



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](http://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](mailto: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: Heather Wetzel  
Organisation (if applicable): Labour Land Campaign  
Address: 40 Adelaide Terrace, Great West Road, Brentford, Middlesex, TW8 9PQ

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)
	Micro business (up to 9 staff)
	Small business (10 to 49 staff)
	Trade union or staff association
<b>X</b>	Other (please describe) Voluntary Organisation. Research, lobbying & campaigning for land reform.

### 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: Efficiency and effectiveness is dependent on good management and good systems, not on whether a body lies within the public sector or the private sector. One essential requirement for the Land Registry to be fully effective, efficient and accountable is for it to be independent in its workings of any landed or commercial influence or pressure. It does need to be dynamic; striving for excellence and entrepreneurial but, first and foremost, fully accountable, transparent and working in the interests of the **whole** nation.

The purpose of the Land Registry must be in the interest of the whole of society within its boundaries and **not** for one sector such as the property market – we all need access to land for every aspect of our existence and the Land Registry should see its role as steward of this natural resource and not as client of land owners. The needs and interests of the Land Registry's current customers and potential customers will certainly not always be in agreement with each other. For example:

- Land is a free gift of nature with no cost of production and the Labour Land Campaign (along with others) maintains its economic value should benefit those who create land value (ie all of us as taxpayers and consumers) and this is in complete opposition to the interests of land owners and land developers whose interest is for them alone to take the value of the land they hold and not see any of it shared fairly with those who create it.
- Environmentalists believe that land should be used sparingly and carefully, reducing the need for urban sprawl and certainly not leaving buildings unused and not having development sites left idle or underused in our towns and cities. Developers and land owners want to gain as much value out of their land as possible and are prepared for their land to be left unused or underused - for decades in some cases - until the price of their land reaches a sufficient level to bring it into use.

There does need to be open discussion with all interested in land related issues for policy making to be responsive to commercial need as well of economic and social need of all parts of society.

The Labour Land Campaign maintains the Land Registry needs to be kept as one entity and kept within the Civil Service for it to be free to respond to the changing needs of the whole of society today and in the future in a fair and open manner. It must be free of privileged landed interests at all levels of its operation in policy making and in service delivery.

If there is a need to change legislation to enable the Land Registry to be more responsive then that is something that needs to happen and not be used as a reason to shift the delivery of Land Registry functions to the private sector.

## 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 Labour Land Campaign maintains the OCLR should be the body responsible for all policy and regulatory functions AND the body responsible for all the delivery functions.

Good decision making leading to good service delivery is dependent on policies and decisions being made using good, complete and accurate information. If the OCLR is not responsible for service delivery, it cannot be sure that the information it receives from the Land Registry service delivery company is not biased in favour of its shareholders or interests. Given the enormous amount of power and wealth that lies in the hands of land owners and developers, to have information potentially controlled by those vested interests being used by the policy making OCLR cannot be guaranteed to be complete or unbiased.

The OCLR must know the information it receives from managers responsible for service delivery is free of bias, is complete, transparent and accountable.

An example of where the functions of policy and service delivery being separated and failed because of a conflict of interests was with the introduction of Public Private Partnership (PPP) and the London Underground. When two PPP companies (each made up of a number of other companies) were awarded contracts to refurbish the London Underground, the experience was that because they were running the contracts in the interests of their shareholders and not in the interests of the travelling public or taxpayer, when decisions were made to introduce cost-saving measures that impacted adversely on the service. For example, after delayed works during a weekend closure, it was cheaper for the PPP company to continue works into the Monday morning peak period (thus stopping trains from running) and take a financial penalty from Transport for London (TFL) than to part finish the works in time for the 4am opening of the underground service and resume on another time. There are other such examples that can be given if required.

## Question 3

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

Comments: The Labour Land Campaign maintains that all the policy and service delivery functions should remain with the OCLR for reasons given above.

In our work, we have identified a need for collaborative work between the Land Registry, the Valuation Office, HMRC and Local Authorities. However, as our objective is to see the abolition of current property taxes and the reduction of certain negative taxes and the introduction of a system of collecting part of the annual economic rental value of all land, there would be an opportunity for the overall responsibility for this change to be carried out under the OCLR.

The main stages of our proposed fundamental tax shift would need:

- (a) all land to be registered recording its current permitted planning use
- (b) all land to be valued at that permitted use value
- (c) a levy charged on that annual rental value
- (d) the income collected to be distributed between local and government departments.

All of this information would need to be updated at least annually but preferably every six months.

The Labour Land Campaign sees our policy proposal as an opportunity to expand the work of the Land Registry in its policy and service delivery functions.

#### Question 4

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

Comments: The Labour Land Campaign finds these proposals to be confusing, unnecessary and unworkable; much better to keep the Land Registry as one body responsible for policy and service delivery. Again accountability and in whose interests would the service delivery company must be at the forefront of any changes proposed to how the Land Registry operates.

#### Question 5

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

Comments: As for question 4.

#### 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: The Labour Land Campaign does not believe the separation of the functions of the Land Registry as proposed will ensure the integrity of the Register will be met let alone guaranteed. Our reasons are the same as our objections given to our answers above.

### 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: No. The Labour Land Campaign believes the interests of a company's shareholders will automatically override the interests of the wider population where those interests vary; that is the nature of the private sector. Because land is a natural resource its registration information and how that is used, provided, charged for, managed etc must be kept within the Civil Service and not risk being manipulated or mismanaged in any way by landed interests.

### 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: None other than as set out above in relation to the collection of land revenue to replace all or part of revenue that other taxes currently collect inefficiently.

### 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: We do not agree with the split of functions for policy and delivery. It avoidably complicates the process and required understanding for complainants. The present complaints procedure is sufficient, and in no need of change.

### 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: We do not believe in the setting up of a Land Registry service delivery company because its shareowners' interests may be in conflict with the purpose of the OCLR and the population concerned as a whole. The escalation process will become more complex, less transparent and so will likely become less trusted.

### 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 above answer to Question 10. We think it vital that the service delivery function has a voice on the Rule Committee, but it is better not to formally separate the 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?

☒ Yes

☐ No

☐ Not sure

Comments: Keeping the delivery of the Land Registry services in the Civil Service so that such information cannot be used or sold in the interests of one sector of society such as the property sector or of land owners to the disadvantage of society as a whole.

We do not wish to see Data Protection used to prevent access to records that should be open to the public, and consider that this should be explicitly articulated; the LLC believes that the names of the owners of land (a **natural** resource) should be in the public domain free of charge because we all have a right to know who has beneficial ownership of part of our common wealth.

### 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: Under the proposal, the Labour Land Campaign is concerned that information passed to the Independent Complaints Reviewer could be incomplete or biased in favour of the interests of the service delivery company rather than in the interests of the complainant or the wider population.

### 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: Opportunities to improve the service should exist whether the Land Registry services are provided from the private sector or the public sector. Experience shows that there are the skills and expertise within the Land Registry for developing services in a professional manner that meet the needs of all business, landed and community interests. The risks associated with service delivery being entrusted to a private sector company, in the opinion of the Labour Land Campaign, are great. The main incentive of the private sector is to make profits whereas the incentive of public sector services are to provide high quality services that meet individual needs within a wider policy of meeting individual, community and national objectives.

Profits are maximised by providing the service as cheap as possible affecting wage levels, where inputs are sourced from and where services are/are not delivered without having to take responsibility for how those services impact on society as a whole.

Good services provided by the public sector will be cost effective, not necessarily using the cheapest options but will be available, accessible and affordable to all, be they an individual, a business, a community group, an NGO or any other sort of organisation. To look at any service provision in terms of profits will exclude swathes of society and is discriminatory.

### 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: Our reasons are as our above answer to Question 14. If a private company does not see a particular necessary service as being profitable, it will not normally offer it whereas the public sector will and will give it equal weighting to one that is in greater demand. The risk of a particular service or quality of service being delivered by a private company in a fair and open manner are too great to allow the work of the Land Registry to be moved to the private sector.

Again, we say that the power of land ownership and land wealth is so great that the work of the Land Registry must remain in the public sector.

### Question 16

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

Comments: Providing the Land Registry remains as one entity within the Civil Service, sees the main constraints being:

- (a) a change in its focus from being a provider for the whole of society to one that operates in the interest of the property/land market. Information about ownership of land etc is of interest to many including those interested in preserving right of way; those setting up a Community Land Trust, Garden City or similar; planning issues; those concerned with bringing idle development land and/or buildings into full use; local history; economic reform of land wealth and the tax system (eg the Labour Land Campaign) as well as developers and those involved in the property/land market.
- (b) A need for new legislation that allows the Land Registry to expand the services it provides as needs change and be innovative in what it delivers and how it delivers.

The success of the Land Registry is dependent on politicians and Civil Servants recognising the importance of this area of work

- (a) remaining in the public sector so there is no risk of any property or land owning interest using it for their own purpose and
- (b) being allowed to flourish in the public sector as providers of good quality, responsive, cost effective services for the benefit of all and not for profit or in the interests of the property market.



## Question 17

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

Comments: The argues that because land is a free gift of nature and no person has invented or created it, it should not be considered as a commodity with only the buyer and seller having an interest in any one parcel. An individual, a community and the nation as a whole can all be concerned about who owns what land; what use it is being put to and be able to challenge decisions proposed or made about its current or future use. It is vital therefore that information about ownership and use of land should be in the public domain and fully accessible to all at an affordable cost. This information and other relevant information concerning land should not be put into the hands of a company that could be controlled or influenced by those who own, speculate in or want to buy or sell land.

The Labour Land Campaign therefore argues that land, as a natural resource, should be used sparingly and efficiently in the interests of all and that land wealth should be collected for the benefit of the whole of society – that creates in the first place – and not be kept by owners of land.

Within this premise, we argue that a body such as the Land Registry must be open, transparent, accessible and accountable in its work to all and not be seen as a tool to support the interests of the property/land market. Land ownership has a history of economic and social abuse and misuse with power held by a minority of the population. The overarching stewardship of it must remain in the public sector be it in planning decisions or in the work undertaken by the Land Registry.

## 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 questions posed have been useful in responding to this consultation albeit some seem to be repetitive and skewed in favour of the proposal to separate the functions of the Land Registry and have a private company take over service delivery.

We are concerned that there may be an assumption that the Land Registry's main customer is seen to be those involved in the property market.

We welcome the opportunity to take part in this consultation and hope we have the opportunity to discuss with BIS our proposals further.

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



© Crown copyright 2014

You may re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. Visit [www.nationalarchives.gov.uk/doc/open-government-licence](http://www.nationalarchives.gov.uk/doc/open-government-licence), write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email [psi@nationalarchives.gsi.gov.uk](mailto:psi@nationalarchives.gsi.gov.uk).

This publication is also available on our website at <https://www.gov.uk/bis>

Any enquiries regarding this publication should be sent to:

Department for Business, Innovation and Skills  
1 Victoria Street  
London SW1H 0ET  
Tel: 020 7215 5000

If you require this publication in an alternative format, email [enquiries@bis.gsi.gov.uk](mailto:enquiries@bis.gsi.gov.uk), or call 020 7215 5000.

**BIS/14/510RF**