

CASE STUDY MATERIALS

January 2013
Level 6
CONVEYANCING
Subject Code L6-17



CHARTERED INSTITUTE
OF LEGAL EXECUTIVES

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THE CHARTERED INSTITUTE OF LEGAL EXECUTIVES

UNIT 17 – CONVEYANCING*

CASE STUDY MATERIALS

Information for Candidates on Using the Case Study Materials

- This document contains the case study materials for your examination.
- In the examination, you will be presented with a set of questions which will relate to the case study materials. You will be required to answer all the questions on the examination paper.
- You should familiarise yourself with the case study materials prior to the examination, taking time to consider the themes raised in the materials.
- You should take the opportunity to discuss the materials with your tutor/s either face to face or electronically.
- It is recommended that you consider the way in which your knowledge and understanding relates to the case study materials.

Instructions to Candidates Before the Examination

- You will be provided with a clean copy of the case study materials in the examination.
- You are **NOT** permitted to take your own copy of the case study materials or any other materials including notes or text books into the examination.
- In the examination, candidates must comply with the CILEX Examination Regulations.

Turn over

* This unit is a component of the following CILEX qualifications: **LEVEL 6 CERTIFICATE IN LAW, LEVEL 6 PROFESSIONAL HIGHER DIPLOMA IN LAW AND PRACTICE** and the **LEVEL 6 DIPLOMA IN LEGAL PRACTICE**

ADVANCE INSTRUCTIONS TO STUDENTS

You are a trainee lawyer in the firm of Kempstons of The Manor House, Bedford, MK42 7AB. You have just started work in the Property Department and your supervising Chartered Legal Executive is Susan Shah.

Susan Shah acts for Robert Dillon in respect of his purchase of 18a New Street, Wigton, CA7 9AL. Susan has asked you to assist in acting on his behalf and has sent you the following documents:

- DOCUMENT 1** Memorandum from Susan Shah.
- DOCUMENT 2** Estate Agent's memorandum of sale for 18a New Street, Wigton, CA7 9AL.
- DOCUMENT 3** Official Copy of the Register and Filed Plan to 18a New Street, Wigton, CA7 9AL.
- DOCUMENT 4** Correspondence from Messrs Smith and Co, solicitors acting for the seller.
- DOCUMENT 5** The Replies to Enquiries of the Local Authority.
- DOCUMENT 6** The Standard Conditions of Sale (5th edition).

DOCUMENT 1

MEMORANDUM

To: Trainee Lawyer
From: Susan Shah
Subject: Robert Dillon – Purchase of 18a New Street, Wigton, CA7 9AL (“the Property”).

I act for Robert Dillon in relation to his proposed purchase of the Property. I would like you to assist me in acting in respect of his purchase.

Mr Dillon has had his offer of £253,000 accepted for the Property. I attach a copy of the estate agent’s memorandum of sale for the Property (**Document 2**). Mr Dillon acquired a copy of the register and plan which he forwarded to me (**Document 3**).

I have received correspondence from the solicitors, Smith and Co, who are acting for the seller, a Jennifer Brown, (**Document 4**). Note they have not yet provided any other documentation.

I also attach the Replies to Enquiries of the Local Authority (**Document 5**).

I have received a copy of Mr Dillon’s mortgage offer from the Cotswolds and Shires Building Society for a repayment mortgage with an advance of £150,000 with a term of 25 years. As you will note Mr Dillon sold his property through us about 6 months ago, is currently living with relatives, and has sufficient money from the proceeds of sale to fund the balance of the purchase price.

Apparently the client is keen to purchase the Property, as at the bottom of the back garden there is a large double garage which he intends to slightly extend so that he will be able to use it as a workshop and to keep one of the vehicles he uses for his business. Vehicular access to the garage is via Staples Lane and there is secondary access on foot through the back garden of 18a New Street, Wigton.

Susan

Turn over

DOCUMENT 2

Estate Agent's Memorandum of Sale for 18a New Street, Wigton, CA7 9AL

Property: 18a New Street, Wigton, CA7 9AL

Tenure: Freehold

Seller: Jennifer Brown of 18a New Street, Wigton, CA7 9AL

Purchaser: Robert Dillon of 6 The Crescent, Carlisle, CA1 1QN

Price: £253,000

Seller's Lawyers: Smith and Co, Solicitors, 13 The High Street, Wigton, CA7 9AK
(ref JS/JBS1004)

Buyer's Lawyers: Kempstons Solicitors, Kempston Manor, Bedford, MK42 7AB (ref
SS/RD/P002)

Additional Information: The purchase price includes all curtains, carpets, light fittings and a shed located in the rear garden.



Land Registry

Official copy
of register of
title

Title number **CU48354**

Edition date 23.10.2012

- This official copy shows the entries subsisting on the register on 1 November 2012 at 11:06:26.
- This date must be quoted as the 'search from date' in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 1 November 2012.
- Under s.67 of the Land Registration Act 2002 this copy is admissible in evidence to the same extent as the original.
- For information about the register of title see Land Registry website www.landregistry.gov.uk or Land Registry Public Guide 1 – A guide to the information we keep and how you can obtain it.
- This title is dealt with by Land Registry Durham Office.

A: Property Register

This register describes the land and estate comprised in the title

CUMBRIA: ALLERDALE

1. (22.03.1985) The freehold land shown and edged with red on the plan of the above Title filed at the Registry and known as 18a New Street, Wigton, (CA7 9AL).
2. (22.03.1985) The Conveyance dated the 24 August 1940 referred to in the Charges Register contains provisions as to light or air and boundary structures.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Absolute Title

1. (12.04.2003) **PROPRIETOR:** JENNIFER ANDREWS of 18a New Street, Wigton, CA7 9AL.
2. (12.04.2003) The price stated to be paid on 10 March 2003 was £130,500.

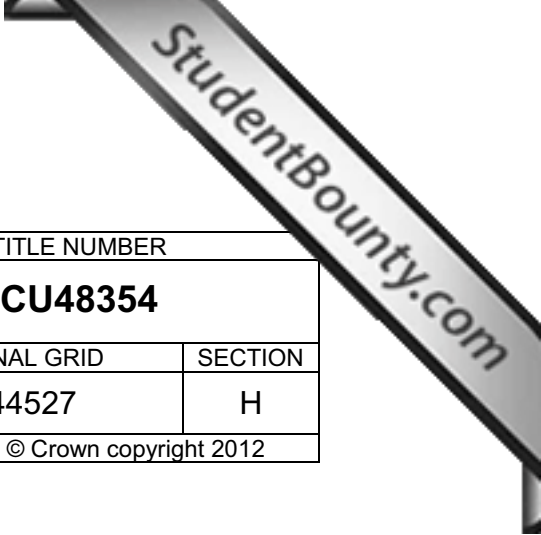
Turn over


C: Charges Register

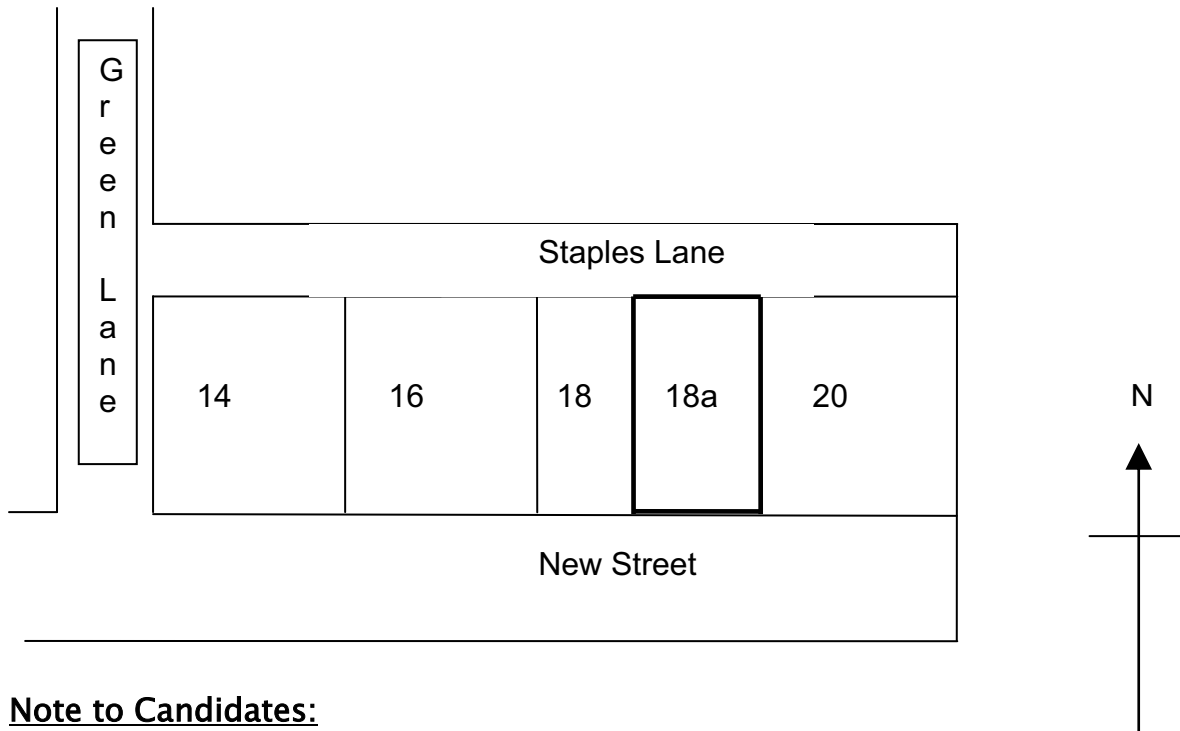
This register contains any charges and other matters that affect the land

1. (22.03.1985) A Conveyance of the land in this title made between Allerdale Borough Council (1) and Jonathan Rider (2) contains restrictive covenants.
NOTE: copy filed.
2. (12.04.2003) **REGISTERED CHARGE** dated 10 March 2003.
3. (12.04.2003) **PROPRIETOR:** COTSWOLDS AND SHIRES BUILDING SOCIETY, St Peter's Square, Birmingham, B1 2SY.
4. (23.10.2012) NOTICE of home rights under the Family Law Act 1996 in favour of David Andrews of 13 Grove Road, Highmore Park, Wigton, CA7 9NG the spouse or civil partner of Jennifer Andrews.

End of Register



Land Registry Cymraeg 		TITLE NUMBER		
		CU48354		
ORDNANCE SURVEY PLAN REFERENCE	COUNTY	SHEET	NATIONAL GRID	SECTION
	CUMBRIA	6	SK44527	H
Scale: 1/1250			© Crown copyright 2012	



Note to Candidates:

1. The red line referred to in the Property Register denoting the boundary of the property is shown with a thick black line on the above plan.

This official copy issued on 1 November 2012 shows the state of this title plan on 1 November 2012 at 11:06:26.

Admissible in evidence to the same extent as the original (s67 Land Registration Act 2002)

This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale.

Measurements scaled from this plan may not catch measurements between the same points on the ground. See Land Registry Public Guide 7 – Title Plans

This title is dealt with by Land Registry Durham Office.

Smith and Co Solicitors
13 The High Street, Wigton, Cumbria CA7 9AK

Kempstons Solicitors
The Manor House
Bedford
MK42 7AB

Our Ref: JS/JBS1004
Your Ref: SS/RD/P002

21 November 2012

Dear Sirs,

Property: 18a New Street, Wigton, CA7 9AL (the Property)
Our client: Jennifer Brown
Your client: Robert Dillon

We act for Ms Brown in respect of the sale of the Property and have been informed by our client's estate agents that you act for Mr Dillon, the proposed purchaser.

We shall be obliged for you to confirm your instructions by return and whether your client has a related sale and/or is buying with mortgage finance, following which we shall send you the contract bundle for your approval.

We confirm that we shall be following the Law Society Conveyancing Protocol.

Yours faithfully,

Smith and Co

Partners : James Smith, Clive Dent and Samantha Deaton
Regulated by the Solicitors Regulation Authority

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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?

- (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) building regulations approval
- (g) a building regulation completion certificate
- (h) any building regulations certificate or notice issued in respect of work carried out under a competent person self-certification scheme

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 existing or proposed development plan?

ROADS

2. Roadways, footways and footpaths

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

OTHER MATTERS

3.1. Land required for public purposes

Is the property included in land required for public purposes?

3.2. Land to be acquired for road works

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

3.3. Drainage agreements and consents

Do either of the following exist in relation to the property?

- (a) an agreement to drain buildings in combination into an existing sewer by means of a private sewer
- (b) an agreement or consent for (i) a building, or (ii) extension to a building on the property, to be built over, or in the vicinity of a drain, sewer or disposal main?

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

3.5. Nearby railway schemes

Is the property (or will it be) within 200 metres of the centre line of a proposed railway, tramway, light railway or monorail?

3.6. Traffic schemes

Has a local authority approved but not yet implemented any of the following for the roads, footways and footpaths (named in Box B) 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 including road humps
- (h) residents parking controls
- (i) minor road widening or improvement
- (j) pedestrian crossings
- (k) cycle tracks
- (l) bridge building

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

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?

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

3.10. 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

3.11. Compulsory purchase

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

3.12. 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

3.13. Radon gas

Do records indicate that the property is in a 'Radon Affected Area' as identified by the Health Protection Agency?

NOTES

1. References to the provisions of particular Acts of Parliament or Regulations include any provisions which they have replaced and also include existing or future amendments or re-enactments.
2. The replies will be given in the belief that they are in accordance with information presently available to the officers of the replying Council, but none of the Councils or their officers accept legal responsibility for an incorrect reply, except for negligence. Any liability for negligence will extend to the person who raised the enquiries and the person on whose behalf they were raised. It will also extend to any other person who has knowledge (personally or through an agent) of the replies before the time when he purchases, takes a tenancy of, or lends money on the security of the property or (if earlier) the time when he becomes contractually bound to do so.
3. This Form should be read in conjunction with the guidance notes available separately.
4. Area means any area in which the property is located.
5. References to the Council include any predecessor Council and also any council committee, sub-committee or other body or person exercising powers delegated by the Council and their approval includes their decision to proceed. The replies given to certain enquiries cover knowledge and actions of both the District Council and County Council.
6. Where relevant, the source department for copy documents should be provided.

CASE STUDY MATERIALS
CON290 Enquiries of local authority (2007 Edition)

A duplicate plan is required for all searches submitted directly to a local authority.
 If submitted manually, this form must be submitted in duplicate. Please type or use BLOCK LETTERS

A.

Local Authority Name & Address:
 Allerdale Borough Council
 Local Land Charges
 Allerdale House,
 Workington,
 Cumbria,
 CA14 3YJ

Search No: **1954**

Signed: **S Hughes**

On Behalf of: **Allerdale Borough Council**

Dated: 23 November 2012

B.

Enter address of the land/property.
 UPRN(s):
 Address 1: 18a
 Address 2:
 Street: New Street
 Locality/Village: Wigton
 Town: Cumbria
 Post Code: CA7 9AL

C.

OPTIONAL ENQUIRIES, please tick as required:

4. Road Proposals by Private Bodies
5. Public Path or Byways
6. Advertisements
7. Completion Notices
8. Parks and Countryside
9. Pipelines
10. Houses in Multiple Occupation
11. Noise Abatement
12. Urban Development Areas
13. Enterprise Zone
14. Inner Urban Improvements Area
15. Simplified Planning Zone
16. Land Maintenance Notices
17. Mineral Consultation Areas
18. Hazardous Substances
19. Environmental & Pollution Notices
20. Food Safety Notices
21. Hedgerow Notices
22. Commons/Village Greens

D.

Fees of £135.00
 Are enclosed.

Signed: **S SHAH**

Dated: 22 November 2012

Reference: **SS/RD/P002**

Tel No: 01234 8845555
 Fax No: 01234 8845555
 E-Mail contact: Lawyers@kempstons.co.uk

E.

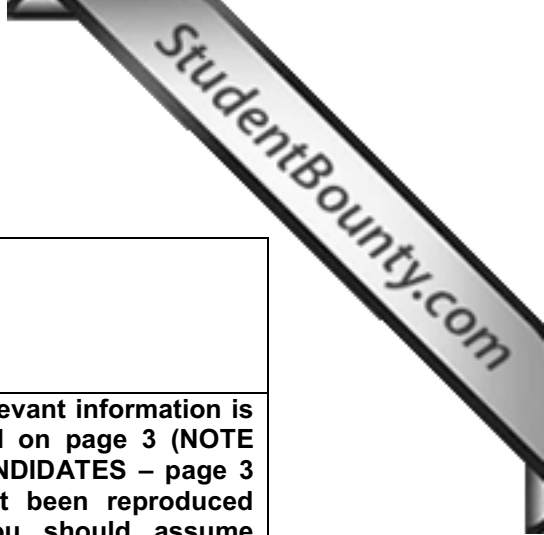
Please reply to:

Susan Shah
 Kempstons
 The Manor House
 Bedford
 MK42 7AB

Notes:

- A. Enter name and address of appropriate Council. If the property is near a local authority boundary, consider raising certain enquiries (eg road schemes) with the adjoining Council.
- B. Enter name and description of the property. Please give the UPRN(s) (Unique Property Reference Number) where known. **A duplicate plan is required for all searches submitted directly to a local authority.** The search may be returned if land/property cannot easily be identified.
- C. Tick the questions to which a reply is required.
- D. Details of fees can be obtained from us.
- E. Enter the name and address of the person or company lodging or conducting this enquiry.

Part I Local Enquires



1.	PLANNING AND BUILDING REGULATIONS	
1.1	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:	
(a)	a planning permission;	Any relevant information is detailed on page 3 (NOTE TO CANDIDATES – page 3 has not been reproduced and you should assume that the entries are satisfactory)
(b)	a listed building consent;	None
(c)	a conservation area consent;	None
(d)	a certificate of lawfulness of existing use or development;	None
(e)	a certificate of lawfulness of proposed use or development;	None
(f)	building regulations approval;	Any relevant information is detailed on page 3 (NOTE TO CANDIDATES – page 3 has not been reproduced and you should assume that the entries are satisfactory)
(g)	a building regulation completion certificate;	Any relevant information is detailed on page 3 (NOTE TO CANDIDATES – page 3 has not been reproduced and you should assume that the entries are satisfactory)
(h)	any building regulations certificate or notice issued in respect of work carried out under a competent person self-certification scheme?	The local authority does not hold this information, the owner or occupier of the property should be asked to produce any such certificates.
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 existing or proposed development plan?	Residential Housing Area
2.	ROADS Which of the roads, footways and footpaths named in boxes A and B on the front page are:	
(a)	highways maintainable at public expense;	New Street – Adopted Green Lane – Adopted Staples Lane - Unadopted
(b)	subject to adoption and, supported by a bond or bond waiver;	Not applicable
(c)	to be made by a local authority who will reclaim the cost from the frontages; or	Not applicable
(d)	to be adopted by a local authority without reclaiming the cost from the frontages?	Not applicable

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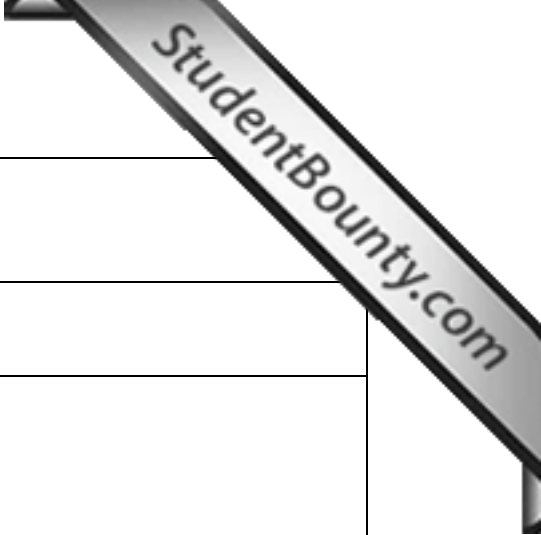
3.	OTHER MATTERS Apart from matters entered on the register of local land charges, do any of the following matters apply to the property?	
3.1	Land required for Public Purposes Is the property included in land required for public purposes?	No
3.2	Land to be acquired for Road Works Is the property included in land to be acquired for road works?	No
3.3	Drainage Agreements and Consents Do either of the following exist in relation to the property: (a) An agreement to drain buildings in combination into an existing sewer by means of a private sewer; or (b) An agreement or consent for (i) a building, or (ii) extension to a building on the property, to be built over, or in the vicinity of a drain, sewer or disposal main?	No No
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; or (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; or (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); or (iii) widening by construction of one or more additional traffic lanes, under proposals published for public consultation?	No No No No No
3.5	Nearby Railway Schemes Is the property (or will it be) within 200 metres of the centre line of a proposed railway, tramway, light railway or monorail?	No

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3.6	Traffic Schemes Has a local authority approved but not yet implemented any of the following for the roads, footways and footpaths (named in box A) which about the boundaries of the property:-	
(a)	permanent stopping up or diversion;	No
(b)	waiting or loading restrictions;	No
(c)	One-way driving;	No
(d)	prohibition of driving;	No
(e)	Pedestrianisation;	No
(f)	vehicle width or weight restriction;	No
(g)	traffic calming works including road humps;	No
(h)	residents parking controls;	No
(i)	minor road widening or improvement;	No
(j)	pedestrian crossings;	No
(k)	cycle tracks; or	No
(l)	bridge building?	No
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 section:-	
(a)	building works;	No
(b)	environment;	No
(c)	health and safety;	No
(d)	housing;	No
(e)	highways; or	No
(f)	public health?	No
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?	No
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;	No
(b)	a stop notice;	No
(c)	a listed building enforcement notice;	No
(d)	a breach of condition notice;	No
(e)	a planning contravention notice;	No
(f)	another notice relating to breach of planning control;	No
(g)	a listed building repairs notice;	No
(h)	in the case of a listed building deliberately allowed to fall into disrepair, a compulsory purchase order with a direction for minimum compensation;	No
(i)	a building preservation notice;	No
(j)	a direction restricting permitted development;	No
(k)	an order revoking or modifying planning permission;	No
(l)	an order requiring discontinuance of use of alteration or removal of building or works;	No
(m)	a tree preservation order;	Yes
(n)	proceedings to enforce a planning agreement or planning contribution?	No
3.10	Conservation Area Do the following apply in relation to the property:-	
(a)	the making of the area a Conservation Area before 31 st August 1974	No

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(b)	an unimplemented resolution to designate the area a Conservation Area?	No
3.11	Compulsory Purchase Has any enforceable order or decision been made to compulsorily purchase or acquire the property?	No
3.12	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 contaminated land notice;	
(a)		01/04/2012 – There are currently no entries on the Contaminated Land Register. For information on potential sites please contact Allerdale Borough Council or visit their website below: http://www.allerdale.gov.uk/clstrategy
(b)	in relation to a register maintained under section 78R of the Environmental Protection Act 1990:- (i) a decision to make an entry; or (ii) any entry; or	As above
(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?	As above
3.13	Radon Gas Do the records indicate that the property is in a "Radon Affected Area" as identified by the Health Protection Agency? <i>Important note - The answer to this question (3.13) is based on an inspection of the Indicative Atlas of Radon in England and Wales (HPA-RPD-033). This publication shows the worst case for each 1km grid square; as a result, a positive answer does not necessarily mean that the property is 'Radon Affected'; it is merely an indication as to whether further enquiries should be made with the HPA.</i>	It is in an area where between 3% - 8% of homes are estimated to be at or above the action level

Informative:

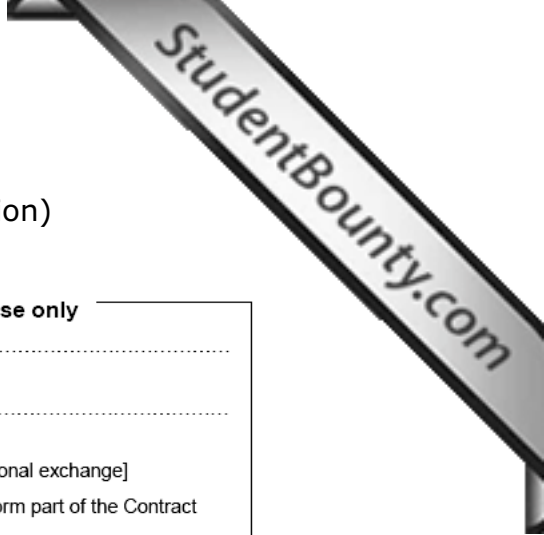
'Radon Affected Area' means a part of the country with a 1% probability or more of present or future homes being above the Action Level. Such areas are designated by the Health Protection Agency which also advises Government on the numerical value of the 'Radon Action Level' (the recommended maximum radon concentration for present homes expressed as an annual average concentration in the home. Radon Concentrations above the Action Level should be reduced below it and become as low as reasonably practicable. The areas are identified from radiological evidence and are periodically reviewed by the Health protection Agency or its predecessor the Nation Radiation Protection Board. Existing homes in Affected Areas should have radon measurements. The present owner should say whether the radon concentration has been measured in the property; whether the result was at or above the Action Level and if so whether remedial measures were installed and whether the radon concentration was re-tested to assess the effectiveness of the remedy.

Radon Preventative measures are required for new buildings in the higher risk area. For new properties the builder and/or the owners of properties built after 1988 should say whether protective measures were incorporated in the construction of the property.

For further information on radon, including an indicative version of the Radon Affected Area map, the associated health risks and common questions and answers is available on the Health Protection Agency (HPA) website; www.HPA.org.uk/radiation/radon/index.htm. Alternatively information can be requested from HPA by telephone (0800 614529 (24h) or (01235 822622 (D/T) or by writing to Radon Studies, Health Protection Agency, Radiation Protection Division, Chilton, Didcot, Oxon, OX11 0RQ.

DOCUMENT 6

The Standard Conditions of Sale (5th edition)



CONTRACT

Incorporating the Standard Conditions of Sale (Fifth Edition)

For conveyancer's use only

Buyer's conveyancer:

Seller's conveyancer:

Law Society Formula: [A / B / C / Personal exchange]

The information above does not form part of the Contract

Date :

Seller :

Buyer :

Property (freehold/leasehold) :

Title number/root of title :

Specified incumbrances :

Title guarantee (full/limited) :

Completion date :

Contract rate :

Purchase price :

Deposit :

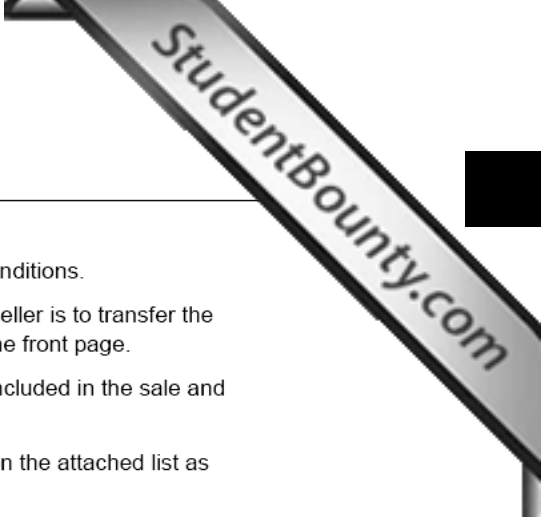
Contents price (if separate) :

Balance :

The seller will sell and the buyer will buy the property for the purchase price.

WARNING	Signed
This is a formal document, designed to create legal rights and legal obligations. Take advice before using it.	Seller/Buyer

Turn over



SPECIAL CONDITIONS

- 1 (a) This contract incorporates the Standard Conditions of Sale (Fifth Edition).
- (b) The terms used in this contract have the same meaning when used in the Conditions.
- 2 Subject to the terms of this contract and to the Standard Conditions of Sale, the seller is to transfer the property with either full title guarantee or limited title guarantee, as specified on the front page.
- 3 (a) The sale includes those contents which are indicated on the attached list as included in the sale and the buyer is to pay the contents price for them.
- (b) The sale excludes those fixtures which are at the property and are indicated on the attached list as excluded from the sale
- 4 The property is sold with vacant possession.
- (or)
- 4 The property is sold subject to the following leases or tenancies:

5 Conditions 6.1.2 and 6.1.3 shall take effect as if the time specified in them were rather than 2.00 p.m.

6 **Representations**
Neither party can rely on any representation made by the other, unless made in writing by the other or his conveyancer, but this does not exclude liability for fraud or recklessness.

7 **Occupier's consent**
Each occupier identified below agrees with the seller and the buyer, in consideration of their entering into this contract, that the occupier concurs in the sale of the property on the terms of this contract, undertakes to vacate the property on or before the completion date and releases the property and any included fixtures and contents from any right or interest that the occupier may have.

Note: this condition does not apply to occupiers under leases or tenancies subject to which the property is sold.

Name(s) and signature(s) of the occupier(s) (if any):

Name

Signature

Notices may be sent to:

Seller's conveyancer's name:

E-mail address:*

Buyer's conveyancer's name:

E-mail address:*

*Adding an e-mail address authorises service by e-mail see condition 1.3.3(b)



End of Case Study Materials