



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
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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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Organisation (if applicable): Land Data cic and on behalf of the National Land Information Service (NLIS)
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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 checked="" type="checkbox"/>	Business representative organisation/trade body
<input type="checkbox"/>	Central government
<input checked="" 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
x	Medium business (50 to 250 staff) (<i>NLIS</i>)
x	Micro business (up to 9 staff) (<i>Land Data</i>)
	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

X No

☐ Not sure

Comments:

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: **See above, not relevant.**

Question 3

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

Comments:

Question 4

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

Comments: **We do not agree with any proposals to “break up”, separate or divide the Land Registry.**

Question 5

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

Comments: **Not Applicable we do not agree with the proposals as drafted.**

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:

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: **As a public service, the trust that has always been placed in the Land Registry assures the public that it is independent and has authentic credentials. Introducing the private sector into this scenario could undermine that trust.**

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 Applicable we do not agree with the proposals as drafted.**

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: **Not Applicable we do not agree with the proposals as drafted.**

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: **Not Applicable we do not agree with the proposals as drafted.**

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: **Not Applicable we do not agree with the proposals as drafted.**

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: **Not Applicable we do not agree with the proposals as drafted.**

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: **Not Applicable we do not agree with the proposals as drafted.**

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?

X Yes

☐ No

☐ Not sure

Comments:

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.

X Yes

☐ No

☐ Not sure

Comments:.

Question 16

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

Comments:

Question 17

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

Comments:

The Land Registry achieved a surplus of £98.8 million and has already undergone stringent efficiency reviews. I understand that the cost per unit is £23.36, significantly better than the key performance target of £28.41 and the return on capital employed was an impressive 23.4%. Net assets approach £0.5 billion and the cash-flow position at year end will be positive, with approximately £472 million cash in the bank. This year, the Land Registry paid a dividend back to the Treasury of £26 million.

The above demonstrates the value and viability of the Land Registry in its existing form. There is no justification for privatisation.

Michael Fallon MP is quoted as saying that Ministers “have a responsibility to review continually whether the business can drive further benefits to its customers and the wider market by driving digital by default services, which could deliver lower-cost services and reduce processing time”.

Having nearly 35 years’ worth of experience in this market I do not know of any organisation, public or private, who could deliver a better core service, or indeed lower cost products (many at £3.00). It is a complete fallacy to believe otherwise. In my experience costs will rise and the consumer will be more poorly served – the very opposite of Michael Fallon’s objectives.

However, having said that, the Land Registry could review its position by withdrawing from the competitive marketplace and by operating as a ‘certified’ data warehouse (focussing on Land Registration matters – which could include consultancy and advisory services).

New and existing intermediaries would then be charged with developing, funding and delivering potentially innovative products to market which contained protected and certified Title and other Land Registry produced data. The market would be stimulated, the consumer (and Land Registry) would be protected and the digital by default mandate delivered.

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 We believe that the outcome of this consultation needs to have been decided before the outcome of the “Wider Power and Local Land Charges consultation” can be properly considered.

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? **X Yes** ☐ No

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