



Department for Business, Innovation & Skills

Introduction of a Land Registry service delivery company: Consultation response form

This consultation response form is available electronically on the consultation page:
www.gov.uk/government/consultations/land-registry-new-service-delivery-company

Alternatively, this form can be submitted by email or by letter to:

Kirun Patel
Shareholder Executive
Department of Business, Innovation and Skills
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Email: bis.lr.consultation@bis.gsi.gov.uk

This closing date for this consultation is **20 March 2014**.

The Department may, in accordance with the Code of Practice on Access to Government Information, make available, on public request, individual responses.

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Please tick the box from the list below that best describes you as a respondent. This allows views to be presented by group type.

<input type="checkbox"/>	Business representative organisation/trade body
<input type="checkbox"/>	Central government
<input type="checkbox"/>	Charity or social enterprise
<input type="checkbox"/>	Individual
<input type="checkbox"/>	Large business (over 250 staff)
<input checked="" type="checkbox"/>	Legal representative

	Local Government
	Medium business (50 to 250 staff)
x	Micro business (up to 9 staff)
	Small business (10 to 49 staff)
	Trade union or staff association
	Other (please describe)

Question 1

Do you agree that by creating a more delivery-focused organisation at arms length from Government, Land Registry will be able to carry out its operations more efficiently and effectively for its customers?

☐ Yes

☒ No

☐ Not sure

Comments:

I note that the Land Registry defines its customers as market professionals or property owners, and Mr Lester states these are the people or organisations whose needs have to be addressed. There has been no evidence produced of any needs. The need is only to have a properly functioning Land Registry and we have that. With a customer satisfaction response of 98%, there has been no demand for any change from its customers.

The consultation document then claims at point 61 that the proposals would have a very limited impact on customers.

The business strategy is apparently what drives this change- "to further improve the ease and efficiency with which services are accessed". The Land Registry in its current form has done that and continues to do so.

The proponents of change produce no examples or evidence of more efficiency and effectiveness. This is the worst kind of meaningless questions.

The effectiveness of the Land Registry for its customers is to deal with the guarantee of their property rights. How does a change to a delivery service company affect that?

The splitting of the Registry into a regulator and a delivery company is a failed model in the case of our rail service, our utility companies and most alarmingly our banking system shows how ineffectual a regulator is against the power of monied interests

Question 2

Do you agree that the OCLR should retain exclusive responsibility for the functions set out in paragraph 49?

☒ Yes

☐ No

☐ Not sure

Comments:

Question 3

Are there additional functions that should be retained in the OCLR? Please explain what and why.

Comments: I oppose the division of functions and consider the Chief Land Registrar should retain all administrative, regulatory , judicial and service functions as presently held.

It is noteworthy that the consultation only states all other functions should be removed from the OCLR and fails to identify the other functions, indicating either a lack of awareness of what these other functions are, or a deliberate intent to mislead by not individually specifying them.

Question 4

What are your views in respect of the proposals for shared functions set out in paragraphs 50-51?

Comments: Any sharing of functions brings with it the risk of confusion and loss of accountability for any failures that occur

Question 5

What are your views on the proposed approach to service delivery company functions in paragraph 52?

Comments: As the consultation document fails to identify these functions, other than by reference to the regulatory functions reserved to the OCLR, this is not a question I propose to answer.

Question 6

Do you agree that the overall design provides the right checks and balances to protect the integrity of the Register and safeguard the provision of indemnities and state title guarantee? If not, please state your reasons why not.

☐ Yes

☒ No

☐ Not sure

Comments: Countless examples exist of botched attempts by public bodies to hold private contractors to account. The design model of regulator and service delivery being separated is fundamentally flawed.

Question 7

Would you be comfortable with non-civil servants processing land registration information provided they do so within the framework set out by the OCLR through the service contract? If not, please explain your reasons why not.

☐ Yes

☒ No

☐ Not sure

Comments: What has comfortability to do with a state guarantee which underpins possibly the most important economic resource – the housing market- for growth? I endorse the comments as to the skills of Land Registry staff of Mr Lister and the former Chief Land Registrar, Mr John Manthorpe.

Question 8

Are there any situations, other than those set out in this consultation, in which you would want to see an escalation process to the OCLR? Please explain what and why.

Comments: For reasons given in answer to earlier questions I do not propose to answer this one- I oppose the division and separation of functions.

Question 9

Do you agree with the proposed approach for handling complaints, as set out in paragraph 56? If not, please explain your reasons why not.

☐ Yes

☐ No

☐ Not sure

Comments: For reasons given in answer to earlier questions I do not propose to answer this one- I oppose the division and separation of functions.

Question 10

Do you agree with the escalation process set out for objections in paragraph 56? If not, please state your reasons why not.

☐ Yes

☐ No

☐ Not sure

Comments: The design model of regulator and service delivery being separated is fundamentally flawed.

Question 11

Do you think the Rule Committee should include a representative from the service delivery company? Please explain why or why not.

☐ Yes

☐ No

☐ Not sure

Comments: For reasons given in answer to earlier questions I do not propose to answer this one- Were I to respond yes, it would be statistically considered to support the division of functions. I oppose the division and separation of functions

Question 12

The Data Protection Act will protect personal data that is provided to the service delivery company. Would you like to see any protections beyond this, and if so please explain what and why?

x☒ Yes

☐ No

☐ Not sure

Comments: The data is critical as to the major asset base of the country- its property.

Question 13

What are your views on the proposed system for safeguarding customer service issues and the continued role of the Independent Complaints Reviewer?

Comments: I have little expectation that customer service, and as High Street conveyancer I am a customer, is safeguarded by any Complaints Review process. It is only the professionalism of the staff that safeguards service and in this instance the customer satisfaction with the current arrangements is 98%.

Question 14

Do you think there is a difference between the opportunities and risks depending on whether operational control over the service delivery company is entrusted to Government or a private sector company? If yes, what?

☒ Yes

☐ No

☐ Not sure

Comments: The risk as evidenced in privatisation of many public body provision is a reduction in the level of performance of the service and less accountability. If there is to be a service delivery company I believe there are greater risks of failures to maintain registers if the operational control is passed to a private company.

Question 15

Do you think there is a difference between the opportunities or risks depending on whether the service delivery company is owned by the Government or a private sector company or both? If yes, please explain your reasons.

☒ Yes

☐ No

☐ Not sure

Comments

There is a risk that the public's trust in the Land Registry's impartiality and freedom to operate without commercial restraints will be jeopardised and there is a potential of conflicts of commercial interests.

Question 16

What do you think are the constraints and dependencies for Land Registry's successful delivery of the business strategy?

Comments:

The consultation document talks of ease of registering property, and the government's ambition to ensure the UK is one of the best countries for ease of doing business, the fulfilment of which requires improvements in the ease of buying a property. The land registry process is at the beginning and the end of that transaction of buying a property. Its procedures are swift and cheap and I cannot see how involving a split in the land registry functions to provide a regulator

service and a delivery service company will do anything other than causing additional cost , risk introducing delay and be less efficient and effective

Question 17

Do you have any other comments on the proposals contained in this consultation?

Comments:

I recognise and appreciate the excellent services which HM Land Registry provides to the public, with customer satisfaction of 98 per cent; dealing with a myriad of property transactions and guaranteeing the property rights of individuals and businesses in this country.

I am concerned that the Government's consultation on the introduction of a Land Registry service delivery company does not give any credible reasons for why a change is needed.

The concerns voiced by John Manthorpe, a former Chief Land registrar, are ones I endorse and make me believe that this 150-year-old institution should remain within the Civil Service.

Question 18

Do you have any other comments that might aid the consultation process as a whole? Please use this space for any general comments you may have. Comments on the layout of this consultation would also be welcome.

Comments I find the question and answer approach is designed to endorse the proposed division and setting up of a service delivery company and is not a neutral and fair process

Thank you for your views on this consultation. We do not intend to acknowledge receipt of individual responses unless you tick the box below.

Please acknowledge this reply x ☐

At BIS we carry out our research on many different topics and consultations. As your views are valuable to us, would it be okay if we were to contact you again from time to time either for research or to send through consultation documents?

☐ Yes

x ☐ No

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