

Rights of Light Indemnity Insurance



Questionnaire

INFORMATION REQUIRED FOR QUOTATION PURPOSES

*Please continue any explanations in the additional comments section provided on page 4

1. Full name of the insured and/or interested parties (eg mortgagees)

2. Fully developed value of the site

3. Limit of Indemnity required and the basis on which this has been calculated

4. Copy of Right of Light surveyor's report which takes into account all neighbouring properties (If available this should include 3-D diagrams of the current and proposed layout of the buildings on the land and a cut back analysis)

5. Details of the development gain that can be attributed to the cut-back scheme identified by the Right of Light Report

6. Confirmation from the Rights of Light surveyor that the revised scheme (if applicable) will cause no injunctable losses

7. Copy of planning permission granted for the development and a copy of the approved site layout plans including copies of the elevation plans as they exist and how they will look in the future

8. Confirmation of the height, in storeys, of the buildings currently and previously at the property, and surrounding properties

9. Copies of any letters of objection and comments received by the Planning Authority during the planning process, specifically relating to Rights of Light

10. Confirmation that to date the adjoining owners have not complained about infringement of their rights

11. Confirmation that the development will not constitute a Breach of Covenant restricting the type of development that can be undertaken

12. Are there any properties highlighted in the Right of Light report tenanted, and if so is it known for how long they have been tenanted?

13. Is it known if there are any specific Rights of Light that currently exist (under title etc) as opposed to those that could be claimed by prescription? If so please supply copies of any documentation conferring such rights

14. Please supply a copy of the registered title to the property and to those properties which are identified in the Rights of Light report as suffering a potential injury as a result of the proposed development

15. Please provide details of the proposed time-scale for completion of the development

16. Please supply a planning history of the site if available

17. Have any approaches been made to surrounding owners? If so, please provide details

18. If the Insured has, or intends to negotiate a release of Rights of Light with specific adjoining property owners, please provide:

a) Confirmation that negotiations will be conducted under the terms of a non-disclosure agreement

b) Details of the amounts for which releases are agreed, where possible

c) Confirmation as to whether the release contains an indemnity to the tenants of the building

d) Confirmation as to whether the release will be registered against the relevant property titles

19. Please provide photographs of the site and adjoining premises if available

20. Please provide details of any past disputes with adjoining property owners

21. Are there any party wall or oversail agreements involved, and if so at what point are you in the negotiations. Please confirm that any such agreements are drafted under standard RICS terms

22. Please provide details of any other developments that are planned in the area which could potentially have a Rights of Light impact on properties also affected by your proposed development

Please return the completed form to:

Robert Cooke ACII – Chartered Insurance broker
Corporate Risks Director
Clear Insurance Management Limited
Tel. No. 020 8329 4959
rob.cooke@thecleargroup.com

Additional Comments: