

Land Registry

Landnet

40

February 2014

In this issue

Land
Registry's
customer
magazine



Welcome to *Landnet* 40.

This issue of *Landnet* is being published in two editions: this PDF version and [on the Land Registry blog](#). It means we're no longer publishing the website version that we created when *Landnet* first became an electronic magazine in 2010.

The main reason behind the change is that the blog allows us to give a higher profile to individual articles via social media. It's also a mobile medium that won't be affected by our website's move to the pan-government [GOV.UK website](#) later this year.

The content of the blog version of *Landnet* will match closely that of the PDF although, of course, the presentation will be very different, as was the case with the website version. It's just the latest change in format in *Landnet's* 11-year history and one we hope readers will welcome.

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Landnet can be made available in other formats on request. If you require *Landnet* in another format, please contact Customer Support by email customersupport@landregistry.gsi.gov.uk or on 0844 892 1111.

To receive a bulletin every time *Landnet* is published, please send your name, job title and email address to gavin.curry@landregistry.gsi.gov.uk

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Designed by Graphic Design, Marketing Services Team; published by Land Registry, Head Office, Trafalgar House, 1 Bedford Park, Croydon CR0 2AQ

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Reminder that some fees will fall from 17 March

On Monday 17 March our new Fee Order will come into force. We will be introducing:

- a flat fee for all ‘inspection of documents’ and ‘official copy of document’ (OC2) applications
- a reduction in the number of fee bands for scale 1 registrations
- a reduction in the fee for scale 1 registrations of properties priced between £80,001 and £100,000
- a 50 per cent reduction in fee for the registration of transfers of the whole of a registered title, charges of the whole of a registered title and transfers of charges and some fixed fee applications if made electronically.

To prepare for the new Fee Order we encourage you to familiarise yourself with the details on our [website](#) and make any necessary changes to your processes and systems.

Customers who submit their applications by post should note any postal applications submitted on or after Friday 14 March should include the new fee as these will arrive at our offices on or after 17 March. Applications submitted using Business e-services will be charged the correct fee automatically via variable direct debit.

If you’re planning to save money by lodging certain applications electronically through the portal and Business Gateway, you’ll also benefit from further improvements to our digital services.

Enhancements to our electronic Document Registration Service (e-DRS) in March will allow you to submit electronic applications to:

- register the sale or mortgage of any registered property
- register and extend leases on any registered property

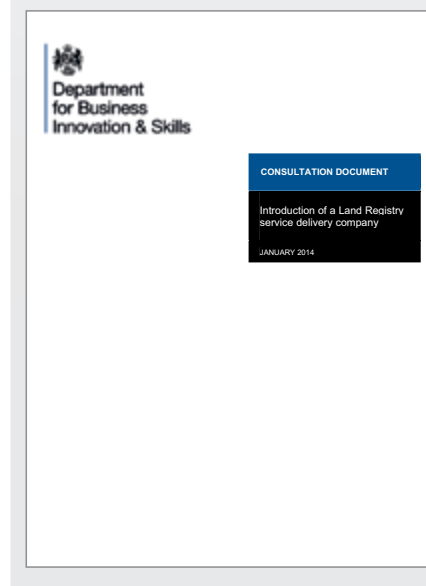
whether the application affects the whole of the property or part of it ([see page 7](#)).

We have also released a ‘beta’ version of our new MapSearch service, which offers you an online map that contains the location and title number of every registered property in England and Wales.

You can access MapSearch free of charge through the portal to quickly establish whether a property is registered and obtain a title number ([see page 8](#)).

Public consultation on Land Registry

The Department for Business, Innovation and Skills (BIS) is asking for views on proposals to create a new company to take on service delivery functions from Land Registry. The [consultation](#) closes on Thursday 20 March.



Consultation on wider powers and providing Local Land Charges searches

Readers have until Sunday 9 March to respond to [our consultation on widening our powers and providing Local Land Charges searches](#).

The first part seeks views on extending our powers to provide information and register services relating to land and other property. This would enable us to play a wider role in facilitating the land and property market.

The second part relates to our proposals in one such area: to seek authority to take over the statutory function for holding and maintaining a composite Local Land Charges Register for England and Wales.

This would also involve the provision of Local Land Charges searches and together would enable us to provide a more consistent, standardised Local Land Charges searches system.

The fees for the searches currently provided by 348 local authorities in England and Wales vary from £6 to £96 and the turnaround time from one to 40 days.

Chief Land Registrar and Chief Executive Ed Lester said: “There are huge variations in how Local Land Charges information is held across local authorities, ranging from paper record cards and plans to scanned data and microfiche, resulting in variations in cost, quality and speed.

“We are trying to make a real difference to conveyancing efficiency by providing easy and transparent access to vital land and property information.”

Sefton, Denbighshire, Newark and Sherwood, Swindon, Havant, Watford and Liverpool councils helped trial a prototype service last year.

Liverpool City Council Technical Support Manager Pete Flynn said his local authority had been pleased to be involved. “Together we demonstrated that this could work and that if Land Registry were to roll this out then there could be benefits to the conveyancing process in the UK,” he said.

Land Registry has also explored using open standards for local authorities to publish Con 29 information and will be working with a range of stakeholders and the market to develop a prototype for Con 29 searches.

Registration of company charges

Although the regime for the registration of charges by companies with the Companies Registry changed nearly a year ago, a significant number of applications to Land Registry to register a company charge do not include all the required evidence.

When lodging a company charge dated on/after 6 April 2013 for registration with Land Registry you will need to enclose:

- the original charge (and certified copy if you want the original returned to you) or a certified electronic copy of the original charge if lodging the application through the electronic Document Registration Service (e-DRS) (see note 1)
- a copy of the certificate of registration issued by the Companies Registry. This will be an electronic copy if you lodge the application through e-DRS or a paper copy of the certificate when sent by post. The paper copy does not need to be certified
- written confirmation or a certificate by the company,

lender or a conveyancer that the charge lodged for registration is:

- the original charge of which a [redacted] copy [under section 859G of the Companies Act 2006] has been filed at the Companies Registry
- the charge to which the accompanying certificate of registration relates.

Note 1: You must not make any redactions to the original charge sent to us. However, if you wish to make an application to exempt information from disclosure under rule 136(1), Land Registration Rules 2003, you should send us a full unedited copy of the charge as well as a redacted version, form EX1/EX1A and the fee under Schedule 3, Part 4(2) of the Fee Order.

Note 2: As a company may create more than one charge on the same day you must ensure that any certificate supplied clearly states that the unique reference number the Companies Registry allocates to the charge does relate to the charge being lodged for registration.

If you have any queries, please contact Customer Support on 0844 892 1111.

Refunds on applications to register the grant of an easement

If you have submitted an application to register the grant or acquisition of an easement you may have overpaid us. You may be eligible to claim a refund if your application was submitted since 1 April 2004 and related to three or more title numbers.

Since 1 April 2004 you should have been charged under [Article 12](#) of the Fee Order. Under this Article, there is a single fee for the registration of the grant or acquisition of an easement irrespective of the number of titles affected by the application.

You may have paid an additional fee per title if your application affected more than three titles and were charged under the provisions of [Schedule 3, Part 1, paragraph 1](#) of the Fee Order.

In most cases there will be no difference in fee, but if the application affected the grant or acquisition of an easement relating to more than three titles, it is possible you may have overpaid.

Applications for the entry of an agreed or unilateral notice regarding an easement are not affected.

If you believe you are entitled to a refund, please email easementrefunds@landregistry.gsi.gov.uk giving details of your application.

House Price Index publication calendar

Land Registry is one of the United Kingdom's four producers of official house price statistics, along with the Office for National Statistics, Registers of Scotland and Land & Property Services, Northern Ireland.

Work is underway to develop a single UK House Price Index, as reported in [Landnet 39](#).

Land Registry's House Price Index (HPI) will meanwhile be published as follows.

January

Full HPI: Friday 28 February at 9.30am

February

Headline figure: Tuesday 18 March at 2pm
Full HPI: Friday 28 March at 9.30am

March

Headline figure: Wednesday 16 April at 2pm
Full HPI: Wednesday 30 April at 9.30am

April

Headline figure: Monday 19 May at 2pm
Full HPI: Friday 30 May at 9.30am

May

Headline figure: Tuesday 17 June at 2pm
Full HPI: Friday 27 June at 9.30am

June

Headline figure: Wednesday 16 July at 2pm
Full HPI: Monday 28 July at 9.30am

July

Headline figure: Monday 18 August at 2pm
Full HPI: Friday 29 August at 9.30am

August

Headline figure: Tuesday 16 September at 2pm
Full HPI: Friday 26 September at 9.30am

September

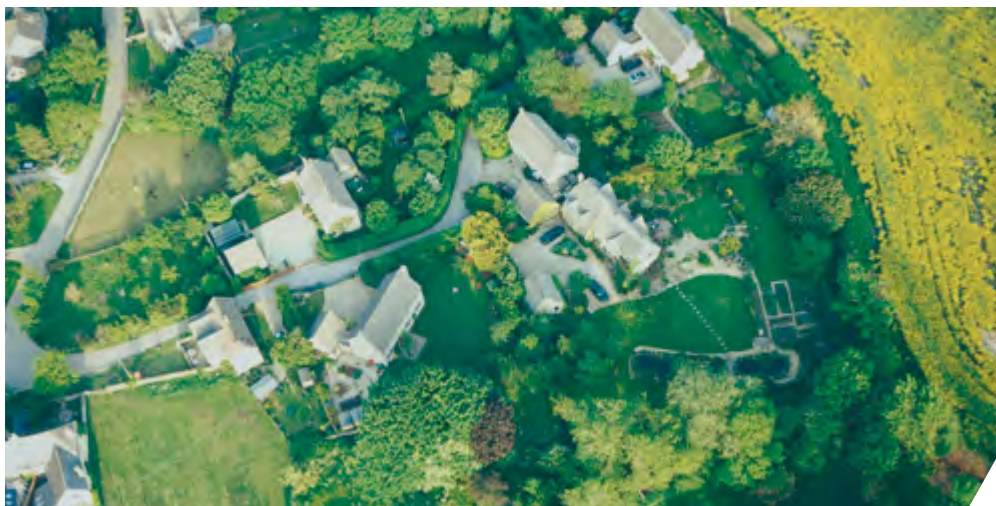
Headline figure: Thursday 16 October at 2pm
Full HPI: Tuesday 28 October at 9.30am

October

Headline figure: Tuesday 18 November at 2pm
Full HPI: Friday 28 November at 9.30am

November

Headline figure: Tuesday 16 December at 2pm
Full HPI: Tuesday 30 December at 9.30am



Digital day brings delegates up to speed

Senior local authority managers were briefed on Land Registry's Local Land Charges project and other developments in our digital and data programmes at the second in a series of collaborative events.

The session was run by the Department for Communities and Local Government (DCLG) at its central London headquarters to explore the potential for joint working between central and local government.

The first had been held at our Nottingham Office, where the current consultation on Land Registry's proposals to become the sole registering authority for Local Land Charges and a provider of searches was also discussed.

Commercial & Customer Strategy Director Eddie Davies welcomed the delegates and opened a discussion on how local and central government can work together to develop better services for customers.

Other speakers included Jill Bailey and Sheenagh Reynolds, DCLG's Local Digital Campaign Director and Assistant Director Digital respectively, and Lucie Glenday, Programme Director at Surrey County Council.



Speakers (clockwise from above) Eddie Davies of Land Registry, Trude Brinck-Johnsen Margel of Infoland, Duncan Chittenden of Land Registry and Lucie Glenday of Surrey County Council

Ms Reynolds said the ongoing Local Digital Campaign "aims to build a two-way digital conversation between local and central government".

'Speed sessions' brought the delegates up to date on a wide variety of topics, with Trude Brinck-Johnsen Margel of Infoland explaining how the idea for Norway's 'one-stop' property portal came from local government.

More events are planned around the country. Eddie said: "It is important to continue with these events so we can share best practice and understand where opportunities exist for collaboration."



E-DRS: register new leases and transfers of part electronically

Business e-services customers will soon be able to send us electronic applications to register new leases and transfer part of a property.

We're due to make the enhancements to our electronic Document Registration Service (e-DRS) on both the portal and Business Gateway by the end of March.

Combined with the improvements to e-DRS in November allowing customers to extend leases electronically, these enhancements will mean you can:

- register the sale or mortgage of any registered property
- register and extend leases on any registered property

whether the application affects the whole of the property or part of it.

In addition:

- severance of joint tenancy (SEV) will be added to the drop-down list of document types in the portal
- the limit on the number of title numbers you can send us per application will rise from 20 to 50 on both the portal and Business Gateway.

We are also making a number of improvements to Business Gateway.

- The application schema and attachment schema will be updated to allow customers to provide free-format notes with applications.
- The application schema will be updated to include renewal of home rights (HR2), cancellation of home rights (HR4), assent of part (AS3) and change of property description for an application type (along with

lease, assent of part and transfers of part).

- We will be updating the result response for an application to include the ability to provide a fee adjustment indicator.
- We will provide our full [Register Extract Service](#) with Business Gateway e-DRS results.

Remember that from Monday 17 March e-DRS users will benefit from a 50 per cent reduction in fee for:

- registration of transfers of the whole of a registered title
- charges of the whole of a registered title
- transfers of charges and some fixed fee applications.

Test out our new MapSearch service

All Business e-services customers can test out our new free-to-use web-based MapSearch service available through the portal.

MapSearch is an instantaneous, self-service alternative to our Search of the Index Map (SIM) service.

At no cost, MapSearch users can:

- quickly establish whether land or property is registered
- view the location of registered land/property
- obtain title numbers, details of freehold or leasehold tenure and other registered interests.

Customers who require the benefit of the indemnity provisions for this information will still need to apply for a SIM.

MapSearch is currently in a public 'beta' phase, which means it's being tested while we establish whether we're ready to launch it in March.

Customers made 13,000 searches with the new service in the first week it was available through the portal.

This phase follows a trial with a small number of customers over the past couple of months that has helped us develop and improve the service.

Our [short demonstration video](#) shows it in action. Please note the service you use may include enhancements that are not shown in the video.

To access the service log into the portal and select MapSearch from the 'Information Services' menu on the left-hand side of the portal home page.

What's the difference between information from MapSearch and a SIM result?

	MapSearch	Search of the Index Map (SIM)
Cost	Free	There is a fee (see our Fee Order)
How to carry out a search	Self serve on a digital map	Submit an electronic or postal SIM application to Land Registry
How to obtain results	Instantly (self serve)	Once processed, Land Registry returns the results digitally or by post
Does the result have the benefit of indemnity provisions (Schedule 8, Land Registration Act 2002)?	No	Yes

Property Alert helps protect public against fraud

Our new **Property Alert** service is designed to help members of the public protect themselves against property fraud.

The online property monitoring service has been running as a 'beta' service since the beginning of January and following excellent feedback will now go live to everyone on Tuesday 4 March.

The free service is aimed at anyone who feels that a registered property could be at risk from fraud.

People who sign up will be sent email alerts each time an official search or application is received against one of up to three monitored properties, allowing them to take action if necessary.

We would encourage you to recommend the service to your clients as a further counter-fraud measure they can take.

Although Property Alert is intended to be predominately an online service, Assisted Digital support will also be provided for anyone unable to access the service online.

For more information about property fraud, please see our [web pages](#).



Seeing the big picture with Land Registry

For many organisations, gathering a comprehensive overview of their property portfolio is vitally important for their business.

Housing associations need it to fulfil certain regulatory responsibilities, property developers and investors need to analyse their funding potential, large organisations may want to check their asset ownership while solicitors may be instructed to analyse one or all of the above for their clients.

However collecting all this data can be time-consuming, and it may not even be readily available within the business. That's why we have developed our Property Portfolio Consolidator (PPC) service. PPC takes away the hassle by providing an overview of every registered

property you or your client own, with data coming directly from the definitive source of property ownership information in England and Wales.

To begin with we carry out a search of the register by developing a robust set of search terms with you. From the results we compile a report which includes the title number, property address and tenure of every property found, as well as any relevant property ownership and charge information. We also provide a CD with official copies of the register in PDF format for each registered title analysed.

The information can then either help create an asset database for the organisation or confirm the data already held in it. Comparison of the results against the existing database can also help you identify any anomalies within the portfolio – anomalies that if not identified and acted upon could increase the risk of financial loss.

For example the results could show some properties as not registered, the correspondence address as out of date or instances where the class and tenure of the title could be significantly improved.

We also offer a range of other optional services to enhance the

PPC results. If you or your client has a geographic information system (GIS) we can provide an ownership layer of all the titles. We can also provide current and historical price paid information for each property as well as any associated lease details.

To keep this essential information current we also offer an update service of flexible regularity. We complete a full re-run of the original search before sending a report showing all the changes to affect it.

Since we introduced PPC in 2011 our customers have appreciated how quickly the service provides data proven to be essential in helping make important strategy and management decisions.

Karen Morley of Together Housing Group agrees: "The service was quick, efficient and economical and saved us a lot of time and effort, giving us all of the Land Registry information relating to the housing association from one enquiry so that we knew that we had captured all of the registered titles."



To find out more about Property Portfolio Consolidator and how it could be of benefit to your or your client's business, visit our [website](#) or contact our Commercial Services team on 0800 678 1678 or at commercial.services@landregistry.gsi.gov.uk or [request a call back](#)

Cancellation of Form A restrictions

When application is made to cancel a restriction in Form A of Schedule 4 of the Land Registration Rules 2003 we require evidence which shows that:

- where there is a sole proprietor, the proprietor is now the only person with a beneficial interest in the property, or
- where there are joint proprietors, the proprietors now hold the land on trust for themselves as beneficial joint tenants and that no one else has a beneficial interest in the property.

To show this, an application for cancellation should be accompanied by evidence which:

- explains what has happened to the original beneficial interest protected by the restriction
- if it has devolved to the registered proprietor or proprietors, explains how it has so devolved
- confirms, if such be the case, that no one other than the registered proprietor now has a beneficial interest in the property

- confirms if such be the case, that no beneficial interest in the property has been encumbered (other than by a charge that is also of the legal estate), and
- if there are two or more registered proprietors, confirms, if such be the case, that they hold the property on trust for themselves as beneficial joint tenants.

Prior to April 2013 we required confirmation:

- of how the registered proprietor(s) became entitled legally and beneficially to the registered estate
- that they had not encumbered their undivided share, and
- that they had not received notice of any incumbrance on the shares of the previous/deceased trustee(s).

Although until now we have accepted applications which included evidence in this form, we will no longer complete applications where the supporting evidence does not meet our current requirements.

[Practice Guide 24 – Private trusts of land](#) contains more information relating to the entry, effect and removal of Form A restrictions. [Landnet 29](#) also covered the subject of cancellations.

Cancelling Form A restrictions

This is the second of two articles covering restrictions and follows Understanding restriction in Landnet 27

When an existing Form A restriction is no longer required because the registered proprietor or proprietors have become the sole beneficial owner or owners (and in the case of joint proprietors they hold as beneficial joint tenants) application made to cancel the restriction

Execution of deeds by local authorities



Local authorities are significant landowners. About 770,000 titles (3 per cent of the current total) are registered to local authorities. It is not surprising then that local authorities are often involved in conveyancing transactions.

Most local authorities execute deeds using a seal, although parish and community councils are expressly exempted from any requirement to keep one.

There are no hard and fast rules about execution, but Land Registry will accept a deed executed by a local authority in one of the following ways (which also entitle someone dealing with a local authority to presume that the deed is validly executed – see [sections 74 and 74A, Law of Property Act 1925](#)).

- It is executed as a deed and sealed with the authority's seal in the presence of two individuals who each sign the deed and (a) who are each stated to be members of the board of directors, council or other governing body of the corporation or (b) one of whom is expressed to be

such a member and the other is expressed to be the clerk, secretary or other permanent officer of the corporation or their deputy.

- Or, it is signed on behalf of the local authority by a responsible official whose signature is witnessed **and** the deed refers to a specific resolution (quoting its date) of the local authority authorising that official to execute the deed.

Many local authorities delegate authority to execute deeds and documents to various senior officers and have made arrangements with Land Registry to avoid evidence having to be produced in support of

a deed lodged for registration.

A disposing authority should confirm to conveyancers if they have executed a deed in accordance with such an arrangement. The execution clause should make it clear who is signing the deed.

When drafting deeds many authorities write 'authorised signatory' as they don't know who might be available to sign it. Land Registry will query deeds executed in this way unless there is evidence to confirm the people named in an arrangement have signed the deed, for example, if they have printed their name under their signature or if the signature is legible.



The Land Registration Act 2002 – 10 years on

Part 5: Leases

In the latest in our series on the anniversary of the Land Registration Act 2002, a Land Registry lawyer looks at the recent history of leases

The basis of registered leasehold conveyancing was not, of itself, an issue which was one of the drivers of change to the system of registration that existed under the Land Registration Act 1925.

However, part of the fundamental objective of the draft Land Registration Bill included in the consultative document *Land registration for the twenty-first century*¹ was that “*the register should be a complete and accurate reflection of the state of the title at any given time...*”²

The fact that only leases with more than 21 years to run from the date of grant or date of assignment were the subject of compulsory registration³ meant that a large proportion of very valuable property assets (including the majority of commercial leases) remained off the register, and took effect as overriding interests⁴ in the conveyancing process.

The first main impact of the Land Registration Act 2002 (LRA 2002)

on leasehold property was to substantially reduce the limit to the term of a registrable lease. So, the grant out of an unregistered estate of a lease for a term of more than seven years from the date of the grant, or the assignment or mortgage of leases with more than seven years left to run, generally became subject to the compulsory requirement for registration⁵. Leases with terms of more than seven years still to run could also be the subject of voluntary registration⁶.

Similarly, the grant out of a registered estate of a lease for a term of more than seven years from the date of the grant became a registrable disposition and so had to be completed by registration in order to take effect at law⁷. It also became possible to enter a unilateral or agreed notice in respect of leases granted for a term of more than three years from the date of the grant⁸.

¹ Law Com 271, published jointly by the Law Commission and Land Registry in July 2001.

² Paragraph 1.5, Law Com 271.

³ S.123(1), Land Registration Act 1925 (LRA 1925).

⁴ S.70(1)(k), LRA 1925.

⁵ S.4, Land Registration Act 2002 (LRA 2002).

⁶ S.3, LRA 2002.

⁷ S.27(1) and (2), LRA 2002.

⁸ S.33(b), LRA 2002.

cont'd

There are special provisions for discontinuous⁹ and reversionary leases¹⁰, and specialised situations such as shared ownership leases, concurrent leases and leases and enfranchisement under the Leasehold Reform, Housing and Urban Development Act 1993¹¹.

In 2006¹², following consultation, Land Registry introduced prescribed clauses leases for most leases granted out of a registered estate on or after 19 June 2006, with most of the essential information required for entry in the register set out in panels on the front pages of the lease.

The exceptions to this provided by rule 58A(4)(c), Land Registration Rules 2003 (LRR 2003) are leases where a particular form is expressly required:

- (a) by agreement entered into before 19 June 2006, or
- (b) by an order of the court, or
- (c) by another enactment, or
- (d) by a necessary consent or licence for the grant of a lease given before 19 June 2006.

Another exception is a lease created by operation of law on a variation of a lease which is a deemed surrender and regrant: rule 58A(4)(d). This last exception is important, as can be seen below under *Extension of leases by variation*.

The new rule 58A means that conveyancers must ensure two things with respect to prescribed clauses leases.

The first is that the following matters are correctly specified or referred to in the correct panels.

1. Alienation restrictions (LR8).
2. Rights of acquisition such as renewal rights, options, obligation to surrender (LR9).
3. Restrictive covenants by the landlord in respect of other land (LR10).
4. Easements granted or reserved by the lease (LR11).
5. Estate rentcharges (LR12).
6. Applications for standard form restrictions (LR13). These must, in addition, set out the full wording of the restriction applied for¹³.

If not, Land Registry is not obliged to take any action with respect to these matters, unless an appropriate separate application is lodged, even if the matters are referred to elsewhere in the body of the lease¹⁴.

Secondly, the title numbers of all the titles against which entries must be made in respect of LR9, LR10, LR11 or LR13 matters must be specified in panel LR2 or Land Registry again has no obligation to

make entries against those titles¹⁵.

An application for first registration of a lease must be accompanied by sufficient details, by plan or otherwise, so that the land can be identified clearly on the Ordnance Survey map: rule 24, LRR 2003.

In 2008 Land Registry introduced new triggers for compulsory first registration. These were effecting a partition of land which was subject to a trust of land and the appointment of new trustees. More leases therefore became subject to compulsory registration¹⁶.

Problem areas

The more problematic areas currently seem to be as follows.

1. **Easements.** Where the lease itself is being registered, and (i) in a prescribed clauses lease the easements and affected titles are correctly identified in the correct panels, or (ii) in a lease which is not a prescribed clauses lease the affected titles are identified in panel 2 of an **AP1**, Land Registry will record the easement against both relevant titles.

However, where there is a lease in which easements are granted and the lease is not being substantively registered, then

if the servient land is registered the grant of the easements will need to be completed by registration in order for the easements to take effect at law, and this will require an application in **form AP1**. If the lease is also going to be noted, but not substantively registered, application for this will also be required in **form DI**. (See paragraph 5.2 of **Practice Guide 62 – Easements**¹⁷.)

2. Extension of leases by

⁹ S.3(4) and s.27(2)(b)(iii), LRA 2002 and paragraph 3.9, **Practice Guide 25 – Leases – when to register**.

¹⁰ S.4(1)(d) and 27(2)(b)(ii), LRA 2002 and paragraph 3.9 of **Practice Guide 25**.

¹¹ See **Practice Guide 27 – The leasehold reform legislation**.

¹² Land Registration (Amendment) (No 2) Rules 2005.

¹³ Non-standard restrictions must be applied for on form RX1.

¹⁴ R.72A(3), Land Registration Rules 2003 (LRR 2003).

¹⁵ R.72A(4), LRR 2003. In the case of non-prescribed clauses leases, the title numbers of the other affected land must be placed in panel 2 of **form AP1**, which must also specify the relevant clause containing the alienation clause, restriction or easement: paragraphs (4)(b) and (5).

¹⁶ Land Registration Act 2002 (Amendment) Order 2008.

¹⁷ And article 2 in this series on easements, **Landnet 37**.

variation. Provided the deed of variation does not include an express surrender of the existing lease, or expressly demise a new lease, these do not have to be in prescribed form but take effect legally as surrender by operation of law. Therefore, the existing leasehold title will be closed, and a new title opened for the extended lease. It can be overlooked that a charge affecting the existing leasehold title will also come to an end, and that a deed of substituted security against the new, extended lease will also be required and must be submitted for registration. (See [Practice Guide 28 – Extension of leases.](#))

3. **Determination of leases.** It can be overlooked that inferior interests such as charges and underleases do not necessarily come to an end when a lease is determined on merger, surrender or disclaimer. The underlease is likely to take effect as a lease against the superior landlord's title, and will be noted accordingly. Charges must be either discharged, withdrawn or cancelled, or they will prevent closure of the registered leasehold title¹⁸. In particular, Land Registry cannot close a leasehold title by disclaimer where there is a charge against that title because sections

178(4) and 315(3) of the Insolvency Act 1986 preserve the rights and liabilities in the property of any other person other than the bankrupt on disclaimer¹⁹.

Recent developments

In March 2013, after consultation, Land Registry changed its practice in relation to the registration of a long lease under section 153, Law of Property Act 1925 because of lack of clarity of the effect of enlargement. Previously, on registration of enlargement, we would close the existing registered freehold title. Now we will keep that title open, and also grant a new freehold title to the applicant. So there may be two registered freehold estates in respect of the same land.

Otherwise, there has been little movement and there is no immediate intention to extend the requirement for first registration to shorter leases.

¹⁸ See section 3.1.2, [Practice Guide 26 – Leases – determination.](#)

¹⁹ See section 6.3.1, [Practice Guide 35 – Corporate insolvency.](#)

Further information

[Practice Guide 25 – Leases – when to register](#)

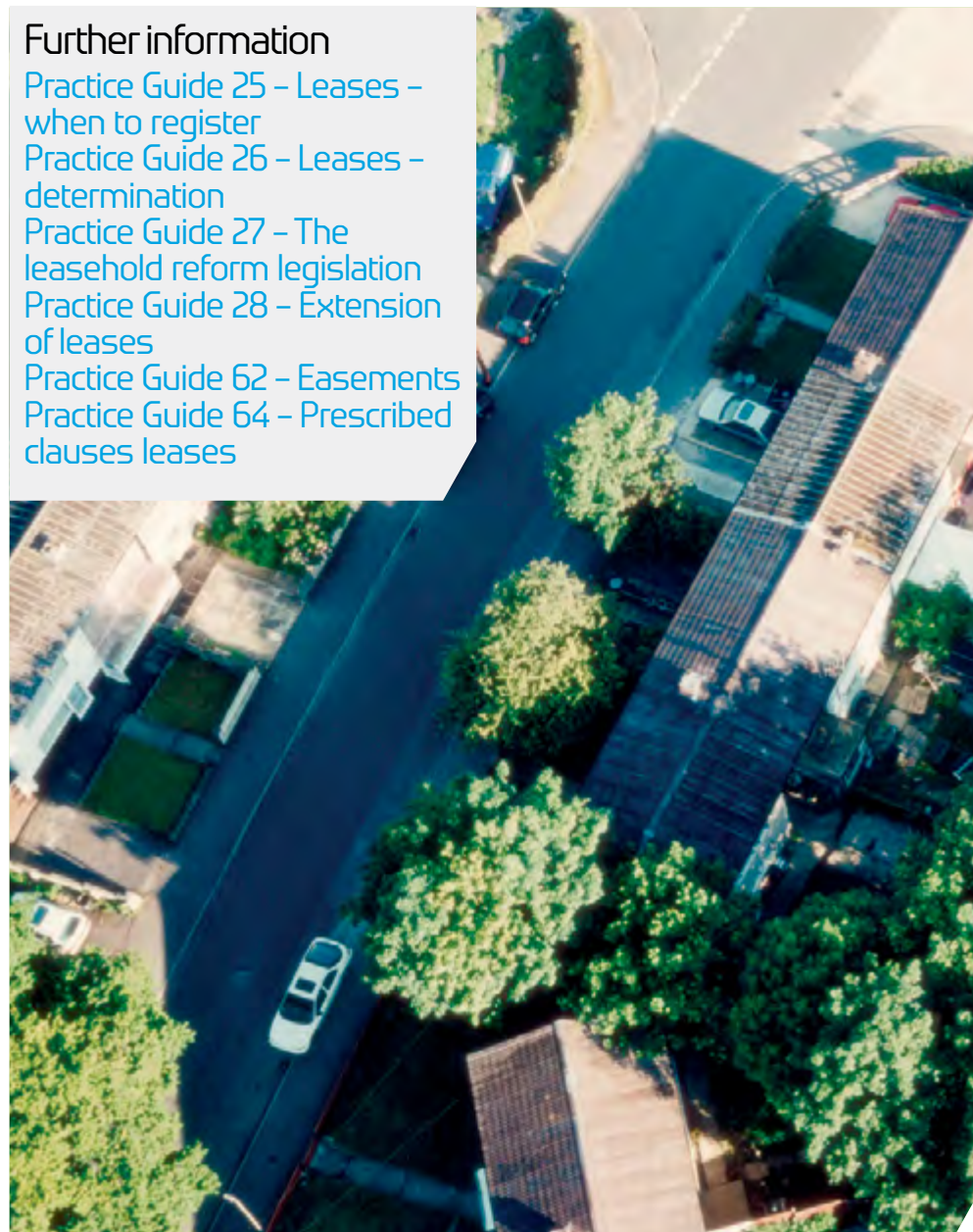
[Practice Guide 26 – Leases – determination](#)

[Practice Guide 27 – The leasehold reform legislation](#)

[Practice Guide 28 – Extension of leases](#)

[Practice Guide 62 – Easements](#)

[Practice Guide 64 – Prescribed clauses leases](#)



Practice and public guides

You can find the latest versions of all our [practice guides](#), [practice bulletins](#) and [public guides](#) on our website.

A new section 9.4 has been added to [Practice Guide 8 – Execution of deeds](#) to cover execution by a charitable incorporated organisation.

Section 12 of [Practice Guide 10 – Official searches of the index map](#) has been amended to show a revised address for applications from members of the public.

Section 4 of [Practice Guide 12 – Official searches and outline applications](#) has been amended to confirm that the result of an official search with priority will reveal any adverse entries made since the beginning of the day searched from and not since the end of the day as stated in Part 3 of Schedule 6, LRR 2003.

Section 6.3 of [Practice Guide 13 – Official searches of the index of relating franchises and manors](#) has been amended to show a revised address for applications.

Section 4.1 of [Practice Guide 14A – Charitable incorporated organisations](#) has been amended. Land Registry does not require a certificate in form 8 of Schedule 3 to the LRR 2003 or sight of the constitution of a charitable incorporated organisation (CIO) when an application is made to register a CIO as proprietor.

Section 7.4 of [Practice Guide 25 – Leases – when to register](#) has been amended to include sub-headings, to remove an errant NB and to cross-refer to [Practice Guide 68 – Amending deeds that effect dispositions of registered land](#).

Section 6.3 of [Practice Guide 27 – The leasehold reform legislation](#) has been amended to include information on an assignment of the right to acquire by a tenant. Appendix 2 has been amended to confirm that where there is a charge restriction on the landlord's title, the effect of s.58(1)(a) of the 1993 Act operates to deem the written consent of the chargee for the purposes of s.41(1), LRA 2002.

Sections 5 and 6 of [Practice Guide 29 – Registration of legal charges and deeds of variation of charge](#) have been amended to reflect Land Registry's policy to accept

an RX1 or CH2 application without a further fee provided these are lodged before the principal application to which they relate is completed.

Section 2 of [Practice Guide 35 – Corporate insolvency](#) has been amended as a result of the publication of new [Practice Guide 14A – Charitable incorporated organisations](#).

Section 5 of [Practice Guide 37 – Objections and disputes – A guide to Land Registry practice and procedures](#) has been updated to reflect Land Registry's policy on receiving letters marked confidential.

Section 9.8 of [Practice Guide 40 – Land Registry plans – Supplement 2 – Guidance for preparing plans for Land Registry applications](#) has been updated to provide clarification on guidelines for plans printed from PDF and section 5 has been amended in line with guidelines for preparing plans.

Section 5.1 has been added to [Practice Guide 43 – Applications in connection with court proceedings, insolvency and tax liability](#) and section 11 amended as a result of:

- the Financial Services Act 2012 (Consequential Amendments and Transitional Provisions) Order 2013, and
- the Transfer of Tribunal Functions and Revenue and Customs Appeals Order 2009.

Section 1 of [Practice Guide 51 – Areas served by Land Registry offices](#) has been amended to reflect a change in the recommended office for applications from members of the public.

Section 3.1 of [Practice Guide 56 – Formal apportionment and redemption of a rent or a rentcharge that affects a registered estate](#) has been amended to show a revised address for applications.

Section 4.7 of [Practice Guide 65 – Registration of mines and minerals](#) has been amended to clarify Land Registry's approach when the land falls in a coal mining or former coal mining area.

Section 4.1.C of [Practice Guide 67 – Evidence of identity – conveyancers](#) has been amended

Practice and public guides cont'd

as a result of a change in the evidence required when a person lacks capacity, as it is now similar to that required by other organisations.

[Practice Guide 71 – Electronic services](#) has been amended to reflect some enhancements to the electronic Document Registration Service and the Land Registry portal.

[Practice Bulletin 21 – The Land Registration Fee Order 2013](#) gives details of the new Land Registration Fee Order 2013, which will come into effect on 17 March 2014.

[Public Guide 1 – A guide to the information we keep and how you can obtain it](#), [Public Guide 3 – General Land Registry information](#), [Public Guide 4 – Protecting home rights under the Family Law Act 1996](#), [Public Guide 9 – What to do when a land owner dies](#), [Public Guide 13 – Applications for first registration made by the owner in person](#), [Public Guide 17 – How to safeguard against property fraud](#),

[Public Guide 18 – Joint property ownership](#) and [Public Guide 22 – Keeping your name in the register up to date](#) have been amended to show a revised address for applications.

Section 5 of [Public Guide 2 – Keeping your address for service up to date](#) has been amended to show a new postal address for applications changing an address for service.

[Public Guide 25 – Registration and notices about mines and minerals, chancel repairs and manorial rights](#) has been generally updated to be relevant to the position after 13 October 2013.

[Public Guide 26 – A customer guide to disputed applications](#) has been published to help members of the public understand the procedures if they are involved in a Land Registry dispute. Section 6 has been updated to reflect Land Registry's policy on receiving letters marked confidential.

Annual Report and Management Plan

Read our [2012/13 Annual Report and Accounts](#) and our [2013/14 Annual Management Plan](#).

ICR's annual report

Our [Independent Complaints Reviewer's annual report for 2012/13](#) describes how we responded to the issues upheld by our complaints reviewer.

Landnet archive

Read [past issues of Landnet](#).