

Place and Resources Scrutiny Committee

8 March 2022

Local Land Charges Service Update

For Review and Consultation

Portfolio Holder: Cllr J Haynes, Corporate Development and Transformation

Local Councillor(s):

Executive Director: J Mair, Corporate Director, Legal & Democratic

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Report Status: Public

Recommendation: Members are asked to note and comment on the progress and current service position.

Reason for Recommendation:

To provide Members with information about the current service, improved search response times and any further action to be taken.

1. Executive Summary

- 1.1 The Council is responsible for processing land charges search requests, which are commonly made as part of property purchases.
- 1.2 A report was presented to the 21 September 2021 Committee meeting, with updates for the Chairman ahead of 16 November 21 and January Committee meetings.
- 1.3 Significant progress has been made by the land charges team, who have reduced response times to an average of 37 working days during January 2022. By 13 February (and the time of writing this report) response times for the first half of February had reduced to an average 28 working days, with work continuing to achieve further reductions to restore the service to response times of less than 10 working days.

1.4 This report is to provide the Committee with an update on improved search response times and actions which have been taken and actions to be taken.

2. Financial Implications

2.1 Additional staff have been recruited to respond to the increase demand and associated backlog. The cost of these staff is met through the income generated by land charge fees.

3. Well-being and Health Implications

n/a

4. Climate implications

n/a

5. Other Implications

n/a

6. Risk Assessment

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: Medium

Residual Risk: Low

7. Equalities Impact Assessment

n/a

8. Appendices

Appendix 1 Record of search numbers for the financial years 2019/20 to 2021/22

Appendix 2 Record of response times from 21 September 2021 to 11 February 2022

9. Background Papers

Report to Place and Resources Scrutiny Committee 21 September 2021

10. Background

10.1 Local land charges searches (register searches known as LLC1 and local authority searches known as CON29) are made during property purchases. Search requests are generally made by purchasers (through their solicitors or search agents). Most are submitted electronically. Local land charges searches are generally required by lenders, although local authority search indemnity insurance can be an acceptable alternative for some purchasers and lenders.

- 10.2 The Council's Land Charges Team delivers this service.
- 10.3 The government has a target of a maximum of 10 working days within which these searches should be returned to applicants. As set out above, local authority search indemnity insurance may be an alternative for some purchasers and lenders.
- 10.4 This target date has not been achieved for the whole Dorset Council area since October 2020.
- 10.5 The report to the 21 September 2021 meeting of the Place and Resources Scrutiny Committee provided a detailed explanation of the factors leading to the delayed response times; namely, the changes to the residential stamp duty threshold from 8 July 2020 until 30 September 2021 and resultant substantial and sustained increase in search numbers, at a time of team vacancies and while the service migrated to a new ICT system.
- 10.6 This report provides an update on improved search response times, numbers of searches being received, the team and future transformation work.

11. Search response times and search numbers

- 11.1 Search response times for each month since September 2021 are described below with details of the numbers of searches received each month, which can also be see in Appendix 1.

September

- 11.2 At the time of the 21 September 2021 report, average response times for search requests were:
- East Dorset area average 25 working days;
 - Combined North, West, Weymouth, and Purbeck area average 52 working days from the date of receipt.

- 11.3 803 search requests were received during September (compared with 1080 in July and 892 in August).

October

- 11.4 Response times continued to during October, resulting in an average response for October for the whole Dorset area of 62 working days from the date of receipt.
- 11.5 During October, the numbers of searches being received of 916 remained significantly higher than comparative months in 2019 and higher than September despite the end of the stamp duty reductions from 30

September 2021. During October, our 6 new members of staff were being trained and the final migration of the East area land charges service into the new Dorset system took place.

November

- 11.6 During November, the team achieved a planned reduction in response times, to an average of 51 working days.
- 11.7 November was the first month with a fully operational team, although new staff were only recently trained and still gaining experience. All parts of the service were within the new Dorset system. The number of search requests of 818 continued at an increased level compared with 2019, although they were less than October.

December

- 11.8 By the end of December, response times had reduced to an average 43 working days.
- 11.9 The team would expect to see seasonal variations in search request numbers; fewer searches during the December to February period and then increasing towards the summer. Search numbers reduced slightly during December to 622, but that is higher than expected for the time of year and higher than compared to 2019.

January

- 11.10 Search response times continued to reduce during January, averaging at 37 working days.
- 11.11 Annual leave over the festive period and sickness absence due to Covid-19 in late December and early January impacted the team, who still achieved this further reduction in response times.
- 11.12 763 searches were received during January, again higher than expected for the time of year and compared with 2019.

February

- 11.13 At the time of writing this report (13 February 2022) search response times for the first half of February were an average of 28 working days. In this time 398 searches were received.

11.14 Updated response times have and continue to be publicised on the Dorset Council website every 2-3 weeks.

12 Staffing

12.1 As explained in the 21 September 2021 report 6 new permanent staff were employed during September 2021, filling vacancies, and creating an additional four FTE posts.

12.2 The team is 12.5 FTE plus 2 FTE temporary contract posts with continued support from staff via the Skills Agency.

12.3 The staff who joined Dorset Council in September 2021 have received training and are gaining experience in processing searches.

12.4 The entire team have and continue to work tirelessly to process searches and revert to normal response times as quickly as possible.

13 Action Taken

13.1 Weekly data is available to the team to plan workloads, monitor progress and update the response times on the Dorset Council website every two to three weeks.

13.2 Following some feedback regarding the accessibility of the team a single email address for the team was established and publicised for use.

13.3 The team will need to focus their effort on processing searches for some time yet and some arrangements to manage enquiries will need to continue. Any automatic responses with contact details are clear, consistent, and publicised.

14 Future Action

14.1 The land charges service has been migrated to the new system and the team continue to familiarise themselves with the system and to make refinements and improvements to their use of it.

14.2 As explained in the 21 September 2021 report, significant work is required to review, converge, and harmonise the legacy land charges registers. This is necessary to ensure all data, is within or can be accessed by the new system. There are five legacy land charges registers. Some of them were held outside of the legacy systems and so remain outside of the new system. This convergence task will take significant time and staff resource and will be heavily reliant on staff from the project team who are currently carrying out the migrations. Staff within the land charges service are also fully occupied with search responses at this time.

- 14.3 Work to converge the land charges register is being scoped with as part of the ongoing Planning Transformation project, which includes allocation of staff resource and timings.
- 14.4 The team are also in the planning stage of arrangements to create a public facing Land Charges Portal, to enable customers to submit and pay for their search enquiry electronically. We already have this type of arrangement in place with the National Land Information Service (commonly used by agents to submit searches for their clients). Currently any customer not going through NLIS can submit their search request electronically, but Land Charges Officers then call customers to take payments over the telephone, which can be time consuming. If it is possible to set up a portal for use by customers, it would almost entirely remove the need for Land Charges Officers to call customers to take payments. This would provide an improved service to our customers and release more Officer time for processing searches.

Footnote:

Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.