

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

9 MARCH 2021

REPORT OF THE CHIEF OFFICER – LEGAL, HR AND REGULATORY SERVICES

LOCAL LAND CHARGES NATIONAL PROGRAMME

1. Purpose of report

- 1.1 The purpose of the report is to apprise Cabinet of the Local Land Charges National Programme and to seek authority to enter into a Collaborative Agreement with HM Land Registry.

2. Connection to corporate well-being objectives / other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objective under the **Well-being of Future Generations (Wales) Act 2015**:-

Smarter use of resources – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

3. Background

- 3.1 Every local authority is required to hold a local land charges register that records obligations affecting properties within their administrative area.
- 3.2 In 2015, HM Land Registry (HMLR) was given the authority under the Infrastructure Act 2015 to create a single, national, digital register of Local Land Charges (LLC) across England and Wales. It is the Government's ambition that the national register becomes a trusted and guaranteed source of LLC information, containing all local authority records in England and Wales by 2025. This is a historic step forward in the ambition to make the home-buying process simpler, faster and cheaper. HMLR is working in partnership with local authorities to standardise and migrate local land charges register information to one accessible place.
- 3.3 Anyone will be able to access the national register 24/7. Each search result will provide details of entries on the local land charges register relating to the land or property concerned. Local authorities will continue to provide replies to CON29 enquiries, such as nearby road schemes or outstanding notices, which may affect a purchaser's decision on whether or not to proceed. Once the Authority's local land charges data has been migrated to HMLR members of the public will no longer be able to get a local land charges search from the Authority.
- 3.4 The benefits of the register will be as follows:
- Guaranteed search results that provide the highest level of due diligence
 - The full spatial extent of every charge appears on the search result
 - Standard £15 fee for each search
 - Consistent quality of data which provides clear and accurate search results
 - Instant online search results with 24/7 access to the data, reducing delays in receiving search results

- Unlimited repeat searches for six months to check for any new charges before completing a transaction
- Search history dashboard giving access to previous searches at any time.

4. Current situation / proposal

- 4.1 Bridgend County Borough Council (BCBC) has been scheduled to migrate its LLC records in 2022/23. A delivery plan is being implemented by HMLR in order to ensure a smooth transition and certainty about timelines for the Authority and local residents. By entering into a Collaborative Agreement and formalising the delivery plan now HMLR can finalise preparatory work that reflects the Authority's needs, capability and readiness to migrate. The Authority will also be given a support package selected according to its needs.
- 4.2 The geospatial data set eventually created by HMLR will bring the following benefits to the Authority:
- data that can be shared across different departments to help deliver services more effectively and transparently;
 - spatial data which can be overlaid with other mapping systems to provide a holistic picture of the Authority's assets, locally maintained areas and features; and
 - free access to spatial data which will allow staff to self-serve when answering queries, reducing the number of requests for information between departments.
- 4.3 HMLR will offer 4 different models to the Authority as part of the pre-migration. As the Authority does not have internal capacity to deliver HMLR needs it is proposed that the Authority proceed with either the HMLR Supplier or HMLR Delivered model to ensure that it has full support to undertake the migration.

HMLR Supplier

A single end to end supplier works closely with LA to compile digital dataset
The supplier manages the migration with HMLR support and supervision
Moderate HMLR Delivery Manager resource required

HMLR Delivered

HMLR works closely with LA to compile digital dataset
HMLR managed migration
Full HMLR Delivery Manager resource required

LA Delivered

LA self-manages delivery and compiles digital dataset
HMLR provides support and tools
LA has dedicated LA Advocate/Mentor
Minimal HMLR Delivery Manager resource required

LA Self-Serve

LA self-manages delivery and compiles digital dataset
HMLR provides support, tools and suppliers as required
Occasional HMLR Delivery Manager resource required

- 4.4 A working group will now be established within the Authority comprising of officers from Land Charges, Legal, Finance, ICT and Planning to lead the migration and ensure that the Authority fulfils its responsibilities to agreed timescales and feeds back to all stakeholders including HMLR.

5. Effect upon policy framework and procedure rules

- 5.1 There is no effect upon the policy framework.

6. Equality Impact Assessment

- 6.1 The report does not give rise to concerns on equality grounds and does not impact sections of society differentially.
- 6.2 An assisted digital process will be available for anyone who cannot access the HMLR GOV.UK Service. Essentially customers will contact their LLC Processing Team and they will undertake the search on their behalf. As the Authority moves towards Go-Live, all relevant customers will be informed of the change. At this point targeted solutions will be implemented for any customers who might be digitally excluded.

7. Wellbeing of Future Generations (Wales) Act 2015 implications

- 7.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals /objectives as a result of this report.

8. Financial implications

- 8.1 The cost of migrating to the central register is fully funded by HMLR and resources are free to all local authorities throughout the migration. Additional financial incumbrance is also fully funded with a new LLC burden issued within 3 months of the migration taking place.

9. Recommendation

It is recommended that Cabinet:

- 9.1 Delegate authority to the Chief Officer – Legal, HR and Regulatory Services to agree the terms of the Collaborative Agreement with HMLR and any ancillary agreements and to arrange execution of such agreements on behalf of the Council;
- 9.2 Note that further reports will be presented to Cabinet on the LLC National Programme.

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Background documents: None