



## 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:

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Shareholder Executive  
Department of Business, Innovation and Skills  
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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.

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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)
	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: This not agreed. The Land Registration service delivered by the Registry at the present time is generally efficient and effective

### 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: It is inappropriate that these functions be delegated to a private company. Whilst such a company may be government owned initially there would always be the risk that ownership of the company could pass to outside individuals, possibly non UK nationals or entities.

### Question 3

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

Comments: All functions should be retained in OCLR – Land Registration is a public service and should not be privatised.

#### Question 4

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

Comments: There is scope for difficulties and confusion if functions are shared between two separate bodies, whatever the terms of a service agreement between the two.

#### Question 5

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

Comments: These are adequately handled by Land Registry at present and should remain there.

#### 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

X ☒ No

☐ Not sure

Comments: The integrity of the Register, the state title guarantee and the provision of indemnities should be a public responsibility and if this is diluted there is always the risk that these protections will be compromised.

#### 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

X ☒ No

☐ Not sure

Comments: Any non-civil servants will presumably not be subject to the Official Acts and whilst much of the Register is public there are still documents of a sensitive nature which remain private. There would always be the risk of such matters being disclosed if e.g. News International or other newspapers continued activities that have recently exposed and if this occurred it would probably be easier to prosecute under the Official Secrets Acts rather than under other legislation

### 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: The present position is adequate and no change is necessary

### 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

X ☒ No

☐ Not sure

Comments: There will be the possibility of confusion as to whether a complaint relates to a registration decision or for some other reason. Certainly applicants may not understand the distinction. This will only result in dissatisfaction on the part of applicants.

### 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

X ☒ No

☐ Not sure

Comments: It seems unduly complicated.

### Question 11

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

☐ Yes

X ☒ No

☐ Not sure

Comments: Land Registration rules should remain under public control through the OCLR.

### 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: If there is a service delivery company then its employees should be subject to the Official Secrets Acts notwithstanding that it may be wholly or partly privately owned –see answer to question 7 above

### 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: The arrangements are adequate at present

### 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

X ☒ No

☐ Not sure

Comments: If the company is government owned at first there is always a risk that it could be wholly or partly sold off in the future – as such the risks and opportunities remain the same and the risks would increase if the company was sold off.

### 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

X ☒ No

☐ Not sure

Comments: See answer to question 14 above

### Question 16

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

Comments: Any legislative restrictions can be removed but it must never lose sight of its main function which is the operation and maintenance of the register and the integrity thereof, provision of the state title guarantee and indemnities

### Question 17

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

Comments: At present Land registry is a trading fund that finances its work through fees charges and is understood to make a profit which presumably accrues to HM Treasury. The service delivery is good and "it is ain't broke don't fix it"

### 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 No

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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