Written submission from Professor Stewart Brymer OBE, WS

Land Reform (Scotland) Bill

Introduction

I refer to the recent call for further responses in respect of the Land Reform (Scotland) Bill (“the Bill”). I have already responded to the formal Consultation process and do not intend to repeat my comments in this note as the relevant information is already in the public domain.

Specific comments

1. I am of the opinion that the Bill ought more accurately to be designated as the Land Reform and Agricultural Holdings (Scotland) Bill given the nature of the proposed reforms. This would also enable its terms to be more readily accessed among other relevant legislation and Statutory Instruments etc.

2. In my opinion, the dual drivers for this ambitious reform programme are (a) completion of the Land Register (on which there has already been detailed consultation); and (b) the creation of a National Land and Property Information Service. The latter is currently the subject of work being undertaken by a Task Force established by the Deputy First Minister, John Swinney MSP, and chaired by the Keeper of the Registers of Scotland. The Task Force is to report to the Deputy First Minister by 31 July 2015.

3. The proposed National Land and Property Information Service will be called ScotLIS and is based on work undertaken around 15 years ago. At that time, the necessary IT was not developed to a suitable standard. That has now changed.

4. There are other countries that have had recent experience of digitising their Registers and, at the same time, introducing other related reforms such as a national database of all other non-title information relative to properties. See www.ambita.com where details of the work done by the Norwegian Land Information Company can be accessed. Such a database would be based on the Unique Property Reference Numbers introduced as part of the Government’s Address Database project. In my view, a collaborative approach with Local Authorities, Ordnance Survey and other stakeholders such as The Law Society of Scotland, the Royal Institution of Chartered Surveyors and the Council of Mortgage Lenders with external input from a company such as Ambita which has had experience of both digitising the Norwegian Land Register and introducing a Land and Property Information Service called Infoland would lead to a quantum leap forward and would place Scotland in a very advantageous position in the eyes of potential inward investors. Such investors would be able to view Scotland as being an example of a modern 21st Century economy where the Land Register and associated National Land and Property Information Service is fully transparent and informative for users. In simple terms, it would be a “One Stop Shop” for all non-title information on land and property. This, in my opinion, would be a significant economic driver and would serve to propel Scotland up the list of the World Bank’s Database of the efficiency of individual countries’ registration
systems as a driver to economic investment. At present, Scotland does not have an entry on its own account. This could change however.

5. For more on the aforementioned project see the minutes of meetings on the Registers of Scotland website and www.unifiscotland.com

6. I have no further comments to make at this stage and confirm that I would be prepared to give evidence if required.