



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
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1 Victoria Street
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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 type="checkbox"/>	Legal representative

X	Local Government
	Medium business (50 to 250 staff)
	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:

We believe that the commercial interest of the service delivery will result in divorce of the service from the public interest. We also question the benefit of separating policy and delivery; to protect the integrity of the information provided to customers, surely a strong relationship between policy and delivery is needed? It is questionable whether a service contract will sufficiently maintain this relationship. We have seen this happen with numerous divisions/contracting out of services, usually because the functions have not been sufficiently well understood, with contracts consequently being poorly specified. Customer service and inter-organisation relationships are the most likely to suffer in these circumstances. Therefore, if this is to happen, greater effort will need to be put into understanding the different functions and the relationship with local authorities' services. The specification of the contract/service agreement will need to be fully and carefully scoped to ensure a good relationship with measurable key indicators capable of maintaining and developing customer and stake-holder satisfaction.

We are particularly concerned about the business strategy outlined in paragraph 26 and the LR's suggestion of potentially undertaking Local Land Searches. We have raised these concerns in our response to the Local Land Charges consultation; however we believe that separating these two interlinked proposals at this stage is likely to lead to greater inefficiency, not less.

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: Do not know enough about the functions to comment.

Question 3

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

Comments: Do not know enough about the functions to comment.

Question 4

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

Comments:

We believe that sharing and splitting functions between a delivery company and OCLR will cause confusion not only to the customer but also between the two functions. Such a setup could lead to neither functions/organisations taking responsibility for problems that may arise. As noted under Qu 1, significant effort will need to be put into establishing effective mechanisms to ensure that the responsibilities are clear, and that where there is expectation for the different organisations to work together as partners to resolve any problems.

Question 5

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

Comments:

Our understanding is that what is being described as an administrative function is currently being backed up by other staff with considerable expert and local knowledge. In particular, these staff tend to be aware of related regional factors that a centralised service are unlikely to be able to provide. We know that customers value these expert and local elements, as they often comment on it. The reason this sort of service is different from say a financial service is because it is based on geographical identity. Will this expertise move to the service delivery company? Or will they remain with the OCLR? We believe that maintaining a close link between local staff gives customers confidence in the data and information being provided by LR, which would be lost by transferring the service to a centralised delivery company.

We are also apprehensive about the commercial aspect to the company, and believe this may result in the deterioration of the service as resources and time are squeezed for profit rather than serving the public interest.

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:

As mentioned in question 5, we believe that a commercial company has the potential to put profit before the integrity of the register.

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:

Please see comments to previous questions.

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: Not aware of any.

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:

Dividing the complaints procedure between the Delivery Company and OCLR could cause confusion to the customer and as stated in question 4 could lead to neither functions taking responsibility for complaints. Therefore this will need to be fully thought through and specified as to how it would work in different scenarios.

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:

Please see comments to question 9.

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:

As in paragraph 43, the OCLR is expected to retain the fee setting and other policy related services. It would have helped to have explained why it is proposed to include a representative of the service delivery company on the Rule Committee. Is this to ensure stake-holder input? Ultimately the public interest and cost-recovery basis must be upheld.

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?

☐ Yes

☐ No

☒ Not sure

Comments: Do not know enough about the data to comment.

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:

Please see response to questions 1, 4, 5, and 9. It is also not mentioned in the consultation how issues with Local land Charges search result may be resolved if there were problems with Local Authority data. Please would you address this?

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: See response to question 5.

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: See response to question 5.

Question 16

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

Comments: Not appropriate for us as an LA to comment.

Question 17

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

Comments: [See below](#)

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

As stated in question 1, we cannot understand why the two consultations (*Introduction of a Land Registry service delivery company and Land Registry, Wider Powers and Local Land Charges*) have been undertaken separately and with no reference to each other, as the proposed outcomes clearly affect each other. The proposals suggest that there has not been sufficient in-depth research with the key services in the Land Registry and local authorities to properly identify the implications of the proposals. We are particularly concerned about the lack of consideration as to how the proposals will affect the relationship with CON29 authorities long term. It is not adequate to treat that as a secondary stage, when the first stage will have potentially put in stone the trajectory of the services with insufficient flexibility to accommodate uncalculated impacts on other services. Central and local government services need to be working together on long term visions driven by functional customer need, not being driven by system design. We would be happy to contribute to this.

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 ☒

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

☐ No

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