reference
P&P_84728668_1_1

National Grid Reference
510890, 162760

Customer Reference
rhdly

Report Date
23 February 2016

Requested by

Contact Details

If you require any assistance please contact our customer services team on:

0844 844 9966

or by email at:
helpdesk@landmark.co.uk

www.landmark.co.uk
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Residential: Plansearch Plus £31+vat

*Discount offered when purchased with a
Landmark Environmental report*

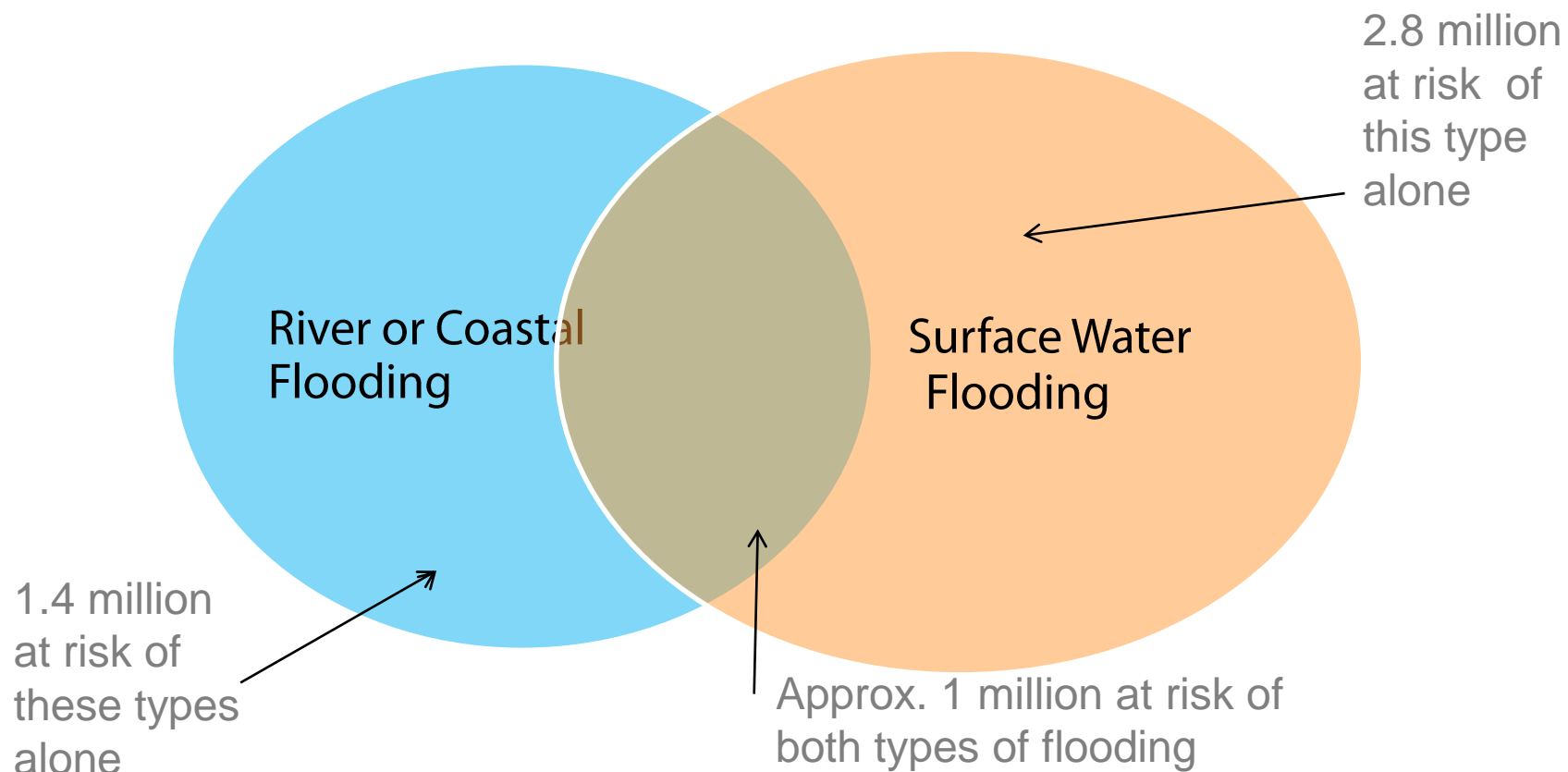


FLOOD

03

❖ FLOODING – SCALE OF THE PROBLEM

Environment Agency Report 2009/CCC 2012



❖❖ SCALE OF THE PROBLEM

DEFRA report identified flooding as Britain's biggest climate risk

Putting it right:

- Residential property average cost £40,000-£45,000
- Commercial property average cost- £75,000-£115,000
- Costs increase dramatically with increased depth
- Every 10cms increase in depth doubles cost

❖ LAW SOCIETY “FLOOD” PRACTICE NOTE

- Published May '13, and updated Dec.'14
- “Should” mention flood risk to clients
- Consider further investigations
 - Don't rely on EA website alone
 - Screening reports not property specific
 - Ensure you cover all the main risks
 - Risk assessment
- Consider cost of insurance
- Discuss with surveyor



❖ STATEMENT OF PRINCIPLES AND 'FLOOD RE'

Fixes insurance for homes at greatest risk.

Flood Re - £10.50 (+IPT) on all households

Further Levy based on council tax bandings

There is no cap on excesses (originally proposed cap of £250-£500)

Flood Re's premiums are capped in line with council tax band (£210 Band A to £1200 Band H (Band I in Wales)),



NOTE THAT:

- Not implemented until April 2016
- SMEs & Commercial excluded
- Post 2009 residential excluded
- Leasehold flats, private rented and buy to let excluded

THE PROPERTY INFORMATION FORM (TA6) WAS UPDATED ON 2ND MAY '13:

7 Environmental matters

Flooding

Note: Flooding may take a variety of forms: it may be seasonal or irregular or simply a one-off occurrence. The property does not need to be near a sea or river for flooding to occur. Further information about flooding can be found at: www.defra.gov.uk.

7.1 Has any part of the property (whether buildings or surrounding garden or land) ever been flooded? If Yes, please state when the flooding occurred and identify the parts that flooded:

☐ Yes ☐ No

If No to question 7.1 please continue to 7.3 and do not answer 7.2 below.

7.2 What type of flooding occurred?

(a) Ground water ☐ Yes ☐ No

(b) Sewer flooding ☐ Yes ☐ No

(c) Surface water ☐ Yes ☐ No

(d) Coastal flooding ☐ Yes ☐ No

(e) River flooding ☐ Yes ☐ No

(f) Other (please state):

7.3 Has a Flood Risk Report been prepared? If Yes, please supply a copy.

☐ Yes ☐ No
☐ Enclosed ☐ To follow

Further information about the types of flooding and Flood Risk Reports can be found at: www.environment-agency.gov.uk.

FLOOD REPORTS

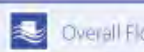
Flood Report



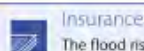
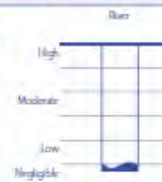
Flood Risk
PASSED

Professional

The Site is not considered to be at risk of flooding. No further action is required.



Overall Flood Risk



Insurance
The flood risk is considered to be low. Insurance is recommended.

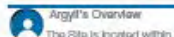
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Save on you
Use this code to save 10% on your next purchase.

FLOOD SOLUTIONS Residence



Overall Opinion
PASSED



Argyll's Overview

The Site is located within an area which is susceptible to surface water (pluvial) flooding. However, buildings and contents insurance should be available at standard terms.

A prudent purchaser should ask the vendor whether there has been any historical flooding and confirm the availability of building and contents insurance. You may also want to carry out further assessment and management of flood risk (see pages 3 & 4).



Site Location

Report prepared on
Specimen Site, LONDON
Site Area (m²)
101,000
Current Use
Residential
Proposed Use
Residential
Report Author
Ben Pilling BSc (Hons) MSc, AEMA
Telephone: 0845 458 5250



Sitecheck
Combined Report



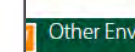
Contaminated Land
PASSED

Professional Opinion
No significant contamination has been identified. No further action is required.



Flooding
PASSED

Professional Opinion
Low/Moderate - The Site is not considered to be at risk of flooding. No further action is required.



Other Environmental
The following have been identified in the vicinity of the Site:
• Badly drained (1 and 2)

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Giving People with Information



SITE SOLUTIONS Combined



Contaminated Land
PASSED



Flooding
PASSED



Argyll's Overview

Contaminated Land - No significant contamination has been identified. No further action is required.

Flood Risk - Moderate - The Site is susceptible to flooding from one or more sources. A prudent purchaser should ask the vendor whether there has been any historical flooding and confirm the availability of building and contents insurance. You may also want to carry out further assessment and management of flood risk.

Environmental Hazards - No other Environmental Hazards have been identified in the immediate vicinity of the Site. One or more Miscommunication base stations are located within 100m of the Site.

Additional Considerations - The following additional considerations have been identified in the immediate vicinity of the property:
• Flood Risk - The property is situated in a flood risk area. Please refer to the detailed flood risk assessment for further information and recommendations.

Report prepared for:
Specimen
Client Reference:
Specimen
Report Reference:
Specimen_Farm
National Grid Reference:
220660,200040
Report date:
14th November 2012



Renaissance ESTATE SOLUTIONS Farm



Contaminated Land
PASSED



Flooding
FURTHER ACTION



Argyll's Overview

Contaminated Land - The property poses an acceptable contamination risk. No further environmental investigation is recommended.

Flood Risk - High - The property is considered to be at an increased risk of flooding from one or more sources. Please refer to the detailed flood risk assessment for further information and recommendations.

Report prepared for:
Specimen
Client Reference:
Specimen
Report Reference:
Specimen_Farm
National Grid Reference:
220660,200040
Report date:
14th November 2012



Report on:
Malthouse Farm, Laughton, CARMARTHEN, Dyfed, SA33 4RS

Renaissance environmental 0845 458 5250
www.argyllenvironmental.com



dmg information

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ENERGY & INFRASTRUCTURE

04

❖ ENERGY & INFRASTRUCTURE

- Oil & Gas inc. Fracking
- Wind Energy
- Solar Energy
- Renewable Power Plants
- HS2
- Crossrail
- CCS Pipeline
- £25+vat

SITESOLUTIONS Energy & Infrastructure

| Energy | | |
|--|-----------------------------------|----------------|
|  | Oil and Gas | NOT IDENTIFIED |
|  | Wind Energy | IDENTIFIED |
|  | Solar Energy | IDENTIFIED |
|  | Renewable Power Plants | NOT IDENTIFIED |
| Infrastructure | | |
|  | High Speed 2 | IDENTIFIED |
|  | Crossrail | NOT IDENTIFIED |
|  | Yorkshire and Humber CCS Pipeline | NOT IDENTIFIED |

Site Address
Sample site, Leicestershire, United Kingdom

Report Reference
Sample

Customer Reference
Sample

Report produced on
25th November 2014

Report prepared for
Sample

CONTACT DETAILS

If you require assistance please contact our customer service team on:

0844 844 9966

or by email at:
helpdesk@landmark.co.uk

The authority responsible for the site is:
North West Leicestershire District Council

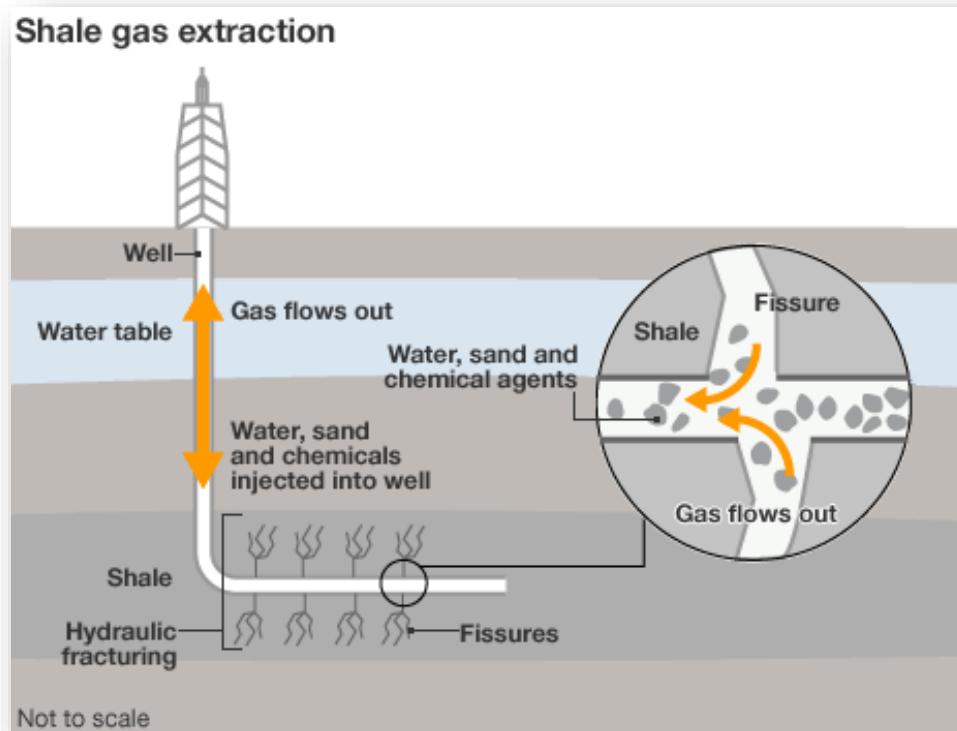
❖ FRACKING - BACKGROUND

Hydraulic fracturing

A technique where typically water is mixed with sand and chemicals and injected at high pressure into a wellbore to create small fractures

Fractures are typically less than 1mm

The rock to splits, releases the gas into the well so it can be brought up to the surface



❖ WHY WOULD A BUYER BE CONCERNED?

- Access to and from land
- Increased Traffic
- Noise and vibrations from site
- Abstraction licences – limit to amount of water that can be removed
- Contaminating ground water
- Use and value may be affected

A test drilling site for shale gas on the outskirts of Southport, Lancashire

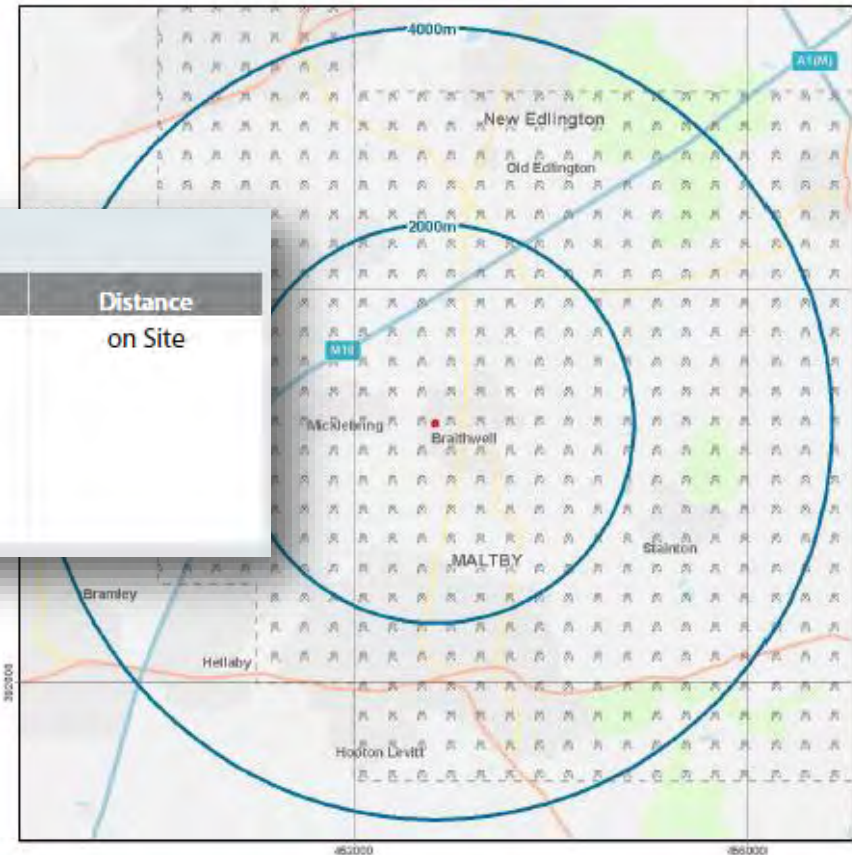


WHAT DOES THE REPORT SHOW?



Oil and Gas Exploration

This map shows a detailed view of oil and gas exploration licences and drilling well locations.



Contains Ordnance Survey data © Crown copyright and database right 2014



Client Site

Drilling Location



Exploration Licence



Current



Completed

Exploration licences within 4km of your property

Exploration Licences

Licence: PEDL43

Type: Petroleum Exploration and Development Licence (PEDL)

Operator: ALKANE ENERGY PLC, EGDON RESOURCES

Administrator: REGENT PARK ENERGY LIMITED

This type of licence would have been issued after 1996

| Exploration Licences | Status | Distance |
|----------------------|---------|----------|
| | Current | on Site |

❖ BACKGROUND TO WIND FARMS

- UK has one third of Europe's wind resource
- UK's largest source of renewable energy generation
- Now over 400 wind farms - nearly 4000 wind turbines
- These figures will continually grow
- No Compensation - No formal government compensation schemes currently exist for property owners located close to wind farms.



❖ WHAT IS THE EFFECT ON PROPERTY PRICES?

- LSE report Feb 2014
- Properties in close proximity to large wind farm – average value **fell 12%**
- Properties in close proximity to small wind farm – could lose up to **7% value**



❖ WIND TURBINE CASE STUDY

Morris launches exclusive new detached homes in Rothley



❖ WHY WOULD A BUYER BE CONCERNED?

Plans for 44 acre solar farm in heart of picturesque Cotswold village

A German firm has unveiled plans for a 44 acre solar farm in a picturesque Cotswold village which locals claim could threaten the very heart of their community.



Locals fear that the solar farm will be an "eye sore". The Lieberose solar farm in Germany, pictured, is the world's second largest Photo: REUTERS

Eyesore

Glare from panels

Increase traffic during construction

Potential loss in property value

❖ WHY WOULD A BUYER BE CONCERNED?

- Access to, from and over the land
- Increased Traffic during construction
- Noise and vibrations during construction from site
- Glare from the sun
- May affect both use, enjoyment and value of property

WHAT DOES THE REPORT SHOW?

Planning applications for solar energy within 2km of your property

Solar Farms

Ayshford Court Farm

Reference: AA325

Capacity: 5MW

Contractor: AEE Renewables UK

Address: Westleigh, Tiverton, Devon

Local Planning Authority: Mid Devon District Council

Status

Operational -
generation started
on 28/03/2013

Distance

1.2km west



Solar Energy

This map provides a detailed view of solar energy installations.



Contains Ordnance Survey data © Crown copyright and database right 2014



Client Site

Solar Energy Planning Applications



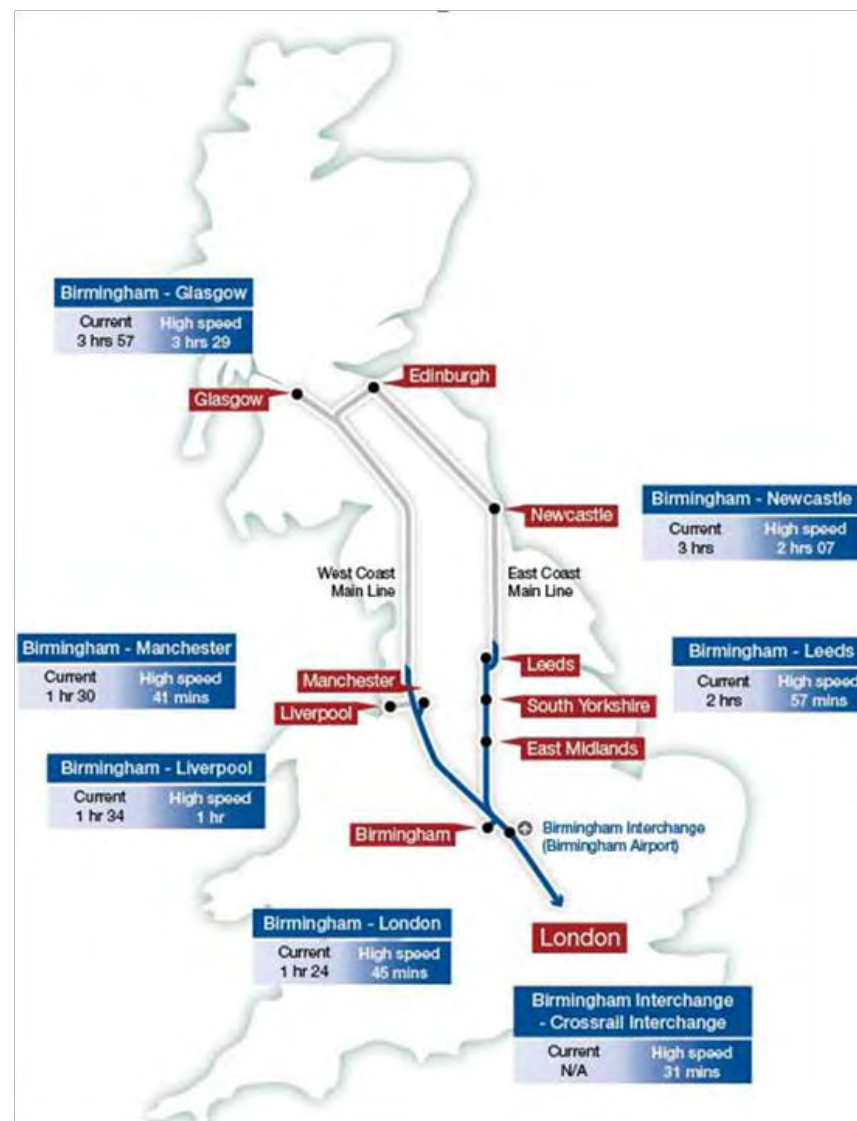
Active



Inactive Application

HS2 - BACKGROUND

- Phase 1 London Euston to Birmingham confirmed January 2012
- Phase 2 Birmingham to Manchester and Leeds announced Feb. 2013
- Construction due to commence 2017
- Phase 1 to be completed by 2026
- Phase 2 to be completed by 2033
- Estimated cost of all HS2 over £50 billion
- Speeds up to 250mph
- Carriages 400m long



❖❖ CROSSRAIL - BACKGROUND

Reading to Shenfield
Cost £15 billion +

Some controversy over
compulsory purchases

Predicted to cause
property hotspots



WHAT DOES THE REPORT SHOW?

Safeguarding limits

| Question | Answer |
|---|------------------------------|
| How far away are the safeguarding limits? | 73.0m |
| Is the property within or near to the area considered under the safeguarding compensation scheme? | Less than 300m from the area |

Track

| Question | Answer |
|---|--------------|
| How far away will the track be? | 470m north |
| How visible will it be? | Above Ground |
| What is the maximum speed on this section of track? | 200km/h |

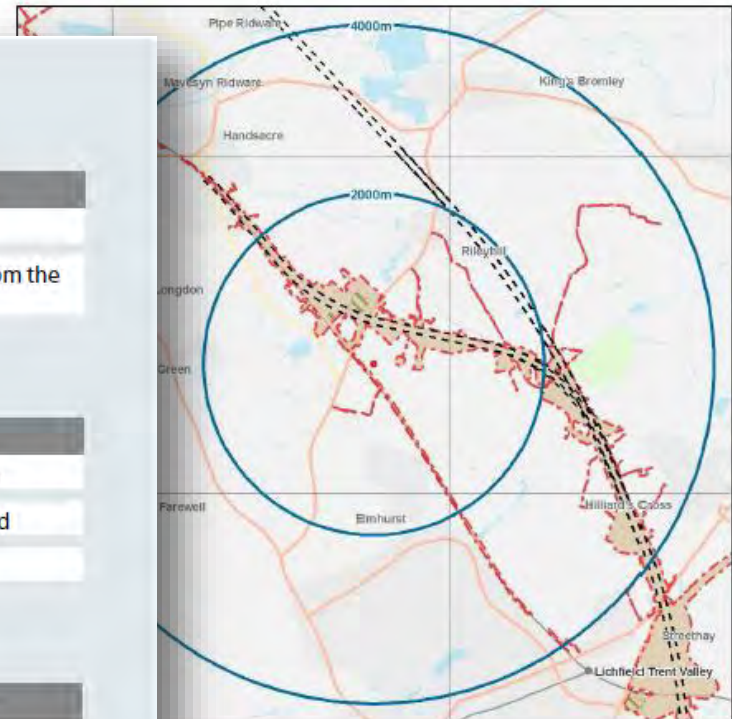
Development work within 4km of your property

| Details | Distance |
|----------------------|------------|
| Compound Development | 592m north |

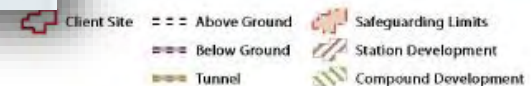


High Speed 2

This map provides a detailed view of the HS2 line, associated stations and installations and safeguarding limits where available.



data © Crown copyright and database right 2014



All Landmark reports are available through:

SEVERN TRENT SEARCHES

a part of



This course is not intended to give legal advice and should not be relied on. It is not to be regarded as a full statement of law and practice in this area and specific advice should be taken on matters of concern.

Coffee break.....

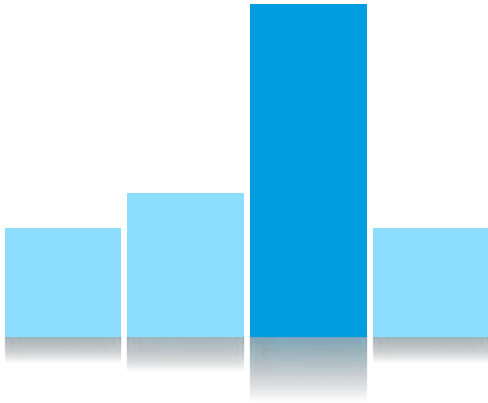
CON29DW

Owen Davies
Business Development Manager



CON29DW
DRAINAGE AND WATER ENQUIRY

WHO WE ARE



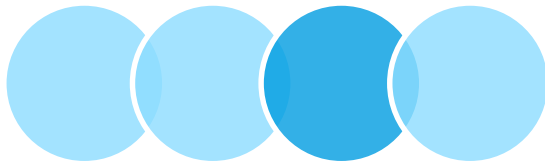
Severn Trent Searches is one of the largest search providers in the region



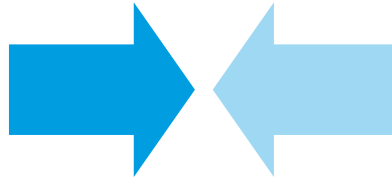
We compile the official CON29DW Drainage and Water Enquiry



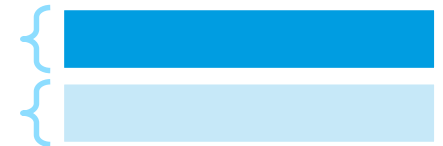
To date we have completed over 1.5M CON29DW searches



We are part of Severn Trent PLC, which also includes Severn Trent Water



We work directly with Severn Trent Water to compile the CON29DW, ensuring the most accurate, comprehensive search available



We also provide an extensive range of other searches, including local authority, environmental, mining, chancel liability and flood

AIMS & OBJECTIVES

This CPD will:

- Look at the purpose and implications of the questions and answers within the CON29DW
- Look at some common questions asked regarding the CON29DW
- Highlight any additional risks which may arise as a result of information provided within the CON29DW
- Provide an update on the Private Drains and Sewers (PDaS) transfer, proposed changes to sewer adoption procedures, and Sustainable Drainage Systems (SuDS)
- Provide an overview of the CON29DW Flood+

Attendees should subsequently:

- Understand the rationale behind all of the questions and answers
- Advise clients of the need (or otherwise) for further action
- Understand possible additional implications for clients as a result of the transfer

THE CON29DW



Contains 23 questions and answers

Introduced in 2002, it was expanded with the advent of HIPs in 2007

Divided into four sections – maps, drainage, water supply and billing

Produced directly from Severn Trent Water records

We also work alongside other Water Companies for properties in border areas

Unlimited liability

Recommended by the Law Society

CON29DW: THE QUESTIONS

Maps:

Sewer plans

Water plans

Water:

Connections

Location of mains

Adoption agreements

Water pressure and flow

Water quality

Water meters

Drainage:

Foul and surface water connections

Location of mains

Adoption agreements

Build overs

Internal flooding

Treatment works

Billing:

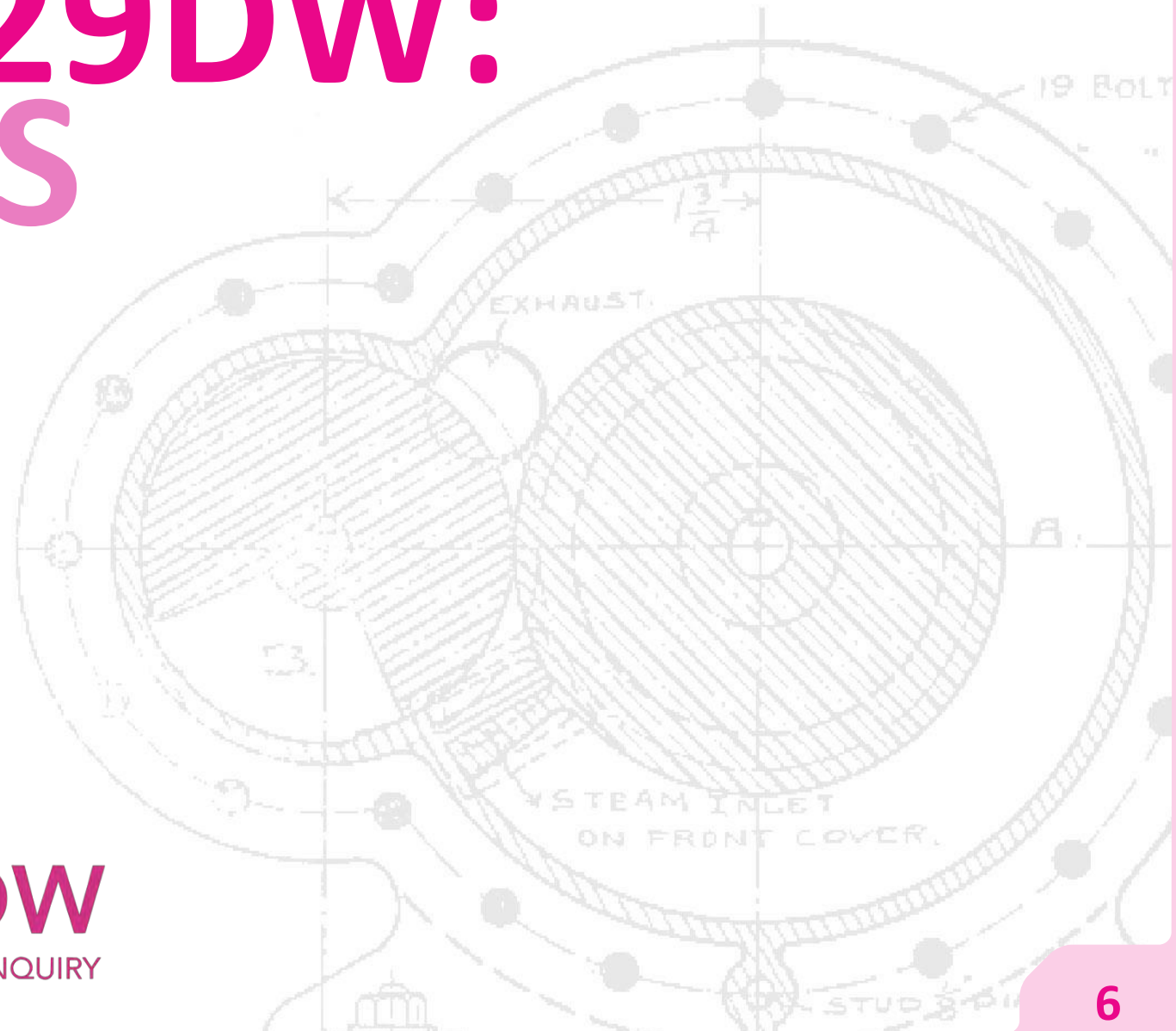
Sewerage and water undertakers

Who bills the property

Basis of charging

Changes in charging

CON29DW: MAPS



MAPS:

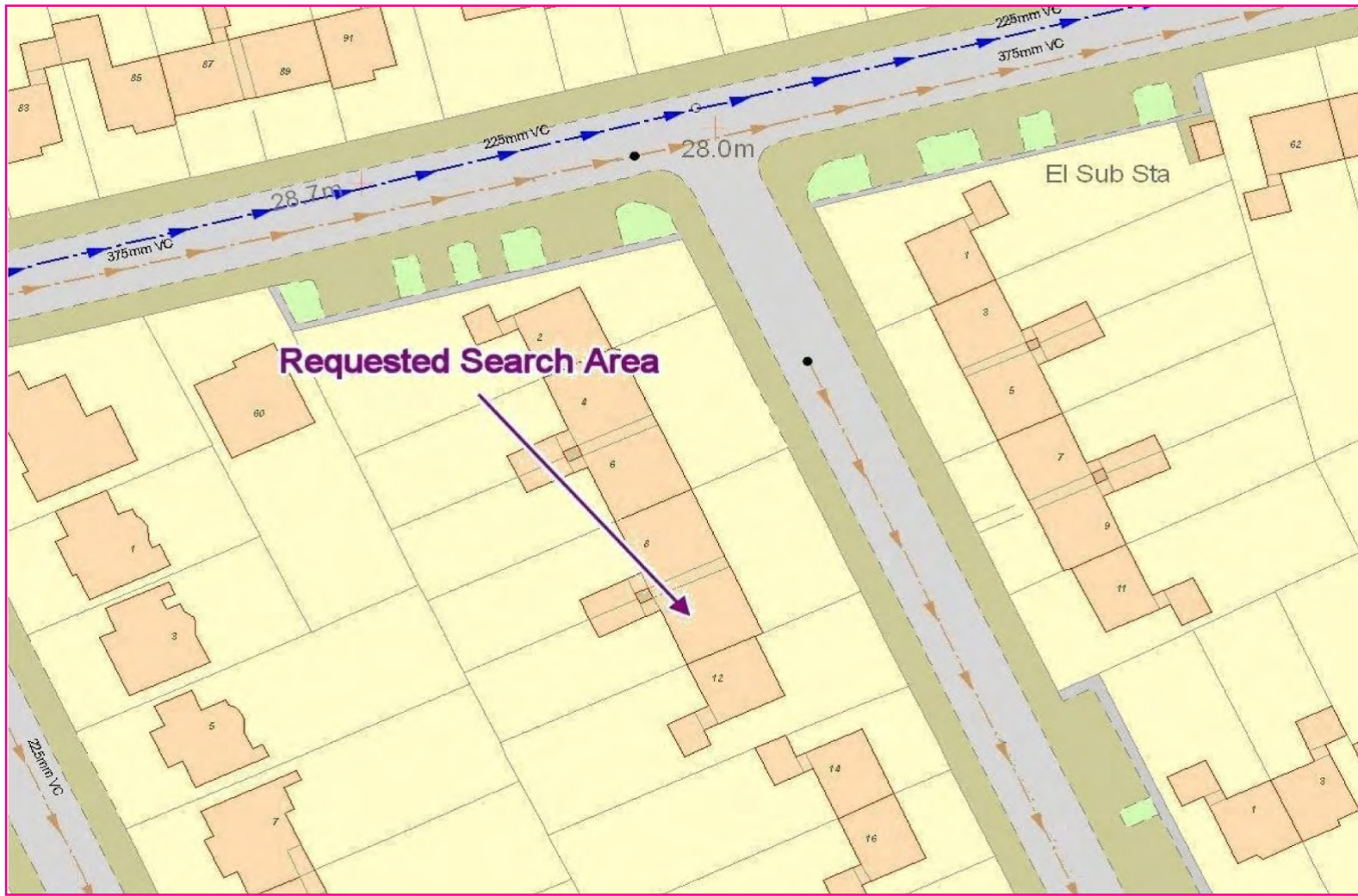


- The CON29DW features plans showing the sewer and water mains serving a property
- This allows homebuyers to see how close the services are, as well as there are likely to be any issues

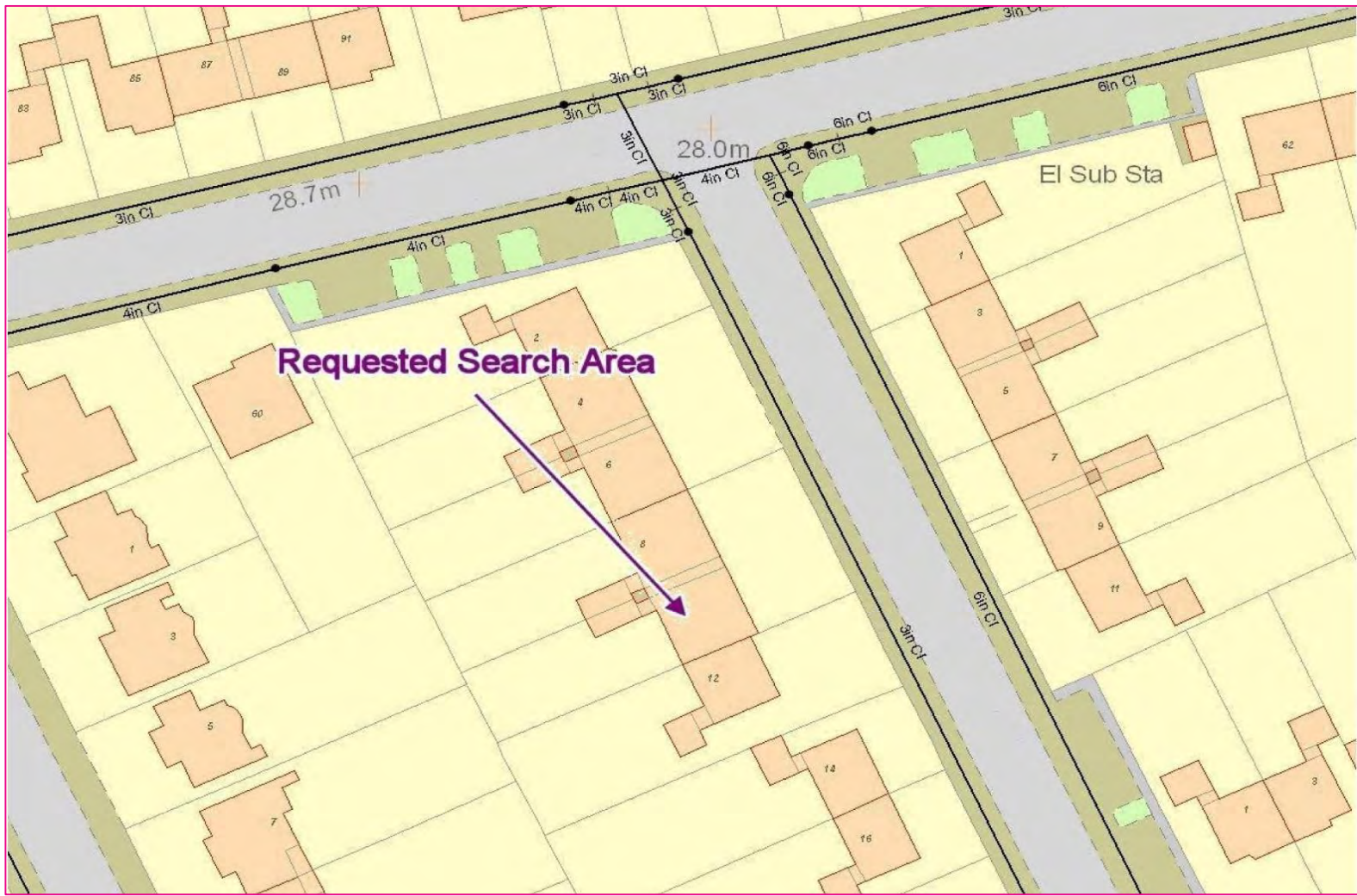


- Some properties in border areas have different companies responsible for drainage and water supply. In these instances, the CON29DW will provide plans from both companies
- Unlike sewers, water mains are rarely located within property boundaries, and water companies will not allow them to be built over

SEWER MAPS:



WATER MAPS:



COMMON SEWERAGE NETWORK SYMBOLOGY

Foul

Anything from inside a property + trade waste



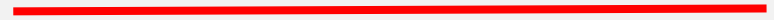
Surface water

Rainwater & other natural sources



Combined

Both foul & surface water



Rising main

Pressurised main from pumping station



Pumping station

Pumps sewage uphill



Manhole

Sewer access point



COMMON WATER NETWORK SYMBOLOGY

Distribution main

Up to 300m



Trunk main

Up to 600m



Aqueduct

Anything up to 2000m



Abandoned main

Disused water main



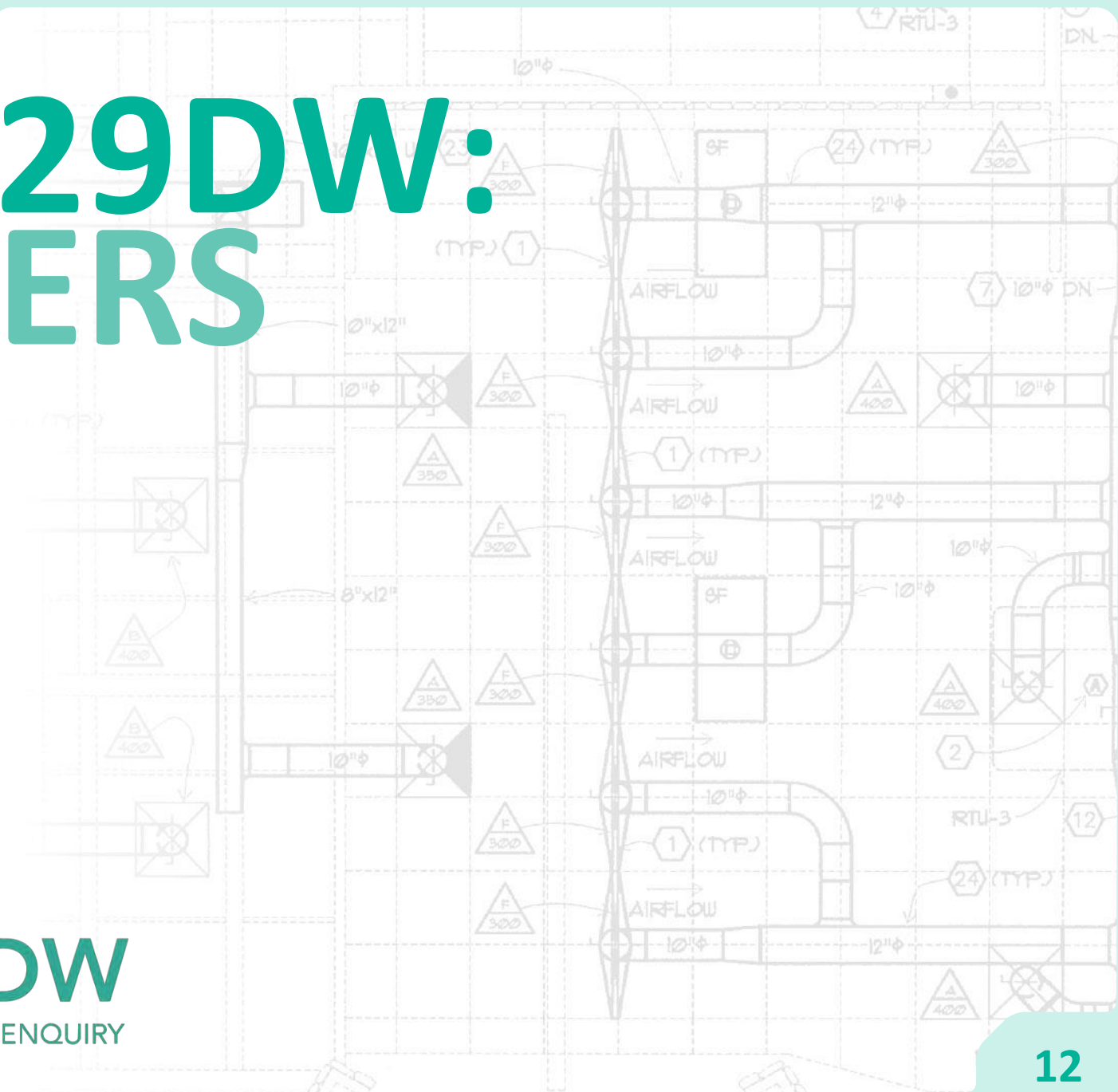
Pumping station

Pumps water uphill



CON29DW: SEWERS

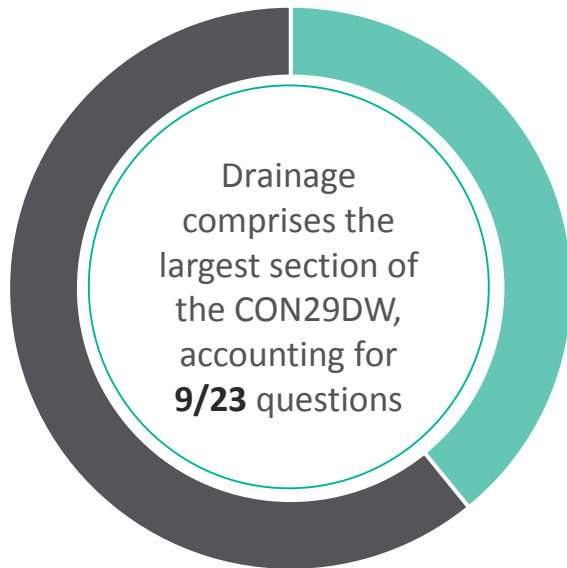
CON29DW
DRAINAGE AND WATER ENQUIRY



SEWERS: GENERAL INFORMATION

It is the area of the CON29DW that generates the most queries

CON29DW



■ Drainage ■ Other

DID YOU KNOW?

A sewer is any disposal pipe serving two or more properties. A drain serves only a single property. A drain lying outside a property boundary is referred to as a lateral drain

Areas covered include:

Connections for foul and surface water drainage

Sewers within property boundaries

Proximity of sewers to property

Build over agreements

Section 104 adoption agreements

Sewer flooding

Proximity to treatment works

LOCATION OF SEWERS:

Sewers within property boundaries

- Remain the property of water companies
 - Companies have statutory rights of access for maintenance and repair of their assets
 - Can have restrictions on development – water companies are routinely consulted on developments over or near their assets, and have the right to veto or demand changes to proposed developments
-

Building over sewers

- Historically, building over agreements between water companies and property owners have been required
 - Nowadays this is done as part of a standard planning application
-

Sewers within 100ft (30.48m)

- Local authorities have powers to force properties to connect to the public network if there is a sewer within 100ft
- Property owners can also be responsible for a substantial length of private pipe, although this is less common following the private sewer transfer

CASE STUDY



Sewer within 100ft and the danger of assuming you're connected

1. A customer of ours bought a property assuming it drained to the public sewer
2. The current owner believed it did, Severn Trent Water billed the property for sewage, and the CON29DW informed him it was connected
3. Unfortunately, it wasn't. It drained to a cess pit in the garden, and Severn Trent Water had been incorrectly billing the property
4. When the cess pit started to leak, polluting the garden, the owner had to pay to fix the damage, as well as connecting the property to the public sewer
5. Under S21 of the Building Act (1984), where there's an environmental risk, the local authority has the power to force a homeowner to connect their property to the public sewerage system, providing there's a sewer within 100ft (30.48m)
6. As the owner had a CON29DW, we reimbursed the cost of the connection – almost £4000

SECTION 104 ADOPTION AGREEMENTS

- Sewers are generally adopted under Section 104 of the Water Industry Act (1991)
- This is currently a voluntary agreement between a developer and the water company
- Water company agrees to adopt sewers after they are laid, and after a maintenance period, where they will monitor performance
- During this period, they remain the responsibility of the developer, and the water company has no obligations regarding repair or maintenance of the sewers
- This can have implications for homeowners should the developer cease trading, or not fulfil their obligations regarding upkeep of the sewers

SECTION 104 EXAMPLE:



Notes:

- Unadopted sewers may not be plotted accurately, as in this case
- Transferred sewers, as shown here, may be incomplete

PRIVATE SEWER TRANSFER:

- In October 2011, the majority of private sewers and lateral drains in England and Wales were transferred into public ownership
- The last such transfer occurred in 1937
- The transfer included the majority of apparatus connected to the public network prior to July 2011
- Exceptions included – sewers on Crown Land, successful appeals, networks within a single curtilage, and pipes which don't discharge into the public system
- Changes in sewer adoption procedures will be implemented, the key feature of which is mandatory adoption. No date has yet been confirmed for implementation
- These new adoption procedures will be followed six months later by a secondary transfer, covering any assets laid after July 2011
- New adoption procedures and secondary transfer have already been implemented in Wales
- Private pumping stations are also transferring on a gradual basis prior to October 2016

SEWERS: PRE OCTOBER 2011



Key

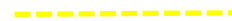
Combined sewer (public):



Private sewer



Private drain:



Private lateral drain:



- In this situation, everything in private land is privately owned
- The water company is only responsible for the sewers in the public highway

SEWERS: POST OCTOBER 2011



Key

Combined sewer (public):



Public sewer



Private drain:



Public lateral drain:



- Private sewers and lateral drains have now been transferred into public ownership
- Drains within property boundaries remain private

The map displays a residential area with numerous buildings, some labeled with numbers (e.g., 12, 15, 16, 17, 19, 21, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100). A 'Search Area' is indicated by a purple arrow pointing to a specific location. The map also shows a 'Path (Drain)' on the right, a 'LANE' at the bottom, and 'UXBRIDGE' at the bottom. Various road labels are present, including '220m VC', '230m VC', and '240m VC'. A 'Balancing Pond' is located in the top left corner. The map uses a color-coded system: green for grass/land, blue for water, orange for buildings, and purple for the search area. Arrows indicate the direction of flow or movement along the roads and paths.

- 21

BUILDING OVER PUBLIC SEWERS



1. Historically if you wanted to build over a sewer you would have to enter into an agreement under Section 18 of the Building Act 1984 & Building (Amendment) Regulations 2001 Part H
2. This was usually a tri-partite agreement between the water authority (as was), the local authority and the homeowner. There are about 3,500 of these in the Severn Trent region
3. We haven't signed a section 18 agreement since last century. This is now covered by part of the building control process

SEWAGE TREATMENT WORKS



- The CON29DW will tell you the distance and direction of the nearest treatment works
- Properties close to works can experience problems with odours, as well as insects
- Tankers and other water company vehicles may also be disruptive

SEWER FLOODING

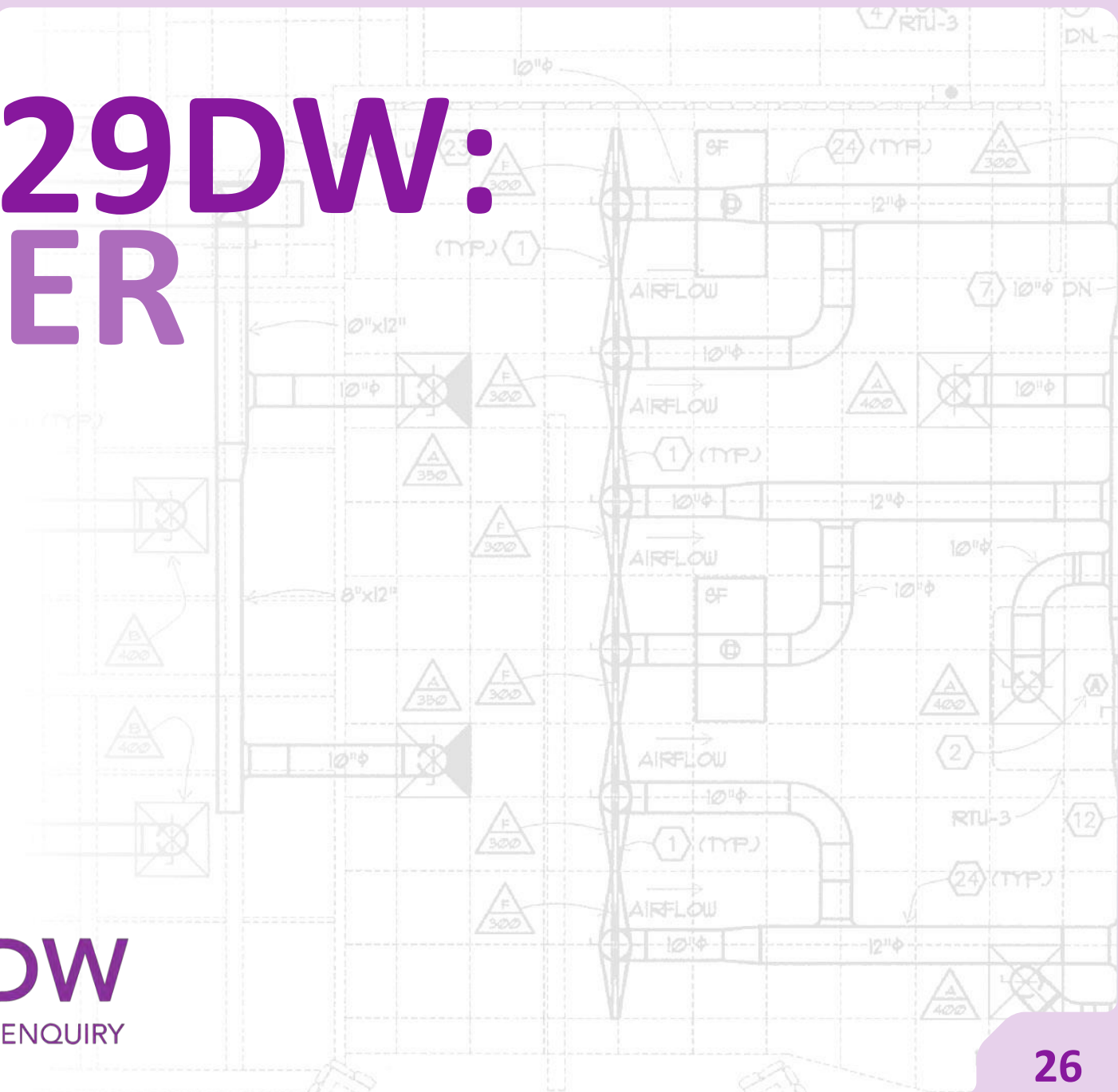
- Is the property at risk of internal flooding?
- Occurs when sewers are overwhelmed by heavy rainfall, due to a permanent problem, such as small diameter or flat gradient
- Water companies are required to maintain a register of properties at risk of flooding once every ten years
 - This risk register is not fixed – properties are added and removed all the time
 - Following the Private Sewer Transfer, many inadequate formerly private sewers are now public, so the size of the register will grow over the next few years
- Where a public sewer is prone to flooding, the CON29DW includes a bespoke report detailing proposed actions to reduce or remove the risk

SUSTAINABLE DRAINAGE SYSTEMS

- Sustainable Drainage Systems (SuDS) provide alternative methods for the disposal of rainwater, such as balancing ponds and permeable paving
- DEFRA has been working towards including SuDS in new developments for some time, under the Flood and Water Management Act (2010)
- Controversy over who would maintain and charge for these services, with no single solution in place
- Since April 2015, major developments – defined as 10 properties or more – must use SuDS, unless demonstrated to be inappropriate



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DRAINAGE AND WATER ENQUIRY



WATER SUPPLY: MAIN TO FRONTAGE



Key

Water main (public):



Communication pipe (public):



Supply pipe (private):



Stopcock:



- This is the typical situation with urban properties
- Water companies retain responsibility for pipework up to the stopcock, typically at the property boundary

WATER SUPPLY: NO MAIN TO FRONTAGE



Key

Water main (public):



Communication pipe (public):



Supply pipe (private):



Stopcock:



- Less common, sometimes properties may not have a public main outside their property
- In these circumstances, all pipework beyond the public main will be the homeowner's responsibility
- This can include pipework located in the public highway

WATER SUPPLY: SHARED SUPPLY



Key

Water main (public):



Communication pipe (public):



Supply pipe (private):



Stopcock:



- In this situation, a row of houses are fed off a single, private supply
- This can affect water pressure, depending on usage in the other properties
- Also, with the stopcock located in the first property, turning off their supply will affect all properties in the run

WATER SUPPLY: MAIN TO GABLE



Key

Water main (public):



Communication pipe (public):



Supply pipe (private):



Stopcock:



- In this situation, a private supply pipe passes through a neighbouring property
- Homeowners do not have automatic access to neighbouring land, and can therefore experience difficulty accessing their pipes for repair

WATER SUPPLY: MAIN IN PRIVATE LAND



Key

Water main (public):



Communication pipe (public):



Supply pipe (private):



Stopcock:



- This is known as the 18 metre rule – WIA S159
- If the main is within 18m of the centre of the highway, the lateral pipe, up to the property boundary will be public, as normal
- If however, it is more than 18m, the entire supply pipe will be private

LOW WATER PRESSURE

- OFWAT rules state that water companies “must maintain a minimum pressure in the communication pipe of seven metres static head (0.7 bar)”
- Water pressure can be affected by the altitude of properties, demand on the system, inadequate pumping facilities, inadequate water mains and leakage
- The number of properties is decreasing all the time. In 1991 the figure stood at 380,000. By 2008 it was just under 5,000.
- Where a property is at risk, the CON29DW includes a bespoke report detailing proposed actions to reduce or remove the risk

WATER QUALITY ANALYSIS

- Does the water comply with water quality standards as defined by Water Supply (Water Quality) Regulations 2000 and 2001?
- The Severn Trent region is divided into many water supply zones, each comprising thousands of properties
- The CON29DW will inform you if any property in the zone has failed under any provision of the regulations
- Water quality analysis looks at, amongst other things, levels of lead, nitrates and aluminium
- The vast majority of failures are due to contamination on taps

CON29DW: CHARGING



CON29DW
DRAINAGE AND WATER ENQUIRY

BASIS OF CHARGING

- The CON29DW informs you whether a property is billed on a measured or unmeasured basis
- Unmeasured applies to pre 1991 properties, and is based on the rateable value of the property
- Properties built from 1991 onwards are fitted with water meters
- These are also installed on request from homeowners, who can revert back within a certain time period
- Water companies have the right to install a meter on change of occupation, and to insist that properties fitted with a meter are billed on that basis



On the rare occasions a meter can't be fitted, properties can be billed on assessed volume

BORDER AREAS

- Severn Trent shares borders with several other water companies
- Boundaries for water supply and drainage are not identical
- Therefore, in border areas, different companies may provide different services
- Within the Severn Trent region, there are also some regional water companies operating, most notably South Staffordshire Water
- Companies are sometimes responsible for sewage disposal outside their area, as with Severn Trent's venture in Aldershot
- In border areas, the CON29DW will be provided by the company responsible for drainage



COMING SOON...

- The **CON29DW Flood+** is a brand new search developed by Severn Trent Searches in partnership with Landmark
- The search contains all 23 questions from the CON29DW, covering the four existing areas – maps, drainage, water supply and charging
- In addition, there is a new section containing five new questions regarding flooding. These cover:
 - Whether the property is at risk from river, coastal, surface water or groundwater flooding
 - Flood defences in the vicinity of the property
 - Insurance claims for flooding
- Completely redesigned, more modern search
- “Client care letters” included as standard, explaining any potential issues with the property

[illegible]

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DRAINAGE AND WATER ENQUIRY

**DO YOU HAVE
ANY QUESTIONS?**

SEVERN
TRENT