



31 August 2005

John King
Director, Fees Consultation
Registers of Scotland Executive Agency
Meadowbank House
153 London Road
Edinburgh EH8 7AU

Dear Mr King

Consultation on Fees

Homes for Scotland is the representative body for the home building and residential development industry in Scotland and our member companies build some 95% of all new homes in Scotland. We are pleased to have the opportunity to comment on proposed amendments to fees.

In broad terms no objection to taken to the proposals and, indeed, some are to be welcomed. The following observations apply:-

1. the proposals to reduce all fees in Section A are welcomed
2. it is noted, however, that the same fee will apply to a nil-result search, unlike Sasines searches where no cost arises in such circumstances
3. the proposals to increase fees in Section B are noted. It is, however, questioned whether the principle of full-cost recovery would be sustainable in the event, for instance, of a significant downturn in the housing market. Cross-subsidy from other areas of work should be considered.
4. the proposals in Section C are noted and the proposal for a fixed fee for copy deeds is accepted.

Yours sincerely

A handwritten signature in black ink that reads "Bruce Black".

Bruce Black
Executive Director

Draft Fees in the Registers of Scotland (Amendment) Order 2005

Response by the Council of Mortgage Lenders

to the Registers of Scotland Consultation Paper

9th September 2005

Introduction

1. The Council of Mortgage Lenders (CML) is the representative trade association for mortgage lenders. Our 144 members comprise banks, building societies, insurance companies and other specialist residential mortgage lenders, which together represent around 98% of the assets of the mortgage market. In addition to lending to the private housing market, the CML members have lent over £36billion UK wide for new build, repair and improvement to social housing. We welcome the opportunity to respond to the Registers of Scotland Consultation Paper.

General Comments

2. The Consultation Paper states that the fees have been set at a level which will recover the costs of the services provided and the review has been conducted in accordance with established accounting principles. In the absence of details of these principles it is very difficult to comment meaningfully on the fairness of the proposed new fee levels. In the interests of transparency and openness CML Scotland would suggest that fuller details should be disclosed regarding the basis on which the fees are calculated.

3. While it is not possible to compare directly the services with those provided by the Land Registry in England and Wales it does appear that overall the fees charged by the Land Registry in England and Wales for similar type services are less.

4. The Consultation Paper does refer to a number of the services being labour intensive with the main costs being staff related. No mention is made of whether an analysis, including a cost benefit one has been undertaken on the feasibility of automating these processes with a view to reducing their cost. In addition there is no mention of whether these processes have been subject to continuous improvement type activity which could also impact favourably on their cost.

5. CML Scotland welcomes the reduction in fee levels for use of Registers Direct which it would hope would encourage greater use of this service. It also supports the proposed change to the basis on which fees in Section C will be charged. As the Consultation Paper states this should provide greater certainty.

This response has been prepared by CML Scotland in conjunction with its members. Any queries or comments should be addressed to the undernoted.

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