

**Land Registry User Group  
Minutes of Meeting**

**Date :** Wednesday 11 December 2019  
**Time :** 11.00 am  
**Venue :** Ceremony Room at the Civil Registry, Deemsters Walk, Douglas

**Present:** Nicholas Arculus: Land Registrar, (Chairman)  
Jeanette Craster, MannBenham (JC)  
Gaynor Denham, MannBenham (GD)  
Christina Kemp, Mann Benham (CK)  
Alex Poole-Wilson, Cains (APW)  
Paul Shimmin, Attorney General's Chambers (PS)  
Nigel Lewney, Registries Manager (NL)  
Juan Moore, IOM Law Society (JM)  
Alexandra Dernie, Applebys (LD)  
Carol Young, M&P Legal (CY)  
Stephen Castle, Corlett Bolton, (SC)  
Paula Atkinson (Search Clerk) (PA)  
Joanne Creedon, Quinn Legal (JoC)  
Thomas Hardstone, Quinn Legal (TH)  
Graham Kirkpatrick, Dandara Group Legal Department (GK)  
Colin Falconer, Project Manager (CF)  
Ruth Ledger, Pringle Law (RL)  
Edward Clague, Acting Registrar General (AgRG)  
Emily Woods, Bridson Halsall (EW)

**Apologies:**

Martin Paterson, Bridson Halsall (MP)  
Ray Marley, Callin Wild (RM))  
Irimi Newby, Simcocks (IN)  
James Kennaugh, Cains Gordon Bell (JK)

1. Welcome, introduction and apologies.

The Chairman welcomed users to the fifth and final meeting of LRUG for 2019. The Chairman conveyed the compliments of the season from all at the Land Registry to all members of the Group. *Nollick Ghennal dagh ooilley pheigh, as ny jean shiu jarrood adsyn nagh vel jannoo cho mie Blein via Noa erriu.* Mince Pies and expressions of goodwill were shared.

2. The minutes of the meeting of 18 September 2019 were approved without comment.

The Chairman informed members that the September minutes and all subsequent minutes were going to be posted on the Land Registry website going forward as a permanent record of the engagement between the Land Registry and its users.

3. Matters arising from meeting of 18 September 2019.
  - 1) Manx Utility burdens.

The Chairman provided a verbal update on a meeting he had with Manx Utilities on 1 October 2019 subsequent to September's meeting to discuss the matters raised by MU in September. The Chairman explained that MU have responded favourably to the suggestion that the MU map layers should be made more readily available for inspection for the benefit of conveyancing searches. The Land Registry are soon to begin the work of analysing the missing burdens reported by MU. The Land Registry will be looking to work directly with affected advocates rather than imposing inhibitions in the first instance.

APW and GK asked if the Land Registrar would be reviewing the way in which MU burdens are registered generally. The concern was that their entries on the register did not accurately reflect the burden created and this was procedurally unfair and gave the impression that the MU were receiving preferential treatment. The Land Registrar said that this was no longer happening and that work was ongoing to investigate and if necessary seek to improve the quality of MU submissions.

4. Land Registry Update:
  - (a) Workflow statistics
  - (b) Workload
  - (c) User feedback and
  - (d) Property market update from Members

The Registries Manager, Nigel Lewney, provided a verbal analysis of the workflow statistics giving credit to the whole Land Registry team for their efficient work throughout a year that had been very challenging and seen a high level of applications. NL reported that the Register had passed to important milestones - there were now over 19,000 registered titles and for the first time our monthly work had (over the year) shown a small majority of applications for dealing with registered title rather than first registrations.

The Members confirmed that the market remained generally busy and that the Registry could anticipate no reduction in the volume of applications in the new year.

5. Rejection statistics and requisition response reminder

The Land Registrar provided a verbal update on the rejection rates showing that generally only around 1% of applications were rejected by the Land Registry. By reference to a chart the Land Registrar demonstrated that for the last 2 years the rejection rates were now at their lowest ever (0.2% in 2019). This reflected the commitment of staff within the Registry at overcoming errors in applications especially since the fee changes were implemented earlier this year. The Chairman informed users that as we moved to implementing a new system and as the sensitivities around the fee changes receded it was likely that the rejection rate would return to former levels.

**Members were reminded to ensure that when providing missing forms that had not been submitted for registration initially these forms should not be accompanied by a new Form 100. Where this is done, a new application file is opened and it risks delaying the original application because we will not realise the requisition/application deficit has been addressed.**

6. Update on new Deeds Platform and fees. (Nigel Lewney).

NL informed the Group that the new Deeds Platform should be being enabled within a few days of the meeting. It had been intended that the system would be available for use already but during testing a few errors had been identified that were now being addressed. NL informed users that the fee for viewing deeds online would be £2.00 and the practice of being able to view deeds for free within the public counter area will cease. Deeds will need to be purchased online by bank card. Wifi is enabled within the Counter area and members are advised that because the counter terminals are public counters the expectation is that they will use their laptops to purchase deeds. Payment facility on the public terminals are intended for members of the public and while search clerks will be able to use these they must remember that the machines are public and that if they enter their bank details onto the terminals they will need to log out after use to ensure the bank details are not left on the machines in the memory caches.

The Land Registrar encouraged user to keep an open mind on the new systems both in the Land Registry and the Deeds Registry. It is inevitable that it may take a while for all users to gain familiarity with the new systems. LRUG will continue to be a forum for discussing in future how the systems are working and how best they can be refined.

NL informed members that where deeds are not yet scanned it will be possible for the deeds to be provided electronically by email on request. The timescales are as yet unknown but initially staff will be working to turn requests around on the day of receipt. NL also advised members that more deeds were being scanned to increase the range of deeds available for immediate inspection electronically.

7. Review of Practice Directive PD02/2019. Form CR2 -issues around use on separation. Streamlining the process where separation orders are submitted.

The Land Registrar informed users that form CR2 was no longer needed in the event of the £250 fee being claimed on separations where the evidence of a court order or separation agreement was being submitted. This was in response to comments received from Members.

The Land Registrar will add a note to this effect on the Land Registry website.

8. Online Land Registration applications. Proposal for online submission of registration forms with hard copies to follow. Priority and fee methodology.

The Land Registrar discussed with Members that the intention of the online Land Registry platform was to facilitate applications being received electronically. The Registry is developing plans to enable applications for first registration to be submitted electronically -by applicants emailing the forms directly to a designated account at the Land Registry. Applications would have priority from the day they were submitted provided that payment was made using the application reference number within 7 days of receipt. The hard copy of the application forms would also need to be submitted within the same period. Members were supportive of this initiative in principle.

9. Legislation, Practice Directives & Guides:
- (a) Registration of Deeds (Online Publication and Inspection of Documents) Regulations 2019.
  - (b) KYC/ID forms.

(a) The Acting Registrar General provided an overview of the Registration of Deeds (Online publication and Inspection of Documents) Regulations that were awaiting promulgation. After consulting with the Information Commissioner the Acting Registrar General was making these regulations to facilitate the electronic provision of deeds to advocates.

(b) The Land Registrar reminded Members that the forms agreed by Members and the Law Society relating to vendor and purchaser ID declarations had still not been promulgated but that this was still in the programme. Promulgation would probably occur in January 2020.

10. Developments in the Land Registry
- (a) Pending Consultation on delivery of Exempt Information Regime. Domestic Abuse Bill. Closure of Register of Transactions.
  - (b) Review of Substantive Land Law 2019 update. Meeting with Land Registrar and CEO of Law Society on 4 October. Consultation in early stages of next year.
  - (c) Urban Development consultancy report of Department for Enterprise. [https://www.gov.im/media/1367580/urban-development-agency-models-20-november-2019\\_reduce.pdf](https://www.gov.im/media/1367580/urban-development-agency-models-20-november-2019_reduce.pdf)
  - (d) Petition for Redress. Tynwald 19 November 2019 going to the Constitutional and Legal Affairs Select Committee.

The Land Registrar informed members that once the Domestic Abuse Bill was enacted there would be a consultation on introducing an Exempt Information regime within the Land Registry. A preliminary working draft of the secondary legislation had previously been circulated to Members. A formal process would be initiated in the early stages of 2020. Once that had started the Land Registrar would also be consulting on a substantive land law reform bill.

The Land Registrar brought items (c) and (d) to the attention of Members for their information.

11. Future agenda items and any other business.

The Land Registrar reported that Registration Officers had reported a decline in the appearance of accurate clauses declaring whether co-owners were holding as joint tenants or tenants in common. The Land Registry exercising discretionary curative powers is able to accept extrinsic evidence and declarations prior to registration but once on the register changing legal ownership structures requires a legal transfer. Members were encouraged to review their internal practices if necessary.



12. Date and time of next meeting (provisional) 19 February 2020 at 11am.

Meeting concluded at 12.30

Signed  
Nick Arculus 19 February 2020