**Advice on the section 52 ‘obtaining information about interests in land’ process**

**Annex A Checklist**

The Planning Inspectorate expects the applicant to submit one fully completed checklist for each section 52 authorisation request.

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| **Project name** |  |
| **Applicant name** |  |
| **Fees** | A total of [Number] requests have been madeThe fee [£ ] was paid on [DD MM YYYY] |
| **Date authorisation request made** |  |
| **Land Parcel numbers** | […numbers…] |

|  | **Information to be provided** | **Included**Tick as applicable | **Applicant’s comments**Refer to and signpost where this information is provided and where evidence is demonstrated.*Suggested text for comments provided for illustration only* |
| --- | --- | --- | --- |
| **Yes** | **No** | **N/A** |
| **A1** | **Contact details** | Full name, address, telephone number and email address of the applicant or, if the request is made by an agent on behalf of the applicant, provide these details for both the applicant and the agent |  |  |  | *Stated in paragraph [ ] of the authorisation request dated [ ].* |
| **A2** | **Description of the NSIP** | **Where a NSIP application has not been submitted:** * a description of the proposed NSIP and any associated development
* details about the stage of pre-application consultation that has been reached, including if notification under [section 46 of the Planning Act 2008](https://www.legislation.gov.uk/ukpga/2008/29/contents) has been provided
* where relevant, details about any screening direction or scoping opinion that has been requested from the Secretary of State
 |  |  |  | *The NSIP application has not yet been submitted to the Secretary of State. The proposed development is described in [ ], or N/A* |
| **Where a NSIP application has been accepted:*** provide the date the application was accepted and the reference number of the application
 |  |  |  | *Application was accepted on [DD MM YYYY]/ The application reference number is [ ]* |
| **A3** | **Explanation of why authorisation is needed, having regard to the criteria in section 52** | Full explanation of why authorisation to obtain interests in land is sought. Explicit reference should be made to how the applicant will comply with the provisions of the [Planning Act 2008](https://www.legislation.gov.uk/ukpga/2008/29/contents), namely Chapter 2 of Part 5 or Chapter 1 of Part 6  |  |  |  | *Explanation provided in paragraph [ ] of the authorisation request* |
| **Where a NSIP application has not yet been submitted:** an explanation of how serving a land interests notice will enable the applicant to comply with their pre-application duties |  |  |  |  |
| **Where a NSIP application has been accepted**: an explanation of how serving a land interests notice will enable the applicant to comply with the requirement to notify persons of the acceptance of the application. |  |  |  |  |
| **A4** | **Identifying the proposed recipient** | Fully complete the Annex B table identifying the land to which the proposed request relates and the proposed recipients on whom the section 52 notice is intended to be served. |  |  |  | *This information is shown in the Annex B table* |
| **A5** | **Plans identifying the land for which information about land interests is sought** | A plan, marked as ‘Plan A’, should be provided showing: |  |  |  |  |
| * The extent of the development and works (see [regulation 5(2)(j) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009](https://www.legislation.gov.uk/uksi/2009/2264/contents/made))
 |  |  |  | *Outlined in red on Plan A* |
| * Any land owned or under the control of the applicant, or confirmation that there is no land owned or under the control of the applicant
 |  |  |  | *Shown in blue on Plan A, OR**No land owned or under the control of the applicant is shown on Plan A* |
| * Land about which the information about land interests is sought
 |  |  |  | *Shown in green on Plan A* |
| * The location of any site notices (where non statutory site notices have been used to identify persons with an unknown interest in the land)
 |  |  |  |  |
| * The boundary of each registered title number should be clearly shown on Plan A and allocated a parcel number. The boundary of the registered land should match exactly the boundary of the registered title plan
 |  |  |  | *[number] parcels have been identified on Plan A. These have been allocated parcel numbers [number] – [number].* *The registered title numbers for these parcels are shown in the Annex B table* |
| * The boundary of any unregistered land should be clearly shown on Plan A and allocated a parcel number. OS grid references should be included in the Annex B table and used to enable the extent of the parcel area to be ascertained. A clear description of the parcel area by reference to the boundary and any physical features identified on Plan A should also be included in the Annex B table
 |  |  |  | *[number] parcels have been identified on Plan A. These have been allocated parcel numbers [number] – [number].* *OS grid references for each parcel are listed in the Annex B table. A description of the unregistered land is provided in the Annex B table* |
| Parcel numbers identified in Plan A are consistent with the parcel numbers used in the Annex B table |  |  |  | *Consistent parcel numbers are shown in the Annex B table and Plan A* |
| Where any of the land is unregistered an explanation of the applicant’s diligent inquiry to identify the persons with interest in the land. This may include putting up site notices or advertising in the local newspapers. The applicant should provide the dates and times site notices were displayed, copies of the adverts, the geographical circulation of the newspapers and the land parcels relevant to the notices and adverts |  |  |  | *This explanation is provided in Document X, or N/A* |
| Plan A should be no larger than A0 size, drawn to an identified scale (not smaller than 1:2500) and show the direction north |  |  |  | *Plan A meets these requirements* |
| **A6** | **Up to date official copies of Land Registry documents** | **For registered land:*** up-to-date official copies of the register titles and title plans from the Land Registry. The date on the copy should not be older than 3 months from the date the authorisation request was submitted to the Planning Inspectorate.
 |  |  |  | *Official copies of the register titles and title plans are provided in Document X.* |
| **For unregistered land:*** an up-to-date copy of the certificate of the result of the search of the index map in relation to the land (including the map submitted to the Land Registry to undertake the search). The date on the certificate should not be older than 3 months from the date the authorisation request was submitted to the Planning Inspectorate.
 |  |  |  | *Copy of the certificate of the result of the search of the index map in relation to the land is provided in Document X.* |
| **A7** | **Key plan (if applicable)** | A key plan identifying the full extent of land required for, or affected by, the proposed development, and the location of the land parcels for which authorisation is sought. |  |  |  | *This information is shown in the key plan* |
| **A8** | **Information to demonstrate that the applicant has acted reasonably and has been unreasonably refused the information sought**  | **Schedule of Correspondence:** including any meetings or telephone calls between the applicant and the proposed recipients and copies of documents referred to in the Schedule of Correspondence. |  |  |  | *Refer to Document X* |
| Copies of requisition notices and correspondence sent to the recipients identified in the Annex B table and on Plan A. |  |  |  | *Refer to Document X* |
| Copies of any plans or documents referred to in the requisition notices and correspondence. |  |  |  |  |
| Copies of responses received from the recipients of the requisition notices and correspondence. |  |  |  | *Refer to Document X* |
| Copies of site notices and details of when and where these were displayed. Where relevant, copies of newspaper notices and when these were published in the newspapers. Confirmation that the circulation of the newspapers covers an area which includes the land for which information about interests sought.  |  |  |  | *Refer to Document X* |
| Where there is more than one proposed recipient for an authorisation request, but the applicant has only been corresponding with one person and / or an agent, the applicant should provide written evidence that this individual is authorised to act on behalf of all identified proposed recipients. |  |  |  | *Copy of correspondence from proposed recipient and / or agent confirming that they have authority to act on behalf of all of the proposed recipients is provided in Document X* |
| **A9** | **Evidence of notifying the proposed recipients that a request for authorisation has been made to the Secretary of State** | Evidence of providing the proposed recipients with a copy of the authorisation request and any accompanying documents. If the notification has been sent to an address that is different to the address on a registered title, then the applicant should provide an explanation for the difference.The date specified in the notification to send any comments on the authorisation request to the Planning Inspectorate. |  |  |  | *Confirmation is stated in paragraph [ ] of the authorisation request.**The date specified in the notification for the proposed recipient to provide any comments to the Planning Inspectorate is [not less than 14 days starting the day after sending the notification].* |
| **A10** | **Duration for which authorisation is sought** | Where the applicant wants the authorisation period to exceed 12 months, or the submission date of the NSIP application, the applicant should provide a clear explanation of the reasons why. |  |  |  | *The requested duration of the authorisation is [ ] months. The explanation provided for requesting this duration is provided in paragraph [ ] of the authorisation request* |

**Advice on the section 52 ‘information about interests in land’ process**

 **Annex B Table**

The Planning Inspectorate expects the applicant to provide a fully completed table, in the format below, and submit it with their authorisation request.

The table below should provide a summary of the reasonable efforts made by the applicant and should include:

* the date the proposed recipient was initially approached
* a brief overview of any exchanges of correspondence between the applicant and proposed recipient or confirmation that no response was received (this should be expanded upon in a Schedule of Correspondence)
* if applicable, the date a site notice was displayed relating to that parcel number and / or the date a notice was included in the newspaper relating to that parcel number.

The table should include the reasons for the authorisation request. It will be for the applicant to seek their own legal advice as to how best to address these matters.

Where dialogue between the applicant and the proposed recipient has occurred over a short period of time, the applicant should explain why they consider they have been unreasonably refused the information (given the short timeframe to reach an agreement).

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| **Land Parcel numbers** | […numbers…] |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Allocated parcel number on Plan A** | **Name and address of proposed recipient**  | **Interest of proposed recipient as per** [**section 52(3) of the Planning 2008 Act 2008**](https://www.legislation.gov.uk/uksi/2009/2264/contents/made) | **Registered land:** Registeredtitle number and description of land by reference to the boundary and any physical features | **Unregistered land:**OS grid reference and description of land by reference to the boundary and any physical features | **Evidence of the applicant’s reasonable efforts and that the information has been unreasonably refused by the proposed recipient** | **Reasons for request referring to compliance with either provisions under Chapter 2 of Part 5 or Chapter 1 of Part 6 of the Planning Act 2008****(section 52(1))**  |
| ***1*** | *Mr. A Jones**22 The Street**Townsville**TV22 9HG* | *Section 52(3)(b) – interest in the land as freeholder* | *Registered number: TN674800* | *N/A* | *Served requisition notice on the land shown in Plan A on Mr Jones on […date…].* *No response.*  | *Compliance with chapter 2 of part 5 identifying section 42 consultees* |
| ***2*** | *Mrs. B Jones**21 The Street**Townsville**TV22 9HG*  | *Section 52(3)(a) – an occupier of the land* | *N/A* | *OS Ref: TF125640* *Description: scrub land with outbuildings adjacent to registered title number TN674800* | *Located site notice outside entrance to land as shown in the Plan A on […date…]. Published notice in […name of local/regional paper…] on […date…].* *No response.*  | *Compliance with chapter 2 of part 5 identifying section 42 consultees*  |