

Consultation response

Completion of the Land Register

Confor welcomes the opportunity on behalf of its membership to respond to Scottish Government's consultation on the completion of the Land Register, dated July 2014.

Confor is a members' organisation, funded by and accountable to businesses in the forest industries. Our aim is to promote the market for wood, forest products and forest services, and to help improve the industry's competitiveness.

Confor's remit covers all parts of the industry supply chain, from nurseries through to woodland and forest owners, managers and agents, timber growers, contractors, harvesters, hauliers, sawmills and other processors.

General comments

Many of our members are also members of Scottish Land & Estates (SLE). But equally many owners of woodland in Scotland may not be members of SLE. Importantly for this consultation, by virtue of the nature of forest management, we represent the vast majority of forest land in Scotland in non state hands.

In harmony with SLE we support the principle of completion of the Land Register, though we have concerns that a ten year target is ambitious and possibly unrealistic. The integrity and accuracy of the Register is paramount, and any undue pressure to complete within a given timescale could prejudice the principles of the Register, to the detriment of individuals faced with having to challenge the Keeper's decisions.

We have seen SLE's response to you on this important subject and support that response to all the consultation questions, and fully endorse all their ancillary comments and concerns.

This is especially relevant where the proposals will incur substantial costs to the land owner (mainly in professional fees) at the moment of registration, whether by a triggered event, voluntary registration or KIR (Keeper Induced Registration).

Confor would particularly emphasise the following:

1. The answers & comments given by SLE in Q 5, 7 and 8 in relation to incentives to landowners for voluntary registration. Scottish Government should not underestimate the grief and associated costs that farmers and land and forest owners have suffered recently during RPID enforced remapping exercises of land to prove area IACS eligibility for CAP support measures. This has highlighted the problem that different government departments use different Ordnance Survey

standards, digital and otherwise, often in conflict with traditional, practical and established title based mapping and boundary descriptions.

2. We do not believe that voluntary registration will be taken up to its full potential unless some far more substantial incentives are offered than a mere 10% reduction in the registration fees. Such a reduction in costs, albeit welcome, will in most cases have a relatively minor impact on the overall costs of registration. We suggest that Scottish Government should consider whether other funding streams – perhaps even SRDP – might be used to mitigate individual landowner's costs, to achieve the accumulated public benefit.
3. We support the concept that the Keeper should consider establishing a specialist team within her staff for dealing with rural properties, and feel that it is not just for the larger rural estates that a “designated complex team” would be useful. The mapping and title complexities between forest and other land holdings should not be underestimated, and affects both “large” and small land ownerships alike, as many of our members will testify through their experiences with RPID.

Scottish Land & Estates have committed considerable resources to careful consideration of the issues in this consultation, including engaging leading professional legal opinion in Scotland to provide constructive response. Although Confor has not been able to match this resource input to meetings with the Registers of Scotland staff, etc., we trust that our comments and concerns will be taken into consideration, and we will be available for further engagement in the next steps should Scottish Government wish.

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Confor

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