

Rights of Light insurance shopping list (post-planning)



IMPORTANT NOTICE

The terms of any insurance that we arrange are based upon the information provided. When completing this questionnaire, you must ensure it is a full and accurate representation taking into consideration the duty to disclose all 'Material Circumstances' to prospective insurers.

Broadly speaking, 'Material Circumstances' are anything you know of (or should know of following a reasonable search of the business) that would influence the judgement of an insurer in deciding whether to insure the risk and on what terms.

The most serious consequence of failing to disclose material information could be the invalidation of your cover. In that instance, it would mean that a claim will be rejected. If you are unsure whether any information should be disclosed or require any guidance, we will be happy to advise you.

PRIVACY NOTICE

The following information is required in order to assess your insurance needs, to approach product providers for quotations and the ongoing administration of your policies.

Our Customer Privacy Notice provides details of how we use and share your information as well as your rights and how to exercise them. You can access it at www.thecleargroup.com/privacy-policy or contact us if you would like us to send you a copy.

Where you provide information relating to another person we assume you have a lawful basis for doing so and request that you draw our privacy notice to their attention.

Information required for us to obtain quotations:

1. The name and registered address of the Insured party. If the company is registered outside of the UK, please provide a list of the board of directors with details of the nationalities and dates of birth to assist with our compliance checks.
2. A copy of the surveyor's Rights of Light report including cut back analysis. EFZ data (with area losses) window and contour plans, if available.
3. The amount of cover required and the anticipated Gross Development Value of the scheme, if different.
4. The timeframe for the development (start date and proposed practical completion).
5. A copy of the planning permission granted for the development and a copy of the approved site layout plan together with copies of elevation plans of the current and proposed buildings.
6. Copies of all letters of objection/comment received by the planning authority during the planning process or sent directly to the proposer and/or their representatives.
7. A copy of the planning officer's report to committee.
8. Is the property subject to any adverse title matters e.g. restrictive covenants / missing deeds/ access issues that could inhibit the proposed development? Your lawyer's due diligence report may assist in this respect. Do you require the broker to source an insurance solution for these matters?
9. Details of the planning history for the site.
10. Are there any other developments planned or ongoing near to the site? If so, are these developments likely to impact on any of the properties identified as affected in the Rights of Light report? Is it known how these developments have dealt or propose to deal with their Rights of Light issues?
11. Have there been any past disputes with, or complaints from, any adjoining property owners? If so, please supply full details.

12. Copies of the registered title documents and filed plans for the site and each of the affected properties (Freehold and Leasehold).
13. A calculation of the difference in the anticipated profit to be made from the proposed scheme, to that made from a cut back scheme which respects the Rights of Light to the injured properties [Tamares calculation].
14. Are there any Party Wall Awards or oversail agreements (crane or scaffolding) likely to be required with any of the adjoining owners detailed in the Rights of Light report? If so, please advise who these will be with and at what stage the agreements are at.

Where to send the information:

Please submit the requested information to our specialist Rights of Light team at rol@thecleargroup.com.