



# Welsh Government Integrated Impact Assessment Summary

**Title of proposal:**

Consultation on Local Land Charges (Fees) (Wales) 2020

**Department:**

Local Government Finance and Workforce Partnerships Division

**Cabinet Secretary/Minister responsible:**

Minister for Housing and Local Government, Julie James

**Start Date:**

May 2019

**Contact e-mail address:**

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What action is the Welsh Government considering and why?

The Welsh Government is consulting on amendments to Local Land Charges Fees in Wales. This is in response to the *Local Land Charges Programme* undertaken by HM Land Registry. HM Land Registry are centralising and digitising the Local Land Charges Registers for England and Wales. As such, Welsh (and English) local authorities are required to migrate their data to HM Land Registry as instructed under the Infrastructure Act 2015. It is beyond the scope of the Welsh Government to consider the impact of the Local Land Charges Programme as a whole.

You can find the Impact Assessment undertaken by HM Land Registry for the *Local Land Charges Rules 2018* [here](#). It is understood that one for Wales will be undertaken by HM Land Registry in due course.

### **Proposed Statutory Instrument for Local Land Charges Fees in Wales**

As per the Infrastructure Act 2015, the Welsh Government will need to pass legislation to ensure Wales is aligned with HM Land Registry's centralised register.

### **Fees in Wales**

As Local Land Charges are a reserved matter, the Welsh Ministers only have competency to amend the level of fee and the method of payment in Wales. In Wales, the fee for an 'official search' ('LLC1') of a Local Land Charge Register is currently set at £6. To avoid cross subsidisation upon migration to the HM Land Registry Register, it is recommended that Welsh Ministers increase the level of fee in Wales for an official search to £15. This will align the fee and negate the possibility of English property purchasers cross subsidising Welsh property purchasers.

### **Method of Payment**

Following migration from local authorities to HM Land Registry, the payable fee for an official search and other specified functions of Local Land Charges in Wales will be payable to HM Land Registry. Therefore, the proposed increase to £15 for a search will not be payable to Welsh local authorities.

### **Revocation of Local Land Charges Rules 1977**

Rule 14 of, and Schedule 3 to the Local Land Charges Rules 1977 remain in force for Wales whereas they have been revoked for England under Local Land Charges Fees (England) Rules 2018. The Welsh Government wishes to revoke and replace with new Rules to align with those set in England, to aid in the migration to HM Land Registry's centralised register.

## Conclusion

### 1. How have people most likely to be affected by the proposal been involved in developing it?

The amendment of Local Land Charges Fees are legislatively required to allow Welsh local authorities to migrate their Local Land Charges Register ('LLCR') to HM Land Registry's new centralised and digitised portal. Local Land Charges are a reserved matter with the exception of the powers to Welsh Ministers to amend the level of fee and method of payment in Wales.

Welsh Government officials have been engaging with local authorities on this matter over the previous 12 months (up to July 2020). As this is a reserved matter, the communication has been limited in scope but continuous nonetheless. Emails and visits to local authorities have been deployed to keep them up to date with any progress. Local authorities were able to express any concerns they had about the *Local Land Charges Programme* and in particular the Fee.

Welsh local authorities were invited to attend an online webinar on 17 July 2020. The session was hosted by HM Land Registry but Welsh Government officials attended to provide an insight into the statutory instrument. Local authorities were able to ask questions and they were informed of the upcoming consultation.

Welsh Local Government Association (WLGA) have been informed of the changes and 'agreed in principle' to continue with the *Local Land Charges Programme*, including the Fees.

Welsh Language Impact Assessment has provisionally been undertaken, no issues have been raised thus far.

We will continue to review the Integrated Impact Assessment when considering the responses to the consultation.

## 2. What are the most significant impacts, positive and negative?

No concerns have been raised in relation to this policies' compliance with the United Nations Convention on the Rights of the Children (UNCRC).

The Integrated Impact Assessment has raised no issues associated with the social well-being of people and communities in Wales or on Wales' cultural well-being or on the Welsh Language. Neither has it raised any issues on the economic well-being of businesses and the public or on the Environment.

One impact that we are monitoring is the impact on local authority finances. However as this is a new burden in relation to a reserved matter, the UK Government are required to undertaken a burdens assessment. The Ministry of Housing, Communities and Local Government on behalf of HM Land Registry are administering the burden payments in England. It is likely that the Welsh Government will make the payments to Welsh local authorities on behalf of HM Land Registry.

HM Land Registry's information burden assessments for the *Local Land Charges Programme* can be found here. The principles of these burden assessments have been 'agreed in principle' by the WLGA on behalf of Welsh local authorities.

We will keep the Integrated Impact Assessment under review when considering the response to the consultation.

3. In light of the impacts identified, how will the proposal:

- maximise contribution to our well-being objectives and the seven well-being goals; and/or,
- avoid, reduce or mitigate any negative impacts?

No impacts have been identified

4. How will the impact of the proposal be monitored and evaluated as it progresses and when it concludes?

We will keep the integrated impact assessment under review as part of the ongoing process of considering the response to the consultation.

