

**REGISTRATION OF LAND PURCHASED FOR HIGHWAY PURPOSES**

*To:* **Audit and Accounts Committee**

*Date:* 17<sup>th</sup> November 2017

*From:* Daniel Ashman, Asset Information Searches Manager

*Electoral Division(s):* **All**

*Purpose:*

To update Committee on the Highways Assets project to register with Her Majesty's Land Registry (HMLR) circa 6,000 parcels of land purchased for highway schemes.

***Key Issues:***

The first of the scanned deeds have been electronically lodged and formally registered by HMLR. HMLR has offered stepped targets for the registration of highway land, with priority sites to be completed by 2020.

Asset Information have been liaising with Strategy and Estates regarding valuations for land parcels which are not required for highway purposes. The identification of specific parcels which may have development potential has commenced.

Publicity regarding the pioneering electronic lodgement process has begun, with a view to generating potential income from consultancy/advisory services to other public bodies.

Asset Information have partnered with Asset Planning to adopt an 'asset management' approach toward the highway land, which will allow land parcels under the Highway Service's responsibility to be more effectively and efficiently managed.

***Recommendation:***

That the Committee notes the progress to date and the revised completion targets for the registration of highway land.

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## **1. BACKGROUND**

- 1.1 A report was presented to Audits & Accounts Committee on 24 January 2017, setting out the background to this project. In summary, the County Council ('CCC') is seeking to register with HM Land Registry (HMLR) circa 6,000 parcels of land purchased for highway purposes from the 1930s to 1990. The total area of the plots is just over 1,700 hectares. This land represents assets of considerable value as resources for future transport schemes and as assets of financial value.
- 1.2 A milestone report was presented on 25 July 2017, outlining steps taken to commence the scanning and certification of deed files and to agree the process of lodging land parcels for registration with HMLR. The report also explained the reasons for delay to the project, the changing priorities faced by HMLR which will impact the completion of the registration, and the analysis undertaken by Asset Information to help identify highway land parcels that are not currently being used for highways purposes.
- 1.3 Committee requested a further milestone report for November 2017 to include an update on steps to advertise the pioneering lodgement process to other public bodies, the progress made with the lodgement, and the attempts to obtain a registration completion date from HMLR. This is the purpose of this report.

## **2. MAIN ISSUES**

### **2.1 Lodgement Process & Costs**

The first batch of scanned and certified deeds was lodged with HMLR during August 2017, and these were successfully registered in October. Following the completion of a pre-existing project, HMLR has been able to make additional staff resource available to support the registration of CCC's highway land, and so they have requested the submission of a further batch of deeds. These were lodged in late October.

- 2.2 HMLR was also supplied with a list of restrictive covenants and land charges relating to all CCC-owned land with the first batch lodgement, as well as overall certification that the documents supplied were true copies of the originals.
- 2.3 HMLR has also requested that CCC lodges adjoining land parcels for registration together in a single submission. This will enable the smoother registration of larger areas owned by CCC and will contribute to time savings in the registration process. However this request has created additional work for Asset Information as it necessitates the identification of such land. The team is currently exploring possibilities for identifying these parcels spatially, using our Geographic Information System (GIS) software, rather than having to do the work manually.
- 2.4 At its July meeting, Committee enquired about the possibility of securing a discount from the cost of registration, as a result of pioneering a new fully electronic process. Although HMLR are unable to offer a discount for the innovative nature of the electronic lodgement, it is stated in the

Service Level Agreement (SLA) between CCC and HMLR that CCC will receive the maximum available discount of 25% for voluntarily initiating the registration. For approximately 6,000 registrations this amounts to a saving of approximately £8,000.

## 2.5 Project Completion

HMLR had previously been unable to commit to a completion date for the registration of CCC's highway land parcels. Furthermore, the change in HMLR's priorities directed by the government's white paper, *Fixing our broken housing market* (February 2017), meant that priority sites with potential for development would become the focus of projects to register publicly owned land, not just those voluntarily offered for registration.

2.6 As a result, HMLR has only been able to offer the following commitments regarding completing the registration. These target dates are now included in the SLA.

- Publicly held land in areas of greatest housing need to be registered by **2020**.
- All remaining publicly owned land to be registered by **2025**.

2.7 The SLA also specifies that CCC may "request the expedition of urgent registrations as and when required". This allows CCC to request prioritised registration for key sites it wishes to protect from adverse possession, or those where it seeks to potentially maximise value through sale, lease or development.

## 2.8 Site Prioritisation & Asset Planning

Asset Information has commenced the identification of priority sites which meet the criteria in paragraph 2.6 and will request early registration by HMLR when a dataset of these sites has been compiled.

2.9 A trial site has been identified and Asset Information are currently exploring with the Strategy and Estates team (S&E) whether the land is appropriate for development and its potential value. However, before each parcel can be considered by S&E, it must first be clarified by the Highways service that there are no engineering reasons for retaining it as highway, and that it is not required for future road schemes. This process is therefore time and resource intensive, as is the procedure followed by S&E to provide provisional land valuations.

2.10 Asset Information has also been liaising with colleagues in Highways Asset Planning to assess how CCC can better manage any of the land parcels that may be required for highways purposes. It is proposed to link these land parcels to the Local Street Gazetteer. This will enable the highway land dataset to be inserted to the Authority's Asset Register software, which in turn allows highways operational staff to arrange site maintenance and inspections in tandem with other physical assets, such as carriageway surfaces, gullies and road signs. This will add to the efficiency and effectiveness of CCC's highway management by creating

a more comprehensive view of the assets on each road.

#### 2.11 Potential for consultancy income

The successful registration of the first batch of deeds demonstrates that the procedure to complete the project electronically is viable. This assurance enables CCC to begin publicising the project, to attempt to generate consultancy income.

- 2.12 A case study is being worked on with GeoPlace, the central co-ordinator of the National Street Gazetteer, who will then circulate publicity about CCC's registration project to highway asset managers at many local authorities. The Local Government Association and the Local Land Charges Institute have also been contacted to explore the possibility of spreading knowledge about the project nationally, and the team has also directly contacted other authorities more locally to gauge interest. At this time interest has been limited and it is difficult to tell if it will be possible to generate a consultancy income. However, it is anticipated that interest may grow when awareness of the government's land registration agenda spreads.

Source Documents	Location
Fixing our broken housing market, Department for Communities & Local Government, 7 <sup>th</sup> February 2017	<a href="https://www.gov.uk/government/publications/fixing-our-broken-housing-market">https://www.gov.uk/government/publications/fixing-our-broken-housing-market</a>