



## **PURCHASER'S RELIANCE ON THE REPLIES TO THESE ENQUIRIES**

### ***CAVEAT EMPTOR" – "BUYER BEWARE"***

1. These Replies have been made to the best of the knowledge, information and belief of the Vendor and shall be relied upon as such.
2. The Purchaser (through his solicitor) may only raise such further Enquiries, or call for the clarification of such existing Replies, as may be reasonable and necessary for the completion of this transaction.
3. The Purchaser should not rely absolutely upon the Replies which the Vendor is not qualified to give, i.e. where they relate to matters of a technical nature. The Purchaser should therefore seek reports from his own suitably qualified Architect, Engineer, Surveyor, Trade Specialist, Environmental Consultant or Technical Expert.
4. General Condition 2.4 of the General Conditions of Sale shall be deemed to be incorporated in this document.
5. Any Replies relating solely to matters of title have been made entirely without prejudice to the Purchaser's solicitor's obligation to investigate title.

### ***"CAVEAT EMPTOR" – "BUYER BEWARE"***

**THIS DOCUMENT MAY ONLY BE AMENDED BY THE LAW SOCIETY OF NORTHERN IRELAND**

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**1. MAPS AND REFERENCE NUMBERS**

1.1 *Do you have an up-to-date DAERA farm map?*

- Yes and it will be furnished to the Purchaser.
- No

Comment:

1.2 *Specify the field numbers of the land in sale:*

Comment:

1.3 *What is the DAERA farm reference Number / farm business ID?*

DAERA farm reference number -

Farm business ID -

Comment:

1.4 *Have there been any changes to the DAERA farm map?*

- No
- Yes - please specify

Comment:

**2. BASIC PAYMENT SCHEME**

2.1 *Is the land in sale eligible for Area Based Payments such as the Basic Payment Scheme (BPS)?*

- No
- Yes and a copy of the last award letter from DAERA is enclosed

Comment:

2.2 *What number of Entitlements will be included with the land in sale?*

- N/A
- None
- Entitlements

Comment:

2.3 *Are you aware of any act or omission by anyone that could possibly prejudice the payment(s) or Entitlements that you have applied for / been awarded?*

- None
- Yes - please specify

Comment:

2.4 *Has DAERA raised any issue with Entitlements or delayed payment or re-claimed any Entitlement?*

- No
- Yes - please specify

Comment:

2.5 *What is the value of the Entitlements as a proportion of the overall sale price?*

- N/A
- The value of the Entitlements is £:

Comment:

### **3. GRANTS AND SUBSIDIES**

3.1 *Is any part of the land in sale subject to any agri environment scheme?*

- No
- Yes – the area subject to the agri environment scheme is shown on the map attached hereto and outlined in the copy of the agreement enclosed herewith.

Comment:

3.2 *What is the amount of the grant payable in respect of the agri environment scheme?*

- N/A
- The amount payable in respect of the agri environment scheme is: £

Comment:

3.3 *Have you received any grants or subsidies from DAERA or any other body that are liable to repaid if the land is sold?*

- N/A
- Yes – confirmed and any liability will be discharged from the proceeds of sale

Comment:

**4. RESTRICTIONS**

4.1 *What is the current status of any herd grazing the lands in sale?*

- Open
- Closed - please specify

Comment:

4.2 *Has DAERA made any Restriction Orders under the Diseases of Animals Legislation in respect of any animals either:*  
(a) on the land in sale; or  
(b) on any neighbouring land?

- No
- Yes - please specify

Comment:

4.3 *Are you aware if DAERA has made any Restriction Orders affecting the planting of crops in the land in sale?*

- No
- Yes - please specify

Comment:

**5. WATERCOURSES**

5.1 *Are there any sheughs, streams or rivers on the land in sale or on any adjoining land which are "Designated Watercourses" by the Drainage Council and maintained by Rivers Agency?*

- No
- Yes - please specify

Comment:

5.2 *Is effluent of any kind (whether treated or untreated) piped directly into any watercourse on the land in sale either from the land in sale itself or from adjoining land?*

- No
- Yes – effluent is discharged into a watercourse as indicated on the map furnished herewith.

Comment:

**6. ENVIRONMENTAL**

6.1 Please furnish a map showing as accurately as possible the location of all septic tanks with their associated feed pipes, discharge pipes and dispersal grids and a copy of any statutory consent.

- N/A
- Yes map and consent enclosed herewith

Comment:

6.2 Does any adjoining land owner have an easement or wayleave over the land in sale for water feed pipes or in connection with a septic tank?

- Yes written agreement and map showing location enclosed herewith
- No

Comment:

6.3 Have you ever been, or are you being, or have you reason to believe that you are about to be, investigated, warned or prosecuted under any pollution legislation?

- No
- Yes – in connection with the following matters

Comment:

6.4 Has the Property been affected by any flooding during your period of ownership? If yes, please provide details of the cause, extent and any outcomes (including insurance claims, if any).

- N/A
- No
- Yes. The details are:

Comment:

6.5 Are there any boreholes and / or air brakes on the land in sale?

- No
- Yes map enclosed herewith

Comment:

6.6 Are any parts of the lands in sale designated as part of :-

- A Special Protection Area
- A National Nature Reserve
- An Area of Specific Scientific Interest
- An Area of Scientific Interest;
- An Area of Archaeological Interest;

- A "Ramsar" Area; or
- Subject to any other statutory designation or restriction?

- No
- Yes - the area affected is shown on the attached map

Comment:

6.7 *Have any animal carcasses been buried anywhere on the lands in sale?*

- No
- Yes map enclosed herewith

Comment:

## 7. PIPES AND OTHER CONDUCTING MEDIA AND PUBLIC RIGHTS OF WAY

7.1 *Please furnish a map showing as accurately as possible the location of all underground pipes, cables or other conducting media*

- N/A
- Yes map enclosed herewith

Comment:

7.2 *Please furnish a map showing as accurately as possible the location of any public or private rights of way, whether registered or unregistered.*

- N/A
- Yes map enclosed herewith

Comment:

## 8. PROPERTY BELONGING TO THIRD PARTIES

8.1 *Are the milk tanks, chicken houses, feed storage bins, etc, which are purported to be included in the sale, owned absolutely and beneficially by the Vendor and not by a third party?*

- N/A
- Yes
- No – the following belong to third parties

Comment:

8.2 Are any fixtures and fittings (including any items specified in reply to Enquiry No. 8.1. above) which are purported to be included in the sale the subject of a Hire Purchase or Credit Sale

- N/A  
 No  
 Yes – the following are subject to HP or Credit Sale Agreements

Comment:

## 9. LETTINGS & OCCUPATION

9.1 Is any land in sale presently let and if so, to whom and on what terms?

- No  
 Yes – those parts of the land shown on the map attached hereto are let to the following people

Comment:

9.2 Are the persons referred to in reply to Enquiry 9.1 above to whom the land is let aware that the lands are being sold and have they been served with notice of termination of their interest to facilitate vacant possession for the Purchaser on completion

- N/A  
 Yes  
 No they will be remaining for the remainder of the agreement a copy of which is enclosed herewith / details of which are set out below  
 No – but they will be so advised immediately

Comment:

## 10. TURBARY & OTHER LIKE RIGHTS

10.1 Does the land in sale enjoy any rights of turbary or other like rights over lands and if so, can you supply a map showing the location of the lands over which such rights exist?

- No  
 Yes – the lands over which the following rights are enjoyed is shown on the map attached

Comment:

10.2 Is the land in sale subject to any rights of turbary or other like rights in favour of other lands that are not disclosed on the title?

- No  
 Yes – the lands which are subject to the following rights are shown on the map attached hereto:

Comment:



**11. RESIDENTIAL DWELLING**

11.1 *Is there a residential dwelling on the land in sale?*

- No
- Yes – Please complete the Society’s standard Replies to Pre-Contract Enquiries in addition to these Agricultural Replies to Pre-Contract Enquiries.

Comment:

**12. COMMERCIAL / AGRICULTURAL BUILDINGS**

12.1 *Are there any commercial or agricultural buildings on the land in sale?*

- No – **If “No”, ignore the remainder of this Enquiry and go directly to Enquiry No. 13.**
- Yes – **If “Yes”, please answer the remainder of this Enquiry (No. 12) as fully as possible.**

Comment:

12.2 *Have any commercial or agricultural buildings on the land in sale been affected by any of the following? If yes, please supply details:*

- (a) structural or inherent defects;*
- (b) subsidence, settlement, landslip or heave;*
- (c) defective conduits, fixtures, plant or equipment;*
- (d) rising damp, rot, any fungal or other infection or any infestation*

- N/A
- Yes - please specify

Comment:

12.3 *Has asbestos been used in any commercial or agricultural buildings on the land in sale?*

- No
- Yes – please specify

Comment:

12.4 *Are you aware of any works having been carried out to any commercial or agricultural buildings on the land in sale during the last 10 years that would have required planning permission?*

- N/A
- No
- Yes – I am aware of the following application(s) having been made:-

Comment:

12.5 For which of the above works was Planning Permission obtained?

- N/A
- None
- Planning permission was obtained for the following works:-

Comment:

12.6 Are you aware of any planning application having been made in the last 10 years for any works to be carried out or for the use of the land in sale to be changed?

- N/A
- None
- Yes – I am aware of the following application(s) having been made:-

Comment:

12.7 Are you aware whether the planning permission you referred to in your reply to Enquiry No. 12.5 above was ever granted?

- N/A
- None
- Yes – planning permission was granted and a copy is attached.

Comment:

12.8 Have you received any Neighbour Notification Notice or other notice in connection with a planning application by a neighbour?

- No
- Yes – a copy of the Notice is enclosed herewith

Comment:

12.9 Are you aware of any works (including the installation of any gas or oil fired systems) having been carried out to any commercial or agricultural buildings on the land in sale during the last 10 years?

- N/A – site only
- No
- Yes – I am aware of the following works having been carried out during the last 10 years:-

Comment:

12.10 For which of the above works was Building Control approval obtained?

- N/A
- None
- Building Control approval was obtained for the following:-

Comment:

12.11 Are you aware of any works having been carried out to any commercial or agricultural buildings on the land in sale during the last 10 years that were completed but not signed off/given a Completion Certificate by Building Control?

- N/A
- No
- Yes – I am aware of the following works having been carried out during the last 10 years that have not yet been signed off by Building Control and for which I shall apply for a Regularisation Certificate:-
- Yes – I am aware of the following works having been carried out during the last 10 years that have not yet been signed off by Building Control and for which I shall apply for a Regularisation Certificate:-

Comment:

12.12 Have you advised Building Control of the proposed date for completion and requested a final inspection and a Completion Certificate?

- N/A
- Yes
- No but it shall be furnished in accordance with the contract.

Comment:

12.13 Have any of the following been installed at or on the land in sale?

- a) Solar panels;
- (b) Mobile telephone masts;
- (c) Telegraph posts;
- (d) Wind Turbine(s);
- (e) Renewable Heat Incentive system;
- (f) Geothermal/anaerobic digester;
- (g) Electricity poles;
- (h) Gas pipelines;
- (i) Underground cables installed or maintained by a public utility;

- No
- Yes –all relevant documentation, including any wayleaves, are enclosed herewith.

Comment:

**13. OUTGOINGS**

13.1 Do you know the Rateable Capital Value/NAV of the land in sale (as set by LPS)?

- N/A
- No
- Yes - the Rateable Capital Value/NAV of the Property is £

Comment:

13.2 Have any works been carried out to the land in sale which may cause the Rateable Capital Value/NAV to change?

- N/A
- No
- Yes – the following works have been carried out which may cause the Rateable Capital Value/NAV to change:-

Comment:

13.3 Have you sought a review of/appealed the Rateable Capital Value/NAV of the land in sale or any of the commercial, agricultural or residential buildings on the land in sale?

- No
- Yes –I have applied to the District Valuer.
- Yes –I have sought a review by the Commissioner for Valuation.
- Yes –I have appealed to the Northern Ireland Valuation Tribunal.

Comment:

**14. UTILITIES**

14.1 Is the land in sale presently connected, or is it intended that it shall be connected, to a main gas supply pipe, e.g. SSE Airtricity Gas or Firmus Energy?

- No
- Yes

Comment:

14.2 Are there any L P gas appliances in the land in sale?

- No
- Yes - they are fed from:-
  - gas bottles
  - a bulk gas tank situated within the grounds of the land in sale and marked on the enclosed map

Comment:

14.3 *Have all gas appliances on the land in sale been safety-checked by a Gas Safe registered fitter within the last year?*

- N/A
- Yes, and a copy of the report is enclosed herewith.
- No safety checks have been carried out.

Comment:

14.4 *Please furnish a map showing as accurately as possible the location of the NI Water meter.*

- N/A
- Yes map enclosed herewith

Comment:

14.5 *Please confirm that the plumbing system, water fitting and water using appliances all comply with the Water Supply (Water Fittings) Regulations (Northern Ireland) 2009.*

- N/A
- Yes

Comment:

## 15. INFILLING OR VOIDS

15.1 *Has there been any filling of former excavations or voids on the land in sale, such as gravel pits, mines or quarries? If so please:*  
*(a) give details of the infilling works;*  
*(b) confirm that no buildings or other structures have been erected on them; and*  
*(c) provide a plan showing the location of any gravel pits, mines or quarries.*

- No
- Yes

Comment:

## 16. VAT

16.1 *Is the farm business registered for VAT?*

- Yes
- No

Comment:

16.2 *Has there been an election to waive exemption from VAT?*

- Yes and a VAT invoice will be issued prior to completion.
- No

Comment:

16.3 *Please confirm that a separate VAT invoice will be issued by you in respect of that element of the sale price represented by the Entitlements?*

- N/A
- Yes

Comment:

## 17. EMPLOYEES

17.1 *Is there anyone to whom the Transfer of Undertakings (Protection of Employment) Regulations 2006 and/or the Service Provision Change (Protection of Employment) Regulations (NI) 2006 will or might apply, who is:*

- (a) employed at the land in sale by you; or*
- (b) employed at the land in sale by someone other than you; or*
- (c) is otherwise working at or is providing services to the Property?*

- Yes
- No

Comment:

17.2 *In respect of each person identified in reply to enquiry 17.1, please provide copies of the current contract of employment, any other contractual documentation and (if applicable) any service occupancy agreement for resident employees.*

- Yes
- No

Comment:

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

Signed: \_\_\_\_\_ (Vendor)

Signed: \_\_\_\_\_ (Vendor)

THE LAW SOCIETY  
OF NORTHERN IRELAND

