



Policy Unit

Registers of Scotland
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Via email: Consultations2@ros.gov.uk

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Dear Sir/Madam

Registers of Scotland Digital Transformation, next steps

Thank you for the opportunity to respond to your consultation on the above. Historic Environment Scotland is the lead body for the historic environment with powers set out in the Historic Environment Scotland Act 2014.

At the present time, we use the services of Registers of Scotland to research ownership of land adjacent or neighbouring a scheduled monument or a Property in Care, and to register legal documentation for scheduled monuments designated under the Ancient Monuments and Archaeological Areas act 1979. Our registration work is undertaken either directly (scheduling legal documentation) or with the assistance of third party solicitors (work in connection with Properties in Care).

We have the following general comments.

- Designations staff have been having ongoing discussions concerning the format of scheduling legal documentation for recording in the sasine register. At the present moment this means that we have been unable to register around 50 scheduled monument designations. By contrast, the same legal documents have been successfully recorded in the land registry. We are therefore supportive of any steps to resolve situations such as this through a move towards streamlining of services to a fully digital approach based on the land registry.
- Historic Environment Scotland has moved towards provision of information and spatial mapping data to the public via online platforms – for example through our new heritage portal <http://portal.historicenvironment.scot/>. We would find it very useful to have information readily available online which sets out areas of Scotland that have moved from sasines to the land registry, together with information setting out the expected timetable for transfer of remaining areas.



The comments below are restricted to matters relevant to our use of the services of Registers of Scotland related to registration of scheduling legal documentation. We have not provided answers to questions that extend beyond our remit.

Question 1 – Do you agree that transition to a digital first service should be the next step?

As set out above, we are supportive of transition to digital services as the next step.

Question 6. Do you consider that for the limited purpose of dual recording, it should be permissible to record an electronic deed in the sasine register or should be permissible to record a paper copy of the digital deed?

In instances where our sites are covered by both sasines and the land registry, our aspiration would be to register once with the land registry. There are additional costs and administrative burdens with dual recording.

Question 9 - Do you agree with the main changes that we propose to make to the application form?

The land registry form is currently satisfactory for our purposes. We agree with proposals to move towards use of digital signatures but would wish to ensure that future changes to your forms take our interests into consideration.

Question 11 - Do you agree that instead of prescribing the content of the application form in the Land Register Rules, the keeper should publish the land registration application form on an administrative basis so that it can be amended from time to time, following consultation and due notice, without the need for changes to be made to the rules?

We would be supportive of moving to this system to allow for consultation on the format of forms and procedures.

I hope these comments are helpful. Should you wish to discuss our comments in more detail, please contact Philip Robertson on 0131 668 8843.

Yours sincerely

Barbara Cummins | Director of Heritage

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