

Blake Laphorn Tarlo Lyons' nursery and childcare news

March 2007

buying property

The property in which your setting is to operate is likely to be the single biggest investment you will make in the business. Although there is a wealth of legal matters to be considered when you buy a property, there are some practical matters you should think about before you start spending any money on legal fees.

- 1 Having found your premises (whether that is a site, an existing setting or a building to convert), walk the boundaries. Get a plan, if possible, and check the boundaries against the plan.
- 2 In rural communities be aware of cesspits, water runoffs and other 'non mains' facilities. Does your boundary include a drainage ditch, a stream, a water inlet, or something similar? If you are going to operate a nursery you will have to cover them. However, they tend to fill up and get blocked so is it practical to cover them and are there any legal restrictions against doing so?
- 3 Consider your future neighbours. Are you likely to be compatible? Residential neighbourhoods are sometimes not keen on nurseries and the "noise" of the children which accompanies them.
- 4 If the building is not already operated as a nursery, you will need planning permission. Neighbours may object, so start canvassing them.
- 5 Consider the access to and from the site. Is the access adequate? Are the sellers getting complaints about traffic flow? Are you going to need to improve access routes, widen roads or even bring a road up to adoptable standards in order to get planning permission? These can be extremely expensive additional costs.
- 6 Check the current and historic uses of the site. Has there been potential contamination to the site from previous uses? Consider what goes on around you. Might the general environment deter parents?
- 7 If you are planning to convert an old building, you may need listed building consent and a structural survey will be essential.
- 8 There may be asbestos in the building. Apart from requirements to remove it, your other contractors may not be prepared to work there until it has been removed. This can lead to a significant delay in your timescale.
- 9 Consider the age of the building. Is it young enough that the contractors will put right, free of charge, problems with the fabric of the building or anything which forms part of it (for example the heating)?
- 10 Are you buying a freehold or a leasehold? If it is a leasehold, check that your bank will still provide you with a loan.

points to note:

- A property should not be an 'emotional' purchase. Be practical.
- Consider how saleable the setting or property may be in the future, as it is likely to be fundamental to the return on your capital.



CONTACT

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Blake Laphorn Tarlo Lyons will be exhibiting at the Childcare and Nursery show at the Bournemouth International Centre from 27 -28 June.

For more information on the show visit www.nurseryshow.co.uk/index.asp.

This publication is not a substitute for detailed advice on specific transactions and problems and should not be taken as providing legal advice on any of the topics discussed.

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