



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
1 Victoria Street
London
SW1H 0ET
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.

Name: Elizabeth Ferguson
Organisation (if applicable): J & E Ferguson Ltd, The Hill House, St Martins Road, Looe, PL13 1LP

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

	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:

There is a lack of information regarding HMLR's bid for wider powers and its transformation into a government company.

This consultation should not have taken place until the HMLR Wider Powers consultation finished. Running them at the same time is sleight of hand and manipulative and has caused confusion.

- (1) IPSA has genuine concerns regarding the formulation of the consultation questions because they are assumptive in nature of a positive outcome for Government regardless of critique. We are particularly concerned by the entry at paragraph 23 "Critical National Infrastructure" - this appears to be a very bold overstatement designed to be deceptive in nature to the reader. HMLR and property are not listed in the 9 categories of CNI which the Government department CPNI has responsibility. IPSA can provide screenshots from www.cpni.gov.uk as evidence.
- (2) The motivations behind both this consultation and the HMLR Wider Powers demonstrate a single minded approach to controlling data, selling data and building up HMLR for sale; creating a Government Monopoly at taxpayers' expense and to the detriment of livelihoods across both the private and public sector is a travesty of policy design and proposed implementation.
- (3) There are concerns regarding ministerial statements made to The House of Commons by the Rt Hon Francis Maude (Cabinet Office) and the Rt Hon Chris Grayling (Lord Chancellor) prior to the conclusion of the BIS/HMLR consultations. See Hansard (February and March 2014).
- (4) There are very real concerns over civil service job losses within HMLR itself and Local Government departments. Why does BIS/HMLR cite flexibility of staffing as a real reason

and genuine benefit should these proposals become fact, when BIS and HMLR both frequently appoint public sector employees via off-payroll hiring.

- (5) HMLR delivers millions to The Treasury, enjoys a customer satisfaction rating of 98% and costs the taxpayer nothing – why are the Government changing one of the few public services that works well? HMLR should remain as it is carrying out the functions it currently does. Political meddling, creation of spin-off agencies/companies will only cost money. Creating another government led IT system will be another white elephant costing millions. The UK housing market underpins the whole economy and the current system works perfectly – tampering, tweaking, adding more functions to such a complex system will cause problems too big for quick political fixes.
- (6) The timing of both the HMLR and BIS consultations SUGGEST both are being hurried to make legislation appear in the Queens Speech (May 20124).

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:

The level of information provided so far regarding; HMLR its quest for wider powers and its transformation into a GovCo have been severely lacking. The business cases are littered with omissions citing confidential plans, factual inaccuracies which demonstrate Governments ability to run before it can walk and a distinct required outcome to paint the vaguest picture possible. I suggest that both BIS and HMLR engage on more meaningful and transparent dialogue with all stakeholders, face to face and over a serious timeframe to ensure national stability – stakeholders must include the wider Personal Search Companies representative, “IPSA”.

The Land Registry Advisory Council (LRAC) – which is just a narrow collective of contingent interests and serves NO consumer benefit, must be made a Public Interest Company (PIC) – which operates independently and is open to all who wish to participate; regardless of the consultation outcome. This action alone would go some way to promote the transparency agenda the Government wishes to deliver.

Question 3

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

Comments:

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Question 4

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

Comments:

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Question 5

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

Comments:

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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:

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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:

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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.

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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:

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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:

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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:

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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:

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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:

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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:

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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:

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Question 16

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

Comments:

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Question 17

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

Comments:

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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

The outcomes of both HMLR and BIS consultations are of deep interest and distress. The creation of a data monopoly then privatised seems to be the only game in town. The HMLR internal testing operations are not conclusive. The business strategy is vague and shrouded in ‘confidential’ data not published to stakeholders prior to this consultation, or the HMLR Wider Powers consultation – NO clear vision is being made available for critique, positive or negative; what Government have delivered is, at best, an outline of the future – and the sandwich analogy fits best – all bread and no filling; rather unappetising when presented.

I have genuine concerns regarding the use of ‘personal data’ by a third party. The DVLA have proved themselves to be robust in selling personal data, why would HMLR and BIS promote this model over the excellent framework and delivery it currently enjoys.

Stated within this document, many times, is the need for Government to engage with all stakeholders and just for a moment BIS and HMLR need to think about the UK housing market and the businesses attached to it in the process of buying and selling a home; the estate agents, the cleaners, the gardeners, the 'for sale' sign erectors, the DIY companies, the retail sector, the builders, painters and decorators, the electricians, plumbers, gas/boiler specialists, the conveyancing lawyers, the personal search companies, the local authorities, the environmental data companies, the CON29DW providers, the chancel repair liability report providers, the flood risk report providers, the coal risk report providers, the brine, tin, clay the insurance brokers, the mortgage brokers, the lending institutions, the removal companies and the lease companies who supplied the finance for those vehicles, the print and web media who advertised the properties and ancillary services that make up what is great about the UK housing market.

These proposals are narrow minded if they fail to consider what and whom it takes to buy and sell a home in UK.

Support micro, small and medium enterprises – think small first – before tampering with the nation's biggest resource.

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?

x ☒ Yes

☐ No

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