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ProductCard

Chancel Check

This is the liability of a property owner to contribute to the cost of repair of the chancel (or steeple) of a church. It dates back to medieval times when the local parish church owned large tracts of land. It would sell off land within its parish on the condition that the purchaser contributed some or all of the cost of chancel repairs in future.

These chancel repair liabilities were not always formally recorded by way of a deed since they pre-date the development of the conveyancing system we know today and they were largely forgotten about for many years, until the introduction of the Land Registration Act 2002. Under the act all chancel repair obligations have to be registered at land registry by 2012, otherwise they cease to be enforceable. This has led to the church scouring its archives to find instances where obligations exist and having them registered.

It should be noted that the prospective risk is unquantifiable, and can affect any property irrespective of its current use or location. Of the 15,000 parishes in existence today, circa 5,000 parishes are at risk.

Key Features

There are two levels of chancel liability search, both of which will identify potential chancel repair liability for property owners:

The **Basic Search** will state whether the property is within a parish where a potential chancel repair liability exists. This does not necessarily mean that the property itself is affected. We also sell insurance against the risk.

The **Full Search** is more specific to the property, although it is still not definitive. If a liability is identified via this search then indemnity insurance cannot be obtained.

Ensure Your Clients Are Protected

Before ordering the chancel liability search it is worth considering the location of the property and the nature of the estate. The first thing to consider is whether there is actually a medieval church in the vicinity. If the nearest is several miles away then it probably will not have an effect. Secondly, how densely populated is the area? If there are several thousand houses within a 2 mile radius of the church then remember that the liability will probably be split between all of them. A £10,000 repair bill seems daunting until it is divided by 1000 properties.



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