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The Newcastle upon Tyne Law Society

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Dear Sir

Department of Business, Innovation and Skills Consultation Document

Introduction of a Land Registry Service Delivery Company

About us

This document is filed on behalf of the Newcastle upon Tyne Law Society. The Society is an independent local law society and learned body with a membership of 978 solicitors and trainee solicitors in the area from Berwick upon Tweed to Durham. A significant majority of our membership deal with property matters.

At the time of the preparation of this response - 3.54pm on 18th March 2014 the Consultation Document was not available to download at the gov.uk website. Although the problem would appear to now be resolved, this I.T failure made the consultation process somewhat more problematic than might otherwise have been envisaged.

In the local area there is a universal view held by the profession that solicitors and staff involved in property transactions have a huge amount of respect for the product delivered and service provided by the Land Registry, both through its existing systems and also from its personnel. Over the last ten years or more, its performance has substantially improved and it is arguably unrivalled amongst all Government departments. One seldom hears any criticism from the profession regarding what HMLR achieves or the manner in which it does so.

The security of ownership of land and its protection from attack both physical and electronic is fundamental to Society. We therefore fail to understand what justification exists for interference in something so safe and respected as the Land Registry. Indeed, why take unnecessary risks?

The current model, where various teams within the Land Registry oversee and effect the changes to legal title, does not appear to be subject to any well-founded criticism. In fact, such praise as set out above, coming from the legal profession, which some politicians may rightly or wrongly regard as perpetually critical of Government departments, might almost be seen as unprecedented.

To be simply given the opportunity of passing comment on how the delivery of the service of

the Land Registry should be devolved, without offering the opportunity to pass opinion as to whether such devolution is appropriate in the first instance is unacceptable. This should in fact be the first question to be asked.

Without prejudice to the above, we have the following comments:

- Three options are put forward as regards ownership of the proposed service delivery company but no details are provided as to how these would operate. It is impossible therefore for anyone to make any reasonable assessment as to the extent that a new model has to undermine or pose a risk to confidence in the register or to undermine the integrity of the register.
- It is hard to understand how any changes to the current model could bring about increased efficiencies or increase the effectiveness of the Land Registry particularly when the organisation does not at the present time result in any cost to the tax payer.
- The Government has found it difficult to control service contracts in other areas. A commercially provided service runs the risk of increased costs and diminishing quality of service.
- Companies House has remained a Trading Fund within the same group and has stayed as an Executive Agency while at the same time driving efficiencies, increasing volumes and retaining quality. We cannot see that it is necessary to consider alternatives for the Land Registry.
- The Government should take pride in HMLR as it is - a well run, financially efficient public service. There is no justification for the current model to be subject to such radical interference.

Yours faithfully

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