

Landing the right search

Ena Dixon explains the extra benefits of electronic local authority searches

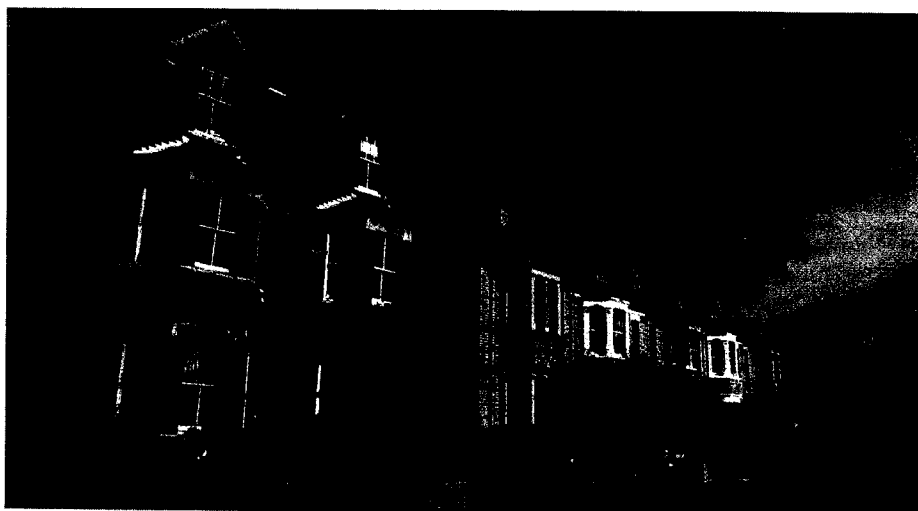
Electronic local authority searches through the National Land Information Service (NLIS) tick the boxes when it comes to quality and accuracy, but another benefit for conveyancing solicitors is that data provider statutory indemnities are preserved too.

With personal searches still a popular way to obtain search content for a home information pack (HIP), sub-standard searches contained within a HIP (i.e. searches carrying out of date data or missing information) can impact the reputation and professional indemnity risks of a legal practice. Liability for negligently-provided search results can be a huge issue for conveyancing solicitors. However, searches ordered through NLIS are classified as 'official' searches because they are sourced directly from (and interpreted by) the local authority and other official data providers, and therefore all statutory indemnities remain preserved and transferred to end customers. As well as providing indemnity, in the rare event of an error occurring, local authorities have the power to rectify and remediate.

Modernising the process

For more than a decade NLIS has partnered with local authorities to modernise the land and property 'search' ordering, payment and information supply process and today it connects with every local authority in England and Wales. The NLIS Hub connects law firms and conveyancers with other data providers such as the Land Registry, the Coal Authority and water authorities. The information is distributed by NLIS Channels to solicitors and licensed conveyancers. Since it began operation in 2001, over 18 million searches have been processed by the Hub.

Leeds City Council has been connected to NLIS at its highest level (Level 3) since January 2008, meaning we receive search applications and fees electronically and also return them electronically, directly to a conveyancing solicitor's desktop. The benefits for conveyancing solicitors speak



for themselves, not only with secure, fast response times (currently Leeds local land charges turns its searches around in just under 1.5 days) but significant accounting efficiencies are achieved too through the online handling of refunds and cancellations, as well as streamlined billing and reconciliation. Where a conveyancing practice is using case management, search results are filed automatically, reducing internal processing costs for the practice and ultimately improving the service to clients. Mapping facilities are also available, resulting in improvements in productivity and reductions in internal costs.

Unique functionality

Leeds City Council can utilise 'Negotiation', a unique NLIS function that enables dialogue to take place between local land charges and the conveyancer; so that if for example the wrong fees had been submitted with a search request, we can send a message through 'Negotiation' requesting additional fees. The fees can be paid immediately, meaning the search can proceed without losing its place in the queue. By contrast, where a search request is sent in by post, the conveyancer would need to re-submit the search request and start at the back of the queue, losing time and

causing delay to clients.

The recent High Court dismissal of the claim by OneSearch Direct against City of York Council, after the Council refused the personal search company open access to its unrefined data, is of significance to property lawyers, as it may result in an increase in the cost of a local search obtained through a personal search company.

Official search fees at Leeds City Council local land charges have been based at cost recovery level since January 2009. This heralded a major reduction in fees for 2009-10 with a further decrease for 2010-11 owing to the high volume of searches processed.

Through our partner, NLIS, we aim to deliver an electronic search service to all our clients in line with legislation and implementation of e-Government requirements. Our service standards relate directly to those aspects of our service that matter most to our customers – a tailor made service that is cost effective, accurate, efficient, readily available and flexible. ■

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