

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL:**

### **DRAFT SERVICE PLAN FOR LOCAL LAND CHARGES SERVICE 2009/10 TO 2011/12**

Service Manager: Catriona Dunnett

Portfolio Holder: Councillor Orgee

## **SERVICE PLAN OVERVIEW**

### **1. Key Functions and Responsibilities**

Part of the Local Land Charges function is statutory, relating to searches of the Local Land Charges Register known as 'LLC1s', with a non-statutory role being the provision of replies to a standard conveyancing form known as the 'CON29' containing both Required and Optional questions and which is an essential part of the conveyancing process. Responses to both LLC1 requests and CON29 enquires rely on input from various departments within the Council. There is therefore corporate responsibility for the process. Requests for LLC1s and Con 29 Enquiries can be received manually or electronically through a national hub known as 'NLIS' (National Land Information Service). The service is currently at NLIS level 2 (can receive requests for searches electronically) but cannot offer a full electronic option for service delivery (NLIS Level 3). A key function is to maintain the Local Land Charges Register, which is currently kept in a manual form. This is a requirement of the Local Land Charges Act 1975. A Local Land Charge is a restriction or prohibition imposed on land or property or a financial charge, which is binding on successive owners or occupiers of land or buildings, for example, listed buildings and tree preservation orders. It is therefore essential that the register contains accurate information. The service also has to provide access to the Local Land Charges Register by Personal Search Agents ('PSAs') many of whom are employed by Personal Search Companies ('PSCs').

### **2. Context**

#### **a) External Drivers**

There are huge challenges facing local land charge departments across the country in a period of rapid change caused by the opening up of the market to competition.<sup>1</sup> Income levels have dropped due to the slow down in the housing market and the increase in the number of personal searches being carried out. The introduction of Home Information Packs (HIPS) for almost all residential properties marketed for sale from December 2007 brought further opportunities to local land charges and further competition from personal search agents. This had focussed attention on the shortcomings of the service, which is suffering from a lack of investment in recent years. The number of personal searches has

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<sup>1</sup> See CLG paper "Local Property Searches and Leasehold Information" report to Rt.Hon. Caroline Flint MP, Minister for Housing - June 2008

increased steadily over the past 2 years e.g. in April 2007 there were 145 personal searches compared with 386 local authority searches. In April 2008 there were 311 personal searches compared with 282 local authority searches. The service is now further affected by the credit crunch and the slow down in the property market but it seems that SCDC is somewhat insulated from the worst effects by the Cambridge market holding up. In September 227 local authority searches were completed. Anecdotal evidence indicates some authorities are receiving only 5 searches per week. Currently, PSCs benefit from insurance cover available to them to cover for the information that they cannot access at the local authority. This cover may be removed at the end of 2008. As and when this happens SCDC must be in a position to provide open access to all unrefined data used in compiling a search.

#### **b) Internal Drivers**

The Local Land Charges Service relies on effective close working relationships with internal departments providing the information for the Register and the answers to the CON29 form. Therefore, in the event of absences from other departments this may have a negative impact on turnaround times for producing the searches. The service is reliant on ICT support for the systems providing production of the searches and responses to CON29 questions. The current software is some 15 years old and the service was due to have new software installed 2 years ago from Northgate Information Systems, which was planned to provide integration with planning and environmental health. This has not progressed as an integrated system but the team are currently working with ICT to install a basic Northgate software package to replace the legacy system currently being used as this is no longer viable and the service is at risk if the system should fail. Northgate will be in use from 17<sup>th</sup> November 2008. Work being done by the planning service to capture relevant planning data electronically could be utilised to improve the Local Land Charges Service.

#### **c) Key Partners**

Software supplier/s and ICT particularly GIS<sup>2</sup> and LLPG<sup>3</sup> officers; planning (including building control); environmental health; County Council as highway authority; the Local Land Charges Institute; Land Data cic.

#### **d) Strengths and Weaknesses**

The strength of the team lies in the dedication and commitment of the team members to producing an excellent product. In the past 18 months 2 team members have left the authority and the current team were quick to volunteer for additional hours, which they have worked to for the last 18 months, or so to keep the service going. They have also coped

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<sup>2</sup> Geographic Information System: a computer system capable of capturing, storing, analysing and displaying geographically referenced information.

<sup>3</sup> Local Land and Property Gazetteer: part of the NLPG (National Land and Property Gazetteer), which is the definitive, national address list that provides unique identification of land and property and conforms to BS 7666. It is updated continually by each local authority in England and Wales.

admirably with the uncertainty around computerisation of their service, which may have resulted in possible redundancies and further changes. Despite this the team have remained positive and continue to deliver the services in a friendly and highly professional way.

The weakness lies in the fact that the service has suffered lack of investment in the infrastructure so is hampered by out of date systems and the lack of integration with the corporate systems containing the information required. SCDC has historically not placed property searches in the front rank of their services perhaps because the searches themselves are not provided directly to local council taxpayers. This has allowed PSCs to undercut the local authority search on cost and response time. Actions to improve performance are included in the Operational and Improvement Plans.

### **3. Service Objectives**

To provide an efficient Local Land Charges Service with excellent customer service within improving timescales in response to applications for searches and CON29 enquiries received both manually and electronically. To protect and safeguard the interests of land and property within the District. To progress to NLIS Level 3 to provide full electronic service delivery.

### **4. Your Customers**

Solicitors; licensed conveyancers; PSAs and HIPs providers.

### **5. Progress/Performance Overview**

The Local Land Charges service had a performance target of dealing with search requests within 10 days in 2007/2008 and has performed well against this target in all the circumstances outlined above. The team takes sample searches twice a month to measure performance and in 21 weeks out of 26 met the 10-day target. The target for 2008/2009 is 10 days, which the service has largely met. The target for 2009/2010 is 9 days.

### **6. Resources**

The budgeted income for 2008/2009 is £272,860 and there has been a net income to date of £138,558, which is down on budget and has led to a projected shortfall on income of £67,400 at year-end.

This is in direct comparison with 2007/08 when the net income for the Land Charges service was originally budgeted at £420,540 with the subsequent actual outturn figure being £325,895.

These figures represent direct expenditure only i.e. they do not take account of any staffing or indirect overheads recharged to the service.

## **7. Value for Money Overview**

It is difficult to state whether the current service is providing value for money as a comprehensive costings exercise has yet to be undertaken to establish this. The fees charged for the LLC1 service was deregulated in 2007 although the fee charged to PSAs and PSCs remained fixed by central government. SCDC did not review its charging structure at that time pending the outcome of a consultation exercise by central government on the proper basis for charging fees. This is progressing and Communities and Local Government has recently consulted on draft fees regulations, which state that the fees to be charged will be done on a costs recovery basis.

## **8. Workforce Overview**

The Local Land Charges team are committed and professional team with a vast amount of experience and knowledge of local land charges. They have maintained the service following the departure of 3 team members who were not replaced pending the introduction of the new software system. One of the team is currently on maternity leave and due to return in the New Year. All three other team members have taken on additional hours on a temporary basis pending a team restructure which was delayed to take account of the operation of the service with the new software system in place. Two team members have been trained as administrators on the new system and have worked enthusiastically to ensure that the system is ready for November. Eileen Swinton has been acting up as team leader following the departure of the Land Charges Officer and pending the restructure. A report on a new structure will be taken to SMT in November to provide certainty for the team and SCDC for future service provision. Three members of the team have recently attended a full day training course on local land charges and the team member on maternity leave will attend this course in 2009. In the past 12 months the team have worked well together to share expertise and broaden their range of skills as previously some of the team had focussed on particular tasks in the process. It is important that all team members are multi-skilled to provide flexibility and full cover.

## **9. Equalities Overview**

It is planned to carry out an equality impact assessment on the land charges service during 2008/2009.

## **10. Risk Overview**

The failure to fully implement computerised Land Charges package (M3 Northgate) has meant the inability to improve (i.e.reduce) the turnaround time for searches and is likely to have contributed to more personal searches being undertaken which means less search requests from Solicitors; loss of income, i.e. £133 per search and failure to progress to NLIS Level 3. Actions to address this are included in the improvement plan.