



The P16 report you have just received has an Answer 3, indicating that the subjects shown on the plan/in the description do not agree with the features on the Ordnance Survey (OS) map. You are strongly advised to consider any discrepancies prior to submitting an application for First Registration (FR). If you do not investigate a discrepancy highlighted in the report, any subsequent application will be delayed while the Keeper investigates the position.

**Please note that the P16 report is not a check of title** and the Keeper cannot provide a definitive answer as to how any discrepancy will be viewed at registration stage, until an application is received and a full examination of title has been completed. However there are several steps you should take prior to submitting an application for registration. Please see the notes below and the flow diagram overleaf. **If you have any questions regarding possible exclusions of indemnity please contact our Pre-Registration Enquiries section Tel 0845 607 0163 (local rate). 0131 479 3674 (Direct Line).**

## GUIDANCE NOTES FOR ANSWERS 3, P16 REPORTS

### Qualified P16 Report.

#### Answers 3A, 3B, 3C & 3E

If the P16 Report has received a qualified answer marked 3A, 3B, 3C or 3E, you should follow the step-by-step guide on the reverse of this leaflet. This should enable you to provide the relevant information for the Keeper either to complete registration, with or without an exclusion of indemnity, or to consider if further investigation/information/remedial work is required.

### Qualified P16 Report—

#### Answers 3D, 3F & 3G

If the P16 Report has received a qualified answer marked 3D, 3F or 3G, the Keeper has been unable to produce an accurate report due to the quality and limitations of the plan submitted. The plan fails to meet the Keeper's criteria for deed plans and if submitted with an application for registration, it may not be sufficient for registration purposes and could be rejected.

You are therefore advised that if the report has one of these specific answers, you should consider obtaining a new deed plan which fully meets the Keeper's deed plan criteria (see 'The Registration of Title Practice Book' (2nd Edition), Chapter 4, Appendix 1). Any new deed plan should reflect the occupied extent, but must also coincide with the extent supported by the prior title deeds (the legal extent) and the extent possessed for the prescriptive period.

In all answer 3 reports, a site visit is recommended to confirm, (1) if the OS map or the title deed plan reflects the actual occupied position on the ground, and (2) the age/nature of features and use/occupation of ground (see below for examples of information required\*). The Keeper may seek further evidence of information submitted in connection with an application.

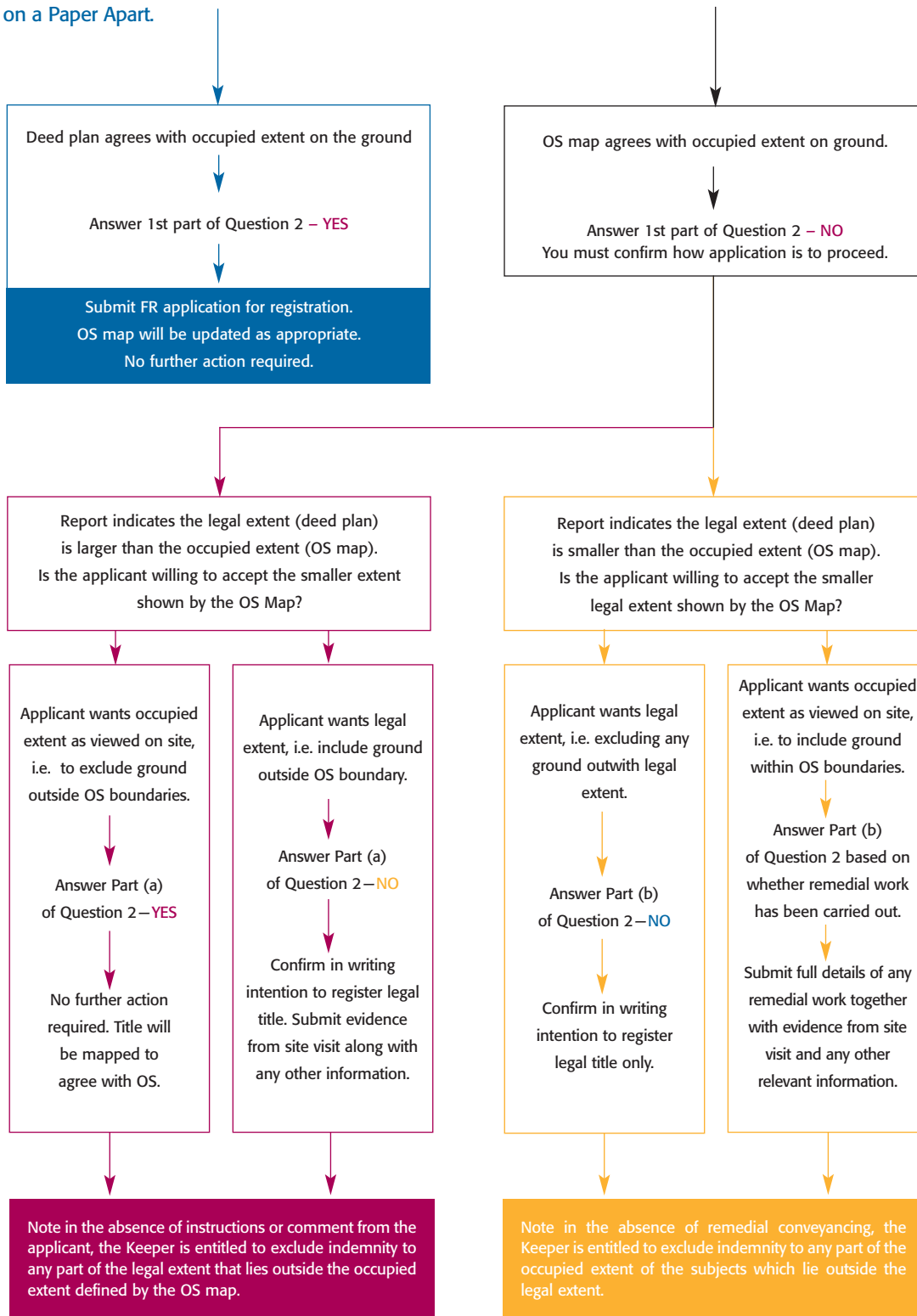
In your response to Question 2 of the Form 1, your attention is also drawn to Question 3 concerning adverse possession and occupation and Question 14 concerning any facts and circumstances material to the right or title of the applicant.

(The Keeper examines all applications for registration for reports completed over the subjects. If you answer the question incorrectly the Form 1 will be returned for amendment and completion of the remaining questions.)

Deed plans based on copies of previously issued Title Plans will require the provision of supporting evidence to confirm that you hold an appropriate copyright license to use Ordnance Survey (OS) mapping. A license issued by the OS only covers the map information purchased, e.g. buying a map for an area in Aberdeen does not give a license to then use any map in Scotland, the licence only applies to any copies created from that map originally purchased. I draw your attention to the implications arising therefrom as detailed in paragraph 4.23 of the Registration of Title Practice Book (2nd Edition).

**\*Examples of information that should be provided from site visit:** Age & Nature—post & wire fence 5 years old, wall 50+ years old, hedge 1 year old, Use & Occupation—garden ground maintained by No 7 Smith Street, non-maintained grass verge, common washhouse for Nos. 5 – 7 Smith Street, access path used by proprietors of ....Smith St., etc. (Neighbouring proprietors may be able to provide additional information in this regard).

**GUIDANCE NOTES FOR ANSWERS 3, P16 REPORTS.** For answer 3 reports, complete a site visit as noted overleaf and follow the checklist below for each highlighted discrepancy. Where a report indicates several discrepancies, i.e. overlap and underlap, please confirm the position for each separate discrepancy on a Paper Apart.



**Please note: When responding to the 1st part of Question 2 on the Form 1,** the Keeper may request a specific site survey of the subjects to update the OS map on the basis of your response to this question. The cost of this survey is met by the Keeper. However if on completion of the survey, the existing OS map is found to be correct and does reflect the position on the ground, i.e. this question has been answered incorrectly. Then the Keeper reserves the right to seek reimbursement for the survey costs.

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