



Department for  
Communities and  
Local Government

The Lord McKenzie of Luton  
House of Lords  
London  
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16 November 2014

Dear Bill

**Infrastructure Bill: Report Stage**

During the second day of Report Stage of the Infrastructure Bill on the 5 November, there were a number of questions raised regarding the Government's proposals on the Land Registry, and I undertook to write on those that I did not address in the chamber.

First, I would reiterate that change is inevitable. Too many Local Authorities continue to rely, in whole or in part, on paper records that will degrade over time. The question is what change should be made.

A number of your questions related to whether the Government's proposals related to just Local Land Charges (LLC) or also to CON29. As I made clear to the House, the Government's proposals relate solely to LLC. Any changes to CON29 would be a decision for a future Government. For Land Registry to provide CON29 searches it would need the co-operation of local authorities. We would need to come back to the House with further primary legislation if it were proposed that local authorities should be obliged to provide data for CON29 searches. The House would therefore have the opportunity to debate the merits of any such proposals at that time.

We are aware, that there will be an impact on Local Authorities of implementing the new system. I hope my words in the House reassured you on this point, and I would repeat that Land Registry is currently working with the Department for Communities and Local Government to assess the burdens the proposals will place on Local Authorities. This process will both assess the potential financial implications, and determine how they are best addressed. The Impact Assessment (an initial version of which was published before consultation and an updated version before Report) is a living document and will be updated with changes as appropriate. It will also include the estimated costs of digitisation of the paper records and transfer to the new system, and again will be updated as appropriate.

You also raised the question whether a value had been placed on the local authority databases. At present we have not made any assessment of the value but this will be done and any issues arising from it will be dealt with in the assessment.

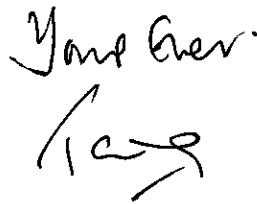
Lord Greaves asked similar question on CON29 and impact on local authorities which I have addressed above.

Further, Lord Greaves asked for information on the mechanics of entering and updating entries on the new central register held by Land Registry. As I said in the House, while they will no longer be responsible searching the register, Local Authorities will continue to have responsibility for entering the information into the single register and keeping it up to date. The details of the mechanics of how the system will operate will be covered by rules contained in secondary legislation. Consultation on these rules is planned for next year following the formation of the new government and there will be opportunity to consider and comment then.

In terms of the transitional arrangements, Land Registry will assume responsibility for the local land charges register in a phased manner. Area by area will transfer as and when the existing data held by each local authority is ready to be transferred to Land Registry. I can assure you and Lord Greaves that Local Authorities will continue to set their own fees for the local land charges service until that area transfers. Overall, we expect the whole process to take a number of years.

Lord Greaves asked about the potential application of TUPE regulations. As part of the engagement with local authorities, Land Registry has had meetings with HR officers and is exploring the potential implications of TUPE (Transfer of Undertakings Protection of Employment) Regulations 2006). I can assure you and Lord Greaves that Land Registry will fulfil any TUPE obligations if applicable in any particular case.

Finally, with regard to the future role of personal search companies, the Government's proposals will provide improved access to local authority data which will ultimately benefit all customers including small businesses and personal search companies. It is intended that arrangements will be made to enable the information contained within the new local land charges register freely accessible for personal search purposes in accordance with the Environmental Information Regulations 2004.

A handwritten signature in black ink, appearing to read 'Tariq Ahmad', with a stylized flourish at the end.

**LORD (TARIQ) AHMAD OF WIMBLEDON**