

# PROGRESS

an industry update on Home Information Packs

Issue 29 : 23 January 2008

[www.homeinformationpacks.gov.uk](http://www.homeinformationpacks.gov.uk)



## Reform of the property searches market

### In this Issue

Reform of the property searches market

Your questions

EPCs and climate change

### Reform of the property searches market

#### What are property searches?

Property searches provide buyers, sellers and conveyancers with information about the property and the surrounding area, in particular whether there are limitations or factors that may affect, or are about to affect, the property.

There are three searches that must be included in a HIP:

- i. a search of the Local Land Charges Register (LLCR);
- ii. a Local Enquiries search (specified under schedule 7 of the Regulations); and
- iii. a drainage and water search (specified under schedule 8 of the Regulations).

#### HIPs and searches

HIPs do not essentially change the information that is required during the house buying process. However, they do introduce two important changes to the process:

- the mandatory searches are provided by the seller on marketing the property, making this information available at an early stage in the process so that potential buyers can make informed decisions; and
- the HIPs Regulations introduce new standards for *all* those compiling searches, in particular they require the search provider to provide details of who is liable for any issues arising from the search, such as incorrect information, and search providers are required to have comprehensive insurance liability to cover any such an event.

Property searches can be obtained from three sources — Local Authorities (who hold the data necessary to complete a property search), Private Search Companies and the National Land Information Service.

## Reform of the property searches market

In late 2005 the Office of Fair Trading carried out a study of the property search market and, while it found that many aspects were working well, it made a number of recommendations for improvement — with the ultimate aim of a level playing field for competition to deliver benefits in quality, speed and price for consumers. In particular, there was need to improve access to Local Authority-held information and there needed to be greater clarity about how Local Authorities should charge for the data where this was appropriate. Communities and Local Government has been working with both the private sector and Local Authorities in implementing the changes recommended by OFT and two important guidance documents were published on 18 January 2008, one on access to data and one on charges for the data.



### Improved access to data

The new 18 Jan guidance document *Personal searches of the local land charges register and other records held by Local Authorities* sets out good practice guidance for LAs and personal searchers to work together to improve access to all the data necessary to complete a property search compliant with the HIPs Regulations. In particular it seeks to promote prompt access to the data for personal searchers, i.e. within 1–3 working days.

Download a copy of Good Practice Guidance:  
<http://www.home-information.info/doc?id=128>

### Fair and transparent charges

Linked to the access guidance is the issue of fair and transparent charging for data. CLG's 18 Jan consultation document (CD) sets out proposals for the future of LA charges for the delivery of property search services. Broadly the CD seeks views on:

- LAs setting fees for the provision of 'unrefined' data (i.e. the raw data from which a search is compiled) based on cost recovery including supporting draft guidance;
- whether LAs should set fees for provision of 'refined' data (i.e. the compiled search) on a price competed basis in the market?
- potential changes to the legal framework relevant to property searches to provide clarity and facilitate any changes necessary to deliver the proposals in the CD;
- how Government might best promote full electronic provision of property searches?; and
- future arrangements covering the fee for a personal search of the local land charges register (LLCR) i.e. whether in the future this should be devolved to LAs to set on a cost recovery basis and whether the present centrally set £11 fee for a personal search of the LLCR should be changed?

The consultation closes on 18 April 2008. Download the consultation document at:  
<http://www.home-information.info/doc?id=129>

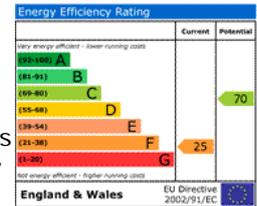
Together these two documents aim to create a more competitive property searches market as envisaged by the OFT, leading to improved benefits for consumers on quality, speed and costs.

To read the CLG press notice, click [here](#).

## Your questions

The HIPs Team fields a large number of enquiries from consumers and stakeholders on HIPs policy. Here we feature some that might be of interest to others:

### Q. Do EPC asset rating graphs displayed on property particulars have to be in colour?



A. Regulation 6 of the Energy Performance of Buildings Regulations 2007 provides that where the Home Information Pack duties apply to a sale, the written particulars must include energy performance ratings or that they are attached once the EPC becomes available. For clarity, it is preferred that the asset rating graphs are reproduced in colour whenever possible, but this is not mandatory.

See also:

- [Sample written particulars with EPC rating graphs](#)
- [Excel EPC asset rating generator template](#)
- [Online EPC asset rating generator](#)

## EPCs and climate change

The EPC is an important part of the HIP and underlines the Government's commitment to cut carbon emissions. Here we feature some core facts about energy savings and how EPC recommendations can help cut fuel bills.



### Did you know?

- Condensing boilers are the most efficient available as they waste the least amount of energy, converting over 90% of the fuel they use into useful heat compared to around 60% for an old conventional boiler.
- Further cost and carbon savings can be made by understanding and programming heating controls better — for instance, turning your heating down 1°C can knock 10% off your heating bills.

[Source: Energy Savings Trust]

For more information on EPCs and green issues visit:

<http://www.communities.gov.uk/epbd>

<http://www.energysavingstrust.org.uk>