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PARTNERSHIPS FOR BETTER SERVICE

Public-Private and Public-Public Partnerships to achieve better service to
customers in the Netherlands

P.VAN DER MOLEN

DIRECTOR KADASTER INTERNATIONAL
NETHERLANDS CADASTRE AND LAND REGISTRY AGENCY
APELDOORN (NL)

PAUL.VANDERMOLEN@KADASTER.NL

VISITING PROFESSOR

INTERNATIONAL INSTITUTE FOR GEO-INFORMATION SCIENCE AND EARTH OBSERVATION
ENSCHDEDE (NL)

VANDERMOLEN@ITC.NL

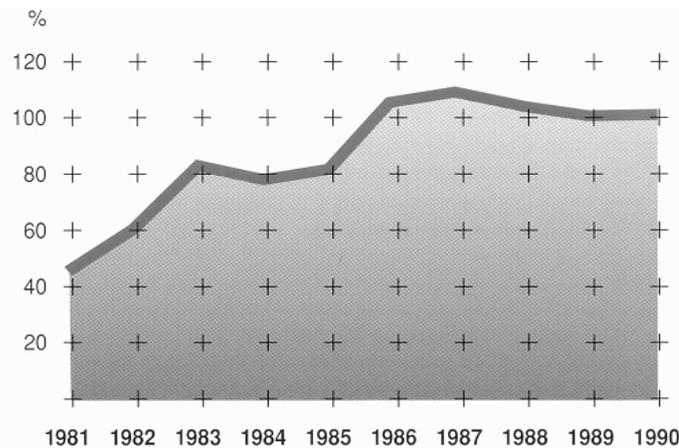
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1. Introduction

One of the rationales mentioned in the Law of 1994¹ that changed the 'Cadastral and Land Registry Service' as a department of the Ministry of Environment, Housing and Spatial Planning into an independent public body called 'Cadastral and Land Registry Agency', was the need to service customers better. In the structural set-up of the new organisation the act gave a great deal of prominence to a national users council², providing a platform for umbrella organisations of users to meet the Executive Board of the Agency and to discuss matters regarding efficiency and quality of the service, the fees, and all other relevant matters. Since 1995 regular meetings take place. The umbrella organisations of notaries, real estate agents, municipalities, water boards, consumers, and banks are members.

In the years prior to the change in 1994, decisions were taken in the Council of Ministers to make the Cadastral and Land Registry Department a cost recovering organisation. From the seventies up to 1990 the recovery of costs (in fact recovery of 'expenditures') grew step by step from about 40% to 100% within the government budgeting system (see figure: 'revenue as a percentage of expenditures'). In 1994 a cost benefit financial system was introduced, and the 100% recovery of expenditures was replaced by a 100% recovery of costs via monitoring the equity in the balance sheet. The Agency itself was responsible for creating a situation of continuity.



By consequence, paying attention to the satisfaction of customers, stands on top of the policy objectives of the Netherlands Cadastral and Public Registers Agency.

2. Customer Requirements

The Users Council provides lots of relevant information about customer demands. However the Council is only one of the meeting points with customers. Since 1997 is the organizational structure of the Agency has been focusing on customer service, through the division of the operational part into a back office and a front office. This step was followed by substantial investments in capacity building and improved professionalism. All regional units (comprising 1-3 provinces) employ 1 marketing manager, various account managers, and many customer service staff, from which about 50% was recruited

¹ Cadastral Organisation Act (State Gazette 1994 No 125)

² Article 16 of the Cadastral Organisation Act

from outside the organisation. At the corporate level a marketing policy unit was created, under the leadership of an experienced marketer previously employed by the commercial financial sector.

A system of marketing planning exists, with strong ties with the planning and control cycle. All units are accountable for their performance, both in terms of productivity and customer service. Regularly independent opinion polls provide objective information of the customer's judgement of the reliability of the Cadastre, the expertise of the staff, delivery times of products and services, accessibility of data (on-line services), customer orientation, clearness of customer communication, skills to thinking along with customers, and more detailed matters like waiting time customer desk, opening hour, keeping promise, correctness products and services that are delivered, speed of delivery, prices of products and services, transparency of invoices, product innovation, market communications and public relations, and dealing with complaints. Also the customer's opinion on the (relative) importance of these issues, the priorities for improvement and the specific targets for improvement are monitored³. Investments in ICT projects always should be justified by quantified and qualified customer demands (through 'business cases').

3. Partnerships

Customer requirements as determined by the Agency can be summarized as follows. Customers (although -of course- not every group of customers share the same wishes) want up to date, correct (no mistakes), complete and well accessible information. Given the mandate of the Cadastre and Land Registry Agency it became obvious already some time ago, that intensification and extension of partnerships with both private and public partners would provide opportunities to enhance customer service substantially.

Since then, partnerships exists at various types:

- by virtue of the law
- by agreement
- by occasion

4. Partnerships by virtue of the law

As the system of land registration and cadastre is a deed registration⁴, traditionally there is a strong link with the notary, who is a free professional appointed by the Crown, exclusively entitled to draw up authentic deeds. Such a deed is a compulsory requirement for the legitimate creation, transfer and deletion of rights to land within a closed system of rights '*in rem*'⁵. Complementary, the execution of the legal effect is impossible without registration⁶. The Agency and the notaries therefore form a strong partnership, to provide land tenure security, and security of transactions in the real estate market. The same applies to mortgages, so security in the financial market is included.

In many other laws, regulations are provided for government bodies to the compulsory use of information from the Agency in case of the implementation of government

³ Some Considerations concerning Benchmarking Cadastral Systems and the Case of the Netherlands, P. van der Molen, in: Benchmarking Cadastral Systems, Kaufmann J., & Steudler D., FIG Washington 2002

⁴ A so called 'improved deed registration', see 'Systems of Land Registration : aspects and effects', Zevenbergen J.A., Delft (forthcoming, November 2002)

⁵ Civil Code 1992 art 3.17

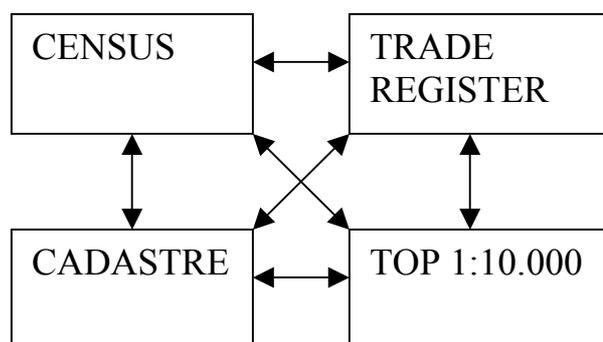
⁶ *ibid.* art 3.10

policies, like land taxation⁷, spatial planning and development, land consolidation, expropriation procedures, environmental protection etc. A law is recently approved by the Parliament, to make compulsory the registration of all public encumbrances which have power against third parties⁸. From this point of view, strong relationships exist between the Agency and many other government bodies (at all three levels of public management)

Another partnership by virtue of the law exists in the field of land consolidation (or -since the scope of land consolidation changed from only agricultural into as broad as possible- 'development policy for the rural area') where strong cooperation exists between the Ministry of Agriculture and Nature Conservation⁹, the Agency, and the provinces. The law is currently under revision, aiming for decentralization, but the process has a delay because of special laws needed to combat mouth and foot disease and swine fever.

5. Partnerships by agreement.

Customers require complete information on the legal status of land. The principle of 'specialty' means full clarification of subject, right and object. Regarding the subject (the 'rightful claimant'), differences existed in the past between the data in the municipal registers of birth, death, marriages and removals (*population census*), and those from the Agency. The municipal register was supposed to be up to date. The same situation occurred with the Register of Companies (*trade register*), held by the Chambers of Commerce. In the '90 it was decided to link the databases of the Agency in a permanent electronic connection with those two Registers, using them as a source register for continuous updating of the databases of the Agency. This process was actually encouraged by the National Council on Geo-Information (in which the large governmental data suppliers participate), that published a so called 'Structure Plan for information supply to Society'¹⁰. The Council concluded that 4 register should form the core of the geo-information infrastructure in the country, namely the popular census, the trade registers, the land registers and cadastre, and the topographic base map 1:10.000 (figure).



⁷ The new government (in power since May 2002) decided to abolish land taxation for private owners and users by 2005. For the existing situation see the Netherlands response paper on valuation WPLA Moscow (June 2002).

⁸ Bill on the Recording of Public Restrictions to Land 2002

⁹ Department Rural Development of the Ministry

¹⁰ Structuurschets Vastgoedinformatie RAVI 1992

The connection between the Land Registers/Cadastré and the Census was realized in 1996, providing for daily update of names and addresses of persons recorded on both registers. The connection between the Agency and the Trade Register is at present under construction, preceded by a merger into one national trade register¹¹ of the existing local registers of the Chambers of Commerce. The link with the Topographic Map 1:10.000 is currently investigated, through a link between this 1:10.000 database and the National Large Scale Base Topographic Map 1:1000 (option to share the changes). This is technically complex, however possible¹².

The links between these 4 core datasets, should guarantee availability and accessibility of geo-information of the best possible quality.

A similar exercise has been carried out through strong cooperation between the National Triangulation (a department within the Agency) and the National Level (a department of the Survey Department of the Ministry of Transport and Water Management), These two important core datasets were previously operated separately; in 1997 both departments agreed on stronger cooperation. This resulted in shared provision of country covering GPS data, and a common website for Active GPS references.

Government policy in the Netherlands aims for a single window for government information for the citizens, at the municipality public desk. Since 1997 there is a strong cooperation between the Agency and all municipalities to establish direct links from the municipal public desk to the central databases of the Agency, so that citizens can have easy access to land information at the 'corner of the street'. This works well, however the trend is access to information of the Agency through Internet. Currently all professional customers of the Agency (like notaries, real estate agents, auditors, governmental bodies etc.) are migrated from the existing data communication networks towards networks using Internet technology. The next step (foreseen in 2003) is extension of this service directly to citizens, so instead of going to the town hall or the Agency's desk, they can have access directly from their own home.

A structural partnership exists since the '70 between the Agency, many municipalities, utility companies, and water boards in the framework of the creation of the Large Scale Topographic Base Map of The Netherlands GBKN (1:1000). This is a long lasting partnership, first by agreement, but since 2001 in the form of a legal body, called Private Public Partnership for the Maintenance of the GBKN. That was done to safeguard investments in the database, because after 25 years of mapping, the GBKN covers the country (is 'ready') and the focus remains on the maintenance and updating. So structural cooperation has been institutionalized¹³.

In 1998 the Netherlands government embarked on a policy for the creation of a system of so called Authentic Registrations, as part of the Programme of Action for e-government¹⁴. This action plan is currently being implemented, aiming for data sharing and avoiding data duplication within the government. The Minister of Home Affairs gives high priority to the datasets of the Agency, including the GBKN.

¹¹ The National Basic Registry for Companies and Legal Bodies (BBR)

¹² Ontology Based Geographic Data Set Integration, PhD Thesis H. uitermark, Twente University 2001

¹³ Large Scale Basemap as an Authentic Registration?, H. van Eekelen, GIM International Dec. 2001 Vol 15

¹⁴ Sub action plan for Streamlining Basic Datasets (Parliament Lower Chamber 1998-1999 26387 No 1)

6. Partnership on occasion

This kind of partnerships occurs mainly in the field of value added products. The government policy is that the Agency provides its data to private and public organizations which aim for combining the data of the Agency with their own data sources, creating a new information product from which they expect to serve a certain market (*'niche'*). The Agency cooperates for example with companies in the field of car navigation, real estate valuation, statistics on prices of houses and agricultural lands, distribution planning, retail, and marketing. Of course this is done within the rules of Privacy Law¹⁵.

7. Quality Management

As meeting demands of customers requires appropriate organisational structures and adequate quality management, much effort has been invested last years in streamlining and describing workprocesses and in the establishment of total quality management. As a result the ISO 9001:2000 certificate was issued 29th August 2002.

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¹⁵ Law Protection Personal Data, 6 July 2000, State Gazette 302, in power 1 September 2001 by Royal Decree 5 July 2001 State Gazette 337