

POW OF INCHAFFRAY DRAINAGE COMMISSION (SCOTLAND) BILL

Written submission received by Professor George Gretton

As to the policy of the bill, I have no view, but I can perhaps offer one or two technical comments.

‘Land plans’

My main technical concern is about the ‘land plans.’

(i) No cartographic standard is specified. That seems unsatisfactory.

There exists a particular reason for a tie-in with the Ordnance Survey. Since the Land Register is OS-based, if the same is not true of the ‘land plans’ there might come to be discrepancies between properties as they are defined in the Land Register and properties as they are defined in the ‘land plans.’

(ii) Only the heritors have a right to see the plans. But the usual modern legislative policy is that statute-mandated property data should be available to anyone, albeit an administrative fee may be chargeable. There could well be third parties with a legitimate interest in seeing the plans, such as (to mention only obvious examples), the local authority, the Scottish Government, SEPA etc.

It may be also added that the Register of Heritors is likewise inspectable only by the heritors. That seems to me a departure from usual legislative practice.