

Ms Lizzie Dixon  
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25 May 2016

Dear Ms Dixon

## **Re: Land Registry: moving operations to the private sector (Qs 1 and 6)**

The Countryside Alliance welcomes the opportunity to present the views and interests of our members in this consultation, many of whom are involved in the ownership, management or employment of land-based rural businesses.

We do not take a view on moving the operations of the Land Registry to the private sector, or the Government's preferred option, but we believe that any decision must take account of the needs of land-based rural businesses, and their professional advisers, who routinely use the services of the Land Registry.

We will limit our response to consultation questions 1 and 6.

### **Q1. Do you agree that ownership of the Registers should remain in government?**

Yes.

### **Q.6 Are there any other safeguards that you think should be included?**

The services of the Land Registry are relied upon by many land-based rural businesses such as farms, estates, and shoots for a variety of management work and are nearly always required when businesses such as these expand, diversify or restructure.

The services frequently used by land-based rural businesses, or by professional advisers on their behalf, include the core statutory functions such as first registration and registering transfers and charges against a title. However, they also benefit from a range of additional functions such as downloading registered titles and title plans and searches of the index map or interactive map. These services are required for a variety of professional work including conveyancing, confirming land and/or rights ownership, valuations, secured lending, tenancy and licensing agreements and clarifying access arrangements and boundaries.

It is vital that the requirements of land-based rural businesses are taken into consideration in this consultation and any ownership option taken forward by the Government must reflect the importance of the Land Registry to professional work in the countryside.

Consumers of the Land Registry services are often professional advisers but the cost and quality of service has a direct impact on the cost and quality of service which these advisers are able to pass on to the clients they act for. The three main requirements from consumers are a service which is accessible, reliable and affordable.

It is vital that the services of the Land Registry remain accessible under any ownership option which the Government takes forward. This includes continued developments in the online service which has already improved considerably in recent years. The digitalisation of the Registers is largely complete with the vast majority of registered titles now available to search and download online. The interactive map feature, introduced in 2014, has made information about registered titles considerably easier to obtain. Any option for ownership option must ensure that such services are maintained and continue to be improved.

At present the customer services of the Land Registry including telephone and email enquiries are free to use. The provision of these services and their cost is not covered by statute and the consultation document does not provide any guarantee that these services will be maintained and provided without charge. The consultation document provides a commitment that under any ownership option the Government would set the required service quality but there is no detail on what level of service would be included or whether these services would continue to be free to use. We believe it is essential to maintain UK based call centres and email facilities to help with enquiries.

The services of the Land Registry must also continue to be reliable. The functions of the Land Registry and the information provided are used for a variety of professional work in the countryside including valuations, tenancy and licensing agreements and conveyancing. Given the importance of this work it is vital that the statutory protections and entitlement to compensation for errors made by the Land Registry must remain in place under any ownership option.

The fees which the Land Registry charge (or do not charge) for their services is the area of greatest concern for us and safeguards need to be enhanced to ensure that all core statutory functions and additional functions remain affordable.

We welcome the fact that the fees for the core statutory services of the Land Registry will continue to be determined by Fee Orders made by the Secretary of State as part of the Government's preferred option. However, we have concerns that the statute which determines the Fee Orders may be amended by this, or subsequent governments, in a way which would enable significant increases in fees. At present the law only permits the fees to be set at a level that enables the Land Registry to recover the cost of providing the service under normal operating conditions. We note that the average cost of a registration is currently £83. We are concerned that this statutory requirement may be amended or removed in order to increase the profitability of the Land Registry to a private sector operator. We note that the Land Registry has returned more than £240 million to the Treasury over the last two years whilst also reducing fees so we believe that any such change in the law would be un-necessary under any ownership option. We call for a commitment from the Government that no change to the statute will be made and that the existing basis for determining the fee scales for core statutory services will be maintained.

The fees for the additional functions of the Land Registry are not covered by statute and the consultation document does not provide any guarantee that the cost of these services will not increase under the Government's preferred option. These additional functions such as downloading registered titles and title plans and searches of the index map or interactive map are used just as much by land-based rural businesses, if not more frequently, than the core statutory functions. We note that the average cost of downloading a registered title or

plan is £3 and searches of the interactive map are free to registered business users. It is vital that the fees for these services are also included in the safeguards of any ownership option to reflect their importance to professional work in the countryside.

The Countryside Alliance has only responded to questions 1 and 6 as it would be inappropriate for us to comment on those other questions in detail. If the Countryside Alliance can be of further assistance or you require any clarification of the points raised, please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'T.P.C. 12' followed by a long horizontal flourish.

**Tim Bonner**

Chief Executive

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