



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:

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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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Please tick the box from the list below that best describes you as a respondent. This allows views to be presented by group type.

x	Business representative organisation/trade body
	Central government
	Charity or social enterprise
	Individual
	Large business (over 250 staff)
	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:

The present system works admirably and keeps control in the hands of a Government Agency. The proposal opens the possibility of privatising the Register which reduces the value of the State guarantee of Title and brings in a profit motive which does not at present exist.

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:

Whilst if there was a split these powers would be necessary but it is better to keep them together to maximise the current very efficient staffing and service provided.

Question 3

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

Comments:

There is no perceived benefit in the proposals and no satisfactory argument made in their favour. It is pure ideology. The current function and staff expertise should be retained together.

Question 4

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

Comments: There is no benefit in duplicating the functions which can be and are being well run by the existing structure. This is a complete waste of money and will bring no benefit to consumers

Question 5

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

Comments: Whilst the functions may be administrative in nature it is vital for the economy of the country and home and other property owners that a properly controlled system is maintained. Any separate service company can be acquired by anyone including foreign owners and hedge funds whose interests would be very different from that of the present system which delivers an excellent service at no cost to the taxpayer (and even makes a profit.) This is evidenced by the recent reduction in fees which would be very unlikely to occur in the future under the proposals

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: There is a fundamental flaw that once the delivery company exists it will not be possible to exercise control in the same way as a Government Agency

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: This is a State service and should be provided by the state. Any other delivery mechanism must be driven by the profit motive and will result not only in huge redundancy costs to the taxpayer for no perceived benefit but a reduction in quality of staff and third party employers will offer reduced terms.

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: It is better not to remove the functions in the first place. No case has been made to show what benefits would accrue as a result of these proposals. The present arrangements work well. They consult regularly with stakeholders and as a result LSSA have been instrumental in improving many of the electronic services now provided. Our experience of other agencies which are not state controlled like RTA Portal do not provide any encouragement that this would be continued to the detriment of the conveyancing industry.

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: It is unnecessarily bureaucratic and would not be necessary if the system was left well alone

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: See 9

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: Excluding the reasons why the proposal should not proceed at all, kif the delivery company was involved they would at least understand what the Committee was trying to achieve.

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: The delivery company should not be protected from the Freedom of Information Act

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: It is too weak

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: There are no extra opportunities created by these proposals which do not already exist (and which are largely being used by HMLR)

There are huge risks to data security if in the hands of third parties and the proposal risks upsetting the confidence of the consumer in the security of the title to their homes.

There are no gains apparent only increases risks.

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: It is better not to go there in the first place. But in so far as the Government is trusted by the electorate they do have a say and HMLR have an unblemished record of service whereas the same cannot be said for any commercial company which exists only to make a profit for its owners.

Question 16

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

Comments: Proposals like this one interfering with the delivery of an excellent service which is gradually (at a pace the market is happy with) being modernised with proper safeguards.

Question 17

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

Comments: Don't do 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

This form was stated to be an electronic one but seems only to work as a download.

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

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