Environment, Climate Change and Land Reform Committee

Inquiry into Land Register of Scotland: progress of local authorities in registering their land

Written submission from City of Edinburgh Council

In relation to the above Committee's interest in the Scottish Ministers' proposal that all publicly owned property be Land registered by 2019, I would address the three specific questions posed in your letter, as follows:

1. The City of Edinburgh Council is aware of the proposal put forward by the Scottish Ministers, in relation to completion of public land registration by 2019, and understands that this aspiration is not accompanied by any legal requirement to do so.

2. The Council has already completed a number of Voluntary Registrations of plots of land within its ownership, for logistical reasons associated with having the benefit of registered titles, and will continue to do so as and when opportunities arise in the course of its normal business.

3. It is not likely that the completion of the Land Register, so far as it relates to publicly owned land within the Council's area, will be completed by 2019.

The Council is currently engaged in the process of compiling a register of Common Good assets, as required by Part 8 of the Community Empowerment (Scotland) Act 2015, and in the course of this work, is examining the titles to Council owned land to identify which properties should be included. We intend to voluntarily register some land as part of this project as a pilot for the wider requirement to register land.

The amount of work involved in completing registration of all of the Council's land will be significant, and the cost of registration fees alone quite prohibitive. The Council has neither the resources nor the budget to accomplish the task in the envisaged timescale.

The Council understands that all other local authorities in Scotland would be faced with a similar scale of task to complete registration of their land by 2019, and would also be unlikely to have either resources or be able to afford this.

I trust that this information is sufficient to allow you to report to the Committee.

Kevin Paterson
Senior Solicitor