

# Mapping and the Scottish Land Register

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# Registers of Scotland

- Maintain and administer 16 (soon to be 17) public registers
- 2 (soon to be 3) map-based registers
  - Land Register
  - Sites of Specific Scientific Interest
  - Crofting Register



# Land Register of Scotland

- Operational since 1981
- 56% of Scottish property titles registered
- 21% of Scottish land mass registered



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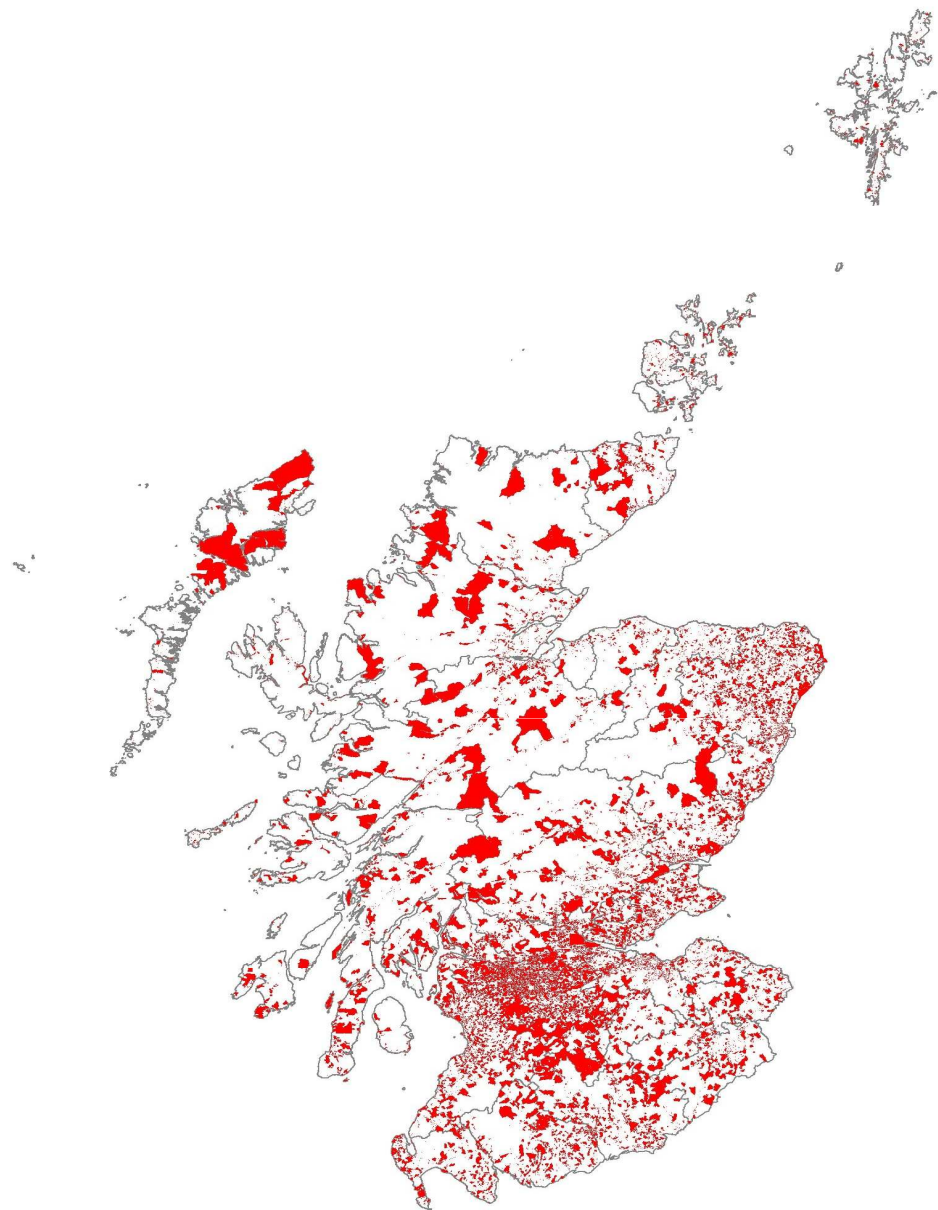
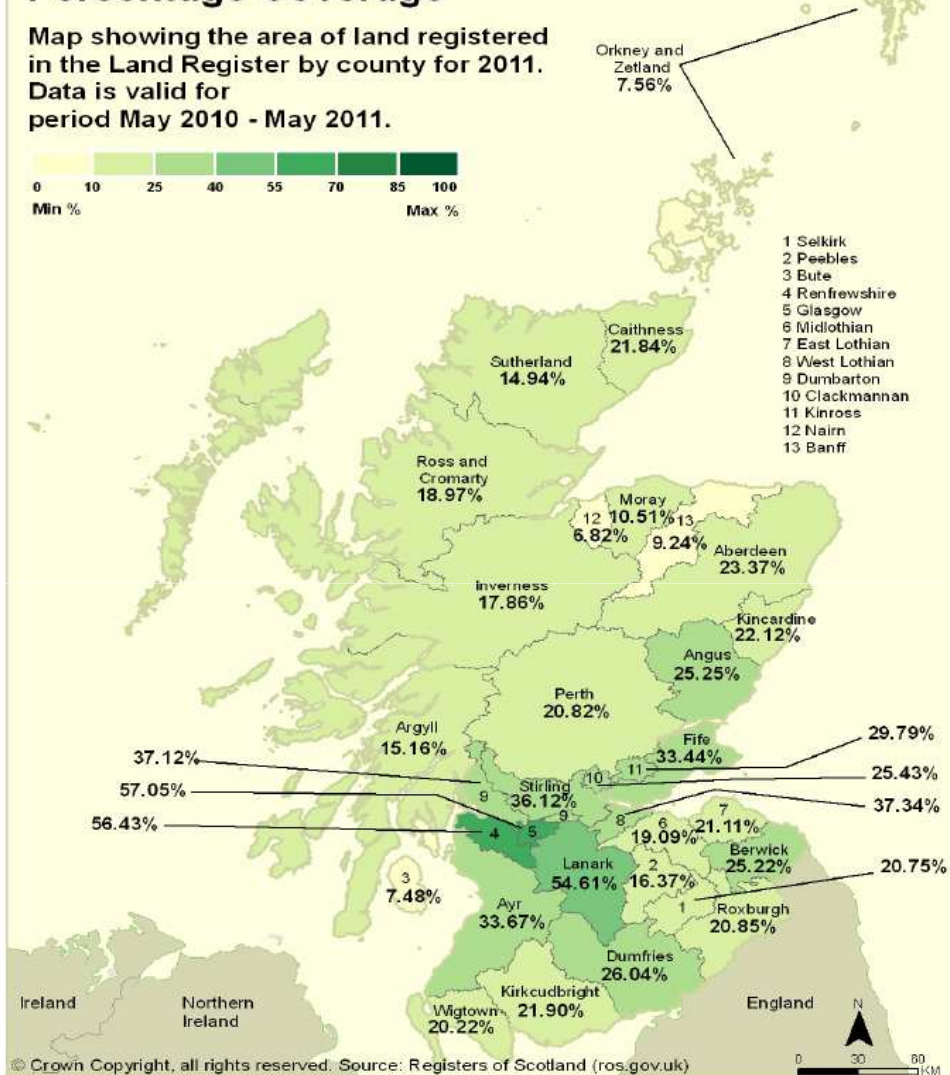
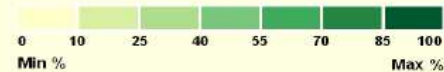
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# REGISTERS OF SCOTLAND

## Land Mass Coverage Report 2011

### Percentage Coverage

Map showing the area of land registered in the Land Register by county for 2011. Data is valid for period May 2010 - May 2011.

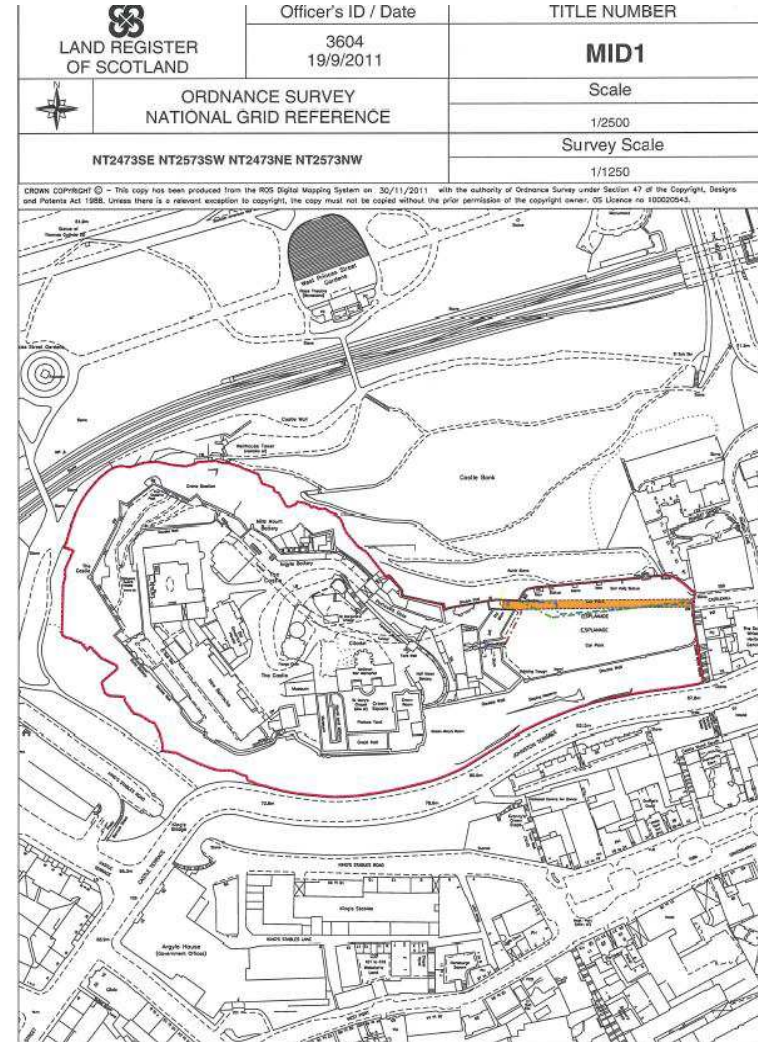
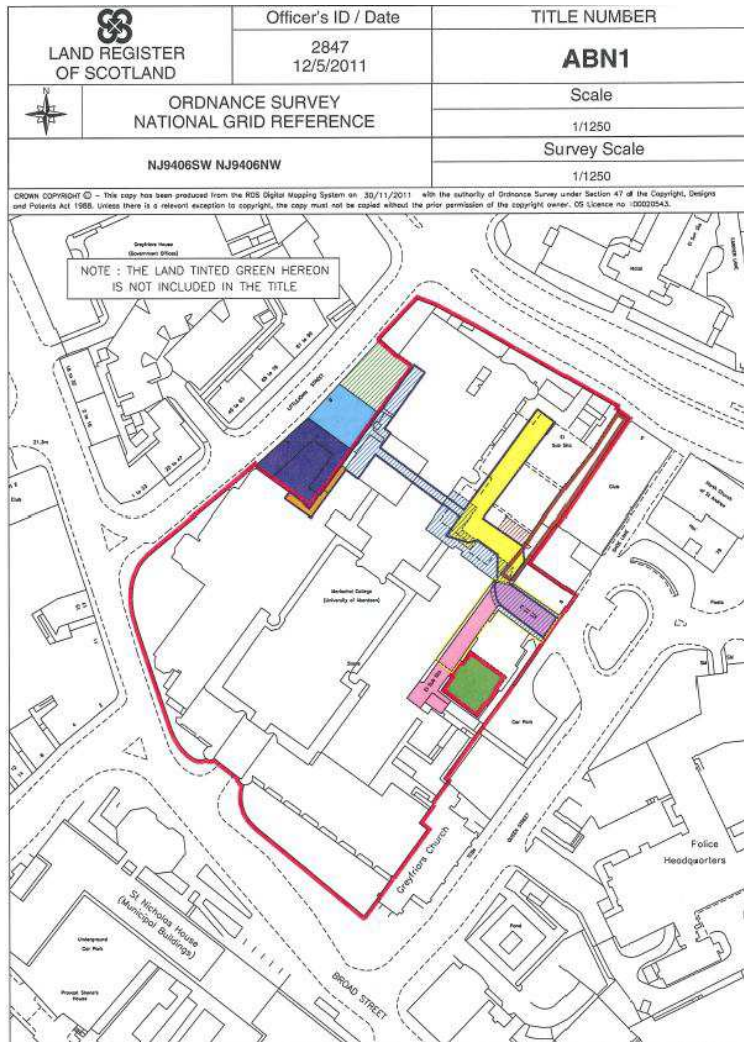


# Scottish Land Register

- Register of title to land
- Map-based
- Titles mapped onto Ordnance Survey map
- Map to legal title not to physical boundaries
- Title boundaries are guaranteed
- Guarantee is subject to limitations of scale



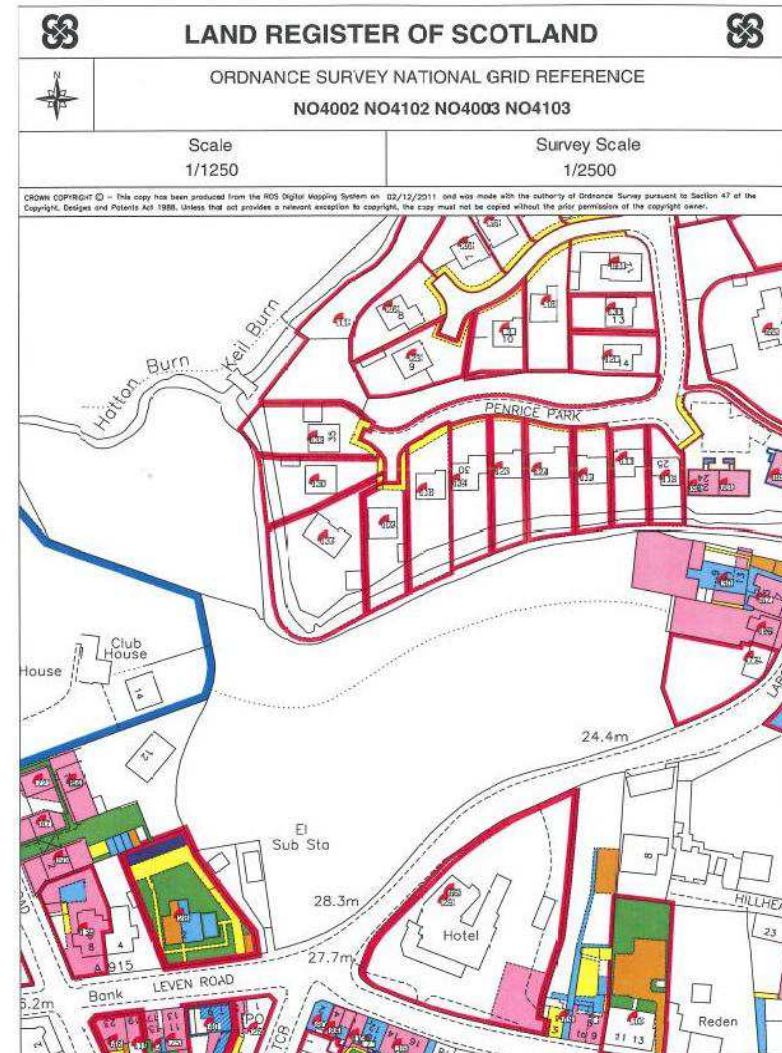
# Title Plans



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# Title Plan & Index Map



# Pressure for change - criticism of 1979 Act

- *“Nobody could accuse the Act of being well drafted”*- Lord Jauncey of Tullichettle
- *“obscure and difficult to understand”*- Lord Keith of Kinkel
- *“the Act has all the intellectual sharpness of mashed potato”* – Professor George Gretton





# The Scottish Law Commission project

- Review of Land Registration included in 6<sup>th</sup> Programme of Law Reform at Keeper's request
- Keeper's submission - March 2002
- Three SLC discussion papers – 2004/2005
- SLC Report and draft Bill published February 2010
- Land Registration etc (Scotland) Bill – Royal Assent May/June 2012



# Purpose of the Bill

1. Put on a statutory footing the policies and procedures employed by the Keeper
2. Provide a scheme for the completion of the Land Register
3. Re-align registration Law with Property Law
4. Introduce a system of Advance Notices
5. Amend the Requirements of Writing (Scotland) Act 1995 to allow for Electronic Deeds



# Land Registration etc (Scotland) Bill: impact on mapping

- Use of OS map optional
- Introduces concept of cadastral map



## Cadastral Map Principles

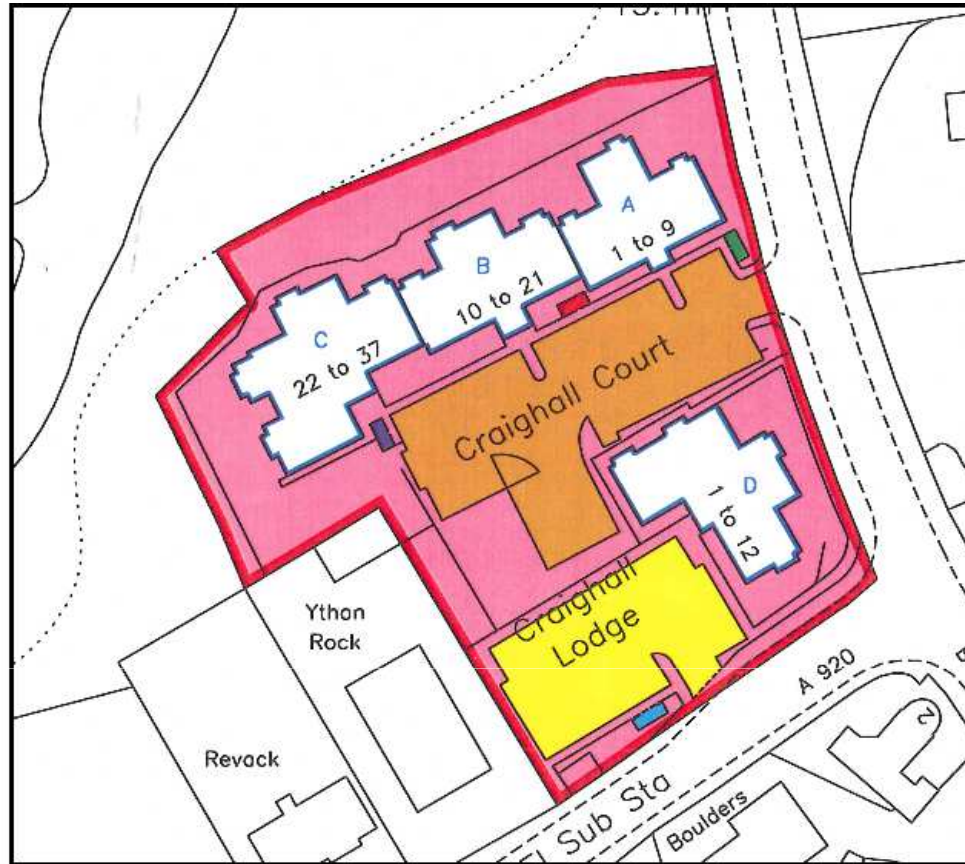
- No registration without mapping
- Cadastral unit only appears in one title, therefore no competing titles
- Areas of land held in common have their own title sheets
- Separate tenements of land (e.g. minerals) can have separate cadastral units and title sheet
- Leasehold titles will not have separate title sheet



# Land Registration etc (Scotland) Bill: impact on mapping

- Use of OS map optional
- Introduces concept of cadastral map
- Provides for use of supplementary plans
- All property units to have a separate title





Each block A-D has a right in common to the solum of the block  
Blocks A-C have a right in common to parking and forecourt tinted brown  
Block D has a right in common to parking and forecourt tinted yellow  
Block A - right in common to bin area tinted green  
Block B - right in common to bin area tinted red  
Block C - right in common to bin area tinted mauve  
Block D right in common to bin area tinted blue  
All proprietors have a right in common to open areas tinted pink



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## Shared Plot Title Sheets

- Right in common mapped once
- Proprietorship section lists all title numbers which have a share in the shared plot – the “sharing plots”
- Statement in charges section stating shared plot may be subject to heritable security registered against a sharing plot
- Cross references in title sheets for shared and sharing plots
- Reference to sharing plot taken to include reference to share in shared plot
- Transfer of sharing plot will not require update of shared plot title sheet



# Land Registration etc (Scotland) Bill: impact on mapping

- Use of OS map optional
- Introduces concept of cadastral map
- Provides for use of supplementary plans
- All property units to have a separate title
- Deed plan criteria placed on statutory footing



# The future

- Collaborative working
- OS/RICS/LAW SOC/ROS
- Multi-layered data-sets
- Completion of the Land Register



# Contact

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