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PREAMBLE

- 1.1 This is the final report of a project funded by The Highland Council and the Highlands & Islands Objective One Programme to identify and record the ownership of land in the Highland Council area. For simplicity this area will be referred to in the report as the "study area" or "Highland Council area".
- 1.2 The project was initiated in April 1997 and had four main objectives:
- a database recording the ownership of landholdings and foreshore;
 - a 1:25,000 base map with landholding boundaries marked which was to be digitised by The Highland Council Planning & Development Service;
 - a technical report outlining the contents of the database and maps and describing the research methodology;
 - a report on landownership in the study area.
- 1.3 Landownership research is a time consuming business and the law of diminishing returns operates. Beyond a certain point the value of information collected becomes questionable. The target set by the project was to account for the ownership of all private land held in holdings above 20 hectares in the study area. In the event this proved too ambitious in the timescale allowed and with the methodology employed.
- 1.4 The two reports are included here as:
- Part I Technical Report
- Part II Landownership in the Highland Council area
- Part III Conclusions to the Study

IMPORTANT NOTE

All statistics in this report relating to the area of landholdings are based on a visual assessment from the 1:25,000 OS map (the counting squares method) or from the descriptions of property contained in title deeds. Through the digitisation process an accurate calculation of the extent of holdings has been calculated and these figures will be available through the live database.

Note also that figures for the extent of publicly owned land (and therefore of privately owned land) are based on estimates from the relevant public agencies. In particular the area of the Forestry Commission estate has not been precisely calculated since data is published by them using their own Forest District boundaries which do not coincide with the boundaries of the study area.

PART I

TECHNICAL REPORT

2 INTRODUCTION

What is The Highland Council Landownership Database?

- 2.1 The Highland Council Landownership Database (HCLD) consists of a database containing details of private landholdings in the study area. Details of public landholdings are also being incorporated into the database. The database is spatially linked to a digital map showing the boundaries of these landholdings and this enables the user to select a location on a map and find out information about its ownership and other related criteria. The final product is held within the Geographical Information System of the Planning & Development Service of The Highland Council.

Why is it needed?

- 2.2 There is a wide range of instances where people need access to straightforward reliable information on the ownership of land. Utilities need to negotiate wayleaves. Local authorities need to survey new road alignments. Scientists need permission for wildlife survey work. Local people wish to contact landowners for a range of purposes. Emergency services need to contact landowners in the event of incidents such as flooding or forest fires. Researchers need basic information to study the ownership and occupation of land. Many other people ranging from film companies and outdoor activities organisers to mineral prospectors and developers have similar needs.

Is this information not already available?

- 2.3 Until now such needs have been difficult to satisfy although various efforts have been made and a range of data sets do exist. They all suffer from a number of limitations however.
- 2.4 A range of public bodies hold data on landownership and occupation. Much of it is for internal administrative purposes and not publicly available. Of greatest significance are the digital maps prepared under the Integrated Administration and Control Scheme (IACS) by SOAEFD. There are around 30,000 now prepared and, whilst not explicitly showing ownership, they act as an important source of information for defining the basic skeleton of boundaries. Unfortunately they all remain confidential.
- 2.5 Confidentiality is an issue with many other data sets. SNH recently commissioned a survey of landownership in the Cairngorm Partnership Board area but all information on ownership and occupation was collected directly from owners under confidential terms. HM Armed Forces maintain a database but again it is based on information supplied by landowners and their co-operation might be compromised if the information was made more widely available.
- 2.6 The commercial sector collects similar information. In particular the utilities have extensive data sets maintained in connection with wayleave agreements. Commercial confidentiality prevents any of this information becoming public.
- 2.7 Wightman (1996) published information in the form of small-scale maps of the largest landholdings across Scotland. They were prepared for publication in a book however, have large gaps in them and reveal little more than the name of the owner. They also contain a number of significant inaccuracies.

- 2.8 Finally there are the Registers of Scotland in Edinburgh. The Sasines Register and Land Register provide the definitive source of information on titles to property in Scotland. The Sasines Register has been in existence since 1617 and the Land Register was introduced in 1979.
- 2.9 These two registers are the most appropriate place to find information for legal purposes but are not suitable for the range of needs outlined in 2.2. The Sasines register is not plan-based and it can be difficult therefore to locate the deeds relevant to the area of enquiry. The new Land Register will overcome this deficiency by being computerised and plan-based. It is not currently operational for the Highland counties however (it will be introduced in 2003). Even then properties only come onto the new Register following a monetary transaction. Given the scale of land held by companies and trusts and transferred through inheritance it could be nearer the end of next century before a majority of the acreage is accounted for.
- 2.10 A further drawback, which will remain for the foreseeable future, is that although the records are publicly accessible it currently costs £7 +VAT to view one property in person in Edinburgh. If a postal enquiry is made it costs £25. Remote access is being introduced which will improve access but if one wishes to find out the ownership of a large area, say a parish, it is not only difficult to do so but prohibitively expensive for most people. Furthermore, repeated enquiries about the same areas of land represent a waste of public money.
- 2.11 In order to provide a publicly available database of extensive landholdings linked to digital maps, Highland Council initiated the current study in April 1997. At no time has this database been seen as a substitute for the Register of Sasines. It has no legal status and simply represents a first port of call for those seeking information on landownership. It provides a coarse level of information and no guarantee can be given that the information is either accurate or current. This report recommends ways in which the database can be developed and maintained to improve the accuracy and currency.

3 THE DATABASE

- 3.1 This chapter of the report deals with the nature of the database, its contents and what they mean. It also discusses some wider aspects of land ownership information.

What does the database contain?

- 3.2 The database consists of two elements, namely a conventional relational database (Microsoft Access 97) and a digital map (ESRI ArcView 3.0) showing landholdings. The database contains information related to individual landholdings including details of the legal ownership of landholdings, addresses & contact telephone nos. of owners, managing agents, local contacts and Sasines search sheet references. The individual records are referenced by means of a 6-figure grid reference to the relevant location on the digital map. Together the text and map information form a Geographical Information System or GIS. Technical input was provided by the GIS staff in the Planning & Development Service of The Highland Council.

How extensive is the coverage?

- 3.3 The database is not comprehensive, and at this stage covers only 94.8% of private land in the region. Of public ownership, Forest Enterprise holds the largest amount and this information is being incorporated into the database. There will be areas therefore where no information is available. During the course of the research 2747 holdings were identified. Of these, 1414 were fully researched in terms of their ownership and 1204 of them are included on the database at present (the remaining 210 require further research on their boundaries). In summary, during the course of the research:

	hectares	% of private land
2747 holdings were identified representing:	2,077,190	97.3%
1414 were fully researched with respect to ownership, but require more work on boundaries, representing:	2,031,708	95.2%
1204 are included on the database	2,022,785	94.8%

Definition of landholdings

- 3.4 A landholding consists of an area or areas of land which forms the basis of one record on the database. The area of land may be a single block of land or it may be the aggregate of several smaller areas. Where one owner owns more than one discrete parcel of land this is treated as an individual landholding where the individual parcels are close to each other. Where an owner owns land in different parts of the region they are treated as separate landholdings and each enjoy separate database records. The most obvious examples of these are the holdings of organisations such as the National Trust for Scotland or of farming partnerships which, may own more than one farm. The distance used to determine whether separate parcels of land constitute one landholding is arbitrary but as a general guide is anything over a mile apart.
- 3.5 The only exception to such a rule on distance is where parcels of land many miles apart form the fragmented remains of a once much larger holding such as Sutherland Estates for example. Such cases are treated as single holdings.

4 THE RESEARCH PROCESS

How was the research carried out?

- 4.1 The process of finding out who owns what land in a locality can be tackled in a number of ways depending on the scale and nature of the exercise. Mather (1995) analyses the most important sources of information for research purposes in general but any study needs to develop a process that is appropriate for its objectives. At a national level, for example, Wightman (1996) used a wide range of sources to derive a basic analysis of the principal landowners in Scotland. At a local level the easiest way to derive such information is by personal contact with landowners with a 1:10,000 scale map and some coloured pencils. For the HCLD however a different approach was required. It had to accommodate a wide range of different types of landholdings from owner-occupied crofts and farms to large sporting estates and complex landed estates. The process also had to meet the following criteria (set by the researcher):
- the process had to be **efficient** in terms of time and resources
 - it had to yield information of **known** quality in terms of accuracy and precision
 - information had to be of a reasonably **consistent** standard
 - it had to provide data in a way which enabled it to be **updated** systematically
- 4.2 An approach was devised therefore which involves deriving all information in the first instance from the Register of Sasines in Edinburgh to provide definitive information on who holds title to land. It then involves a separate but related process of determining the boundaries of such landholdings. The only exceptions to the process were some properties such as those owned by the National Trust for Scotland where it was easier and just as reliable to obtain the information direct from the organisations concerned.
- 4.3 This approach is reasonably efficient, it ensures that data is of known quality and it facilitates updating (see chapter 8). The basic research process is as follows:
- 4.4 **Identify existence of landowner or landholding** - This stage was already partly developed by previous research by the author (Wightman 1996) which had identified around 450 owners of land in the region. This basic list was further expanded by subsequent stages.
- 4.5 **Locate the Search Sheet in Register of Sasines on which deeds affecting that property are recorded** - Every property which is recorded in Sasines is given a unique Search Sheet number whether it be an electricity substation or a large estate. The Search Sheet provides a record of all deeds affecting the property including mortgages, minutes of waiver, certain leases, certain statutory notices, and, of course, dispositions or sales of the property or parts of the property. Where a large estate is broken up this is indicated by a series of “carry-outs” which transfer the parts of the estate sold to a new sheet. See Appendix 1 for more information on the Register of Sasines search sheets.
- 4.6 **Determine the current owner(s) of the property and identify any references to plans in title deeds** - The Search Sheet needs to be interpreted to determine exactly what area of land it refers to and who the current owners of it are. Reference to the full title deeds is noted where these may be of use (most commonly where it is indicated that a plan is included).

- 4.7 **Enter information on database** - The information collected from Sasines is then transferred onto the researcher's own working database with a separate record for each landholding. This would later be transferred by disk to the final database.
- 4.8 **Examination of relevant title deeds and abstraction of boundary details (in Scottish Record Office)** - Where a property has been sold and the title deeds contain a plan the full title deeds are referred to in the Scottish Record Office. The plan may simply show a small house site that is being excluded from the sale or it may indicate the boundaries of the land being sold.
- 4.9 **Plotting of boundaries from title deeds or other source** - The boundaries of landholdings are then plotted on 1:25,000 base maps and referenced to the database record by means of a 6 figure Grid Reference which falls within the landholding boundaries. These boundaries were digitised by Planning & Development Service (see Appendix 2 for full details).
- 4.10 **Queries to owners where no other source of information** - Where it is established that a landholding exists but where there is no indication of any plans showing its extent, a direct approach was made to owners. A covering letter from HC was sent together with a specific enquiry from the researcher. This latter varied slightly depending on the specific enquiry.
- 4.11 A total of 239 owners were approached and 131 (55%) replied. Of these replies 26 sent maps, 89 requested maps to annotate and 5 invited a visit.
- 4.12 **Finalising database to indicate status and quality of information held** - The working database was updated as information was collected to indicate the stage of progress with research and with any enquiries and to indicate the status and quality of data held.
- 4.13 Various types of landholdings pose different problems in research. Whilst a straightforward block of private forestry can be well defined and easily identified, a large and long-established estate or a crofting estate poses greater problems. A block of forestry in Caithness will have become established as a new landholding with a new search sheet in the last 20 years or so. Its history will be relatively straightforward (a few changes in ownership) and its boundaries will be reasonably well defined on a map prepared and attached to the original title deeds. It may take 5 or 10 minutes to research.
- 4.14 A large estate, however, which may have been in existence for 100-200 years will have hundreds of deeds associated with it over the years, will probably have a complex internal ownership structure of individuals and family trusts, will probably have few if any plans associated with it (apart from those relating to parts sold off), and may involve hours of work to determine where the current external and internal boundaries are. Crofting estates can be similarly complicated as a consequence of the 1976 Crofting Reform Act which has allowed numerous sales of croft land within the external boundaries of estates.
- 4.15 Limits were placed on how much effort was expended in these cases and therefore the nature of the information provided for such holdings is different from that provided for simpler holdings (See 5.10 on status). Further discussion of the process and what information is revealed is given in Chapter 5 dealing with the contents of the database.

- 4.16 It should be noted here, however, that this process, whilst it determines that a John MacDonald may own Acharn Farm in Inverness-shire, does not necessarily ensure that all property owned by John MacDonald is accounted for. There may be other properties on other search sheets which have remained undetected although there are ways to overcome this. There is an index of persons but this may not reveal other land held under a different name. It is also time consuming to check every name and it was only done where there was evidence of multiple holdings.
- 4.17 The accuracy of the information should be very good. It has been derived from legal titles and as research progressed the researcher became more adept at spotting quirks in the history of properties. Search Sheets and Title Deeds can be long and complex things however and in the time available it was not possible to exhaustively check every aspect of a property's history. There may therefore be some errors, but they should be very few in number. Research on neighbouring properties or other properties owned by the same person often highlighted conflicting information which could then be sorted out.

How up to date is the data?

- 4.18 Information on landownership changes. The records on this database are based on information contained in the Register of Sasines and are current as of a range of dates between September 1997 and March 1998 (there is a processing time of around 60 days between a deed being presented and it being officially recorded). In addition it should be noted that sales of property are often not presented for recording for some months or, in some cases, years after they have changed hands.
- 4.19 Furthermore it is likely that given so many records a small number of proprietors are now dead. Where land is inherited following death it may be some time (months or even years) before this becomes apparent from the Register which will only usually reveal this when subsequent deeds are recorded with the heir of the deceased as a party to any transaction. Even given these circumstances though it is considered unlikely that much if any information is more than a year at the very most out of date.

5 INFORMATION ON THE DATABASE

- 5.1 There follows a description of the key bits of information included in the database together with commentary where relevant on the origin of the information and any implications this may have for how it might be used.

Property name

- 5.2 The name of the property is normally given in the form that it appears in the Register of Sasines. Names given therefore may not be the same as the name by which a landholding is known locally or by the owner. Unless there is clear evidence of a better known name or one by which the owner wishes it to be known the original name in the title deeds has been retained.
- 5.3 Names have been edited for consistency. Farms are generally referred to simply by the place name (Acharn rather than Acharn Farm). This goes for estates also (Rothiemurchus rather than Rothiemurchus Estate) although where this may cause confusion (for example with a farm of the same name or with place names) the suffix Farm or Estate has been retained.
- 5.4 It is sometimes difficult to decide which name should apply to parts of once large estates that have subsequently been broken up. In some cases the original name has disappeared. In others there is a remnant of land which could conceivably still bear the original name. Where this is unclear attempts have been made to clarify the situation although this has not been possible in a number of cases.
- 5.5 There are also specific problems when it comes to particular types of landholdings such as private forestry. Where 2000 acres of hill have been bought and afforested on behalf of a number of private owners each block is often given a name. This name, together with the larger property of which it is part, is used where it is available. In some cases however there is nothing more than an area given. In these cases the name of the larger property is given together with a numerical suffix (Acharn 1, Acharn 2 etc.).
- 5.6 In a few cases the name refers not to the place the property is but to the owner. This is most common in large holdings such as Sutherland Estates and Seafield Estates.

Area

- 5.7 This is the area of the holding calculated by computer from the boundaries shown. Figures given in title deeds have been retained where they appear reasonably close to those calculated by computer. They have been derived from computer where there is no reference to an area in the deeds or where, having established existing or changed boundaries, the figure given is obviously inaccurate.

Grid reference

- 5.8 A six-figure Grid Reference, which is located within the landholding concerned in order to link the digital map data with the database.

County

- 5.9 This is the pre-1975 county in which the landholding is situated. These continue to be the basis for recording titles to land and are therefore crucial in accessing search sheets relating to the property.

Status

- 5.10 This is an important field, which should always be consulted by users. It provides details of the scope, nature and limitations of the information provided about the holding. As pointed out in Chapter 4 there is variation in the extent and precision of information held about different types of landholding. There are also some holdings for which information is still incomplete. They are categorised in 7 classes as follows.

CLASS A

Complete information is provided on the legal owner and on the boundaries of the property. There are no known exclusions within the area of the holding other than areas of less than 1 acre (house sites, access roads, radio masts).

CLASS B

As A. but there are exclusions of up to 2 hectares within the area of the holding.

CLASS C

As A. but there are exclusions of up to 4 hectares within the area of the holding.

CLASS D

As A. but there are exclusions of up to 10 hectares within the area of the holding.

CLASS E

As A. but there are exclusions of up to 20 hectares within the area of the holding.

CLASS F (x)

As A. but there are exclusions of over 20 hectares within the area of the holding.

CLASS G

The ownership and extent of these holdings are complete but I have been unable to confirm the boundaries of the property. The holding is indicated by a point reference.

Proprietor

- 5.11 The name given for the proprietor of a holding is that which appears in the title deeds for the property. It is thus the legal owner rather than any beneficiary which is recorded. This may bear no relation to the name by which an owner of land is known locally (e.g. whereas the “owner” may be “John MacDonald”, the name on the title deeds might be “Acharn Estate Ltd.” or “Trustees of the late John Arthur MacDonald”). Where a beneficiary is known this is often indicated on the first line of the address fields. So for example:

Proprietor:	Acharn Estate Ltd.
Address:	c/o John MacDonald Acharn Farm INVERNESS

- 5.12 There was an intention to include comprehensive information on beneficiaries of trusts and companies. Whilst this would be possible to find out for most (although certainly not all) landholdings, in the event time did not allow this. Any beneficiaries indicated thus arose in an ad hoc manner often in response to enquiries which were sent to owners.
- 5.13 There are two exceptions to the above. One is in cases where an owner has requested that they be represented differently to that which appears on the title deeds. This has been done in a few cases of wives and husbands or in the names used to describe trusts. So for example instead of “Trustees of the late John Arthur MacDonald” I might have entered “Acharn 1976 Trust”.
- 5.14 The second case is where a number of separate parcels of land have been brought together as one landholding where they are owned by, for example, by different members of the same family. The most frequent example of this occurs in large landed estates where various family members and trusts own different parcels of land. It is not possible to give a hard and fast rule as to when separate family members’ holdings move from being to all intents and purposes a single holding and where they represent really different ownerships. In a few cases the digital map shows the different parcels separately for interest but treats them as one landholding on the database and does not indicate which parcel belongs to which party.
- 5.15 In general such cases have been treated as single landholdings where either the estate represents itself externally as a single holding or where separate landholdings have been intentionally amalgamated for the purposes of this database. The commonest example of the latter case is where, say, a wife and husband own a landholding and subsequently purchase some adjacent land. The new purchase may be in a new name (Trustees for a Firm or a Limited Company) but represents the same people. In such cases the combined names appear on the database even though each party may only be the legal owners of a part of the landholding concerned.

Address & telephone number

- 5.16 The address given may be the private address of the owner, the farm or estate office, the registered address of a company, or an address of an agent managing the land. As a general rule the address of the owner is given. Where an owner has an agent undertaking day to day management this is given separately under <Agent>. Depending on the reason for contacting a owner users of the HCLD will need to make a judgement on the most appropriate person to contact.
- 5.17 It should be stressed that although efforts have been made to try and ensure that addresses are up to date this has not always been possible. Where land was purchased many years ago the address of the owner may have changed. The address given may not therefore be that of the current owner of the holding.
- 5.18 Where a property was purchased some time ago it is possible to identify the latest address of the owner by looking at the latest deed (a mortgage, lease, notice of title, Minute of Waiver etc.). Providing this is recent this can be assumed to be the owners current address. The phone book was consulted in some cases of doubt.
- 5.19 Where a property has been bought recently it is impossible from the title deed records to find out if the owner has moved to it. Will the person in question move and take up residence or do they intend remaining where they are? In such cases the nature of the holding has been taken into account. If it is a parcel of farmland some distance from the person's current address and if they currently own land at that address then it is assumed that they will remain where they are.
- 5.20 If a whole working farm is sold which has a history of owner occupation it has been assumed that the new owner will take up residence and the address of the property is given.
- 5.21 If a property has a history of absentee ownership as in the case of many sporting estates it is assumed that the owner will be only an occasional visitor and again their existing address is given
- 5.22 In a small number of cases it has not been possible to find out where the owner currently lives. There may be no recent references to an address in Register of Sasines or a letter sent to a property may have been returned by the Post Office.

Other attributes

- 5.23 Other data was collected in the course of research as time allowed but much of it has not been systematically recorded or analysed. This includes information on previous owners and legal status (Scottish company, English company, private trust, offshore company/trust, individual, joint ownership, trustees for firm - farming partnerships, pro indiviso shares etc.).

6 DIGITAL MAPS

- 6.1 This section deals with the information on the digital maps which are part of the Planning & Development Service GIS.
- 6.2 Information on property boundaries is the most difficult and time-consuming to collate. The Register of Sasines is not plan-based and many properties have no title plans available for public inspection. The sources of information are outlined here and the nature of the boundaries shown is described.
- 6.3 For private landholdings boundary information came from three main sources, title deed plans, sale particulars and proprietors. Details of public landholdings were obtained where possible directly from the organisation concerned. A number of holdings were also defined by their neighbours boundaries

Title deed plans

- 6.4 These plans are prepared most commonly when a property or part of a property is sold. They can also accompany deeds recording leases or statutory management agreements and have become more common in the past 30 years or so when the standard of mapping and photocopying has become more widespread. There are three types of plan. There are those held exclusively by the proprietor and transferred with the property. There are photocopies of plans annexed to deed and there are duplicate plans (exact replicas with full colour) which are lodged for preservation by the Scottish Record Office.
- 6.5 Of the 1414 holdings fully researched for this study the majority had title plans at some stage in the properties history. This enabled boundaries to be derived directly from definitive legal documents. There are a number of problems associated with this source however.
- 6.6 Large estates with numerous sales are, as already indicated difficult to plot since even if a plan does exist, the information has to be amended by excluding all subsequent sales. These can run into tens or hundreds and it is clearly not always possible to delineate them all. So whilst the external boundaries are often relatively straightforward to determine the internal ones are more difficult (where no plans exist) and hugely time consuming (where they do).
- 6.7 There is a problem of old maps. Some maps produced earlier this century particularly on relatively featureless ground are difficult to relate to current OS maps. They are often hand-drawn and refer to features which have since disappeared or are not represented on current OS maps. One particularly frustrating aspect of current maps on the other hand is the lack of representation of parish boundaries which in the majority of cases represent property boundaries for most of their length.
- 6.8 The biggest problem with title plans is reproduction. Duplicate plans are not a problem (except in relation to old ones). Plans annexed to deeds are however. Since the title deeds available for inspection in the Scottish Record Office are copies of the original their quality is dependent on the quality of the original. This is often very poor to the extent that the boundaries marked are at best unclear or at worst illegible. Some maps are merely hand drawn sketches which are difficult to relate to OS maps. Shading is used which can disappear on the copy. A further common problem is that many plans use colour to indicate areas of land sold or retained. With black and white photocopies of blue and white microfiches this obviously disappears. Despite these drawbacks title plans are the single most useful source of boundary information.

Sales particulars

- 6.9 Plans prepared to accompany sales particulars when a property is sold on the open market are invariably of good quality and large scale. They can contain errors but in general are as good a source as title plans since they themselves are derived from title plans by the seller's solicitor. For the precise location of boundaries they are therefore extremely useful. It is unfortunate that no official national or regional collections of such documents exist since they also often provide valuable information on the nature and history of the land being sold.
- 6.10 It is important, however, to check the details of any land sold after the preparation of the brochure. Title deed plans may show a slightly different area of ground sold to that advertised or the property may be sold in various lots.

Proprietors

- 6.11 The final source of information was landowners themselves. They were approached where there was no other source available, where there was conflicting information, or where the holding concerned was particularly complex.
- 6.12 The first issue with this source is willingness to respond to an enquiry which of its nature is sensitive and likely to receive a mixed response.
- 6.13 The second issue relates to the quality and accuracy of the information provided. In most cases this was satisfactory but in some cases it was less so. In some cases neighbouring owners had conflicting ideas of what they owned and in a small number of cases the owners were unaware of what they owned either in part or whole.
- 6.14 Overall the responses that were received from proprietors were helpful and courteous. In a small number of cases some offence was caused as was evident from their responses.

The public sector

- 6.15 Public sector holdings are included in the database in so far as information was available from the bodies concerned. Such holdings were not researched in Sasines.
- 6.16 For Forestry Commission holdings, information was derived from previous research (Wightman 1996) where boundaries had been obtained from the FC in December 1995 from FC 1:50,000 maps. This data could be improved by importing the recently completed digital maps prepared by Forest Enterprise (see 8.4) and this has in fact been demonstrated for the data from the Inverness office of Forest Enterprise.
- 6.17 SOAEFD holdings are less reliable since they do not hold up to date maps of what they own. Boundaries should be treated with caution therefore although where they march with private holdings they should be more reliable.
- 6.18 SNH holdings are shown and derived from previous research (Wightman 1996).
- 6.19 MoD holdings are not included.

7 BOUNDARIES SHOWN

- 7.1 Boundaries were plotted on 1:25 000 base maps and this scale of mapping affects the precision of boundary lines. It is also affected as indicated earlier by the quality of title plans and other sources. Line detail along watercourses or fence lines is as good as the original allowed and as faithful to the plotted boundary as careful digitising allows. Boundaries around small house sites are often impossible to pick up from A4 copies of title plans and precision around buildings and settlements may not be as reliable as in other areas. Precision is good, on the other hand, where boundaries follow mapped line features such as rivers or fences. It is not so good on featureless terrain.
- 7.2 Many landholding boundaries conflict, whether this be in details such as whether a burn or fence line forms the boundary or whether in significant areas of land (tens of acres) which appear to be claimed by more than one person. In such cases the boundary has been plotted following the most authoritative source. In many cases it remains unclear. Particular problems occur where ground is bought and subsequently fenced and afforested. The fence line cannot follow the boundary precisely and there often then arises "lost land" being outside a forest fence which may then be indicated in later deed plans as belonging to the neighbour. It is not always the forest property that "loses" land - often it is the neighbour when a fence is located beyond the legal boundary.
- 7.3 It should also be noted that in certain circumstances boundaries are plotted by convention rather than by what can be derived from the source. Where a boundary follows a river or road the boundary has been plotted as the mid-point of the linear feature. At a scale of 1:25,000 this avoids extensive extra digitising along the edges of rivers and roads. Exceptions are where the river becomes wider or the road is particularly wide (cuttings and dual carriageways). There are no hard and fast rules however.
- 7.4 In some cases deeds state explicitly that the boundary follows a line not less than 10 feet from a riverbank or loch shoreline. Again this is impossible to plot accurately and the loch edge or centre of the river has been used as the boundary.
- 7.5 Lochs present a particular problem where they form the boundary between different properties (where they are wholly enclosed by one property there is no problem). In general terms lochs are considered in law to be the undivided common property of the proprietors of adjoining land. In some cases, however, title plans indicate ownership of part of the solum. Treatment of such cases is ad hoc. Where no such claims are made by other adjoining proprietors, the loch is excluded from any single landholding. Where neighbouring holdings each claim a portion the loch is represented as divided. In cases where there is no information boundaries have been plotted along the shoreline (for lochs) or down the middle (for lochans).
- 7.6 In general it should also be noted that linear features such as pipelines owned by the Hydro Board are not delineated. Similarly ground which is subjected to a right of flooding (the solum of reservoirs) are excluded from landholdings.

7.7 Foreshore ownership is a complex area where some areas remain with the Crown and some have been alienated into private ownership. The general assumption is that ownership rests with the Crown Estate unless proven otherwise, therefore the Crown Estate Commissioners do not publish information on the extent of Crown foreshore due to areas where there is some uncertainty. They are, however, happy to confirm areas which they definitely do not own (such as the entire coastline of the former Sutherland Estate covering almost the whole of Sutherland). The seaward boundaries of holdings therefore follow the MHWS line unless title deeds indicate that the foreshore is included.

8 DEVELOPMENT & MAINTENANCE

- 8.1 This section deals with how the HCLD might be developed and maintained. The HCLD represents an important investment of effort in developing an accessible source of information on the ownership of land. It is essential that it continues to be developed and maintained if it is of to be of continuing use to people. There are five specific developments that could be made in the future.
- 8.2 The first is to extend the coverage of the database to nearer 98% which would involve the inclusion of all holdings over 50 acres. These figures are estimates based on research to date since it is impossible to know precisely how many holdings of what size exist beyond what has already been accounted for.
- 8.3 The second involves improving the precision of existing data by transferring as much Class B to F data into Class A.
- 8.4 The third would be to incorporate the digital data set recently prepared by Forest Enterprise which shows all the holdings of the Secretary of State for Scotland managed by them. This would improve the precision of boundary detail already shown.
- 8.5 The fourth is to clarify the remaining holdings of the Secretary of State for Scotland managed by SOAEFD. There is no comprehensive record kept by them of this and further research both at SOAEFD and in Sasines would be required to establish this.
- 8.6 The fifth involves the incorporation of data provided by the IACS process and held by SOAEFD. This would substantially complete the coverage of private land but this data set is currently unavailable to anyone other than SOAEFD.
- 8.7 Finally it should be possible to integrate this data set with others covering, for example, land cover, statutory designations, planning etc. It is worth noting here that the Royal Incorporation of Chartered Surveyors in Scotland is shortly to launch a pilot scheme of the Scottish Land Information Service (SCOTLIS). This aims to develop a means of providing a "one-stop shop" for information about land and property. It has the support of a wide range of government agencies and private sector bodies and may be relevant to long term integration of data sets.
- 8.8 With regard to maintaining the database it is clearly important that information contained in it is updated at periodic intervals. Many past efforts at setting up such data sets have failed to address the issue of keeping the data up to date. This is because it has been difficult to do so and because there has not been the commitment to do so in the first place.
- 8.9 The HCLD was researched in a way that allows for relatively straightforward updating. Indeed this was a crucial requirement of the project in order to justify such an investment of time and effort. More extensive coverage could have been obtained in the same time but accuracy and especially the ability to update would have been seriously compromised.

- 8.10 The key to updating is the Register of Sasines Search Sheet. This is the place where all deeds affecting a particular parcel of land are recorded. Once Search Sheets have been identified for properties they can be consulted as frequently as may be required to check whether any changes have occurred. These may involve new mortgages, leases or statutory notices which are of limited interest. What is critical is to check for both outright sales of the property to new owners and sales of parts of the property to other owners.
- 8.11 This checking process will be required for each individual Search Sheet. The majority of holdings have just one sheet but a significant number have two or three or more. On average over the holdings on the HCLD there are around 50% more Search Sheets than there are individual holdings. What makes this process especially suitable is not only its authoritative nature but the fact that, over a period from 2 September 1996 to 24 February 1997 a Computerised Search Sheet (CSS) was introduced. Instead of consulting one of hundreds of volumes of books manually it is sufficient now simply to type in the number of the Search Sheet and the computer will display all the deeds which have been recorded. This process has already been undergone for the current records to check for any changes since that date. Many properties are not yet on the CSS since there have been no deeds recorded since it became active but as time passes there will be a steady transfer of information.
- 8.12 The process of updating if it is carried out once a year would involve consulting the CSS and noting any deeds recorded since the last update. These deeds would then have to be consulted and information abstracted following the procedure outlined in Chapter 4. The effort required to do this is likely to be of the order of one day per 300 Search Sheets for consulting the CSS and a further day per 10 properties where changes are noted. If one assumes that 10% of Search Sheets are affected by either outright sales or sales of significant parts (say over 10 acres) of the holding per year then for the 1200 properties on this database an annual research effort in the region of 24 days would be required to keep the current database up to date (not allowing for any expansion).
- 8.13 Ongoing discussions with the Registers of Scotland may lead to a simplified update procedure whereby the RofS database will automatically flag changes of ownership for the relevant search sheets and send us the details on a regular basis.

9 PUBLIC ACCESS TO THE DATABASE

- 9.1 The whole point of constructing this data set is to improve public access to information concerning the ownership of land. In order to achieve this goal there are political, technical and practical issues to be addressed. In other words who should have access to the data and where; how should it be prepared and presented; and how should people gain access to it.
- 9.2 In the first instance it is suggested that access to the database is a priority for local authorities and public bodies who have operational needs for the information. This should be facilitated by Highland Council acting as the principal caretaker of the data with a range of other bodies contributing to its maintenance and possible expansion. Copies of the data would be available to an agreed number of bodies with the computing capacity to hold it (and who meet the requirements of the Data Protection Act). Since the data is held in computerised form this may initially restrict the number of such bodies capable of holding it. It is understood, however, that Geographical Information Systems (GIS) capacity is expanding rapidly and that the technical ability to hold this data already exists in most organisations.
- 9.3 With respect to wider access by other organisations and members of the public this is a matter for further discussion and here the practical issues involved are important. Local Authority offices, public libraries, colleges, schools, and other community facilities could all hold the information if they have the technical capacity and would be the most appropriate places for the public to access the information. The most suitable tool to make this information available in as many locations as possible is "Internet" type technology. Although Ordnance Survey copyright may limit completely open access on the World Wide Web, the technology could be used within the "Intranets" of the organisations involved using background mapping that they already have a licence to use. This would also allow public access at libraries, schools and Council Service Points where suitable computers were installed. Although not giving the full GIS analysis capability, such a solution would provide browsing of the data in map and text form with very little cost at the client computer (assuming the computer is able to access the Intranet already). This is an area for more development and will involve discussions with the providers of the relevant Intranet services.
- 9.4 Before any wider or indeed any access to the data is organised the nature and status of the information held will have to be made very clear to users. A brief users guide will need to be prepared explaining what the data consist of, how to use it and what its limitations are. There will be a need for a general "health warning" presented with the data to draw attention to what the data can tell users and, more importantly, what uses it should not be expected to fulfil.

PART II LANDOWNERSHIP IN THE HIGHLAND COUNCIL AREA

10 SUMMARY OF LANDOWNERSHIP IN HIGHLAND COUNCIL AREA [SEE IMPORTANT NOTE ON PG 3.]

Introduction

10.1 This second part of the report provides a brief summary and analysis of the information generated as a result of the study. Table 1 outlines the broad pattern of landownership in the region.

	Hectares	Hectares	%
Highland Council Area		2,539,122	100.0%
Major “undivided” water areas		71,697	2.8%
HC Study Area (1)		2,467,425	97.2%
Publicly-owned Land (2):			
FC	214,021		
SOAEFD	84,810		
SNH	28,732		
HIE	4,372		
MOD	2,826		
Total Publicly-owned Land (2)		334,761	13.6%
Total Private Land		2,132,664	86.4%

Table 1. Public & Private Landownership in HC area.

- (1) For the purposes of analysis the total area of Highland Council is taken as 2,467,425 hectares being the total surface area minus the major lochs which are in “undivided” common ownership.
- (2) Relates to public land held by those agencies listed in the table only.

Distribution of private landownership

10.2 The pattern of private landownership is dominated in area terms by 448 holdings of 400 ha and above which account for 90% of private land in the study area (Table 2). Within this, the pattern is dominated by the 144 holdings of 4000 ha and above which account for almost 70% of the private land.

Hectare Class	Number	Hectares	%
4,000 and over	144	1,486,535	69.7%
2,000 – 3,999	77	221,718	10.4%
400 – 1,999	227	206,779	9.7%
200 - 399	185	49,823	2.3%
100 - 199	230	32,716	1.5%
Less than 100	243	14,850	0.7%
	1,106(1)	2,012,421	94.4%(2)

Table 2. Pattern of Private Landownership as % of Private Land.

- (1) Those properties on the database with boundaries plotted.
- (2) Coverage of private land for which detailed boundary information is available.

- 10.3 This figure represents the total number of holdings on the database. It be noted that these statistics take account of the fact that a number of landholdings are held by the same owner. Such holdings have been amalgamated for the purposes of analysis despite being recorded as separate on the database. (hence 1106 “ownership” holdings compared with 1204 records on the database). It should also be noted that since only 97.3% of private land has been identified so far in total, it is assumed that the vast majority of the remaining acreage will be accounted for by holdings of less than 100 hectares although it is known that there are a few holdings of up to 400ha which have not been fully researched due to complexity or unavailability of information.
- 10.4 Half of the private land in the region is held by 70 owners (Table 3.) The top 100 estates alone account for 60% of the private hectarage. They are listed in 10.8.

% of Private Area	No. of Owners	Hectares
10	6	219,588
20	14	431,130
30	28	641,550
40	46	855,433
50	69	1,064,365
60	100	1,280,938
70	146	1,464,447
80	220	1,706,229
90	457	1,918,499

Table 3. Percentage of private land and number of owners.

- 10.5 This pattern of large holdings reflects the pattern of earlier surveys. Precise comparisons could be done with data from the 1960s though this would involve de-segregating figures compiled on the old county basis which does not conform to the current Highland Council boundary.
- 10.6 The pattern is largely explained by the large number of hunting estates in the region. They are particularly prevalent in Sutherland, Ross & Cromarty and throughout Inverness-shire. Large mixed estates are rare (Cawdor & Seafeld being typical). Other large holdings include those owned by conservation organisations such NTS and RSPB.
- 10.7 Farms and private forestry holdings make up the smaller holdings of under 400 hectares, the latter a result of the expansion of private forestry which took place in the 1980s. Large crofts bought by the former tenants under the 1976 Crofting Act are also fairly widespread in Caithness and Skye in particular.
- 10.8 Further analysis would provide interesting information on a range of criteria such as absentee/residential ownership, different types of holdings (private forestry, hill farms, traditional landed estates, sporting estates etc.), rates of ownership turnover, and on different types of ownership (individuals, companies, trusts etc.). Information on most of these issues has been collected but has not been comprehensively attributed or analysed.

10.9 THE TOP 100 LANDOWNERS IN HIGHLAND COUNCIL AREA

The following holdings represent the land owned by the 100 largest non-public landowners in the region and total 1,280,938 hectares or 60% of the total private acreage. One holding (Blackmount Estate) extends beyond the Highland Council boundary. Only the hectareage within the area is attributed.

	Property	Owner	Hectares
1	Mamore & Glenshero	British Alcan Aluminium Ltd.	47385
2	Westminster Estates	Trustees of Hugh RA Grosvenor, Duke of Westminster	38516
3	Assynt Estates	Edmund Vestey and family & trusts	36450
4	Sutherland Estates	Countess of Sutherland & trusts	33656
5	Letterewe	Clyde Properties NV, Utrechtse Beheer Maatschappij Catharijne BV & Paul Fentener van Vlissingen	32968
6	Locheil Estates	Donald A. Cameron of Locheil & Trustees	30780
7	NTS Properties	National Trust for Scotland	27668
8	Killilan & Inverinate	Smech Properties Ltd.	25572
9	Applecross	Applecross Estate Trust	25110
10	Strathconon	Kirkbi Estates Ltd.	24300
11	Cawdor	Earl & Countess of Cawdor & Trusts	23004
12	Seafield Estates	Earl of Seafield, Viscount Reidhaven & Trusts	22680
13	Gairloch & Conon	John A Mackenzie of Gairloch & Trustees	22397
14	RSPB Properties	Royal Society for the Protection of Birds	21127
15	Blackmount, Dalness & Etive	Robert Fleming & Trustees	19845
16	Corrour	Verdandi Investment Co. Ltd.	19531
17	Langwell & Braemore	Wellbeck Estates Company Ltd.	18225
18	JMT Properties	John Muir Trust Ltd.	17421
19	Glen Feshie	Glenfeshie Estate Ltd.	17010
20	Conaglen & Rosehaugh	Broadland Properties Ltd. & John Guthrie	16920
21	Dochfour & others	Burton Property Trust	16200
22	Sinclair Estates	Sinclair Family Trust Ltd. & Viscount Thurso	15633
23	Coignafearn	Coignafearn Estate Company Ltd.	15390
24	Ardverikie	Ardverikie Estate Ltd.	15309
25	Dunbeath & Glutt	Dunbeath Estate Ltd. & R Stanhope Avery	15147
26	Strathvaich & Strathrannoch	Dickinson Trust Ltd & others	14997
27	Altnaharra	Gray & Adams Ltd.	14824
28	Skelpick & Rhifail	Firm of Skelpick & Rhifail Estates	13973
29	Ardtornish	Ardtornish Estate Co. Ltd.	13811
30	Dundonnell	Alan S.A.F. Roger & Neil M. Roger	13568
31	Loch a Choire Estate	Andrew Hugh Joicey & others	13163
32	Balnagown & Invercassley	Bocardo Societe Anonyme & Ross Estates Co.	12717
33	Corriemulzie & Loubcroy	Trustees of Patrick F. J. Colvin	12474
34	Dunvegan & Glen Brittle	John Macleod of Macleod	12393
35	Revack & Dorbrack	Lady Pauline Ogilvie Grant Nicholson	12150
36	Kinlochewe & Loch Rosque	Patrick C.G. Wilson & family & trust	12150
37	Attadale	Trustees of Carolyn Mary Macpherson	12150
38	Braulen	Andras Ltd.	11988
39	Bighouse & others	Fountain Forestry Ltd.	11968
40	Ardgour	Robin M Maclean of Ardgour	11300
41	Ben Alder & Dalwhinnie	Argo Invest Overseas Ltd. & Hanbury family	11178
42	Kinlochluichart	Lochluichart Estate Co. Ltd. & Ian H. Leslie Melville	11097
43	Alladale & Deanich	Trustees of DRJF Macaire	10935
44	Syre & Rhifail	Yattendon Estates Ltd. & Mynthurst Estates	10470
45	Balnakeil	Andrew Elliot & others	10328
46	Garragie & Stronelairig	Charles Connell & Co. (Colquhalzie Farms) Ltd.	10206
47	Badanloch	Philip W Bryce Viscount Leverhulme	10004
48	Corriclair	Firm of Ian Brown & Sons	9761

49	Ben Loyal	Count Adam W J Knuth	9720
50	Sallachy & Creanich	H.H. Roesner Land & Forestry Management (Scotland) Ltd.	9720
51	Rothiemurchus	Trustees of John P Grant & Rothiemurchus Estate Trust	9720
52	Inverlael & Foich	Beleggingsmaatschappij Festeyn BV & Inverlael BV	9558
53	Braeroy	Semer Holdings SA	9518
54	Drumochter & Ralia	Eira Drysdale & Trustees of Eira Drysedale	9477
55	Gruinard	Trustees of Lady Huntly's 1987 Children's Settlement	9396
56	Wyvis	John Lloyd Company	9315
57	Borrobol	Michael I. Wigan	9315
58	Achentoul	Achentoul Estate Co.	9194
59	Hope and Melness	Braesgill Ltd.	9153
60	Fearann Eilean Iarmain	Iain A Noble	8910
61	Merkland & Ben Hee	Trustees of Sheelagh MG Garton	8910
62	Strathmore Estates	Dora HG Gow	8789
63	Altnafeadh	Andre Valentin, Vicomte Adolphe de Spoelberch & family	8708
64	North Assynt Estate	Assynt Crofters Trust Ltd.	8558
65	Meoble & Lettermorar	Mark Ziaini de Ferranti	8505
66	Clan Donald Estate	Clan Donald Lands Trust	8303
67	Tulchan Estate	Tulchan Sporting Estates Ltd.	8303
68	Glendoe & Ardochy	Hillhouse Ests. Ltd.	8156
69	Novar	Arthur BL & Richard RL Munro Ferguson & trusts	8100
70	Inverbroom	Inga Stina Baroness Robson & others	7838
71	Balmacaan Deer Forest	Balmac Forest Ltd.	7817
72	Glencalvie	Stonor Hotels Ltd.	7788
73	Scourie	Dr Jean Balfour & J.C. Balfour	7695
74	Kingairloch & Glensanda	Foster Yeoman Ltd.	7695
75	Glendale	Glendale Crofters Ltd.	7695
76	Gaick	Garaban Incorporated	7493
77	Inveran Estate	James Ian Harry Macdonald-Buchanan	7493
78	Coulin	Trustees of Philip Reginald Smith	7412
79	Ardnamurchan Estate	C. Rob Hammerstein (UK) Ltd.	7331
80	Wester Glenquoich	Andrew D. Gordon	7290
81	Kildonan	Mrs Jeremy PF Clay	7290
82	Tressady	Tressady Estate Ltd.	7290
83	Kinloch	Trustees of Adrian WG Sykes	7290
84	Balnacoil	James David Tyser	7239
85	Eriboll	Eriboll Estate Trust	7088
86	Gordonbush	Richard J. Tyser	7024
87	Rahoy Hills	Scottish Wildlife Trust	7002
88	Knoydart Estate	Knoydart Peninsula Ltd.	6966
89	Couldoran	Kinloch Damph Ltd., Strath Discretionary Trust, & Pattinson family	6845
90	Suisgill	London & Northern Estates Co. Ltd.	6725
91	Kildermorie	Firm of Kildermorie Estate	6480
92	Langwell Lodge	Mark John Fenwick	6399
93	Lochindorb	Trustees of Alexander G Laing	6278
94	Glencarron Estate	Angus M. Sladen	6075
95	Aultbea	Charles R Hardy & Susan J Hardy	6075
96	Invergarry & Aberchalder	Glengarry Estate Trust	6075
97	Etteridge & Phones	Michael J. Samuel & Nicholas A. Samuel	6075
98	Eileanreach	Trustees of Gilbert Michael Hamilton Wills (Lord Dulverton)	6014
99	Ben Damph	Firm of Ben Damph Estate	6002
100	Lethen & Dunearn	Ewen J Brodie, DJ Brodie & Trustees of EJ Brodie	5994

TOTAL AREA

1280938

11 RECENT TRENDS

- 11.1 Recent trends in landownership in the Highland Council area can be categorised as those which relate to changing patterns of holdings and those which relate to ownership.
- 11.2 Private forestry is the most notable of recent changes in the pattern of holdings but rapid expansion of 1980s has now declined and although the ownership of such holdings continues to change quite frequently there is less obvious expansion. This could change as a result of the current difficulties in agriculture. Three more recent phenomena might further hasten the decline in agricultural activity, namely overseas ownership, new wealth and environmental organisations.
- 11.3 Overseas ownership is expanding in the region reflecting changing patterns of forestry investment and the appeal of hunting estates. The main activity in recent years has involved Danish purchasers both in large-scale purchases of estates such as Strathconon and Glen Feshie and in smaller forestry estates. 364,500 hectares of land (17% of private land) is now held by over 100 overseas individuals, companies and trusts.
- 11.4 A significant influx of “new money” continues to purchase older estates and farms as the economic viability of hill farming continues to decline. Such new owners have less of an interest in farming and much more in leisure, hunting and tree planting.
- 11.5 Environmental organisations such as the Royal Society for the Protection of Birds and John Muir Trust are now significant landowners in the region owning over 70,875 hectares of land.
- 11.6 These are some of the more obvious trends of recent years. As the data is extended, analysed further and updated it should be possible to determine in more detail the trends taking place. Depending on what one wishes to monitor the data may have to be further refined to reflect whatever attributes about landownership that are felt to be important.

PART III

CONCLUSIONS TO THE STUDY

12 CONCLUSIONS

- 12.1 This database represents an investment in public information. It has been derived from title deeds and is therefore accurate within the parameters outlined in 5.10. It has no legal validity but is a straightforward geographical representation of landholdings and who owns them.
- 12.2 Given the research process which has been adopted it should be reasonably straightforward to expand the coverage steadily and update the information. The project has identified over 2600 landholdings and confirmed the ownership (although not all the boundaries) of 1470. Future effort of around 50 days per year would update the information (30 days) and expand it by 200-300 properties (20 days). This assumes that further sources such as the IACS returns remain unavailable.
- 12.3 For the first time therefore it is possible to envisage a comprehensive, accessible, computerised record of landownership covering the vast majority of land. With the availability of other data sets (principally the IACS data) the effort required to complete this would be modest in comparison to the time and effort that is currently spent by many people including public bodies attempting to identify for a wide range of purposes the owners of larger parcels of land.
- 12.4 The data generated in the course of this study and already held by the author is capable of further analysis in terms of the nature of the holdings (size, distribution, land use), their ownership (inherited, absentee of resident, trusts, companies etc.) their historical development (how recent are they, ownership turnover etc.) and transfer (inheritance, sales, 1976 Crofting Act etc.).
- 12.5 With greater attention being paid to how land is owned and managed and the implications this has for economic and social development it is essential to begin to obtain a better picture of the changing patterns of rural landownership. This study has demonstrated that it is possible to do so even within the limitations of the sources available.

13 REFERENCES

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Wightman, A. (1996), *Who Owns Scotland*. Canongate, Edinburgh.

APPENDICES

APPENDIX 1 Sasines Search Sheet & Structure

The Register of Sasines which is held by the Registers of Scotland at Meadowbank House in Edinburgh provides the definitive legal record of who owns property in Scotland. It contains a history of deeds affecting property going back to the 17th Century in the form of shortened “minutes” which contain the essential details of transactions affecting property. The complete deeds are deposited in the Scottish Record Office.

Investigating the ownership of land involves examining “Search Sheets” to identify the current extent and ownership of parcels of land. Search Sheets are like individual files which show the deeds affecting a particular piece of property in chronological order. A typical Sheet is shown over the page and explained below.

The main drawback of the system is that deeds are verbal descriptions of property. Whilst the full deeds may be accompanied by plans showing all or part of the land in question, no plans are held by the Registers of Scotland and land cannot be located by reference to a plan. There are two indices to the Register, one for places and one for persons. To reliably locate a parcel of land one needs to know either the name used in the deeds to describe the land and/or the exact name of the current or any past legal proprietor.

The Search Sheet shown over the page is for a property in the county of Sutherland. This example is contained on one page. Many properties will be spread over several pages and several volumes since only a fixed number of blank pages could be left in the bound volumes before entering details of the next property. Once these pages are used up the Sheet is continued in another volume

The example on page 33 contains the main elements of a Search Sheet which are indicated by circled numbers as follows:

1. The volume and page number.
2. This is the unique Search Sheet number associated with this property.
3. This is a short description of the property. In this case 180 acres of ground associated with Overscaig Hotel.
4. This note indicates where this property came from - its “parent” property - which would be a larger property perhaps an estate. In this case the property has “broken off” or “carried out” from Search Sheet 1618 in Volume I page 66. If one wanted to find out more about land in the vicinity, then going back to Sheet 1618 might reveal more parcels of land sold off over the years by a once larger property.
5. This is the first minute (summary deed) recorded. The first line of each deed shows the yearly running number (the 279th deed recorded in Sutherland in 1979), the daily running number and date of registration (the 2nd deed recorded on 13 June 1979) and at the right hand side is a reference number for where the full deed can be found (Sutherland Volume 209 page 123).

In this case the S of S (subjects of search) are being sold for the first time by James and Sheila Hesse as Trustees for their firm J & S Hesse to a company, Edwards & Co (Fareham) Ltd. The sale was concluded on 25 May 1979 for a price of £10,000. The deed reference (209.123) has a note indicating that a plan is included with the deed. A visit to the Scottish Record Office (SRO) will be needed to see the deed in full and details of what the plan shows.

A 40 acre part of the property was then sold off by Edwards & Co to a Wimpy Donker. Again a plan is included with the deed. This *new* property is *carried out* to a new Search Sheet - number 2876. In this case the deed was signed on 2 Feb 1979 some 4 months before Edwards & Co actually took possession from Mr & Mrs Hesse. This represents a delay in the Hesse to Edwards deal being concluded. The Edwards to Donker deed is not effective until the first transaction is accepted by the Keeper of the Registers and recorded. Hence the second deed is recorded immediately after the first (no. 3 on 13 June 1979).

Finally the 140 acre property (as it now is after the sale to Donker) is sold in 1980 to Shin Developments Ltd.

To incorporate this property in the database involves examining the full title deed 209.123 in the SRO. This will hopefully show the land being sold (although the plan may be of subjects which are being retained by the seller and reference made to an even earlier deed and plan). This can be plotted. The 40 acre sale to Donker can be identified in the same way and the residual 140 acres then forms one landholding on the HCLD.

Since 1997 the summary deeds created and recorded on Search Sheets have been computerised (the Computerised Search Sheet or CSS) and no longer consist of bits of paper glued into bound volumes. The final stage in investigating this property therefore is to enter the Search Sheet number into the computer together with the code for Sutherland to see whether there have been any subsequent deeds recorded and, if so, what further changes in ownership or extent have occurred.

This is a relatively simple and straightforward Search Sheet. Other deeds often present include mortgages, notices of conditions affecting (for example) housing grants, and Minutes of Waiver from the feu superior. This example is also straightforward since the property is dealt with in clear and simple parcels of land. With larger estates there can be many parcels of land being dealt with on the same sheet, held by different family interests and sold off in various combinations. Finally, this example deals with a relatively new property created in 1979. An equivalent sheet (perhaps the parent sheet for this one) for a larger property in existence since early this century would be far longer and would contain many more minutes.

Sample Search Sheet

Disp. 26 Jun. 1964

Q— 299

Search Sheet, County of Sutherland

"at Loch Shin, by Overscaig Hotel, Lairg"

2875

180 Acres of ground, part of subjects known as OVERSCAIG HOTEL [at OVERSCAIG], in Parish of Lairg, 1 described in Disp. to Donald Arthur Good and another, recorded 13 Oct. 1964, with salmon &c. fishings, Minerals and Teinds, — under reservation of right of flooding.

(from s.s. 1618 $\frac{I}{66}$)

00279 (No.2) 13 Jun. 1979 10-10.30 (By Post)

209.123.

PLAN

£10,000

1/2

DISP. by JAMES HAMILTON HESSE and SHEILA HAMILTON HESSE, spouses, formerly Ferryboat Inn, Ullapool, now Overscaig Hotel, near Lairg, as Trustees for their Firm of J AND S HESSE, Hoteliers, formerly Ferryboat Inn, Ullapool, now Overscaig Hotel, near Lairg — TO EDWARDS AND CO (FAREHAM) LIMITED, — of the sgs. Dated 25 May. 1979.

5

00280 (No.3) 13 Jun. 1979 10-10.30 (By Post)

209.128.

PLAN

£11,000

1/2

DISP. by EDWARDS AND CO (FAREHAM) LIMITED — TO WIMMY DONKER, Boddens, Hosangweg 108, Woubrugge, Holland, — of 40 Acres of ground, part of subjects known as OVERSCAIG HOTEL, [at OVERSCAIG], in Parish of Lairg, 1 described in Disp. to Donald Arthur Good and another, recorded 13 Oct. 1964, with salmon &c. fishings, Minerals and Teinds, — under reservation of right of flooding. Dated 2 Feb. 1979.

(to s.s. 2876)

00492 (No.2) 2 Oct. 1980 10-10.30 (By Post)

218.202.

£2,000

u

DISP. by EDWARDS AND CO (FAREHAM) LIMITED — TO SHIN DEVELOPMENTS LIMITED — of the S. of S. — (under exception of subjects in Disp. to Wimmy Donker recorded 13 Jun. 1979). Dated 20 Sept. 1980

APPENDIX 2 Technical Specification of Database

Jon Shepherd – GIS Manager, Planning & Development Service

Introduction

In order to make the database available to as many people as possible, to provide as much functionality as possible and to allow easy maintenance, it was decided to build it in the form of a computer Geographical Information System (GIS).

A GIS is basically a “computer system for capturing, managing, integrating, manipulating, analysing and displaying data which is spatially referenced to the Earth” (definition from “International GIS Dictionary” by Rachael McDonnell and Karen Kemp, published by GeoInformation International).

The GIS software already in use in the Council’s Planning and Development Service was ArcView 3 supplied by Environmental Systems Research Institute (ESRI) of California. This is one of the most widely used GIS packages in the world and thus would allow the data to be made available to other agencies with little difficulty. ArcView in the Highland Council is operated on Windows 95 or NT4 PC’s.

Digitising

Digitising is the process of converting graphic maps to digital maps. Although various scales of Ordnance Survey (OS) digital maps are held by the Council, boundaries still have to be explicitly defined on the GIS as a separate “theme” or “layer”. All the digitising work was carried out using the ESRI Arc/Info software. This is a more powerful “professional” GIS package that has strong data capture and editing facilities. Using Arc/Info the basic geometric integrity of the data could be assured.

In some cases, particularly in areas around settlements, the lines that represent boundaries were “traced” on-screen off the OS LandLine digital map with reference to marked-up 1:25,000 scale paper maps. LandLine is the largest scale mapping available from OS and was originally captured at scales of 1:1250, 1:2500 or 1:10,000 for urban, rural or moorland areas respectively. As the database does not cover urban areas the two smaller scales were used almost exclusively.

For the majority of boundaries, a different process was used due to the extensive nature of the areas in question and the levels of accuracy required. The 1:25,000 scale maps were mounted one-by-one on a large-format digitising tablet. Lines were then traced off using a puck on the tablet.

Once all boundaries had been digitised (an iterative process taking many months) the jumble of “spaghetti” lines were “cleaned” and “built” into polygons. Data stored in polygon format can be colour-filled and can have attribute data linked to it. In its simplest form this would allow a particular estate to be coloured differently from its neighbours and would enable a user to “click” anywhere within the estate boundaries on the digital map to obtain information relating to it.

As boundaries change, the lines will have to be edited and new polygons built.

Attribute Data

Although GIS software is very good at storing the boundaries, other data is best stored in a conventional textual database. In this case Microsoft Access '97 was chosen as it is widely used throughout Planning & Development Service and can be successfully linked to ArcView. The Access database stores the data listed in section 5. These attributes are linked to the boundary polygons via the centroid grid reference.

Forest Enterprise Boundaries

These are the only exception to the above process as they were digitised in-house by Forest Enterprise and supplied to Highland Council in digital form. This data was effectively cut-and-pasted into the other boundary data and, due to its high precision, was often used as the basis for other estate boundaries.

Accessibility of Data

There are several ways in which the data can be made available:

1. By direct access to a Planning & Development Service PC running the ArcView and Access software. A number of suitably equipped PC's exist and they can all access the data directly allowing combination with other GIS "layers" to enhance functionality.
2. From other Services' PC's running ArcView or similar GIS packages reading the data from the Planning server. Translation software exists allowing other packages to read ESRI format data and several examples exist within the Highland Council. The only restriction in this case may be the network infrastructure, in which case local copies of the dataset may be required. Functionality is determined by the GIS package used.
3. By supply of the data on CD-ROM to external agencies for use with their ArcView PC's or in conjunction with a free data viewer supplied by ESRI known as Arc Explorer (possibly to be replaced soon by Map Explorer). This viewer is made freely available by ESRI and can either be downloaded from their web site (www.esri.com) or supplied on disk. Functionality is limited but allows zooming, panning, simple querying and colour manipulation. In the case of external agencies, background OS mapping would have to be provided by them.
4. By publishing the data on a web site, accessible either to the HC intranet or the Internet, using an internet GIS server. This would allow "live" zoom and pan and simple querying at no cost to the client, although a free "plug-in" may be required. There are major limitations on the use of background mapping that would make full internet access very difficult, but HC intranet access could potentially be made available at Service Points, HC offices, libraries and schools. Further work is required.

It should be noted that there is no intention to make hard copy map printouts available except for limited areas as needed. The production of full hard copy coverage would be very time-consuming and expensive and would soon become out-of-date. Simple listings of owners with selected details may be made available however.

MAPS

The maps that follow are examples of the output from the database and show how the data can be combined with different scales of background mapping. The background mapping used in these cases is from Ordnance Survey and therefore is covered by Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. The Highland Council licence number is LA09036L.

Map 1 – The general extent of coverage in August 1998.

Map 2 – Ownership in Knoydart showing estate boundaries against an OS 1:50,000 raster backdrop. This is the standard type of mapping that would be used for viewing the data.

Map 3 – Ownership in part of the Black Isle against an OS 1:10,000 raster backdrop. Although the base scale for the database is 1:25,000, this map demonstrates that in some areas the precision is higher. In fact 1:2500 scale Landline mapping was used as the basis for the boundaries in areas such as the Black Isle. Note that much of the “white” area on this map is owned by Forest Enterprise and has not been added to the database yet.