

SEARCHES : YOU HAVE A CHOICE

You do not need to sign and return this form if you are happy for us to make the decision about local search arrangements on your behalf.

These days “choice” is a much heralded right that we all want.

Dealings with solicitors are no longer rigid. Whilst much of the work we do has to be done in a particular way to satisfy Government and procedural requirements, one area where choice has developed is in the range and type of searches that are available and undertaken. This means there is choice both for you and us.

Most clients have heard of local searches, but these days there is a whole raft of different types of searches sometimes required or available to clients - plan; environmental; tin mining; coal mining; chancel repairs; Cheshire brine; water/drainage etc. Some are recommended as a matter of prudence, or are compulsory to satisfy lenders, whilst others are optional at your request – Please therefore see the separate Frequently Asked Questions on these, and the “Additional Specialist Search Request form” available on request if you want us to undertake any of the additional listed searches.

There are also a number of different ways in which local searches can be done:- directly to the relevant authority for an official local search; via one of the search co-ordinators; or via a selection of personal search agents appointed by us to process the personal search as our (not your) agents.

If the cost of an official local search is less than the cost to us of a personal search through our agent then we will ensure only the lower costing official search will be applied for, unless the transaction is time sensitive or there are substantial delays at the local authority in them processing official searches and the personal search result can be obtained more quickly and the additional costs to you would be no more than £15.

Although the personal search companies, that we appoint from time to time as our agent, sometimes provide the personal local search result at a lower cost than an official search, the fees we charge are fixed at the sum quoted in relation to local searches so that the total cost to you is the same as the cost which would otherwise be payable to the local authority providing an official search. In short, the cost we obtain personal local search results for is not the cost charged to you and margins may vary from time to time. The price quoted to you (which therefore contains a profit element) is fixed and agreed with you at the outset, and is the quotation you have received.

It may help to highlight a few of the differences and advantages/disadvantages of the different options: With an official search, if there is an error in the result, you would have a direct claim against the local authority though they do contain exclusion clauses. With a personal search, if there is an error, you are fully protected, firstly under our indemnity insurance cover, but also under our company search agent’s insurance as we have a contractual relationship with them. A disadvantage of official searches is that we are entirely in the hands of the relevant authority as to how long

the search will take. With a personal search, however, we believe there is greater opportunity for the result to be procured more quickly than an official search result.

Given the above and given that the total cost to you would be the same whichever option you choose unless you have a particular or alternative preference (in which case you are free to let us know), we will usually proceed under option 2 unless in the circumstances of your case we consider it in your better interests or for the reason stated overleaf (substantial delay) that we proceed under option 1.

I hope the above notes are of use to you.

Notwithstanding the above we would still consider offering you the choice of:-

1. Instructing us to obtain an official local search.
2. Instructing us to obtain via our outsource agent for a personal local search.

THE TOTAL COST TO YOU OF EACH OF THE ABOVE IS IDENTICAL. THE COST IS SPECIFIED ON THE FORM OF INSTRUCTIONS.

CONCLUSION

1. **YOU DO NOT NEED TO RETURN THIS FORM OR TAKE ANY ACTION IF YOU ARE HAPPY FOR US TO ADOPT THE PROPOSED ROUTE SUGGESTED BY US ABOVE** whereby we will arrange for the personal searches via our personal search agents to be obtained.

OR

2. ***(Only complete this section if you DO NOT want us to adopt the above course of action).***

If you do want us to take any other course of action, then please indicate below and return this form to us under reply.

I/We would prefer option 1 – that you apply for an official local search from the Local Authority

Any other instruction?

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Signed by Buyer(s): _____
PRINT NAME(S) under signature(s)

Date:

Day Month Year