

# The Highland Council

Agenda Item	<b>15</b>
Report No	<b>HC/54/23</b>

**Committee:** The Highland Council

**Date:** 14 December 2023

**Report Title:** Establishing a Highland Council land Audit – Terra Tracker

**Report By:** Interim Executive Chief Officer, Performance and Governance

## 1 Purpose/Executive Summary

- 1.1 This report presents a project proposal ('Terra Tracker') which aims to validate and update data on Highland Council land and building ownership. Terra Tracker will focus on areas most likely to produce income, saving or cost avoidance.
- 1.2 Like many large organisations, The Highland Council lacks a definitive record of land and property records. Terra Tracker involves a small project team aggregating existing datasets into a central and accessible format. Data gaps will then be investigated in order of value. The full business case and outline delivery plan is detailed in **Appendix 1** of this report.

## 2 Recommendations

2.1 Members are asked to **agree**:

- i. The establishment of a dedicated team, at an estimated cost of £410k over 2 years, to deliver the Terra Tracker project.

2.2 Members are asked to **note**:

- i. the business case and outline delivery plan in **Appendix 1** of this report;
- ii. the costs of Terra Tracker will be met from the capital receipts, or revenue income generated, with any surplus being available for future consideration of use; and
- iii. There may be timing lags between costs incurred and receipts generated, due to the conveyancing process. It is expected that this can be managed through existing capital accounting arrangements, or where necessary, through use of reserves to smooth out between years.

### **3 Implications**

#### **3.1 Resource**

£410k is the estimated cost of Terra Tracker. Further staffing resource will be required from the existing establishment to support Terra Tracker in terms of Sponsorship, Quality Assurance, Communications and Subject Matter Expertise.

#### **3.2 Legal**

Terra Tracker will assist the statutory duties to secure best value and publish land registers in terms Section 1 of the Local Government in Scotland Act 2003 and Sections 94 & 102 Community Empowerment (Scotland) Act 2015 respectively.

#### **3.3 Community (Equality, Poverty, Rural and Island)**

No immediate implications, however, Terra Tracker may focus on areas that may assist projects falling within these categories.

#### **3.4 Climate Change / Carbon Clever**

No immediate implications, however, Terra Tracker may assist with the just transition to net zero by identifying sites suitable for biodiversity and green energy projects.

#### **3.5 Risk**

No immediate implications, however, Terra Tracker may discover Council liabilities that were previously unrecognised, for example, encroachment onto 3<sup>rd</sup> Party land.

#### **3.6 Health and Safety (risks arising from changes to plant, equipment, process, or people)**

None

#### **3.7 Gaelic**

None

### **4 Background**

4.1 In Scotland, the ownership of land and buildings is now transferred by registration in the Land Register of Scotland. The Land Register is accessible, as it is digital and based on Ordnance Survey Maps.

4.2 Most land and buildings owned by The Highland Council are not registered but are still recorded in one of several older registers. Principal among these is the General Register of Sasines, which is the oldest national public land register in the world. Establishing ownership from Sasine deeds can be challenging for various reasons, including: -

- deeds date from 1617;
- deeds may be in mediaeval Latin;
- deeds often don't include plans;
- plans (when included) are often inaccurate or impossible to relate to the contemporary landscape; and
- land may be vaguely described with reference to features that no longer exist.

4.3 As a continuing legal entity, The Highland Council has existed for many centuries through various statutory predecessors, including the former District, Regional, County and Burgh Councils. Consequences of this long history include the geographic dispersal of records with associated losses of both physical records and institutional knowledge.

## **5 Terra Tracker**

5.1 Terra Tracker aims to deliver a corporate approach to the investigation and recording of ownership data, which will be made available to the Council, its partners, and communities.

5.2 Full detail of Terra Tracker benefits can be found in Section 1 iii) and Section 2 of **Appendix 1** which include:

- revenue and capital income;
- empowerment of Communities – self help;
- empowerment of Council Services – self help;
- optimised support for asset management;
- identification of 3rd Party encroachment on Council land;
- digitised title deeds; and
- elimination of duplication

## **6 Next Steps**

6.1 If agreed by Council, officers will further develop the project plan with project commencement on 1 April 2024.

6.2 Member scrutiny will be via regular reports to Corporate Resources Committee.

Designation: Interim Executive Chief Officer, Performance and Governance

Date: 22 November 2023

Author: Paul Nevin, Interim Executive Chief Officer, Performance & Governance

Appendices: Appendix 1 – Business Case and Outline Delivery Plan

## TERRA TRACKER (LAND AUDIT) PROJECT

### BUSINESS CASE & OUTLINE DELIVERY PLAN

**Description: Aggregate, validate and update property datasets to provide a single point of reference for land and buildings owned by the Highland Council which enables data led decisions.**

- **The project benefits are outlined in Section 1 iii) and detailed in Section 2 below.**
- **Savings are difficult to predict and may be achieved beyond the life of the project, however the project aims to be self-funding.**

<b>Funding</b>	£410k
<b>Service</b>	Performance and Governance
<b>Responsible Officer</b>	Paul Nevin
<b>Date</b>	23.11.2023

#### 1. Purpose of the Spend

##### i) Introduction

The Highland Council lacks a definitive record of its land and property assets. As a result, ownership inquiries often lead to protracted, duplicate, and costly investigations, with no systematic means of preserving and accessing the findings.

Terra Tracker represents an ambitious change of approach away from reactive and piecemeal investigations which benefit only parts of the Council at a single point in time. Instead, Terra Tracker will deliver a corporate approach which provides ongoing sustainable benefits for the whole Council, its partners, and communities. The approach will assist the just transition to net zero and empower our communities by enabling self-help.

Terra Tracker will: -

- Validate and aggregate existing Highland Council property datasets into a single, accessible, location.
- Conduct a gap analysis and fill those data gaps most likely to lead to income, savings, or cost avoidance.
- Employ Business Intelligence techniques to take the 'quick wins'.
- Embed business processes that capture and preserve land and property data and make it accessible going forward.

Terra Tracker is: -

- A dedicated team of 4 officers (1 HC10, x2 HC8, 1HC5) with support from existing resources in terms of senior management and subject matter expertise.
- A two-year project to develop and imbed processes for validation & update of the map-based property register.
- A corporate approach that will enable smart business solutions for this and future Councils.

## ii) Background

There have been multiple piecemeal attempts/projects that touch on or require land ownership information. This has led to various partial datasets, including: -

### Sites & Buildings

Between 2005 & 2008 the Housing & Property Support Team (HAPs) created a partial record of Highland Council ownership by mapping 13421 property boundaries onto ArcGIS. Still in use today these property boundaries only sometimes correspond with accurate ownership deeds.

HC Titles - A project led by Legal in 2006/7 created approx. 3000 (mainly housing) property boundaries on ArcGIS, with cross reference to ownership deeds. The work was not completed and the corresponding deeds (which are not digitised) are held in various Highland Council sites. Although this dataset is limited in terms of completeness, currency, and accuracy, it is the best corporate information we have that an area of land was once owned by the council. Whether it is still owned requires knowledge of all the subsequent property transactions within the area in question.

Common Good Registers – In compliance with statutory obligations in terms of the Community Empowerment (Scotland) Act 2015 the Highland Council has comprehensive lists of common good property including land and buildings. These lists are not map based.

Even in combination, the above datasets do not represent all the Highland Council's ownership. Drawings, deeds, and information on land transactions exist locally within council teams. There may be other undiscovered digitised or paper deeds in offices/archive centres.

### **iii) Terra Tracker Outcomes/Benefits**

- Maximised capacity for Business Intelligence
- Empowerment of Communities – self help
- Empowerment of Council Services – self help
- Optimised support for wider public sector projects e.g., roads, large infrastructure projects.
- Optimised support for asset management.
- Identification development sites – housing, sale, leasing.
- Identification of property maintained but not owned by Council.
- Identification of 3rd Party encroachment on Council land.
- Digitised Title Deeds
- Improved support for voluntary Land Registration.
- Elimination of duplication.

### **iv) Cross Service Outcomes/Benefits**

The outcomes and benefits listed at section 3 above may assist the following Services in the following ways: -

#### Housing and Property

- Property – assistance with Council Asset Rationalisation project.
- Area Housing – Sale of small plots
- Area Housing - maintenance responsibilities (car parking, paths, fencing, surface maintenance etc.)

#### Communities and Place

- Identification of ownership/non-ownership of maintained/non-maintained land e.g., open spaces, verges, play areas, playing fields, burial grounds.
- Accurate information to support CAT and other community projects.
- Identification of land for allotments.

#### Infrastructure Environment & Economy

- Economic Development & Regeneration – identification of industrial site for lease.
- Roadside land ownership.
- Housing Development – identification of development land.

- Harbour Ownership
- Accurate information to support access officers.
- Bridge responsibilities.
- Active travel team - identify owned pockets of land for enhancement projects and routing.

#### Education

- School boundary extents – to facilitate extensions etc.

#### Deputy Chief Executive

- Identification of land to support Biodiversity & green energy projects.

#### Performance & Governance

- Common Good – assist in update and review of Common Good Asset Registers

#### Finance & Resources

- Non-Domestic Rates – potential savings where building is currently misclassified.

#### **v) Communications Strategy**

Effective communication plans are vital to ensuring the projected outcomes are achieved and sustained. Communications will include: -

- HC intranet page to inform staff of the project and direct them to the Terra Tracker SharePoint Site for updates.
- Working closely with Corporate Communications to develop briefings and signposts throughout the Project.
- Briefing notes for Elected Members will be issued throughout the project.

#### **vi) Terra Tracker will not: -**

- Focus on leases.
- Focus on which Service manages particular land and buildings.
- Provide an ownership checking service (queries should continue to be directed to Legal)

## **2. Scope of the Plan: Outcomes & Benefits**

<b>OUTCOME &amp; BENEFIT</b>	<b>CASHABLE/NON-CASHABLE</b>	<b>Example</b>	<b>POTENTIAL SAVING / INCOME £k</b>	<b>MEASURED BY</b>
Identification of residential development sites	Income	Validation/update of title boundaries on known housing sites.	£100k per Hectare rural £200k per Hectare urban	Running total reported by Legal to Project Board & Corp Resources
Roadside land ownership	Income	THC roads service has purchased various roadside plots over the years that have not seen Roads development. Some of these will have marriage/servitude value for adjacent owners. 3 recent cases have seen a total capital receipt of £175k	Say £20,000 per unit	Running total reported by Legal to Project Board & Corp Resources
Identification of commercial leasing sites	Income (recurring)	Serviced sites Inner Moray Firth  Serviced sites rural	£5k per unit  £2k per unit	Running total reported by Legal to Project Board & Corp Resources
Small Land Sales (Housing and other)	Income (recurring)	Legal Fees £1300 Estates Valuation Fee £750 Capital receipt £1500. Reduced maintenance £1	£3.5k (per unit)	Running total reported by Legal to Project Board & Corp Resources
Saving – Reduce spend on First Scottish Searches	Cost Avoidance (recurring)	£25k spent in 2022 – by project end this spend should be greatly reduced – say to £5k	£20k pa recurring	Running total checked with Finance and reported to Project Board & Corp Resources
Amenity maintenance – reduced burden or increased income	Cost Avoidance	Nairn Show Field – THC no longer cut the grass saving £1050 p.a.	£1000 saved per 3 Hectare	Running Total checked with C&P and reported to Project Board & Corp Resources
Eliminate duplication - of resource intensive investigations	Performance Improvement	Various officers at various times conduct the same or overlapping work which is not captured centrally	Officer Time ++	
Improved ability to support community asset transfers.	Improved Performance &	An early sticking point in the CAT process is often a lack of clarity around THC	Officer and Member Time	Project Team liaison with CAT board



	External Customer Satisfaction	ownership, Service Responsibility, and title restrictions		
Services to self-help in relation to property related work.	Improved Performance & Internal Customer Satisfaction	Pockets of property knowledge exist across the council – progress is too reliant on ‘who you know’ – a centralised systems approach will empower Services	Officer Time	

### 3. Approach & Governance

<b>CONTROL</b>	<b>CONTROL IN PLACE? (Y/N)</b>	<b>PLANNED ACTION</b>
<b>BUSINESS CASE</b>		Detailed in this document.
<b>OUTLINE DELIVERY PLAN</b>		Outline delivery plan (below). Outline project plan to be produced which will include the details of each key milestone and phase of the project.
<b>BUDGET MANAGEMENT</b>		Actual spend is largely project officers’ salary (93%) with 7% for costs associated with 3 <sup>rd</sup> party searchers etc. Income is estimated from historic 1 off examples that have been extrapolated in relation to expected project outcomes. It is a reasonable expectation that the Project will both self-fund and generate surplus over the lifetime of the project and beyond.
<b>GOVERNANCE</b>		Progress reported to Project Board circa 6 weekly. Bi-annual reports to Corporate Resources Committee. Quality Control via ECO outwith P&G Dedicated SharePoint site, email address (customer channel)
<b>RISK MANAGEMENT</b>		Risk Register to be maintained by Project Manager and reported to Project Board
<b>BENEFITS REALISATION</b>		Running Total of savings/income maintained by Project Manager and reported to Project Board and Corporate Resources

#### 4. Outline delivery plan

Milestone/Key Stage/Outcome	Target Date
Approval of the project	Q3 23/24
Recruitment to Project Team	Q4 23/24
Project Cost Centre created	Q4 23/24
Detailed project plan to be completed	Q4 23/24
SharePoint Site Created	Q4 23/24
Project generic email created	Q4 23/24
Communications begin	Q4 23/24
Project Commencement	April 2024
Tech/ICT training Arc GIS begins	April 2024
Full initial scoping investigation of current land/building ownership datasets.	Q1 24/25
Develop processes to identify those gaps in existing data which if filled are most likely to result in 'cashable' followed by 'non-cashable' benefits.	Q1 24/25
Identify any requirements for additional digital data capture (including scanning, digitising and attribution)	Q1 24/25
1 <sup>st</sup> Progress Report to Corporate Resources	June 2024
Commence data aggregation, capture and quality improvement of existing data including RoS and Searching Services enquiries – via updated polygons and deed scanning to ArcGIS.	Q2 24/25
Commence build & delivery of expedient processes to disseminate property information both internally and externally (GIS Layers, online mapping tool and interactive query tool)	Q2 24/25
Commence Deep Dives into most lucrative elements of project	Q3 24/25
2 <sup>nd</sup> Progress Report to Corporate Resources	December 2024
Ongoing involvement of relevant SMEs to capture business Intelligence & feedback to Senior Users	Ongoing
6 weekly Project Board Meetings throughout Project	6 weekly
3 <sup>rd</sup> Progress Report to Corporate Resources	June 2025
4 <sup>th</sup> Progress Report to Corporate Resources	December 2025
Embed processes and ongoing resource to ensure single point of collation, maintenance, and query resolution (via polygons on ArcGIS) for all information gained by Services on land/building ownership.	Q4 25/26
Final Report to Corporate Resources	March 2026
Project Ends and handover to business as usual	By end March 2026

## 5. Resources

Resource Required:	Funding Required	FTE	Role(s), e.g., Project Manager
Project team Resource	0	0.05	ECO P&G - Project Sponsor & Lead – monitor progress, budget & outcomes
	0	0.02	Quality Assurance
	0	0.1	Tech/ICT Trainer – Arc GIS (1 <sup>st</sup> Month of project)
	£60k pa	1.0	Project Manager/SME HC10
	£96k pa	2.0	Project Officers HC8
	£34k pa	1.0	Admin Officer HC5
Subject Matter Expertise	0	unknown	The input of Officers from, Estates, Housing, Amenities, Roads etc. will be required during the project - sense checks, business intelligence, etc
Corp Comms	0	unknown	Promotion of project visibility and buy
External Searching Service	£15k pa	na	Project will need to get copy deeds and land checks from 3 <sup>rd</sup> party supplier

## 6. Risks

Risk	Impact (High/Medium/Low)	Mitigation & Management Action
Scope creep	Medium	Essential to establish a robust change control process from the outset of the project. This process should include mechanisms for identifying, evaluating, and approving changes to the project scope. Additionally, maintaining clear and open communication among all stakeholders is crucial to prevent misunderstandings and address potential scope issues promptly
Project slippage due to scale and complexity	Medium	Project Sponsor assisted by Quality Assurance lead must ensure that the project via the Project Manager keeps a keen focus on the

		quick wins and higher value goals. Robust direction/advice by sponsor is required at the Project Board from the outset.
Discovery of liabilities e.g. land/buildings occupied but not owned by the council where we are required to regularise at cost e.g. by paying rent. Increase public access could lead to such liabilities being identified by 3 <sup>rd</sup> parties.	Medium	Mitigation would be case by case e.g. Council may withdraw from over occupied land or seek to negotiate the best deal possible for continued occupation
Factors that reduce the commercial appetite of officers/members will compromise financial returns.	Medium	The Project Team must convey the message that Project income/savings will help avoid less palatable council efficiencies. A commercial approach to negotiation/valuation must be applied to any the work that flows from the Project
Lack of buy in by already busy subject matter experts.	Low	The Project Manager, with support from the Project Sponsor, should develop a sound working relationship with those Services that will be called upon to give SME support. Sufficient explanation and notice are vital along with only reasonable requests for SME time.