

Land Registry: Wider Powers and Local Land Charges

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Answers to **Land Registry: Wider Powers and Local Land Charges**

COMPLETE RESPONSE

Response ID #265256. Submitted on 06 Mar 2014 15:45 by [Institute of Historic Building Conservation \(James Caird \)](#)

Question 1

Do you agree that there is the potential to (a) streamline and bring greater efficiencies to services in the property sector and (b) introduce new services?

Please select zero or more options.

a) [**Yes**]

b) [**Yes**]

Comments

Question 2

Do you agree that Land Registry should play a greater role in the property market by providing (a) information and register services additional to land registration services and (b) consultancy and advisory services relating to land and other property?

a)	[Yes]
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b)	[Yes]
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Comments

Yes, we think this is a good idea so long as there are adequate arrangements to protect the delivery of the LR core services.

Question 3

Do you have any suggestions as to new services Land Registry could consider?

Yes	[]
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No	[Selected]
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Comments

No.

Question 4

Do you agree that Land Registry should have the power to set the charges for new services?

Yes	[Selected]
No	[]
Not sure	[]

Comments

If the new services are to be commercially viable they will need to be priced competitively.

Question 5

Do you agree that Land Registry's power to form, purchase or invest in companies should apply to activities carried out under Wider Powers?

Yes	[Selected]
No	[]
Not sure	[]

Comments

We agree with this so long as the companies and activities they engage in are kept at arms length from core activities.

Question 6

Do you have any other comments relating to this part of the consultation?

We are unclear on the reasoning here. If there are to be new services, these will compete with existing practice and there are bound to be impacts on existing businesses in the field which they may wish to have commented upon.

Question 7

Do you have any comments about the reasons to change Local Land Charge services and do you see any benefits?

The consultation should have said that the costs will be reduced to the average user. Many users, where there are currently below average costs will have to pay more.

Question 8

Do you agree with the stated perception that the current Local Land Charges services would benefit from reform?

Strongly agree	<input type="checkbox"/>
Agree	<input checked="" type="checkbox"/>
No opinion	<input type="checkbox"/>
Disagree	<input type="checkbox"/>
Strongly disagree	<input type="checkbox"/>

Please provide comments to support your views

We think reform is overdue.

Question 9

Do you think Land Registry has considered all feasible options?

Yes	<input checked="" type="checkbox"/> [Selected]
No	<input type="checkbox"/> []

Please provide comments to support your views

Question 10

Do you agree that the definition of a Local Land Charge requires simplification?

Yes	<input checked="" type="checkbox"/> [Selected]
No	<input type="checkbox"/> []

Please provide comments to support your views

But to be absolutely clear it would be desirable for the simplified definition to refer to a schedule of inclusions and exclusions that leaves no doubt in the mind of lay users of the system as to what is entailed.

Question 11

Do you agree that sections 3, 4 and 5 of the Local Land Charges Act 1975 should be amended as proposed?

Strongly agree	<input type="checkbox"/>
Agree	<input checked="" type="checkbox"/> [Selected]
No opinion	<input type="checkbox"/>
Disagree	<input type="checkbox"/>
Strongly disagree	<input type="checkbox"/>

Please provide comments to support your views

We support this subject to their being proper transitional arrangements.

Question 12

Do you agree that Land Registry will provide Local Land Charge searches for a limited period going back 15 years?

Yes	<input checked="" type="checkbox"/> [Selected]
No	<input type="checkbox"/>

Please provide comments to support your views

But we are not sure what this actually means. We would object very strongly if it were to mean that legitimate interests (such as listed building and conservation area status) were to disappear from the Register over time. However we assume this has to do with the records of searches made and not the registration of interests; in which case we agree as stated.

Question 13

Do you agree that sections 8 and 9 of the Local Land Charges Act 1975 should be amended as proposed?

Stongly Agree	<input type="checkbox"/>
Agree	<input checked="" type="checkbox"/> [Selected]
No opinion	<input type="checkbox"/>
Disagree	<input type="checkbox"/>
Strongly disagree	<input type="checkbox"/>

Please provide comments to support your views

We think the proposals sound sensible.

Question 14

Should Land Registry take over the Local Land Charge registration functions of local authorities?

Yes	<input checked="" type="checkbox"/> [Selected]
No	<input type="checkbox"/>

Please provide comments to support your views

It makes sense that the service should be run as an entity.

Question 15

Can you suggest other areas that could be considered under the proposed protocols?

No.

Question 16

Do you agree that a record of appropriate dates relating to the creation of a Local Land Charge will be required in order that Land Registry can accurately maintain a Local Land Charges Register?

Yes	[Selected]
No	[]

Please provide comments to support your views

Yes we agree with this. We think it represents good current practice.

Question 17

Do you agree that Land Registry should retain the option to insure against claims and provide compensation when a claim is valid?

Yes	[Selected]
No	[]

Please provide comments to support your views

Yes, we agree with this.

Question 18

Do you think an electronic process and providing digital information through a single registering authority will provide business with tangible benefits by being able to make LLC1 search applications by a method other than paper?

Yes	<input checked="" type="checkbox"/> [Selected]
No	<input type="checkbox"/> []

Please provide comments to support your view.

Electronic processes must be the way forward, and hybrid systems only add to costs. Some users may be disadvantaged but new initiatives in public administration cannot be based on maximum accessibility. If there are parallel procedures required to meet accessibility targets, these should be of the helpline variety.

Question 19

Do you think you will need to make changes to your internal processes to make LLC1 search applications through LR channels?

Yes	<input checked="" type="checkbox"/> [Selected]
No	<input type="checkbox"/> []

Please provide comments to support your view.

We do not use LLC1 as an Institute, but all users will have changes to make of some sort.

Question 20

Has Land Registry correctly assessed the impact of its proposals on members of the public and businesses? Do you consider that Land Registry has missed or underestimated any substantive impacts? If so, what are the nature and scale of these impacts?

The IHBC is not a user of the LLC system in the way implied and cannot comment on this aspect.

Question 21

Do you think that any other approaches to improving the provision of Local Land Charge searches should be explored? If so, what are these? What would be the comparative advantages and disadvantages of any such approaches?

Yes.

Question 22

Do you have any further comments relating to this part of the consultation?

No.