

Dear [redacted],

Thank you for your email. I am the Head of Department at QLTR. I apologise for the delay in responding, we have a heavy workload at the moment.

I have treated your email as an FOI request under the Freedom of Information (Scotland) Act 2002. I will put a redacted version of your request and my reply (i.e. removing personal details, your email address and the name of your Trust) on our website at [FOI Requests and Responses | Queen's and Lord Treasurer's Remembrancer \(qltr.gov.uk\)](#).

I hope it's helpful if I begin by explaining a bit of the background to our functions in this area.

The QLTR is the Crown's representative in Scotland with authority to deal with ownerless property. Property can become ownerless by a number of means. One of the most common is where a company dissolves without transferring its property titles beforehand. Another is where an individual dies without a will and with no heirs, or where an owner can no longer be traced.

Traditionally, the Department took a reactive approach to ownerless land, relying on sites to be identified by interested parties or public bodies such as local authorities, rather than proactively identifying titles and maintaining a list of them on a website. This was also true of land where there may be said to be a community interest: the community asset transfer regime under the Community Empowerment Act 2015 does not apply to the QLTR, and the QLTR has a wide discretion in choosing whether or not to claim and deal with ownerless property. That is changing however, and despite the fact the 2015 Act does not apply to QLTR, we are in the process of reviewing our approach and our thinking about how we might best address ownerless, vacant and derelict land where there appears to be a Crown interest. And, where there may be community interest, how we might best approach those cases and bring them to local attention.

Turning to the Sealscraig site. I can confirm that the QLTR sold the area coloured pink in the plan below in October 2019. Our standard practice then, when approached by an interested person or body, was to request a search in the Register of Community Interests in Land (RCIL), and to seek advice from the District Valuer Service whether any other forms of disposal might be appropriate. We did not consult the community in this case: it had been presented to the Department that the area had been openly and peacefully occupied by the interested party for many years without objection or challenge for access, car parking and outdoor use, there was no registered entry on the RCIL, and the area was otherwise subject to public rights of way to the foreshore.

I should stress that it was not our intention to interfere with those public rights of way, and the disposal should not do so: rights of way "run with the land". To the extent that there may now be concerns about changes of use proposed by the owner to the area, or concerns about obstruction or interferences with those rights of way, I would suggest that you should bring your concerns to the attention of the Local Council's planning department.



I hope this reply is helpful.

If you are dissatisfied with the way in which your request has been handled, you do have the right to ask us to review it. Your request should be made within 40 working days of receipt of this email, and we will reply within 20 working days of receipt. If you require a review of our decision to be carried out, please write to the QLTR, Scottish Government Building, Victoria Quay, 1F-North, Edinburgh, EH6 6QQ or by email to [enquiries@qltr.gov.uk](mailto:enquiries@qltr.gov.uk). If our decision is unchanged following a review and you remain dissatisfied with this, there is a right of appeal to the Scottish Information Commissioner under section 47(1) of the Act. Should you subsequently wish to appeal against the Commissioner's decision on such an appeal, there is a right of appeal to the Court of Session on a point of law only.

Kind regards,

Bobby Sandeman  
Head of Department, QLTR

**From:** *[name and email redacted]*  
**Sent:** 24 January 2021 15:14  
**To:** CO QLTR <[enquiries@qltr.gov.uk](mailto:enquiries@qltr.gov.uk)>  
**Subject:** Ownerless land

Dear Sir

I am writing to you on behalf of *[name redacted]* regarding the ownerless land recently sold at the Sealscraig area of South Queensferry to *[name redacted]*. We are under the impression that this piece of land is on the foreshore and has public access.

Can details of the above transaction be released and was there any community consultation taken. We understand that notifications are through "The Gazette" how is access gained to this publication and how often is the information updated.

The *[Name redacted]* would like to investigate the following:  
Identifying any other ownerless properties/land in South Queensferry and how the sales of these properties/land are advertised. Are notifications of the above made public to interested parties and local organisations.

What is the relationship between QLRT and the Land Registry with regard to ownerless properties/land.

For and on Behalf of  
*[name redacted]*