DERBY CITY COUNCIL - INFORMATION NOTE FOR PERSONAL SEARCHERS

As required by the Guidance for Local Authorities and Personal Searches issued in March 2005 by the Office of the Deputy Prime Minister (ODPM)

1 The normal opening times for the authority are 8.30 am until 5.00 pm Monday to Friday.

2 Persons wishing to carry out a Personal Search must:
   - give at least 24 hours notice of the request
   - provide details of each single property address to be searched on
   - provide 1 copy of a suitable plan at scale 1:1250

3 Appointments will be available to conduct a personal search at The Council House Reception Corporation Street, Derby, DE1 2FS between 8.45 am and 12.15pm Monday to Friday. Appointments will be allocated on a first come, first served basis.

   To make an appointment please contact Derby (01332) 640805 between 9.00 am and 1.00 pm Monday to Friday. Indications from our personal search customers are that the vast majority of personal search visits are required between these times. Appointments outside of this time are only considered subject to the needs of the service.

   If an appointment is no longer required, please call 01332 640805 to cancel so that the appointment can be made available for other users of the service

   A suitable plan must be emailed to landcharges@derby.gov.uk within 1 hour of the appointment being accepted. Failure to do this will result in your appointment being re-allocated.

4 A personal search is a search of the Local Land Charges Register only. Under rule 7 of the Local Land Charges Rules (1977) conditional planning consents are held in the Planning Register. This is located at The Council House offices. See below for access information and for public record holder contact details.

<table>
<thead>
<tr>
<th>Type of Record</th>
<th>Address/Location Held</th>
<th>Contact Details Phone / Email</th>
</tr>
</thead>
</table>
| Section 69 & 188 of the Town & Country Planning Act (1990) Planning Register and register of enforcement notices, stop notices and breach of condition notices | Council House Corporation Street, Derby. Main Reception             | By appointment with the Local Land Charges Team
|                                                                                  |                                        | Telephone 01332 640805 between 9.00am and 1.00pm Monday to Friday   |
|                                                                                  |                                        | Email: landcharges@derby.gov.uk                                   |
| Maps of Public Sewers (sections 199 and 200 of the Water Industry Act 1991)     | Council House Corporation Street, Derby. Main Reception             | By appointment with the Local Land Charges Team
|                                                                                  |                                        | Telephone 01332 640805 between 9.00am and 1.00pm Monday to Friday   |
|                                                                                  |                                        | Email: landcharges@derby.gov.uk                                   |
| Publicly Adopted                                                                | Council House                          | By appointment with the Local Land                                |

<table>
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<tr>
<th>Type of Record</th>
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<th>Contact Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highways (Section 36(7) of the Highways Act 1980)</td>
<td>Corporation Street, Derby. Main Reception</td>
<td>Charges Team Telephone 01332 640805 between 9.00am and 1.00pm Monday to Friday</td>
</tr>
<tr>
<td>Conservation Areas (Town and Country Amenities Act 1974)</td>
<td>Council House Corporation Street, Derby. Main Reception</td>
<td>By appointment with the Local Land Charges Team Telephone 01332 640805 between 9.00am and 1.00pm Monday to Friday</td>
</tr>
<tr>
<td>Local Common Land and Town and Village Greens (Section 3(1) and (2) of Commons Registration Act 1965)</td>
<td>Council House Corporation Street, Derby. Main Reception</td>
<td>By appointment with the Local Land Charges Team Telephone 01332 640805 between 9.00am and 1.00pm Monday to Friday</td>
</tr>
<tr>
<td>Hazardous substances consents (section 28 of Planning Hazardous Substances, Act 1990).</td>
<td>Council House Corporation Street, Derby. Main Reception</td>
<td>By appointment with the Local Land Charges Team Telephone 01332 640805 between 9.00am and 1.00pm Monday to Friday</td>
</tr>
<tr>
<td>Litter Control Areas and Street Litter Control notices (Section 95 of the Environmental Protection Act 1990)</td>
<td>Neighbourhoods Department Highways, Transportation and Waste Management / Street care and Waste Management Council House Corporation Street Derby DE1 2FS</td>
<td>Contact Streetpride Tel: 0333 200 6981 email: <a href="mailto:streetpride@derby.gov.uk">streetpride@derby.gov.uk</a></td>
</tr>
<tr>
<td>Noise Abatement Zones (control of Pollution Act 1974; The control of noise (measurement and registers) regulations 1976, S1 No 37).</td>
<td>Environment and Regulatory Services, Council House, Corporation Street Derby. DE1 2FS</td>
<td>Pollution Section, Environment and Regulatory Services Tel. 01332 642020, or email: <a href="mailto:environmental.services@derby.gov.uk">environmental.services@derby.gov.uk</a> (NB There are no noise abatement zones in Derby)</td>
</tr>
<tr>
<td>Type of Record</td>
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<td>Contact Details</td>
</tr>
<tr>
<td>----------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Tree Preservation Orders</td>
<td>Council House Corporation Street, Derby. Main Reception</td>
<td>By appointment with the Natural Environment Team on 01332 642117</td>
</tr>
<tr>
<td>(Article 4(2) of the model order in the Town and</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Country Planning (Tree Preservation Order)</td>
<td></td>
<td></td>
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<tr>
<td>regulations 1969, Section 214 of the Town and</td>
<td></td>
<td></td>
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<tr>
<td>Country Planning Act 1990; DOE circular 36/78</td>
<td></td>
<td></td>
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<tr>
<td>“Trees and Forestry” and Welsh Office circular 64/78</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contaminated Land (section 78 of Environmental</td>
<td>Environment and Regulatory Services, Corporation Street, Derby DE1 2FS.</td>
<td>Pollution Section, Environment and Regulatory Services</td>
</tr>
<tr>
<td>Protection Act)</td>
<td></td>
<td>Tel. 01332 642020, or e-mail: <a href="mailto:environmental.services@derby.gov.uk">environmental.services@derby.gov.uk</a></td>
</tr>
</tbody>
</table>

Whilst these records are open for public inspection in most cases it is advisable to make an appointment to view them due to availability of staff to assist such requests.

5 Examples of types of information obtainable by means of a personal search of the Local Land Charges Register

- Smoke Control Orders
- Section 106 Agreements
- Specific Financial Charges
- Listed Buildings
- Tree Preservation Orders
- Conservation areas

6 Charges

A personal search of the Local Land Charges Register is currently free of charge for each single property address searched, however

- office copies of any entry in the Local Land Charges Register are £1.50
- copies of document charges vary dependent on the size and complexity of the document and can range between £5 and £75

Payment should be made in person by cash or crossed company cheque at the Council House Reception, Corporation Street, Derby. DE1 1FS at the point that the personal search is undertaken.

7 Comments, suggestions or complaints about our service to you should be directed in writing to Wendy Wignall, Land Charges Manager, Resources Directorate, Legal and Democratic Services, The Council House, Corporation Street, Derby DE1 1FS. Telephone 01332 640805 or email wendy.wignall@derby.gov.uk.

8 The only Con29 enquiries that can be answered by conducting a Personal Search and searching public records are shown in **bold underlined italics** in Appendix B.
to this information note.

Other items included in Appendix B are not available as public records, in line with guidance from the ODPM.

9 Enquiries that are outside of the remit of Derby City Council.

Drainage search enquiries, these should be referred to:

Severn Trent Searches
Address
2nd Floor
30-34 Hounds Gate
Nottingham
NG1 7AB

or

PO Box 10155
Nottingham
NG1 9HQ

Tel: 0115 971 3550
Fax: 0115 971 3551

Email: enquiries@severntrentsearches.com

DX 723860
Nottingham 43

We do not answer coal enquiries within the Derby City area.
Appendix B

Official search information available from public records and registers

This Appendix is re-produced from Guidance for Local Authorities and Personal Searches issued by the ODPM.

The information contained in records and registers which the public has a specific right to inspect by statute and which are available under the standard enquiry form (CON29, Part I, 2002 edition) are shown below in bold underlined italics.

1. PLANNING AND BUILDING REGULATIONS

1.1 Planning and Building Regulation Decisions and Pending Applications

What applications for any of the following (if applicable) have been granted, refused or are now pending?

(a) planning permissions
(b) listed building consents
(c) conservation area consents
(d) certificates of lawfulness of use or development
(e) building regulation approvals
(f) building regulation completion certificates
(g) certificate of compliance of a replacement window, rooflight, roof window or glazed door.

How can copies of any of the above be obtained?

1.2 Planning Designations and Proposals

What designations of land use for the property or the area, and what specific proposals for the property, are contained in any current adopted or proposed development plan?

2 ROADS

Which of the roads, footways and footpaths mentioned in boxes B and C are:

(a) highways maintainable at public expense;
(b) subject to a current legal agreement for adoption and, if so, is the agreement supported by a bond or other financial security;
(c) to be made up at the cost of the frontagers under a current Council resolution;
(d) to be adopted without cost to the frontagers under a current Council resolution.

3 OTHER MATTERS

Apart from matters entered on the registers of local land charges, do any of the following matters apply to the property? How can copies of relevant documents be obtained?

3.1 Land required for Public Purposes

Inclusion of the property in a category of land required for public purposes within Schedule 13 paras 5 & 6 of the Town & Country Planning Act 1990.

3.2 Land to be acquired for Road Works

Inclusion of the property in land to be acquired for an approved scheme of Highway construction or improvement.

3.3 Drainage Agreements and Consents

(a) An agreement under the Building Act 1984, S.22 for drainage of any part of the property in combination with another building through a private sewer?

(b) Statutory agreement or consent for a building or extension to a building on the property to be constructed over or in the vicinity of a drain, sewer or disposal main.

3.4 NEARBY ROAD SCHEMES

Location of any part of the property within 200 metres of:

(a) the centre line of a new trunk road or special road specified in an order, draft order or scheme notified to the Council by the appropriate Secretary of State; or

(b) the centre line of a proposed alteration or improvement to an existing road, notified to the Council by the appropriate Secretary of State, involving the construction of a subway, underpass, flyover, footbridge, elevated road or dual carriageway (whether or not within existing highway limits); or

(c) the limits of construction of a proposed alteration or improvement to an existing road, notified to the Council by the appropriate Secretary of State, involving the construction of a roundabout (other than a mini roundabout) or widening by the construction of one or more additional traffic lanes; or

(d) the limits of construction of an approved new road to be constructed by the Council or an approved alteration or improvement by the Council to an existing road involving the construction of a subway, underpass, flyover, footbridge, elevated road or dual carriageway (whether or not within existing highway limits) or the construction a roundabout (other than a mini roundabout) or widening by the construction of one or more additional traffic lanes; or
(e) the centre line of the possible route of a new road under proposals published for public consultation by the Council or by the appropriate Secretary of State; or

(f) the limits of construction of a possible alteration or improvement to an existing road involving the construction of a subway, underpass, flyover, footbridge, elevated road or dual carriageway (whether or not within existing highway limits) or the construction a roundabout (other than a mini roundabout) or widening by the construction of one or more additional traffic lanes, under proposals published for public consultation by the Council or by the appropriate Secretary of State.

3.5 Nearby Railway Schemes

*Location of any part of the property within 200 metres of the centre line of a proposed railway, tramway, light railway or monorail.*

3.6 Traffic Schemes

Approval by the Council of any of the following, not yet implemented, in respect of such of the roads, footways and footpaths mentioned in Box B (and, if applicable, Box C) which abut 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 e.g. road humps:

(h) residents parking controls;

(i) minor road widening or improvement;

(j) pedestrian crossings;

(k) cycle tracks;

(l) bridge construction.
3.7 Outstanding Notices

Current statutory notices relating to the property under legislation relating to building works, environment, health and safety at work, housing, highways or public health, other than those falling elsewhere within 3.1 to 3.13.

3.8 Infringement of Building Regulations

Proceedings authorised by the Council for infringement of the Building Regulations in respect of the property.

3.9 Notices, Orders, Directions and Proceedings under Planning Acts

Subsisting notices, orders, directions, or proceedings, or those which the Council has decided to issue, serve, make or commence in the following categories (other than those which are shown in the Official Certificate of Search or which have been withdrawn or quashed) relating to the property:

(a) **enforcement notice**;
(b) **stop notice**;
(c) listed building enforcement notice;
(d) **breach of condition notice**;
(e) **planning contravention notice**;
(f) other notice relating to breach of planning control;
(g) listed building repairs notice;
(h) order for compulsory acquisition of a listed building with a minimum compensation provision;
(i) building preservation notice;
(j) direction restricting permitted development;
(k) order revoking or modifying a planning permission or discontinuing an existing planning use;
(l) **tree preservation order**;
(m) proceedings for breach of a statutory planning agreement.

NOTE: ONLY REFERENCES TO EXISTING NOTICES OR ORDERS CAN BE FOUND ON PUBLIC REGISTERS.
3.10 Conservation Area

*Creation of the area before 31\textsuperscript{st} August 1974 as a Conservation Area* or a subsisting resolution to designate the area as a Conservation Area.

3.11 Compulsory Purchase

Inclusion of the property in land which is subject to an enforceable order or resolution for compulsory purchase.

3.12 Contaminated Land

(a) *Entry relating to the property in the register maintained under s.78R (1) of the Environment Protection Act 1990.*

(b) Notice relating to the property served or resolved to be served under s.78B (3).

(c) Consultation with the owner or occupier of the property having taken place, or being resolved to take place under s.78G (3) in relation to anything to be done on the property as a result of adjoining or adjacent land being contaminated land.

(d) Entry in the register, or notice served or resolved to be served under s.78B (3) in relation to any adjoining or adjacent land, 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.

3.13 Radon Gas

Location of the property in a Radon Affected Area.

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1 The NRPB declares radon Affected Areas and publishes maps of them on behalf of the Government. Copies of these maps have been sent to Building Control and Environmental Health Departments of local authorities.