



Scope of this guide

This guide gives advice about applications to Land Registry, Land Charges Department to register an interest in unregistered land, to search the index, to obtain an office copy and to cancel an entry. It is aimed at solicitors and other legal advisers and you should interpret references to 'you' accordingly. Land Registry staff will also refer to it.

Land Charges – Applications for registration, official search, office copy and cancellation

Update – This edition of the guide replaces the November 2009 edition. The guide has been amended to reflect local authority changes and generally to bring it up to date.

Contact details

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Contents

1	Abbreviations and terms used in this guide	5
2	Introduction	5
3	Applications for registration (rr.5, 14(3), LCR 1974)	6
3.1	Completing the application	6
3.1.1	Names	7
3.1.2	Description of the land charged	7
3.1.3	Applications pursuant to a priority notice	7
3.1.4	Certification (r.13(2), LCR 1974)	7
3.1.5	Rejection of applications	7
3.2	Application for registration of a land charge (other than Class F)	7
3.3	Application for registration of a Class F land charge	8
3.4	Application for registration of a pending action	8
3.5	Application for registration of a writ or order	8
3.6	Application for registration of a Deed of Arrangement	8
3.7	Application for registration of a priority notice (s.11(1)-(3), LCA 1972)	8
3.8	Application for the renewal of a registration (not being a land charge of Class F) (s.8, LCA 1972)	9
3.9	Application for the renewal of a registration of a land charge of Class F	9
3.10	Application for rectification (r.14, LCR 1974)	10
3.11	Acknowledgments	10
4	Official searches	10
4.1	Private individual names	11
4.1.1	Full names	11
4.1.2	Initials of forename(s)	11
4.1.3	Abbreviated forename(s)	12
4.1.4	Multiple surnames	12
4.1.5	Former or alternative names	12
4.1.6	Titles	12
4.2	Names other than private individuals	13
4.2.1	Trading companies	13
4.2.2	Companies Acts	13
4.2.3	Abbreviations and variations	14
4.2.4	Names incorporating numbers	14
4.2.5	Local authority names	15
4.2.6	Other corporate bodies	15
4.2.7	The Crown, Duchy of Lancaster, Duchy of Cornwall and Crown Estate Commissioners	15
4.2.8	Special cases	15
4.2.9	Un-incorporated bodies	16
4.3	Administrative areas	16
4.3.1	Boundary changes	16
4.3.2	County boroughs	16
4.3.3	Greater London	16
4.3.4	Former administrative areas	16
4.4	Period to be searched	17
4.5	Registers of pending actions, writ and orders and deeds of arrangement	17
4.6	Bankruptcy only searches	17
4.7	Certificates of the result of search	17
4.7.1	Certificate in form K17	17
4.7.2	Certificate in form K18	18
4.7.3	Particulars of charges revealed	18
4.7.4	Certificates in respect of bankruptcy only searches	18
4.7.5	Period of protection	18
4.7.6	Certificate date	18
4.7.7	Names in a certificate	18
4.7.8	Certificate number	19
4.7.9	Action upon receipt of a certificate of the result of search	19
4.7.10	Methods for issuing a certificate	19

5 Office copies	19
6 Applications for cancellation (r.9 and 10, LCR 1974)	20
6.1 Cancellation of whole or part of an entry	20
6.2 Cancellation in special circumstances (r.10, LCR 1974)	21
6.3 Acknowledgment of cancellation	21
6.3.1 Previous cancellations	21
6.4 Cancellation of bankruptcy entries at Land Registry	21
6.4.1 Bankruptcy notice	21
6.4.2 Bankruptcy restriction	21
7 Methods of lodgement	22
7.1 Applications for registration and cancellation	22
7.1.1 Post or DX	22
7.1.2 Personal attendance at the Land Charges Department Customer Information Centre	22
7.2 Official search and office copy	22
7.2.1 Post or DX	22
7.2.2 Fax	22
7.2.3 Telephone Services	23
7.2.4 Land Registry Business e-services delivered through the portal	23
7.2.5 National Land Information Service	23
7.2.6 Personal attendance at Land Charges Customer Information Centre	23
7.2.7 Teleprinter (Telex)	23
8 Fees	23
8.1 Variable direct debit	24
8.2 Credit accounts	24
9 Agricultural Credits	24
9.1 Application forms	25
9.2 Fees	25
9.3 Enquiries	25
10 Enquiries and comments	26
10.1 Address for applications	26
10.2 General Land Charges enquiry	26
10.3 Variable Direct Debit accounts	26
10.4 Agricultural Credits	26
10.5 Business e-services	27
10.6 National Land Information Service	27
10.7 Telephone Services	27
10.8 Comments about this guide	27
10.9 Comments about our services	27
11 Appendix A – Official searches against The Sovereign; The Duchies of Lancaster and Cornwall and The Crown Estate Commissioners	27
11.1 The Sovereign in right of The Crown	28
11.2 The Sovereign in right of The Private Estates	28
11.3 The Duchy of Lancaster	28
11.4 The Duchy of Cornwall	29
12 Appendix B – Official searches against certain livery companies, colleges and schools	30
12.1 Livery companies	30
12.2 Cambridge University colleges and halls	32
12.3 Oxford University colleges and halls	34
12.4 Schools and colleges	35

13 Appendix C – Administrative areas in England and Wales used by Land Charges	36
13.1 England	37
13.2 Wales	40
13.3 Notes	41
14 Appendix D – Land Charges registers	42
14.1 Register of land charges (s.2, LCA 1972)	42
14.2 Register of pending actions (PA) (s.5, LCA 1972)	42
14.3 Register of writs and orders (WO) (s.6, LCA 1972)	42
14.4 Register of deeds of arrangement (DA) (s.7, LCA 1972)	43
14.5 Register of annuities (Sch.1, LCA 1972)	43
Land Charges advisory policy	44

1 Abbreviations and terms used in this guide

‘ACA 1928’ means the Agricultural Credits Act 1928;
‘ACFO 1985’ means the Agricultural Credits Fees Order 1985;
‘ACR’ means the Agricultural Credit Rules 1928;
‘index’ means the index of the entries kept in the register;
‘LCA 1925’ means the Land Charges Act 1925;
‘LCA 1972’ means the Land Charges Act 1972;
‘Land Charges’ means the Land Charges Department;
‘LCFR 1990’ means the Land Charges Fees Rules 1990;
‘LCR 1974’ means the Land Charges Rules 1974;
‘LPA 1925’ means the Law of Property Act 1925;
‘LRA 2002’ means the Land Registration Act 2002;
‘NLIS’ means the National Land Information Service;
‘portal’ means Land Registry’s portal;
‘register’ means the registers kept by Land Charges;
‘registrar’ means the Chief Land Registrar;
‘solicitor’ includes a reference to a recognised body within the meaning of the Administration of Justice Act 1985.

2 Introduction

Under s.1, LCA 1972, Land Charges keeps the following registers.

- A register of land charges.
- A register of pending actions and pending actions in bankruptcy.
A register of writs and orders affecting land and writs and orders in bankruptcy.
- A register of deeds of arrangement affecting land.
- A register of annuities.

See section 14 *Appendix D – Land Charges registers* for further details.

Land Charges also keeps an index whereby all entries made in any of the registers can readily be traced.

The primary task of Land Charges is to protect a person’s, or an organisation’s, interest in unregistered land and to maintain the bankruptcy index for England and Wales.

The Land Charges index does not record ownership of unregistered land. This is because a person who owns unregistered land has title deeds which may be produced as proof of ownership. Neither does Land Charges register first mortgages because the mortgagee of unregistered land, who has a first mortgage, holds the title deeds as security. (This prevents the owner of the land from selling the land without contacting the mortgagee.)

However, there are many other situations where someone has an interest in the land but does not hold the title deeds as security. These may be

interests such as second or subsequent mortgages (where the mortgagee does not hold the deeds), restrictive covenants, estate contracts including option agreements, and matrimonial or civil partnership home rights. This is where Land Charges has a vital role. The person or organisation with the interest should apply to register their interest with Land Charges.

Please note that there is no provision in the LCA 1972 for the protection by registration of an interest under a trust of land or settlement.

See section 3 *Applications for registration* for further details.

If the person, who has an interest which should be protected by registration, fails to register it under the LCA 1972, the interest will be void against certain purchasers of the land. As to non-registration of land charges see s.4, LCA 1972 and, for example, *Midland Bank Trust Co Ltd v Green* HL [1981] AC 513, [1981] 1 All ER 153.

Registration of any instrument or matter under the LCA 1972 does not, however, confer validity upon it. The registrar is not concerned to inquire into or otherwise verify the accuracy or validity of any application made to him (see r.22, LCR 1974).

The Land Charges registers are open and anyone may apply to search them (s.9, LCA 1972). Purchasers' solicitors should, when acting in the purchase of unregistered land, as a matter of course, apply for a search against the vendors and previous owners of the land to determine whether there are any land charges that have been registered and to obtain the details if there are. They can then ensure, for example, that any mortgage that is revealed is cleared. They will also know how to advise their clients on any other matters (such as restrictive covenants or equitable easements) that may be revealed.

Also, anyone proposing to lend money can ensure that the borrower is not bankrupt. A 'bankruptcy only' search should be made against a borrower, when acting for a lender, even if a registered estate in land is being purchased.

This guide explains:

- how to make different types of application
- the information you must provide
- the different types of form (for postal applications)
- the information you will receive in an acknowledgment, certificate of the result of search or office copy.

3 Applications for registration (rr.5, 14(3), LCR 1974)

You must lodge applications for registration, renewal of registration, priority notice or rectification in the prescribed form as follows:

- K1 Application for registration of a Land Charge (other than Class F).
- K2 Application for registration of a Land Charge of Class F.
- K3 Application for registration of a Pending Action.
- K4 Application for registration of a Writ or Order.
- K5 Application for registration of a Deed of Arrangement.
- K6 Application for registration of a Priority Notice.
- K7 Application for the renewal of a registration (not being a Land Charge of Class F).
- K8 Application for the renewal of a registration of a Land Charge of Class F.
- K9 Application for rectification

3.1 Completing the application

Because applications are scanned, it is imperative that you complete each application form legibly and accurately. The Land Charges registers and index are compiled from the information given in applications.

Consequently any error in the particulars given, however slight, may lead to highly important information not being disclosed in a subsequent search.

This almost certainly would be to the detriment of the chargee (see *Diligent Finance Co Ltd v Alleyne and Another* [1972] 23 P. & C.R. 346; cf. *Oak Co-operative Building Society v Blackburn and Others* [1968] Ch. 730 C.A., reversing [1967] Ch.1169).

3.1.1 Names

You must give the full names in your application.

- For individuals – enter the forename(s) and surname in the spaces provided.
- Title or rank – see section 4.1.6 *Titles* for details of how to enter these.
- Names other than individuals – see section 4.2 *Names other than private individuals* for details of how to enter these.

3.1.2 Description of the land charged

You must always provide the name of the administrative area in which the land is located. This means that you must specify the relevant unitary authority or, where the land is not within a unitary authority, the county and district. See section 13 *Appendix C – Administrative areas in England and Wales used by Land Charges* for more details.

In addition, you must provide a short description, which so far as practicable identifies the location of the land. Normally the whole of the description of the land is included as part of the entry in the index. It is then reproduced in any certificate of the result of search that discloses the entry.

3.1.3 Applications pursuant to a priority notice

In order to attract the priority conferred under a priority notice you must state, in the space provided, the official reference number of that priority notice (s.11, LCA 1972). See section 3.7 *Application for registration of a priority notice* for details of how to apply for a priority notice.

3.1.4 Certification (r.13(2), LCR 1974)

You should note that registration under the LCA 1972 has no application to registered land. The LCA 1972 does not impose on the registrar the obligation to ascertain whether or not an instrument or matter affects registered land (s.14(2), LCA 1972). When you apply for registration you must certify that the estate owner's title is not registered at Land Registry.

Where an application is not made by a solicitor or legal adviser, the applicant should support their application by statutory declaration in form K14 (r.6, LCR 1974).

3.1.5 Rejection of applications

Land Charges will reject any applications for registration where:

- the application form is not signed
- the application is for the wrong class of Land Charge
- the application discloses an interest under a trust or settlement
- fees are not enclosed and there is no key number on the form.

3.2 Application for registration of a land charge (other than Class F)

See section 14.1 *Appendix D – Land Charges registers* for further details of the classes of land charge.

Applications must be made using form K1 for the registration of any land charge other than class F.

In 'the particulars of charge' section of form K1, there should be entered:

- the date and full names of the parties to the instrument creating the charge or,
- in the case of Class A or B land charges, details of the relevant Act or section or

- if neither of the above, short particulars of the effect of the charge and the date when it arose.

3.3 Application for registration of a Class F land charge

See section 14.1 *Appendix D – Register of land charges* for further details of the classes of land charge.

Applications must be made using form K2.

Details must be given on the form of any subsisting registration of rights of occupation under the Matrimonial Homes Act 1967 or 1983 or home rights under the Family Law Act 1996 which affects a dwelling-house and which is protected by a Class F registration under the LCA 1925 or 1972 or a home rights notice or caution under the Land Registration Acts 1925 or 2002. This is because a charge in respect of home rights may be entered in respect only of one dwelling-house at a time and the registrar will be bound to cancel any previous registration. Details of any court order should also be given if applicable.

3.4 Application for registration of a pending action

See section 14.2 *Appendix D – Register of pending actions* for further details.

Application for registration of a pending action must be made using form K3.

Every application shall contain particulars of the title of the proceedings and the name, address and description of the estate owner or other person whose estate or interest is intended to be affected. In addition, it must state the court in which and the day on which the action was commenced.

3.5 Application for registration of a writ or order

See section 14.3 *Appendix D – Registers of writs and orders* for further details.

Application for registration of a writ or order must be made using form K4.

The application must contain:

- the nature of the writ or order
- the name of the court and the official reference number
- the title of the action, and
- the date of the writ or order.

3.6 Application for registration of a deed of arrangement

See section 14.4 *Appendix D – register of deeds of arrangement* for further details.

Application for registration of a deed of arrangement must be made using form K5.

The application must contain particulars as follows: the date of the deed and the parties to it (although if there are numerous creditors, the first three only should be named and “and others” added).

3.7 Application for registration of a priority notice (s.11(1)-(3), LCA 1972)

Application for registration of a priority notice must be made using form K6.

Any person intending to make an application for the registration of any contemplated charge, instrument or other matter may give a priority notice in the prescribed form at least fifteen working days before the registration is to take effect.

The priority notice is entered in the register to which the intended application, when made, will relate. If the application is then presented

within 30 working days of the registration of the priority notice and refers in the prescribed manner to the notice, the registration shall take effect as if the registration had been made at the time when the charge, instrument or matter was created, entered into, made or arose.

Consider the following situation: A takes a mortgage without the title deeds on 1 May, B takes a mortgage without the title deeds on 10 May, A registers on 11 May, B registers on 20 May, C takes a mortgage without the deeds on 30 May and registers.

The order in which the parties rank, whether their mortgages are legal or equitable, is B-A-C. This is because A's mortgage, though created before B's was created, and registered before B's was registered, was, nevertheless, not registered upon completion of B's mortgage. It is therefore void under s.4(5), LCA 1972 against B. It is not void against C because its registration was effected before completion of C's mortgage on 30 May.

However if you act for lender A and you anticipate that another mortgage will be completed shortly you may preserve your client's priority by registering a priority notice. For example you apply for a priority notice on 9 April. You take the mortgage on 1 May as above. The second mortgage to B completes on 10 May and you apply for registration of a C(i) land charge on 11 May, referring in the prescribed manner to the priority notice. The registration takes effect as at 1 May. The order in which the parties rank, whether their mortgages are legal or equitable, is then A-B-C.

Particulars of the register to which the intended application for registration will relate must be given together, if the intended registration is a land charge, with the class and sub-class.

Where an application for registration is made pursuant to a priority notice, it must refer to that notice by citing the official reference number that has been allocated to it (r.7, LCR 1974).

3.8 Application for the renewal of a registration (not being a land charge of Class F) (s.8, LCA 1972)

Registrations in the registers of pending actions, writs and orders and deeds of arrangement (under ss.5, 6 or 7, LCA 1972) shall cease to have effect at the end of the period of five years from the date on which it is made, but may be renewed from time to time and, if so renewed, shall have effect for five years from the date of renewal.

Application for the renewal of such a registration (not being a Class F land charge) must be made using form K7.

Particulars of the original registration, including the official reference number and the date of registration must be given.

3.9 Application for the renewal of a registration of a land charge of Class F

Home rights normally only continue during the subsistence of a marriage or civil partnership. S.33(5), Family Law Act 1996 provides that in the event of a matrimonial or civil partnership dispute or estrangement the court may make an order during the subsistence of the marriage or civil partnership directing that the home right will continue even though the marriage or civil partnership may come to an end.

In the event of such an order being made, it is possible to apply for the renewal of the Class F registration. This is a precaution against the other spouse or civil partner attempting to have the original entry cancelled without revealing the existence of the court order, for example, by proving that there had been a divorce or dissolution.

Application for the renewal of a Class F land charge must be made using form K8. Particulars of the original entry (including the official reference number and the date of registration) must be given together with the

details of the court order and the court by which it was made.

3.10 Application for rectification (r.14, LCR 1974)

If applications for registration are carefully completed it should not normally be necessary for a registered entry to require rectification. However, when an error made in an application for registration has led to a corresponding error in the entry, you may apply to rectify it.

Application for the rectification of an entry in the register must be made using form K9.

An application for rectification should be signed by or on behalf of the person on whose behalf the original application was made or, subject to production of sufficient evidence of title, by or on behalf of any successor in title of that person. Rectification does not operate retrospectively so that no person who has obtained the certificate of the result of an official search in the index or an office copy of the register dated in either case before the date of registration, shall in respect of that search or office copy be affected by the rectification.

Rectification will result in the original entry being retained in an amended form.

Alternatively, you may apply for the cancellation of an entry where there is an error, see section 6 *Applications for cancellation*, and support it with an application for the registration of a fresh entry. This will substitute a new entry for the cancelled entry.

3.11 Acknowledgments

Applications for registration, renewal of registration, priority notice or rectification are acknowledged in form K22.

The acknowledgment contains details of:

- the type of application
- the official reference number allocated
- the date the registration was effected
- the particulars of the entry made in the register
- the applicant's reference
- the applicant's key number
- the applicant's name and address.

It is in your own interest to check the details and to notify Land Charges of any apparent inaccuracies.

NB: In the case of a priority notice, the official reference number allocated is the number that must be quoted in the subsequent application for substantive registration.

4 Official searches

You may request an official search of the index to obtain details of any entries registered against a particular name or names (s.10, LCA 1972).

A search should always be made in Land Charges by a prospective purchaser of unregistered land or their solicitor or legal adviser. 'Purchaser' means any person (including a mortgagee or lessee) who, for valuable consideration, takes any interest in land or in a charge on land, and 'purchase' has a corresponding meaning (s.17, LCA 1972).

The search should be made against all the estate owners whose names appear in the epitome or abstract of title (including those, not being parties to the deeds themselves, who are referred to in the deeds or in schedules attached to deeds which form part of the title). Where a search certificate against previous estate owner(s) has been supplied as part of the epitome or abstract (covering the correct period(s) and against the

correct name(s) and against the correct description of the property), that search need not be repeated assuming that it reveals no adverse entries.

In favour of a purchaser or an intending purchaser, the certificate, according to its tenor, shall be conclusive, affirmatively or negatively, as the case may be (s.10(4), LCA 1972). However, the search itself must be correct in all respects (see below).

You must lodge your application for an official search in the prescribed form, either:

- K15 Application for an official search, or
- K16 Application for an official search (bankruptcy only).

See section 4.6 *Bankruptcy only searches* for further information about bankruptcy only searches.

NB: An application for a full search in form K15 will result in a search of the whole index including bankruptcy entries and deeds of arrangement.

As explained below you must clearly provide details of the name(s), former and current administrative areas and period to be searched.

Land Charges may reject any application for an official search where:

- an administrative area is not entered on the form
- fees are not enclosed and there is no key number on the form.

4.1 Private individual names

You may apply to search up to six names within one application. This section explains how to provide the details of a private individual's name(s). See section 4.2 *Names other than private individuals* if you want to search other types of name.

4.1.1 Full names

You must ensure that you enter the forename(s) and the surname in the relevant panels or provide them in the order requested. This will ensure that the search is carried out against the correct name in uncertain situations, eg Barry James or James Barry.

The search will be made against:

- the forename(s) and surname exactly as provided by you
- the surname alone
- the initials of the forename(s) combined with the surname.

Entries will only be revealed if they have been registered in this format. Searches will not be made against forenames only or against a mixture of forenames and initials combined with the surname unless these combinations are set out as separate names to be searched, see section 4.1.2 *Initials of forename(s)*. The following example gives you an indication of the names that are, and those that are not, included in a search.

In a search of 'John William Smith':

Included in search	Not included in search
John William Smith J W Smith Smith	John Smith J Smith John W Smith J William Smith William Smith W Smith

4.1.2 Initials of forename(s)

If you provide only the initial letter of the forename(s), the search will be made against the initials combined with the surname and also against the surname alone. Entries will **only** be revealed if they have been registered

in this manner. The search will not cover the surname combined with any forename(s) that happen to bear the stated initial(s). The following examples illustrate this point.

In a search of 'John W Smith':

Included in search	Not included in search
John W Smith J W Smith Smith	John William Smith John Smith J Smith W Smith Any forename beginning with 'W'

In a search of 'J W Smith':

Included in search	Not included in search
J W Smith Smith	J Smith W Smith Any forenames beginning with 'JW'

4.1.3 Abbreviated forename(s)

If you have provided an abbreviation of a forename, such as JAS, THOS, HY, it will be searched exactly as given. These abbreviations will not be converted into a full name. In these circumstances you may also wish to apply for a search of the full un-abbreviated name(s).

4.1.4 Multiple surnames

The Land Charges search system has been designed to overcome a range of inconsistencies that may occur in name formats. Common examples are hyphens, spacing and some punctuation. However, it is not always possible to distinguish between forenames and surnames and Land Charges cannot accept responsibility for any error resulting from incorrect details provided in an application. If you are in any doubt as to the correct name format we recommend that you apply for a search of all the variations, eg **Forename(s)**: John Hamilton and **Surname**: Smith and **Forename(s)**: John and **Surname**: Hamilton Smith.

4.1.5 Former or alternative names

If a person is commonly known by an alternative name, or if they have changed their name by deed poll or on marriage, you should apply for a separate search of each name. You must never apply for a search of Alice Smith nee Jones or Alice Smith (formerly Jones) or Alice otherwise Alicia Smith.

4.1.6 Titles

Words such as 'Lord', 'Duke', 'Princess', or even 'Sir' sometimes exist as forenames. It is therefore essential that a person's titles should not be confused with their names. You must, when completing an application, enter a genuine title, within brackets or, in a verbal application, state that it is a genuine title, eg **Forename(s)**: (Sir) John and **Surname**: Smith or **Forename(s)**: (The Hon) John Henry and **Surname**: Carruthurs. The title will not be reproduced in the certificate of the result of search.

When the name of a titled person or a corporation sole, such as a bishop, contains a reference to a territorial designation, you must provide the whole name as one, eg Charles James Henry Vaughan the Earl of Barchester or Lord Charles William Frederick Montague Smith of Broadoaks.

If you are lodging your application by post, DX or fax using form K15 or K16 delete the words 'Forename(s)' and 'Surname', eg:

Forename(s)	THE RIGHT REVEREND JOHN HERBERT
Surname	WALPOLE THE LORD BISHOP OF CHELLS
Forename(s)	THE INCUMBENT FOR THE TIME BEING OF THE BENEFICE
Surname	OF EAST WESTLEIGH, BARSETSHIRE

You should always consider whether a registration may have been effected simply against a person's forenames and surname alone, devoid of any reference to their title or territorial designation, and consequently, whether you should also apply for the name to be searched separately. This situation is often found when a titled person has retained their surname as part of their title.

4.2 Names other than private individuals

When applying for a search of a name other than a private individual you must provide the name as one, eg W J Sinner & Co Ltd. or The Partington Rural District Council.

If you are lodging your application by post, DX or fax using form K15 or K16 delete the words 'Forename(s)' and 'Surname', eg:

Forename(s)	ODD-FELLOWS BARCHESTER UNITY FRIENDLY
Surname	SOCIETY

When 'The' is the first word in a name you may either include or omit it.

4.2.1 Trading companies

Many abbreviations and variations of words are commonly used in company names. The Land Charges search system takes account of a wide variety of these so that you do not need to specify all possible variations when searching, see section 4.2.3 *Abbreviations and variations*. Allowance is also made for differences in spacing and punctuation.

4.2.2 Companies Acts

The re-registration of a company registered under the Companies Acts as a public limited company or the re-registration of a public limited company as a private limited company results in a change of name. Where the change is confined to 'Limited' becoming 'Public Limited Company' or vice-versa you will only need to search one version of the name, as the search system is designed to make a search of both versions, eg:

John Smith Ltd may become:
John Smith Public Limited Company, and/or
John Smith Cwmni Cyfyngedig Cyhoeddus.

A search made against any version will reveal entries made against all versions, including those using the abbreviations listed in section 4.2.3 *Abbreviations and variations*.

However, where there is any other change of name it will be your responsibility to make a search against both versions, eg in the following example the words "and Company" have been dropped from the name. You must therefore apply for a search of:

John Smith and Company Limited, and
John Smith Public Limited Company, and/or
John Smith Cwmni Cyfyngedig Cyhoeddus.

4.2.3 Abbreviations and variations

The Land Charges search system automatically takes account of recognised abbreviations and variations whenever they occur in a name. The registrar will not accept responsibility for searching any other abbreviation or variation unless you have applied for it to be searched as a separate name.

The following abbreviations and variations are treated, **within each group**, as being the same for the purposes of a search:

& And	Ass Assoc Assocs Associate Associated Associates Association Associations	Brother Bro Brothers Bros	Co Cos Coy Coys Comp Comps Company Companies Cyfyngedig Cyf Public Limited Company PLC Cwmni Cyfyngedig Cyhoeddus CCC Cwmni Cyf Cyhoeddus
Dr Doc Doctor	LD Ltd Limited	Soc Socs Socy Socys Society Societys Societies	St Street St Saint

The singular and plural of the following words are also treated as being the same:

Broker Builder Charity College Commissioner Construction Contractor Decorator Developer Development Enterprise Estate Garage	Holding Hotel Industry Investment Motor Production Property School Son Store Trust Warden
--	--

4.2.4 Names incorporating numbers

Some company names contain numbers which are either numerals or spelt words. If a name contains a number, you must specify the format in which it is to be searched; either with numerals, eg 19th Century Land Co. Ltd or alphabetical characters, eg Nineteenth Century Land Co. Ltd. It cannot be too strongly emphasised that **names will be searched precisely as they are given** in the application. It is your responsibility to ensure that each name is correctly given.

Alternative name variations will only be searched when you have separately specified them in your application. A fee is payable for each separate name.

4.2.5 Local authority names

The names of local authorities are, in practice, expressed in various ways, eg:

The County Council of
TheCounty Council
The Council of theCounty
.....C.C.

The Mayor, Alderman & Burgesses of the Borough of
The Corporation
The Borough Corporation

When a search of a local authority is required, two elements in the name must be established; the place name and the status of the authority. It is quite common to find two or more local authorities with the same place name and it is essential to distinguish one from another. There is no prescribed method for giving the name of the authority so long as it is clearly stated.

The Land Charges search system translates the status of an authority into the form in which all local authorities are recorded in the index. This ensures that all relevant entries are revealed.

4.2.6 Other corporate bodies

There are many different kinds of corporate body other than a trading company or local authority. Invariably there is one correct version of the name and one only. Registration must be effected against the correct name and subsequent searches must follow the same name format. A spelling or format discrepancy between either will result in the entry not being revealed. The responsibility for ensuring registration and search accuracy rests with you the applicant (see *Oak Co-operative Building Society v. Blackburn and Others* [1968] Ch.730 C.A., reversing [1967] Ch.1169 and *Diligent Finance Co. Ltd. v. Alleyne and Another* [1972] 23P. & C.R. 346).

4.2.7 The Crown, Duchy of Lancaster, Duchy of Cornwall and Crown Estate Commissioners

Please see section 11 *Appendix A – Official searches against The Sovereign; The Duchies of Lancaster and Cornwall and The Crown Estate Commissioners* which describes how to apply for a search against the name of the Queen's Most Excellent Majesty in Right of Her Crown or in Right of Her private estates or in Right of Her Duchy of Lancaster, or against the name of the Duchy of Cornwall, or His Royal Highness the Prince of Wales as Duke of Cornwall, or the Crown Estate Commissioners.

4.2.8 Special cases

There are a number of colleges, schools, city livery companies and institutions that are popularly known by a shortened version of their formal title. Although, in strictness, you should give the full title in your application for a search you may, in the special cases set out in section 12 *Appendix B – Official searches against certain livery companies, colleges and schools* give the popular shortened version of the name, provided you also give the reference number shown against the name.

If you are lodging your application by post, DX or fax using form K15 or K16 enter the reference number in the left hand column (headed 'For Official Use Only') of the application form and delete the words 'Forename(s)' and 'Surname', eg:

1011322	Forename Surname	HARROW SCHOOL	
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4.2.9 Un-incorporated bodies

The property of an un-incorporated body is vested in its trustees. Entries should therefore be registered in the names of the trustees and a search should be applied for against the trustees' names. However, you may need to apply for an official search of the collective name of the trustees, eg 'The Trustees of Charity'. In these circumstances you should give the collective name as if it were a corporate body, see section 4.2 *Names other than private individuals*.

4.3 Administrative areas

The county or unitary authority originally specified in an application for registration is recorded in the index as part of the details of the entry. That entry will only be revealed if the identical county or unitary authority is given in your application for a search.

No extra fee is charged for specifying more than one administrative area: you can specify up to a maximum of six administrative areas in each application for a search.

Please see section 13 *Appendix C – Administrative areas in England and Wales used by Land Charges* for further details.

4.3.1 Boundary changes

When changes in administrative area boundaries have occurred which affect the land, it is imperative that you also give both the administrative area in which the land is currently located and the administrative area in which the land was formerly located.

4.3.2 County boroughs

Where, in the past, an application for registration referred to a county borough instead of a county, this was converted on computerisation of the index to the appropriate geographical county or counties, eg an entry previously referring only to Leeds C.B. is now recorded with all other entries held under Yorkshire.

These entries will be revealed whenever a search application gives Yorkshire as a county to be searched.

In the case of a county borough not clearly lying within one particular county, the entry has been converted to refer to all the counties that may affect. Therefore, a search application giving any one of them as a county to be searched will reveal the entry, eg entries originally referring to Bristol C.B. but not stating a county, are now indexed under both Gloucestershire and Somerset and a search application giving either county will reveal the entry.

However, when the name of a county borough was given in addition to a county name, eg Bristol, Somerset, or Bristol, Gloucestershire, the entry is indexed only under the stated county. Such an entry will not therefore be revealed unless a search correctly states the county under which it has been indexed.

4.3.3 Greater London

You must give 'Greater London' as the county to be searched if you require a search within the Greater London area. However, wherever it is possible that an original registration may have referred to a former county, such as Surrey, Kent or Middlesex, you must give that county as the former county in your application for search. The reason for this is that an entry held in the index under, say, Surrey, will not be revealed by a search of Greater London only. If London was specified as the county in the original registration, the entry will be revealed in a search of Greater London.

4.3.4 Former administrative areas

With various reorganisations of local government, the administrative areas have changed over the years. These changes have been reflected in the lists of administrative areas used by Land Charges. See section 13 *Appendix C – Administrative areas in England and Wales used by Land*

Charges for further information.

As stated in *section 4.3.2 County boroughs*, where a county borough name was given in a registration made before 1 April 1974 the entries will have been indexed under the relevant county or counties. You must bear in mind that no further alteration will be made to these entries to make them refer to any subsequent change of name introduced by new legislation, eg registrations which originally only referred to Leeds County Borough will have been indexed under Yorkshire, however, the index will not have been further altered to refer to the new county of West Yorkshire.

4.4 Period to be searched

You must give the period to be searched in whole calendar years, eg **From:** 1959 **To:** 1970. If you only require to search one year give the same year in both panels, eg **From:** 1959 **To:** 1959.

You should search the period during which each named estate owner owned the land. You will be able to determine the relevant period(s) from the abstract of title. Please note that it is possible to register a land charge against a deceased estate owner after their death. When purchasing from personal representatives, any search made against the deceased should cover a period including the time from their death to the current date.

4.5 Registers of pending actions, writ and orders and deeds of arrangement

Regardless of the period of ownership or the county/counties given in your application, any subsisting entry indexed under the name searched in the pending actions, writ and orders and deeds of arrangement registers will be disclosed in the certificate of the result of search. This is because there may be occasions, as in relation to bankruptcy, when such an entry, even though made outside the period of ownership, may still have an important bearing on the title and these entries only remain in the registers for a limited time. Under the LCA 1972, these entries automatically expire (unless renewed) after five years. If you only require a search of these three registers please see *section 4.6 Bankruptcy only searches*.

4.6 Bankruptcy only searches

If you require a 'bankruptcy only' search you must lodge your application in form K16.

A 'bankruptcy only' search will reveal petitions in bankruptcy, receiving orders in bankruptcy and deeds of arrangement. The certificate of result of search will also include other entries not necessarily confined to bankruptcy held in the same registers, eg petitions and writs relating to court proceedings affecting land.

A solicitor who is acting for a lender should make a bankruptcy only search against the borrower and against any guarantor(s) of the mortgage, whether or not the land that is the subject of the transaction is registered or unregistered. This is because no lender will lend to a bankrupt. If an adverse entry is revealed, the solicitor should establish whether the borrower is the person to whom the entry relates. They may do this by obtaining an office copy entry and enquiring of the Official Receiver's office.

4.7 Certificates of the result of search

Certificates of the result of search are issued either in form K17 (no subsisting entries) or K18 (entries revealed).

NB: A certificate of the result of search has no statutory effect with regard to registered land: ss.28-31 and 87, LRA 2002 and s.14, LCA 1972.

4.7.1 Certificate in form K17

Where a search does not reveal any subsisting entry in the index registered against the name(s) given in your application, a certificate of the result of search in form K17 is issued. The certificate records the particulars upon which the search has been based: the county or counties,

unitary authority or unitary authorities; each name and the period covered by the search. (Where the result is in respect of a bankruptcy only search, there is no reference to any period covered.) You are therefore able to check the accuracy of these particulars, please see s.10(6), LCA 1972.

4.7.2 Certificate in form K18

Where a search reveals subsisting entries in the index registered against the name(s) given in your application, a certificate of the result of search in form K18 is issued. The certificate records the particulars upon which the search has been based: the county or counties; each name and the period covered by the search. (Where the result is in respect of a bankruptcy only search, there is no reference to any period covered.) You are therefore able to check the accuracy of these particulars; please see s.10(6), LCA. Where entries have been revealed, the details of each entry are given beneath the name against which the entries have been found. If no entries have been revealed for a name the statement "NO SUBSISTING ENTRY" will be given beneath the name.

4.7.3 Particulars of charges revealed

The details taken from the index are identified by code numbers as follows.

- (1) Type of registration; for a land charge the class and sub-class of the charge are included. The registration number. The date of registration.
- (2) Any short description of the land that is recorded in the index.
- (3) Parish, place or district.
- (4) County or unitary authority.
- (5) Additional information regarding the entry, eg a partial cancellation or reference to a priority notice.
- (6) Title, trade or profession of the chargor; where this is recorded in the index.

4.7.4 Certificates in respect of bankruptcy only searches

The words 'BANKRUPTCY ONLY' are entered against 'County or Counties' in the certificate of the result of search in respect of a 'Bankruptcy only' search. A note explains the limitations of this type of search, see section 4.6 *Bankruptcy only searches*.

4.7.5 Period of protection

Where a purchaser has obtained a certificate of the result of search, any entry made in the register after the date of the certificate and before the completion of the purchase, which is not made pursuant to a priority notice entered in the register on or before the date of the certificate, will not affect the purchaser if the purchase is completed before the expiration of the 15th working day after the date of the certificate (s.11, LCA 1972).

The date of expiry of the period of protection is included in every certificate of the result of search.

Protection under a certificate of the result of search will end on the date of completion of the purchase if that date is within the period of protection.

The priority period given by land charges searches cannot be extended. If completion is delayed then a new search application must be made.

4.7.6 Certificate date

Every certificate of the result of search will include a 'certificate date'. This date is significant because:

- it is the latest date on which the index was updated
- entries, limited to the period of the search applied for, registered up to and including this date, will be revealed in the certificate
- it is the date when the period of protection commences.

4.7.7 Names in a certificate

A private individual's name(s) are given in a certificate of the result of search with the forename(s) first, followed by the surname, which is enclosed by asterisks to simplify identification, eg Joseph William *Hardcastle*.

A certificate of the result of search may include an entry that appears in the index under a name which you did not apply to search. This is because of differences in the spacing or in the combination of portions of the name. It will be obvious when this does occur, eg Joyce Lyn *West* and Joycelyn *West*; Paul Hamilton *Jones* and Paul *Hamilton-Jones*; Johann Van Der *Keen* and Johann *Van Der Keen* etc.

NB1: Where an entry under an extra name has been revealed in this way, that name will not have been fully searched.

NB2: Where formal titles, eg Sir, Honourable, etc, given in an application for search are enclosed in brackets, they will not be reproduced in the certificate of the result of search.

4.7.8 Certificate number

Every certificate of the result of search is allocated a unique certificate number: the 'Certificate number'. You must quote the certificate number and the certificate date in any enquiries regarding the certificate.

4.7.9 Action upon receipt of a certificate of the result of search

You are responsible for ensuring that the certificate of result of search reflects the correct details for the search (s.10(6), LCA 1972).

Because the index is basically an index of names, it is possible that irrelevant entries will appear in the certificate of the result of search. If this occurs and the purchaser's solicitor or legal advisor is uncertain whether or not an entry affects the land being purchased, they should either:

- ask the vendor's solicitor for confirmation that the entry doesn't relate to the land in question
- apply for cancellation of the entry, see section 6 *Applications for cancellation*, or
- obtain any necessary consents in accordance with s.43, LPA 1925.

Either party who requires further details of the entry may apply for an office copy of the registration document.

4.7.10 Methods for issuing a certificate

The certificate of the result of search, K17 or K18, is usually issued to you in paper format by post or DX.

However, certificates of the result of search will, in the circumstances set out below, be issued in electronic format to portal and NLIS applicants.

Except as mentioned below, an electronic certificate of the result of search will be issued by way of a PDF file when an applicant:

- has made, via the portal or NLIS, a form K15 or K16 search
- has requested that the certificate of the result of search is issued in electronic format (ie by way of a PDF file).

The PDF file the applicant receives is the certificate of the result of search and so a certificate will not be issued in paper form.

An electronic certificate cannot be provided where the names to be searched are either complex names, eg Peers of the Realm or unlimited companies or corporations or a local authority. In these circumstances a paper certificate of result of search will always be issued by post or DX.

5 Office copies

You may, to obtain further details of a registration, request an office copy of the entry in the register.

An application for an office copy of an entry in the register must be made using form K19.

You must provide the following details.

- Class of charge; see section 14 *Appendix D – Land Charges registers* for

- further information.
- Registration number.
- Date of registration.
- Name(s) of the estate owner.

6 Applications for cancellation (r.9 and 10, LCR 1974)

An application for the cancellation of an entry in the register (other than a Land Charge of Class F), must be made using form K11.

An application for cancellation of a Land Charge of Class F must be made using form K13.

Land Charges will reject any applications for cancellation where:

- the application form is not signed
- the applicant's name shown on the application form does not match the name of the original chargee and no supporting evidence of devolution is lodged
- an incorrect Land Charges number is quoted on the application form
- the whole or part box is not completed on the application form
- fees are not enclosed and there is no key number on the form
- there is no indication of the capacity in which the applicant is making the application.

Unless the applicant is the person on whose behalf the registration was made and is entitled to the benefit of the entry, sufficient evidence of the title to apply for cancellation must be supplied.

The nature of the evidence will depend on the facts of each case. In particular, your attention is drawn to the special problems that may arise when cancellation of an entry relating to restrictive covenants is sought. The law on this subject is complex and it is seldom possible to deduce title to the benefit of restrictive covenants effectively.

An application for cancellation of a land charge of class D(ii) – see section 14 *Appendix D – Land Charges registers* – can be considered, in the absence of an appropriate order of the Court or of the Lands Chamber of the Upper Tribunal (formerly the Lands Tribunal), only if it can be shown:

- that the extent of the benefiting land was precisely defined in the instrument which imposed the covenants, and
- that all the relevant parties having an interest in that land have executed a sufficient release, or are parties to the application for cancellation.

The registrar cannot make “judicial decisions” so that where, for example, there is a restrictive covenant which requires the consent of the covenantee to building or other works and the covenantee has died or is otherwise not available, the registrar will not decide, on the evidence, whether or not the covenant has been discharged. Application should be made to the Court or Upper Tribunal in such circumstances (See *Mahon v Sims* [2005] 3 EGLR, *Margerison v Bates* [2008] EWHC 1211, and *City Inn (Jersey) Ltd v Ten Trinity Square Ltd* [2008] EWCA Civ 156).

6.1 Cancellation of whole or part of an entry

You may apply for the cancellation of either the whole or part of an entry in the register in form K11 or K13, as appropriate. Whenever a land charge is wholly cancelled the entry is also deleted from the index. If the entry is only partly cancelled, the effect of the cancellation is noted against the entry in the register and also in the index. A certificate of the result of search, subsequent to the registration of a part cancellation, will reveal the entry together with the details of the part cancellation. However, if numerous part cancellations affect an entry, the index may not carry the full details of each part cancellation and would simply contain a note stating that various part cancellations affect the entry. If an entry containing this note is revealed in a certificate of the result of search, you

may obtain fuller details of the actual part cancellations by applying for an office copy of the entry. See section 5 *Office copies*.

6.2 Cancellation in special circumstances (r.10, LCR 1974)

You may write to Land Charges and request the registrar to allow cancellation in form K12 (*Application for cancellation of an entry in the Register under special directions of the Registrar*) if you consider that to apply for the cancellation of an entry in the prescribed manner:

- would result in exceptional hardship and expense for you, and
- the land charge or other matter protected by the entry has been discharged, overreached or is of no effect.

You must state all the relevant facts and lodge any supporting documentary evidence. If accepted Land Charges will issue a direction for cancellation in form K12.

There must be exceptional grounds for a cancellation in form K12 to be considered. Land Charges will not issue a direction for cancellation in form K12 simply because the use of the prescribed cancellation method is inconvenient or troublesome.

6.3 Acknowledgment of cancellation

An application for cancellation will be acknowledged in form K22 (*Acknowledgment of an application*).

The acknowledgment will contain details of:

- the type of application
- the official reference number allocated
- the date of cancellation
- the particulars of the entry deleted from the index
- the applicant's reference
- the applicant's key number
- the applicant's name and address.

It is in your own interest to check the details and to notify Land Charges of any apparent inaccuracies.

6.3.1 Previous cancellations

If you require confirmation that an entry has been previously cancelled, you must lodge your application in the prescribed form K20 (*Application for a certificate of the cancellation of an entry in the register*).

6.4 Cancellation of bankruptcy entries at Land Registry

Following the registration of a PA(B) or WO(B) in Land Charges, Land Registry is notified of the particulars of the debtor or bankrupt. In accordance with the requirements of s.86, LRA 2002 Land Registry enters a bankruptcy notice or bankruptcy restriction in any registered title that appears to be affected.

When a registration of a bankruptcy petition or order is cancelled (for example, upon a petition being dismissed or order annulled) at Land Charges or ceases by expiration of time, the bankruptcy notice or bankruptcy restriction entered against a registered title will not be cancelled unless a specific (successful) application is made to Land Registry.

6.4.1 Bankruptcy notice

A bankruptcy notice may be cancelled on an application accompanied by a "certificate of cancellation" in form K20 or "acknowledgement of application for cancellation" in form K22, but not if there is a bankruptcy restriction already registered in respect of the same proceedings.

6.4.2 Bankruptcy restriction

If a discharged bankrupt obtains an order under s.1(6), LCA 1972 ordering that the registration of a bankruptcy petition and/or a bankruptcy order be vacated (under s.5, LCA 1972) then, upon an appropriate application being lodged at Land Charges, the entry (or entries) will be vacated.

However, such an order has no effect on the vesting of property, unlike an order annulling or rescinding a bankruptcy order. Consequently, any land or charge (whether registered or unregistered) which has vested in the trustee in bankruptcy will remain so vested and not re-vest in the discharged bankrupt. In such circumstances, a bankruptcy notice or bankruptcy restriction will not be removed from a registered title if such an order is lodged. See Practice Guide 34 – *Personal insolvency*.

7 Methods of lodgement

Whichever method of lodgement you use you:

- must, if you are not using a credit account or variable direct debit (VDD) lodge the relevant fee, by cheque or postal order made payable to 'Land Registry'. Please note that VDD must be used if you are applying through the portal
- must, when using a credit account or VDD, provide the key number
- should provide your reference which must not exceed 25 characters, including hyphens, punctuation, spaces etc
- must, if you require a certificate of the result of search or an office copy to be sent to a different address, provide the full alternative postal or DX address.

7.1 Applications for registration and cancellation

7.1.1 Post or DX

You may lodge your application for registration, renewal of registration, priority notice or cancellation by post or DX. You must send your application to Land Charges; see section 10.1 *Address for applications for the address details*.

7.1.2 Personal attendance at the Land Charges Department Customer Information Centre

You may also lodge your application in person at Land Charges Customer Information Centre (an appointment may be necessary).

You must provide either the relevant completed application form or provide all the details required to complete the form. The form must signed either by the person with the benefit of the charge or by the solicitor who is acting.

Any application made between 15.00 hours on one day and 15.00 hours on the next day shall be deemed to have been made immediately before 15.00 hours on the second day (r.8, LCR 1974).

7.2 Official search and office copy

You may lodge your application by a variety of different methods.

7.2.1 Post or DX

You must send your application to Land Charges; see section 10.1 *Address for applications for the address details*.

7.2.2 Fax

You must hold a credit account to use this service. You must use the prescribed form K15, K16 or K19 and fax it to: 01752 636699.

The service is available between 08:00 Monday and 16:00 Friday excluding:

- public holidays
- after 16:00 on the day before a public holiday
- before 08:00 on the day after a public holiday.

NB1: Certificates of the result of search and office copies will not be issued by fax. They will be issued to you by post or DX.

NB2: Any communication sent to you by fax will only be sent between 08:30 and 17:00 Monday to Friday excluding public holidays.

7.2.3 Telephone Services

You must hold a credit account or a VDD to use this service.

You must provide all the details required in a form K15, K16 or K19 as appropriate. If requested, you must also provide contact details, eg name, telephone number and reference.

Telephone numbers:

— 0844 892 0307

The service is available between 08:30 and 18:30 hours Monday to Friday excluding public holidays and between 08:30 and 13:00 hours Saturdays excluding Christmas Day and Boxing Day.

NB: Reduced numbers of staff are employed after 17:00 hours Monday to Friday and on Saturdays.

— For a Welsh language service telephone 0844 892 0308

This service is available between 09:00 and 17:00 hours Monday to Friday excluding public holidays.

7.2.4 Land Registry Business e-services delivered through the portal

You must be a registered Business e-services user through the portal and have a variable direct debit account to use this service.

NB: Land Registry credit accounts cannot be used for payment of fees for Business e-services.

Bankruptcy searches (K16), Full searches (K15) and Office copies (K19) Land Charges e-services are available through the portal.

These web-based services enable you to lodge applications from a remote terminal direct to our computer system. You must enter all the details requested as you would for a form K15, K16 or K19 application.

Electronic delivery of results are available for Bankruptcy search, Full search and Registration view.

The service is available between 07:00 and 22:00 hours Monday to Friday excluding public holidays and between 07:00 and 17:00 hours Saturdays excluding Christmas Day.

7.2.5 National Land Information Service

This is an internet-based system by which you may lodge your application through a channel provider, who will pass it on to us. Please contact the service provider for further details; see section 10.6 *National Land Information Service*.

7.2.6 Personal attendance at Land Charges Customer Information Centre

You may lodge your application in person at Land Charges Customer Information Centre (an appointment may be required).

You must provide either a completed form K15, K16 or K19, as appropriate, or provide all the details required to complete the form.

7.2.7 Teleprinter (Telex)

This service has been suspended due to lack of demand.

8 Fees

The fees payable in respect of Land Charges applications, official searches and office copies are prescribed by the LCFR 1990 (as amended by the Land Charges Fees (Amendment) Rules 1994) or by any rules that supersede them.

For information on both Land Charges fees and Agricultural Credits fees please see Land Registry Guide to fees.

You may pay the fee by either:

- cheque, postal order, both of which must be made payable to ‘Land Registry’, or by cash if you are lodging your application in person at Land Charges Customer Information Centre,
- by credit account, please see section 8.1 *Credit accounts* for further details, or
- by variable direct debit payment.

NB: Some services are available to credit account holders and users of VDD only, as explained throughout this guide.

8.1 Variable direct debit

Land Registry is now able to offer customers the opportunity to pay fees for all Land Charges services by variable direct debit. Payment by direct debit can be used for any application lodged by post, telephone or via our e-services. It must be used for applications lodged through the portal.

Direct debit is a payment scheme that protects the interests of the payer with a guarantee. The direct debit guarantee provides assurance to the payer that any money debited in error will be immediately refunded by the payer's bank.

Further details are available by email from e-receivables@landregistry.gsi.gov.uk (including name, organisation, address details, telephone number and existing credit account number (if appropriate)).

8.2 Credit accounts

Existing customers may also hold credit accounts where payment is made monthly in arrears. Please note that it is no longer possible to open new accounts using this arrangement.

The registrar reserves the right to refuse credit facilities or to suspend or withdraw them at any time.

You must always quote your credit account key number in any application you lodge, if you wish to pay the fee(s) this way.

The credit account accounting period is one calendar month. A statement of account, in form K23, will be sent to you shortly after the end of each month.

The statement will contain details of:

- each transaction that has been processed through the account during the month
- the official reference or certificate number
- the date and type of the transaction
- the fee payable
- your reference
- your key number, which is also the accounting reference number
- the total payable for the month.

Pay the account by sending a cheque, payable to ‘Land Registry’, together with the payment slip, to the address shown in the statement.

We do not normally acknowledge payment.

9 Agricultural Credits

Under s.9(2), ACA 1928 the registrar is required to keep a register of agricultural charges. The agricultural charges section is maintained within Land Charges.

Agricultural Credits charges are registered against the names of farmers who have borrowed money on the security of their stock and assets. You should register an agricultural charge within seven working days of execution of the charge (s.9(1), ACA 1928).

Under s.1, ACR 1928 the register shall contain the following particulars.

- The date of the instrument creating the charge.
- The name(s) of the farmer(s) or society whose farming stock and assets are affected.
- The amount of the loan.
- Whether the charge is fixed or floating or both.
- The name and address of the bank in whose favour the charge is made.
- Any additional or alternative particulars, if any, as the registrar may determine.

9.1 Application forms

You must lodge applications in the prescribed form.

AC1 Application for registration of memorandum of an agricultural charge: registration in farmer's name.

AC2 Application for registration under the s.14, ACA 1928 of a memorandum of debenture of an agricultural society: registration in the name of an agricultural society.

AC3 Application for cancellation of an entry in the register on proof of discharge.

AC4 Application for a certificate that a registration has been cancelled.

AC5 Application for a certified copy of the memorandum filed in the registry under the Act.

AC6 Application for an official search.

AC7 Application for the rectification of an entry in the register.

NB: You may lodge your application only by post or DX.

9.2 Fees

The fees payable in respect of Agricultural Credits applications are prescribed by the ACFO 1985 or by any order that supersedes it.

9.3 Enquiries

Please see section 10.4 *Agricultural Credits* for details of who to contact if you have an enquiry or require further information regarding Agricultural Credits.

If you wish to make a personal search, you should apply in form AC8 as follows.

'I (or WE) of apply to make a Search in the Register against the undermentioned names.

Dated this day of, 192.....'

10 Enquiries and comments

The following sections contain details of whom to contact if you have an enquiry or require further information about the services referred to in this guide.

10.1 Address for applications

If you are lodging your application by post or DX please address it to:

Land Charges
Plumer House
Tailyour Road
Crownhill
Plymouth
PL6 5HY
(DX 8249 Plymouth 3)

10.2 General Land Charges enquiry

If you have an enquiry about Land Charges applications or services please contact:

Land Charges Department
Plumer House
Tailyour Road
Crownhill
Plymouth
PL6 5HY
(DX 8249 Plymouth 3)

The following telephone enquiry lines are also available between 09:00 and 17:00 hours Monday to Friday, excluding public holidays.

General enquiries: 01752 636666

Registration enquiries

General: 01752 636634
Bankruptcy: 01752 636616

Official search enquiries: 01752 636601

Office copy enquiries: 01752 636629

Cancellation enquires: 01752 636626

10.3 Variable direct debit accounts

If you have an enquiry about variable direct debit please contact customer support.

Telephone: 0844 892 1111

Email: customersupport@landregistry.gsi.gov.uk

10.4 Agricultural Credits

If you have an enquiry or would like further information about Agricultural Credits please contact:

Agricultural Credits
Plumer House
Tailyour Road
Crownhill
Plymouth
PL6 5HY
(DX 8249 Plymouth 3)

Telephone: 01752 636676

10.5 Business e-services

If you would like further information about, or would like to subscribe to, Land Registry Business e-services please contact Customer Support.

Telephone: 0844 892 1111

Email: customersupport@landregistry.gsi.gov.uk

10.6 National Land Information Service

You may obtain further information about this service from:

National Land Information Service
Local Government Information House
Layden House
76-86 Turnmill Street
London
EC1M 5LG

NLIS website: www.nlis.org.uk

Telephone: 0870 240 6760

10.7 Telephone Services

If you would like further information about our Telephone Services please see Practice Guide 61 – *Telephone services*, which you can view/download from our website or obtain a copy by contacting Customer Support.

10.8 Comments about this guide

Please address any comments you have about this guide to:

Registration Change Group
Land Registry
Lincoln's Inn Fields
London
WC2A 3PH
(DX 1098 London/Chancery Lane)

10.9 Comments about our services

We are committed to improving the quality and range of our services and to good customer service. If you have any comments about our services please contact:

Customer Service Manager
Land Registry
Lincoln's Inn Fields
London
WC2A 3PH
(DX 1098 London/Chancery Lane)

11 Appendix A – Official searches against The Sovereign; The Duchies of Lancaster and Cornwall and The Crown Estate Commissioners

The following information and guidance is in respect of searches against:

- The Queen's Most Excellent Majesty in right of Her Crown
- The Queen's Most Excellent Majesty in right of Her private estates
- The Queen's Most Excellent Majesty in right of Her Duchy of Lancaster
- The Duchy of Cornwall
- His Royal Highness the Prince of Wales as Duke of Cornwall
- The Crown Estate Commissioners.

You should give the name(s) to be searched in full. However, in order to simplify the searching process, the registrar agrees to make the search in accordance with the special arrangements detailed below. You **must**:

- give the name(s) to be searched in **exactly** the manner shown below, and
- **provide** the appropriate reference number for each name as shown below.

NB: If you are lodging your application by post, DX or fax using form K15 you must enter the reference number in the left hand column of the form although it is headed 'For Official Use Only'.

11.1 The Sovereign in right of The Crown

The Crown Estate Commissioners (Commissioners) do not normally deduce title when selling property belonging to Her Majesty in right of Her Crown. You should therefore apply to search:

Reference No.	Name	Period from	Period to
1000167	The Crown Estate Commissioners	1855	[Current year]

A search will then be made against:

- The Crown Estate Commissioners
- The Commissioners of Crown Lands (a predecessor to the Commissioners)
- The Commissioners of the Woods, Forests and Land Revenues (a predecessor to the Commissioners)
- Her Majesty the Queen
- His Majesty the King
- the names of every sovereign since 1855.

11.2 The Sovereign in right of The Private Estates

You are advised when acting in the purchase of any part of the Crown's private estate from HM Queen Elizabeth II to search against each of the following sovereigns:

Reference No.	Name	Period from	Period to
1000555	HM King George V	1910	1936
1000652	HM King Edward VIII	1936	1936
1000749	HM King George VI	1936	1952
1000846	HM Queen Elizabeth II	1952	[Current year]

NB: Please ensure that you include the appropriate reference number in your application.

However, if title is deduced and shows that the property came into the ownership of the sovereign on or after 6 February 1952, you need only search against HM Queen Elizabeth II and any previous owners who may be disclosed in the deduced title.

In all cases, no matter what form of name(s) was used in the application for registration to describe the sovereign, any relevant entries will be disclosed in a certificate of the result of search.

NB: No entries under the LCA 1972 have been registered against HM Queen Victoria or HM King Edward VII.

11.3 The Duchy of Lancaster

The Chancellor and Council of the Duchy of Lancaster do not normally deduce title when selling property belonging to Her Majesty in right of Her Duchy of Lancaster. You should therefore apply to search:

Reference No.	Name	Period from	Period to
1000361	The Duchy of Lancaster	1855	[Current year]

A search will then be made against:

- The Duchy of Lancaster
- The Chancellor and Council of the Duchy of Lancaster
- Her Majesty the Queen
- His Majesty the King
- The Queen's Most Excellent Majesty
- The King's Most Excellent Majesty, and
- the names of every sovereign since 1855.

11.4 The Duchy of Cornwall

You should, to search the name of The Duchy of Cornwall, apply to search:

Reference No.	Name	Period from	Period to
1000458	The Duchy of Cornwall	1855	[Current year]

A search will then be made against:

- The Duchy of Cornwall
- His Royal Highness the Prince of Wales
- The Duke of Cornwall
- every Duke of Cornwall since 1855, and
- the names of every sovereign since 1855 (this is because there have been periods when there was no Duke).

12 Appendix B – Official searches against certain livery companies, colleges and schools

The following information and guidance is in respect of searches against certain special names, including:

- livery companies
- Cambridge University colleges and halls
- Oxford University colleges and halls
- certain other schools, colleges and institutions.

You should give the name(s) to be searched in full. However, in order to simplify the searching process, the registrar agrees to make the search against the full formal title whenever you give the commonly used shortened version of the name in your application.

You **must** provide the appropriate reference number for each name as shown below.

The lists:

- comprise bodies against which entries under the LCA 1972 are known to exist
- are not exhaustive.

12.1 Livery companies

Reference No.	Shortened version of the name	Full formal title
1001040	Society of Apothecaries	The Master, Wardens and Society of the Art and Mystery of Apothecaries of the City of London
1001137	Armourers' and Brasiers' Company	The Worshipful Company of Armourers and Brasiers in the City of London
1001234	Bakers' Company	The Master Wardens and Commonalty of the Mystery of Bakers of the City of London
1001331	Brewers' Company	The Master and Keepers or Wardens and Commonalty of the Mystery or Art of Brewers of the City of London
1001428	Carpenters' Company	The Master, Wardens and Commonalty of the Mystery of Freemen of the Carpentry of the City of London
1001525	Clothworkers' Company	The Master Wardens and Commonalty of Freemen of the Art or Mystery of Clothworkers of the City of London
1001622	Worshipful Company of Cooks	The Masters or Governors and Commonalty of the Mystery of Cooks of London
1001719	Coopers' Company	The Master Wardens or Keepers of the Commonalty of Freemen of the Mystery of Coopers of the City of London and the Suburbs of the Same City

Reference No.	Shortened version of the name	Full formal title
1001816	Drapers' Company	The Master and Wardens and Brethren and Sisters of the Guild or Fraternity of the Blessed Mary the Virgin of the Mystery of Drapers of the City of London
1001913	Farriers' Company	The Worshipful Company of Farriers
1002010	Fishmongers' Company	The Wardens and Commonalty of the Mystery of Fishmongers of the City of London
1002107	Founders' Company	The Worshipful Company of Founders
1002204	Girdlers' Company	The Master and Wardens or Keepers of the Art or Mystery of Girdlers, London
1002301	Goldsmiths' Company	The Wardens and Commonalty of the Mystery of Goldsmiths of the City of London
1002495	Gold and Silver Wyre Drawers' Company	The Master Wardens Assistants and Commonalty of the Art and Mystery of Drawing and Flating of Gold and Silver Wyre and making and spinning of Gold and Silver Thread Stuff
1002592	Grocers' Company	The Wardens and Commonalty of the Mystery of Grocers of the City of London
1002689	Haberdashers' Company	The Master and Four Wardens of the Fraternity of the Art or Mystery of Haberdashers in the City of London
1002786	Worshipful Company of Innholders	The Master, Wardens and Society of the Art or Mystery of Innholders of the City of London
1002883	Ironmongers' Company	The Master and Keepers or Wardens and Commonalty of the Mystery or Art of Ironmongers London
1002980	Leathersellers' Company	The Wardens and Society of the Mystery or Art of the Leathersellers of the City of London
1003077	Mercers' Company	The Wardens and Commonalty of the Mystery of Mercers of the City of London
1003174	Merchant Taylors' Company	The Master and Wardens of the Merchant Taylors of the Fraternity of St John the Baptist in the City of London
1003271	Pewterers' Company	The Master and Wardens and Commonalty of the Mystery of Pewterers of the City of London
1003368	Poulters' Company	The Master Wardens and Assistants of Poulters of London
1003465	Saddlers' Company	The Wardens or Keepers and Commonalty of the Mystery or Art of Saddlers of the City of London

Reference No.	Shortened version of the name	Full formal title
1003562	Salters' Company	The Master, Wardens and Commonalty of the Art or Mistery of Salters, London
1003659	Skinners' Company	The Master and Wardens of the Guild or Fraternity of the Body of Christ of the Skinners of London
1003756	Tallow Chandlers Company	The Worshipful Company of Tallow Chandlers of the City of London or The Master, Wardens and Commonalty of the Mistery of Tallow Chandlers of the City of London
1003853	Tylers' and Bricklayers' Company	The Worshipful Company of Tylers and Bricklayers of London
1003950	Vintners' Company	The Master Wardens and Freemen and Commonalty of the Mystery of Vintners of the City of London

12.2 Cambridge University colleges and halls

Reference No.	Shortened version of the name	Full formal title
1057785	Cambridge University	The Chancellor Master and Scholars of Cambridge University
1005017	Christ's College, Cambridge	The Master, Fellows and Scholars of Christ's College in the University of Cambridge
1005114	Clare College, Cambridge	The Master, Fellows and Scholars of Clare College in the University of Cambridge
1005308	Corpus Christi College Cambridge	The Master, Fellows and Scholars of the College of Corpus Christi and the Blessed Virgin Mary in the University of Cambridge
1005405	Downing College, Cambridge	The Master, Fellows and Scholars of Downing College in the University of Cambridge
1005502	Emmanuel College, Cambridge	The Master Fellows and Scholars of Emmanuel College in the University of Cambridge
1005696	Fitzwilliam College, Cambridge	The Master, Fellows and Scholars of Fitzwilliam College in the University of Cambridge
1005793	Girton College, Cambridge	The Mistress, Fellows and Scholars of Girton College

Reference No.	Shortened version of the name	Full formal title
1005890	Gonville and Caius College, Cambridge	The Master and Fellows of Gonville and Caius College in the University of Cambridge founded in honour of the Annunciation of Blessed Mary the Virgin
1005987	Jesus College, Cambridge	The Master or Keeper and Fellows and Scholars of the College of the Blessed Virgin Mary St John the Evangelist and the Glorious Virgin Saint Radegund Commonly called Jesus College in the University of Cambridge
1006084	King's College, Cambridge	The Provost and Scholars of the King's College of our Lady and Saint Nicholas in Cambridge
1006181	Magdalene College, Cambridge	The Master and Fellows of Magdalene College in the University of Cambridge founded in honour of St Mary Magdalene
1006278	New Hall, Cambridge	The President and Fellows of New Hall in the University of Cambridge
1006569	Pembroke College, Cambridge	The Master, Fellows and Scholars of the College or Hall of Valence-Mary, commonly called Pembroke College, in the University of Cambridge
1006666	Peterhouse, Cambridge	The Master Fellows and Scholars of Peterhouse in the University of Cambridge
1006763	Queen's College, Cambridge	The President and Fellows of the Queen's College of St Margaret and St Bernard, commonly called Queen's College, in the University of Cambridge
1006860	St Catharine's College, Cambridge	The Master and Fellows of St Catharine's College or Hall in the University of Cambridge
1006957	St John's College, Cambridge	The Master Fellows and Scholars of the College of St John the Evangelist in the University of Cambridge
1007054	Selwyn College, Cambridge	The Master, Fellows and Scholars of Selwyn College
1007151	Sidney Sussex College, Cambridge	The Master Fellows and Scholars of the College of the Lady Frances Sidney Sussex in the University of Cambridge
1007248	Trinity College, Cambridge	The Master Fellows and Scholars of the College of the Holy and Undivided Trinity Within the Town and University of Cambridge of King Henry the Eighth's Foundation
1007345	Trinity Hall, Cambridge	The Master Fellows and Scholars of the College or Hall of the Holy Trinity in the University of Cambridge

12.3 Oxford University colleges and halls

Reference No.	Shortened version of the name	Full formal title
1029849	Oxford University	The Chancellor Masters and Scholars of the University of Oxford
1008024	All Souls College, Oxford	The Warden and College of the Souls of All Faithful People Deceased in the University of Oxford
1008121	Balliol College, Oxford	The Master and Scholars of Balliol College in the University of Oxford
1008218	Brasenose College, Oxford	The Principal and Scholars of the Kings Hall and College of Brasenose in Oxford
1008315	Corpus Christi College, Oxford	The President and Scholars of Corpus Christi College in the University of Oxford
1008412	Exeter College, Oxford	The Rector and Scholars of Exeter College in the University of Oxford
1008509	Hertford College, Oxford	The Principal Fellows and Scholars of Hertford College in the University of Oxford
1008606	Jesus College, Oxford	The Principal, Fellows and Scholars of Jesus College, within the City and University of Oxford, of Queen Elizabeth's Foundation
1008703	Keble College, Oxford	The Wardens Fellows and Scholars of Keble College in the University of Oxford
1008897	Lady Margaret Hall, Oxford	The College of the Lady Margaret in Oxford Commonly known as Lady Margaret Hall
1008994	Lincoln College, Oxford	The Warden and Rector and Scholars of the College of the Blessed Mary and All Saints Lincoln in the University of Oxford commonly called Lincoln College
1009091	Magdalen College, Oxford	The President and Scholars of the College of St Mary Magdalen in the University of Oxford
1009188	Merton College, Oxford	The Warden and Scholars of the House or College of Scholars of Merton in the University of Oxford
1009285	New College, Oxford	The Warden and Scholars of St Mary College of Winchester in Oxford commonly called New College in Oxford
1009382	Oriel College, Oxford	The Provost and Scholars of the House of the Blessed Mary the Virgin in Oxford commonly called Oriel College of the Foundation of Edward the Second of Famous Memory sometime King of England

Reference No.	Shortened version of the name	Full formal title
1009479	Pembroke College, Oxford	The Master, Fellows and Scholars of Pembroke College in the University of Oxford
1009576	Queen's College, Oxford	The Provost and Scholars of the Queen's College in the University of Oxford
1009673	St Catherine's College, Oxford	St Catherine's College in the University of Oxford
1009770	St Edmund Hall, Oxford	The Principal Fellows and Scholars of Saint Edmund Hall in the University of Oxford
1009867	St John's College, Oxford	The President and Scholars of Saint John Baptist College in the University of Oxford
1009964	Somerville College, Oxford	The Principal and Fellows of Somerville College in the University of Oxford
1010061	Trinity College, Oxford	The President Fellows and Scholars of the College of the Holy and Undivided Trinity in the University of Oxford of the Foundation of Sir Thomas Pope Knight Deceased
1010158	University College, Oxford	The Master and Fellows of the College of the Great Hall of the University commonly called University College in the University of Oxford
1010255	Wadham College, Oxford	The Warden Fellows and Scholars of Wadham College in the University of Oxford of the Foundation of Nicholas Wadham, Esquire and Dorothy Wadham
1010352	Worcester College, Oxford	The Provost, Fellows and Scholars of Worcester College in the University of Oxford

12.4 Schools and colleges

Reference No.	Shortened version of the name	Full formal title
1011031	Christ's Hospital	The Mayor and Commonalty and Citizens of the City of London Governors of the Possessions Revenues and Goods of the Hospitals of Edward late King of England the Sixth of Christ Bridewell and St Thomas the Apostle as Governors of Christ's Hospital
1011128	Dulwich College	The Estate Governors of Alleyn's College of God's Gift at Dulwich

Reference No.	Shortened version of the name	Full formal title
1011225	Eton College	The Provost of the College Royal of the Blessed Mary of Eton near unto Windsor in the County of Buckinghamshire commonly called The King's College of our Blessed Lady of Eton nigh or by Windsor in the said County of Buckinghamshire and the same college
1011322	Harrow School	The Keepers and Governors of the Possession Revenues and Goods of the Free Grammar School of John Lyon within the Town of Harrow on the Hill in the London Borough of Harrow (formerly in the County of Middlesex)
1011419	Highgate School	The Wardens and Governors of the possessions of the Free Grammar School of Sir Roger Cholmeley Knight in Highgate
1011516	Winchester College	Saint Mary College of Winchester near Winchester (the seal is referred to as "The Common Seal of the Warden and Scholars Clerks of St Mary College of Winchester near Winchester")

13 Appendix C – Administrative areas in England and Wales used by Land Charges

An application for registration of a land charge has to specify the administrative area in which the land is found, and this information is included in the register and the index. More precisely:

- where the land is in the London area, you must give "Greater London" as the "county" and either the City of London or one of the London boroughs as the "district"
- where the land is within a former Metropolitan County Council (ie, Greater Manchester, Merseyside, Tyne & Wear, West Midlands, West Yorkshire or South Yorkshire), you must give the name of the former County Council as the "county", and the name of the former Metropolitan District Council as the "district" (eg, "West Yorkshire, Leeds")
- in all other cases, you must give the name of the unitary authority or, if there is not a unitary authority, the county and district in which the land falls. (By "county", we mean the administrative county rather than the historic or ceremonial county.)

Similarly, an application for an official search of the index must specify the administrative area or areas to be searched against, although the applicant is not asked to specify a "district". Only land charges for the specified unitary authority or county will be revealed.

With various reorganisations of local government, the administrative areas have changed over the years. Use the table below to work out which counties you may need to search against. For example if you are searching for entries relating to a property in Bristol from 1970 to 2000, you will need to search against Bristol as the current administrative area (a unitary authority), and also against the former counties Avon (1974-96) and either Somerset or Gloucestershire (pre 1974).

If you have any doubt about which administrative area the property fell within, we would suggest that you search against all that may be relevant.

For example, in the example given in the previous paragraph, if you were unsure whether the property was formerly within Somerset or formerly within Gloucestershire, you could give both counties.

13.1 England

Current administrative area	Former administrative areas you may also need to search against, with dates
Bath and NE Somerset	Avon (1.4.1974 – 31.3.1996) Somerset (before 1.4.1974)
Bedford	Bedfordshire (before 1.4.2009)
Blackburn with Darwen	Lancashire (before 1.4.1998)
Blackpool	Lancashire (before 1.4.1998)
Bournemouth	Dorset (1.4.1974 – 31.3.1997) Hampshire (before 1.4.1974)
Bracknell Forest	Berkshire (before 1.4.1998)
Brighton & Hove	East Sussex (1.4.1974 – 31.3.1997) Sussex (before 1.4.1974)
Bristol (city of)	Avon (1.4.1974 – 31.3.1996) Gloucestershire or Somerset (before 1.4.1974)
Buckinghamshire	
Cambridgeshire	Cambridgeshire or Huntingdonshire (before 1.4.1974)
Central Bedfordshire	Bedfordshire (before 1.4.2009)
Cheshire East	Cheshire (before 1.4.2009)
Cheshire West & Chester	Cheshire (before 1.4.2009)
Cornwall (including Isles of Scilly)	
County Durham	County Durham or Yorkshire (before 1.4.1974)
Cumbria	Cumberland or Westmorland or Lancashire or Yorkshire (before 1.4.1974)
Darlington	County Durham (before 1.4.1997)
Derby (city of)	Derbyshire (before 1.4.1997)
Derbyshire	Derbyshire or Cheshire (before 1.4.1974)
Devon	
Dorset	Dorset or Hampshire (before 1.4.1974)
East Riding of Yorkshire	Humberside (1.4.1974 – 31.3.1996) Yorkshire (before 1.4.1974)
East Sussex	Sussex (before 1.4.1974)
Essex	
Gloucestershire	

Current administrative area	Former administrative areas you may also need to search against, with dates
Greater London	Greater London or Middlesex or Kent or Surrey or Essex or Hertfordshire (before 1.4.1965)
Greater Manchester	Cheshire or Lancashire or Yorkshire (before 1.4.1974)
Halton	Cheshire (1.4.1974 – 31.3.1998) Cheshire or Lancashire (before 1.4.1974)
Hampshire	
Hartlepool	Cleveland (1.4.1974 – 31.3.1996) County Durham (before 1.4.1974)
Herefordshire	Hereford and Worcester (1.4.1974 – 31.3.1998) Herefordshire (before 1.4.1974)
Hertfordshire	Hertfordshire or Middlesex (before 1.4.1965)
Isle of Wight	Hampshire (before 1.4.1974)
Kent	
Kingston upon Hull (city of)	Humberside (1.4.1974 – 31.3.1996) Yorkshire (before 1.4.1974)
Lancashire	Lancashire or Yorkshire (before 1.4.1974)
Leicester	Leicestershire (before 1.4.1997)
Leicestershire	
Lincolnshire	
Luton	Bedfordshire (before 1.4.1997)
Medway	Kent (before 1.4.1998)
Merseyside	Cheshire or Lancashire (before 1.4.1974)
Middlesbrough	Cleveland (1.4.1974 – 31.3.1996) Yorkshire (before 1.4.1974)
Milton Keynes	Buckinghamshire (before 1.4.1997)
Norfolk	Norfolk or Suffolk (before 1.4.1974)
North East Lincolnshire	Humberside (1.4.1974 – 31.3.1996) Lincolnshire (before 1.4.1974)
North Lincolnshire	Humberside (1.4.1974 – 31.3.1996) Lincolnshire (before 1.4.1974)
North Somerset	Avon (1.4.1974 – 31.3.1996) Somerset (before 1.4.1974)
North Yorkshire	Yorkshire (before 1.4.1974)
Northamptonshire	
Northumberland	

Current administrative area	Former administrative areas you may also need to search against, with dates
Nottingham (city of)	Nottinghamshire (before 1.4.1998)
Nottinghamshire	
Oxfordshire	Oxfordshire or Berkshire (before 1.4.1974)
Peterborough (city of)	Cambridgeshire (1.4.1974 – 31.3.1998) Huntingdonshire (1.4.1965 – 31.3.1974) Northamptonshire or Cambridgeshire (before 1.4.1965)
Plymouth (city of)	Devon (before 1.4.1998)
Poole	Dorset (before 1.4.1997)
Portsmouth	Hampshire (before 1.4.1997)
Reading	Berkshire (before 1.4.1998)
Redcar and Cleveland	Cleveland (1.4.1974 – 31.3.1996) Yorkshire (before 1.4.1974)
Rutland	Leicestershire (1.4.1974 – 1.4.1997) Rutland (before 1.4.1974)
Salop (Shropshire)	
Slough	Berkshire (1.4.1974 – 31.3.1998) Buckinghamshire (before 1.4.1974)
Somerset	
South Gloucestershire	Avon (1.4.1974 – 31.3.1996) Gloucestershire (before 1.4.1974)
South Yorkshire	Yorkshire or Nottinghamshire (before 1.4.1974)
Southampton	Hampshire (before 1.4.1997)
Southend on Sea	Essex (before 1.4.1998)
Staffordshire	
Stockton on Tees	Cleveland (1.4.1974 – 31.3.1996) County Durham or Yorkshire (before 1.4.1974)
Stoke on Trent	Staffordshire (before 1.4.1997)
Suffolk	
Surrey	Surrey or Middlesex (before 1.4.1965)
Swindon	Thamesdown (1.4.1997 – 23.4.1997) Wiltshire (before 1.4.1997)
Thurrock	Essex (before 1.4.1998)
Torbay	Devon (before 1.4.1998)
Tyne and Wear	Northumberland or Durham (before 1.4.1974)

Current administrative area	Former administrative areas you may also need to search against, with dates
Warrington	Cheshire (1.4.1974 – 31.3.1998) Lancashire or Cheshire (before 1.4.1974)
Warwickshire	
West Berkshire	Berkshire (before 1.4.1998)
West Midlands	Warwickshire or Staffordshire or Worcestershire (before 1.4.1974)
West Sussex	Sussex or Surrey (before 1.4.1974)
West Yorkshire	Yorkshire (before 1.4.1974)
Wiltshire	
Windsor & Maidenhead	Berkshire (1.4.1974 – 31.3.1998) Berkshire or Buckinghamshire (before 1.4.1974)
Wokingham	Berkshire (before 1.4.1998)
Worcestershire	Hereford and Worcester (1.4.1974 – 31.3.1998) Worcestershire (before 1.4.1974)
Wrekin	Shropshire (before 1.4.1998)
York	North Yorkshire (1.4.1974 – 31.3.1996) Yorkshire (before 1.4.1974)

13.2 Wales

Current administrative area		Former administrative areas you may also need to search against, with dates
English name	Welsh name	
Blaenau Gwent	Blaenau Gwent	Gwent (1.4.1974 – 31.3.1996) Monmouthshire or Brecknockshire (before 1.4.1974)
Bridgend	Pen-y-Bont ar Ogwr	Mid Glamorgan (1.4.1974 – 31.3.1996) Glamorgan (before 1.4.1974)
Caerphilly	Caerffili	Mid Glamorgan or Gwent (1.4.1974 – 31.3.1996) Glamorgan or Monmouthshire (before 1.4.1974)
Cardiff	Sir Caerdydd	South Glamorgan or Mid Glamorgan (1.4.1974 – 31.3.1996) Glamorgan (before 1.4.1974)
Carmarthenshire	Sir Gaerfyrddin	Dyfed (1.4.1974 – 31.3.1996) Carmarthenshire (before 1.4.1974)
Ceredigion	Sir Ceredigion	Dyfed (1.4.1974 – 31.3.1996) Cardiganshire (before 1.4.1974)
Conwy	Conwy	Clwyd or Gwynedd (1.4.1974 – 31.3.1996) Caernarvonshire or Denbighshire (before 1.4.1974)

Current administrative area		Former administrative areas you may also need to search against, with dates
English	Welsh	
Denbighshire	Sir Ddinbych	Clwyd (1.4.1974 – 31.3.1996) Denbighshire or Flintshire or Merionethshire (before 1.4.1974)
Flintshire	Sir y Fflint	Clwyd (1.4.1974 – 31.3.1996)
Gwynedd	Gwynedd	Caernaervonshire or Merionethshire (before 1.4.1974)
Isle of Anglesey	Sir Ynys Mon	Gwynedd (1.4.1974 – 31.3.1996) Anglesey (before 1.4.1974)
Merthyr Tydfil	Merthyr Tudful	Mid Glamorgan (1.4.1974 – 31.3.1996) Glamorgan or Brecknockshire (before 1.4.1974)
Monmouthshire	Sir Fynwy	Gwent (1.4.1974 – 31.3.1996) Monmouthshire or Brecknockshire (before 1.4.1974)
Neath Port Talbot	Castell-Nedd Port Talbot	West Glamorgan (1.4.1974 – 31.3.1996) Glamorgan (before 1.4.1974)
Newport	Casnewydd	Gwent (1.4.1974 – 31.3.1996) Monmouthshire (before 1.4.1974)
Pembrokeshire	Sir Benfro	Pembrokeshire or Carmarthenshire (1.4.1996 to 31.3.2003) Dyfed (1.4.1974 – 31.3.1996) Pembrokeshire or Carmarthenshire (before 1.4.1974)
Powys	Powys	Powys or Clwyd (1.4.1974 – 31.3.1996) Montgomeryshire or Radnorshire or Brecknockshire or Denbighshire (before 1.4.1974)
Rhondda Cynon Taff	Rhondda Cynon Taf	Mid Glamorgan (1.4.1974 – 31.3.1996) Glamorgan or Brecknockshire (before 1.4.1974)
Swansea	Sir Abertawe	West Glamorgan (1.4.1974 – 31.3.1996) Glamorgan (before 1.4.1974)
The Vale of Glamorgan	Bro Morgannwg	South Glamorgan or Mid Glamorgan (1.4.1974 – 31.3.1996) Glamorgan (before 1.4.1974)
Torfaen	Tor-Faen	Gwent (1.4.1974 – 31.3.1996) Monmouthshire (before 1.4.1974)
Wrexham	Wrecsam	Clwyd (1.4.1974 – 31.3.1996) Denbighshire or Flintshire (before 1.4.1974)

13.3 Notes

- From 1 April 1996 either the Welsh or the English version of Welsh county names are acceptable for new registrations.
- Searches using either version of the names will reveal any relevant entries registered on or after 1 April 1996 no matter which version was used in the application for registration.

14 Appendix D – Land Charges registers

As explained in section 2 *Introduction*, there are five registers kept in Land Charges. These comprise the following.

14.1 Register of land charges (s.2, LCA 1972)

There are six classes of land charges¹.

Class A	Land Charge imposed by statute pursuant to an application, eg under the Land Drainage Act 1976.
Class B	Land Charge imposed automatically by statute, eg Legal Aid Act 1974.
Class C	C(i) – Puisne mortgage – usually a second or subsequent charge which is not protected by a deposit of documents relating to the legal estate affected. C(ii) – Limited owners charge – arises when a tenant for life discharges death duties or other liabilities affecting settled land. C(iii) – General equitable charge – equitable charges not registrable elsewhere, eg an informal mortgage. It does not arise or affect an interest arising under a trust of land or a settlement. C(iv) – Estate contract – includes a contract, an option to purchase, a right of pre-emption, a right to determine, surrender or renew a lease.
Class D	D(i) – Inland Revenue charge – death duties, capital transfer tax/inheritance tax. D(ii) – Restrictive covenants – entered into after 1925 and not between lessor and lessee. D(iii) – Equitable easements – easements created after 1925 provided they are not legal easements.
Class E	Annuity – created but not registered before 1926.
Class F	Matrimonial Homes Act 1967 and 1983 or Family Law Act 1996 ² – protection of spouse’s or civil partner’s rights.

1 It should be noted that there is no provision in the LCA 1972 for the registration, under any of these classes, of an interest that arises under a trust of land or settlement (see s.17(1), LCA 1972).

2 As amended by the Civil Partnership Act 2004.

3 The court uses Form 6.14 (see the Insolvency Rules 1986, Schedule 4), to register a pending action (the bankruptcy petition) with LAND CHARGES.

4 Immediately after registration with LAND CHARGES, Land Registry is notified of the particulars of the debtor.

5 Some pending land actions are registrable by statute for example see the Landlord and Tenant Act 1987, an application under s.28(5).

6 The Official Receiver attached to the court uses form 6.26 (see the Insolvency Rules 1986, Schedule 4), to register a bankruptcy order with Land Charges.

7 Immediately after registration with Land Charges, Land Registry is notified of the particulars of the bankrupt.

8 “Writ” meaning a writ of enforcement issued by a court.

9 But not a pre-judgment freezing order which cannot be for the purpose of enforcing a judgment (*Stockler v Fourways QBD [1983] 3 All ER 501*).

10 Some writs or orders are registrable by statute for example, see the Landlord and Tenant Act 1987 orders under ss.24(8), and 30(6).

14.2 Register of pending actions (PA) (s.5, LCA 1972)

There are two categories.

Petitions in bankruptcy ³	Registered as PA(B). Registration is effected whether or not land is affected and whether or not such land is registered ⁴ .
Pending land actions	Any action or proceeding pending in court relating to any interest in land ⁵ .

An entry in the register of pending actions ceases to have effect at the end of a period of five years from the date on which it is made but the registration may be renewed and if renewed has effect for a period of five years from the date of renewal (s.8, LCA 1972)

14.3 Register of writs and orders (WO) (s.6, LCA 1972)

There are two categories.

Bankruptcy order ⁶	Registered as WO(B) Registration is effected whether or not land is affected and whether or not such land is registered. ⁷
Writ ⁸ or order	For the purpose of enforcing a judgment ⁹ , e.g. charging order or an order appointing a receiver ¹⁰

Note: No writ or order affecting an interest under a trust of land may be registered in the register of writs or orders (s.6(1A), LCA 1972). So, for example, a charging order which affects an equitable interest under a trust of land may not be protected by a writ or order.

An entry in the register of writs or orders ceases to have effect at the end of a period of five years from the date on which it is made but the registration may be renewed and if renewed has effect for a period of five years from the date of renewal (s.8, LCA 1972).

14.4 Register of deeds of arrangement (DA) (s.7, LCA 1972)

In order to avoid bankruptcy proceedings someone in financial difficulties can assign all their property to a trustee for the benefit of their creditors. The assignment is usually known as a deed of arrangement. A voluntary arrangement under the Insolvency Act 1986 (as amended) is incapable of being protected by registration as a deed of arrangement. However, depending on the debtor's proposals or on the terms of the court order, registration may be possible as a general equitable charge or as an estate contract or as a writ or order affecting land.

An entry in the register of deeds of arrangement ceases to have effect at the end of a period of five years from the date on which it is made but the registration may be renewed and if renewed has effect for a period of five years from the date of renewal (s.8, LCA 1972).

14.5 Register of annuities (Sch.1, LCA 1972)

The annuities register was opened in 1855 and closed in 1925. See also Land Charges, Class E in section *14.1 Registers of land charges*.

Land Charges advisory policy

We offer advice to our customers through our Customer Support information and enquiry services and through day-to-day handling of applications.

We provide factual information including office copies, searches and details of our forms and fees.

We provide procedural advice to explain how the Land Charges system works and how to make applications correctly. This includes:

- advice in advance of an application, where this is requested
- where an application is defective, advice as to the nature of the problem.

There are limits to the advice that we will provide. We will not provide legal advice.

This means that:

- apart from procedural advice, we will not advise on what action to take
- we will not recommend a professional adviser but can explain how to find one.

We will provide advice only about real cases, not about theoretical circumstances. We will not express a view on questions where the law is complex or unclear except where the question arises on a live registration application.

In providing this factual information and procedural advice we will:

- be impartial
- recognise that others may be affected by what we say
- avoid any conflict of interest.

Information in this guide

The information in this publication is for the purpose of providing general guidance about Land Registry's procedures and policies. It is intended only as a guide and does not cover every situation that may arise. It also does not limit Land Registry's ability to use its discretion when appropriate to do so, within the land registration legislation.

Remember

Have you:

- **used the correct form or provided the correct details to request the information you require**
- **correctly assessed the fee and, if not using a credit account, lodged it with your application**
- **addressed your application to the correct office?**

Marco Pierleoni
Chief Land Registrar

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The Forms Unit, Land Registry (under the delegated
authority from the Controller of HMSO), Lincoln's Inn
Fields, London WC2A 3PH

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