



REPORT TO EXECUTIVE

PORTFOLIO AREA:

Date of Meeting: 15 April 2002

Public/Private*

Key Decision: Yes/No

Recorded in Forward Plan: Yes/No

Inside/Outside Policy Framework

Title: LOCAL LAND CHARGES FEES - NLIS

Report of: CITY SOLICITOR AND SECRETARY

Report reference: TC.76/02

Summary:

This report outlines the information which has been sent to the Council by the National Land Information Service about the processing of Local Land Charges Searches electronically, proposals set out by the National Land Information Service for reductions in the level of fees charged by Local Authorities for the processing of Local Land Charges Searches and the steps that might be taken by the Council to prepare for this.

Contact Officer: Tim Nicholson

Ext: 7018

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: None

LOCAL LAND CHARGES FEES - NLIS

The Council has recently received details from the National Land Information Service (NLIS) in relation to the fees which are charged by Local Authorities in connection with Local Land Charges Searches which are submitted to the Council through the new National "Hub". Local Land Charges Searches are presently submitted to the Council on standardised paper pro forma's and are responded to by the Council also by using standardised pro forma's. However the NLIS has recently set up a National "Hub" for the processors of Land Charges Searches electronically. Searches which will be submitted to the Council through the Hub will operate in the following way.

The Hub has been set up as part of the Government's "E Government" agenda. The intention is that eventually all Local Authority Land Charges Searches will be submitted electronically to the Hub which will then send them to the appropriate Local Authority which will then answer them electronically. At present most Local Authorities are not yet geared up to deal with searches electronically and the NLIS (which operates the Hub) recognises that Local Authorities now operate at 3 levels:-

Level 1 – full electronic system

Level 2 -Paper based system but searches submitted electronically

Level 3 - Paper based system – searches submitted in paper form.

The NLIS is encouraging Local Authorities to progress to Level 2. Under Level 2 searches will be received electronically. Upon receipt of the search the Council's records will be interrogated using, as at present, paper based systems. When the results of the search has been collated instead of being sent out in paper form as at present they will be scanned in to a computer and submitted back to the Hub.

In order to encourage customers to use the Hub the NLIS requires Local Authorities to reduce the search fee by at least 18% in respect of searches submitted through the Hub. It is also trying to encourage as many Local Authorities as possible to go to Level 2 this coming financial year ie April 2002 to March 2003.

The search fees which will apply in the coming financial year (2002 to 2003) have already been set in the budget. They were calculated and set long before the Council received any information of the NLIS proposals. In my view it will not be possible for the Council to progress to Level 2 in the financial year 2002 to 2003 unless it is prepared to accept the shortfall in income which will accrue as a result of introducing lower fees for searches submitted by the Hub. It is impossible at the moment to calculate what that shortfall might be because we do not know how many searches will be submitted using the Hub. I would

therefore not propose that the Council migrates to Level 2 in the financial year 2002 to 2003 in the absence of any statutory requirement to do so.

However it is clear that pressure is mounting on Local Authorities to move towards electronically delivered Land Charges Services and in preparation for this it would be advisable for the Council to consider migrating to Level 2 in the financial year 2003 to 2004. I therefore consider that in the budget round beginning in the autumn of this year fees should be reviewed with a view to introducing Level 2 in the next financial year. This will involve adjustments to the level of fees to reflect the minimum 18% differential.

Recommendations:

That the Executive note the contents of this Report with a view to renewing Local Land Charge Search fees in the Autumn of this year so as to introduce new levels of fees next year to coincide with introduction of a "Level 2 Service" in response to Land Charges Searches which are submitted through the NLIS hub.

1. BACKGROUND INFORMATION AND OPTIONS

At this stage the Executive are merely asked to note the contents of this report. In the Autumn it will be necessary to decide whether to introduce a reduced fee in respect of searches submitted electronically to coincide with the introduction of a "Level 2" service next financial year or whether to continue with the existing fee structure

2. CONSULTATION

2.1 Consultation to Date.

The City Treasurer has been consulted and his comments are set out below.

2.2 Consultation proposed.

It is considered that no further consultation will be required to enable Members to make a decision in the Autumn.

3. STAFFING/RESOURCES COMMENTS

There are unlikely to be any requirement for a reduction or increase in the number of staff. In order to migrate to Level 2 the NLIS will provide additional equipment and training for the Land Charges Officer. Any review of fees will have to take into consideration any shortfall in income the Council may receive as a result of introducing a differential in fees for Searches which are submitted electronically.

4. CITY TREASURER'S COMMENTS

(to be completed)

5. LEGAL COMMENTS

All legal comments are contained in the main text of this report.

6. CORPORATE COMMENTS

(to be completed)

7. RISK MANAGEMENT ASSESSMENT

8. EQUALITY ISSUES

There are no equality issues arising out of these proposals.

9. ENVIRONMENTAL IMPLICATIONS

There are no environmental implications envisaged.

10. CRIME AND DISORDER IMPLICATIONS

None

11. RECOMMENDATIONS

12. REASONS FOR RECOMMENDATIONS