

Environment, Climate Change and Land Reform Committee**Inquiry into Land Register of Scotland: progress of local authorities in registering their land****Written submission from Falkirk Council**

I would start by saying that the goal of achieving full registration of land in Scotland is a genuinely laudable one and one that could generate significant benefits. I am aware that Scottish Ministers invited the Keeper of the Registers of Scotland to complete the Land Register by 2024 for all private land and by 2019 for all publicly owned titles. It is my understanding that this is not a mandatory requirement.

Falkirk Council has voluntarily registered a number of its titles. In part, this has been to assess what is involved in the process for voluntary registration and, in part, in anticipation of dealings by the Council with the land concerned. An example of this is the voluntary registration of the various titles comprising the town centre of Denny which is currently the subject of a regeneration project.

What we have not done is devoted dedicated resources to a concerted effort to register all of our Sasines titles. Having had the experience of a number of voluntary registrations, we are currently pulling our data together and also looking to fully understand the implications of the relatively recent decision by the Keeper to allow Keeper Induced Registration of land owned by public bodies. The latter may have an influence on the work required to be carried out by Councils and the costs involved by way of registration dues.

The Council has something in the region of 5,500 separate Sasines title packets covering an asset base encompassing schools, housing, library and leisure facilities, museums, parks, offices, industrial units, shops, roads etc. For accounting purposes, the Council's estate is estimated at c£600m. For the purposes of valuation for voluntary registration, we estimate that the value would be considerably more and the exercise to arrive at those values would be a time consuming and costly one in itself. Depending on how the titles to those individual assets are configured, registration fees could be of a very significant level, even allowing for the current discounted registration fee offered by the Registers of Scotland.

The payment of registration dues for all of the Council's unregistered properties over a compressed timescale needs to be considered in the context of the very challenging financial environment we are all facing at present.

In addition to the consideration of registration fees, a project of this scale could not be accommodated from our existing staffing resources. All relevant staff, including our solicitors and surveyors, are already working at high capacity dealing with transactions and matters required to meet the Councils committed objectives and obligations. We have provisionally estimated that a minimum of around 10 additional staff would be required, across legal, valuation, technical and archival disciplines. It would also be necessary to add to that search fees, quick copy deeds and other inevitable outlays to get titles ready for registration. As I am sure you will appreciate, that would all be a significant cost over the life of a project to fully complete all the voluntary registrations. All of these matters were set

out in the Council's response to the consultation by the Keeper which took place in late 2014.

As matters sit, and given the extremely challenging budgets we anticipate going forward, I am clear that Falkirk Council will regrettably not be able to complete registration of all its property titles by 2019.

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Chief Executive