



E: [REDACTED]

[REDACTED]  
Solicitor  
Corporate and Property Law  
Glasgow City Council  
City Chambers  
Glasgow G2 1DU

5 April 2023

Dear [REDACTED]

**THE HOUSING (SCOTLAND) ACT 1987  
THE ACQUISITION OF LAND (AUTHORISATION PROCEDURE) (SCOTLAND) ACT 1947  
THE GLASGOW CITY COUNCIL (FLAT 0/4, 94 ALLISON STREET, GLASGOW)  
COMPULSORY PURCHASE ORDER 2023**

1. I refer to the Council's email of 28 February 2023, submitting the Glasgow City Council (Flat 0/4, 94 Allison Street, Glasgow) Compulsory Purchase Order 2023 ("the Order") to the Scottish Ministers for confirmation.
2. The Scottish Ministers have given careful consideration to the merits of the Order, to which no objections were received. Ministers are satisfied that the Order should be confirmed.

**Background Information**

3. The Order is made in exercise of the powers conferred by sections 9 and 10 of the Housing (Scotland) Act 1987 for the purpose of providing housing accommodation. The Order allows the Council to obtain title to Flat 0/4, 94 Allison Street, Glasgow, G42 8ND. Number 94 Allison Street is a four storey mid-range tenement with four flats on the ground floor, and three flats on the first, second and third floor respectively. Flat 0/4 is a ground floor flat, entered through the second door on the lefthand side of the shared common entrance hall of the tenement. It is a small studio style flat, with a living room/bedroom arrangement and is a split-off from the larger Flat 0/1, the remainder of which continues to be known as Flat 0/1.



4. If the Order is confirmed, the Council will take title to the property which will be transferred to Southside Housing Association Ltd in a back to back agreement. The Association will refurbish the property and add it to their housing stock portfolio for social rent. Funding for the acquisition and comprehensive repairs of the flat will be made available to the Housing Association through the Council's Affordable Housing Supply Programme budget. Southside Housing Association will carry out the refurbishment and, if required, make use of any other specific grant assistance available through the Council's strategic funds or any other such funds.
5. The flat has been unoccupied since 2003 and the Council is satisfied that there is a need for further housing accommodation in the area. In addition to reinstating an empty derelict home to its residential use, the Order will facilitate improvement of the local area, add one extra unit to the social housing accommodation stock, and stop the blight on the neighbouring properties. The flat is currently uninhabitable and requires significant repairs.
6. The Council carried out all reasonable enquiries to trace the owner. This involved searching extensively for him, including searches by Fraser and Fraser, and Finders International. Both were unsuccessful in tracing the owner, as was the Scottish Prisoner Location Service. The Council placed an advert in the Glasgow Evening Times on 16 June 2022 requesting anyone with any information that could identify or locate the owner to contact the Council. There were no replies. The Council concluded that the owner's current whereabouts are unknown, therefore it has not been possible to either discuss repair of the property or negotiate a voluntary acquisition with him, hence promotion of the Order.
7. The title is encumbered by a Charging Order by Glasgow City Council registered on 29 May 2009 with no sums outstanding, a Repayment Charge by Glasgow City Council registered on 7 January 2015, with a substantial outstanding sum, and outstanding Council Tax which has not been paid since 2003.


### **The Scottish Ministers' Decision**


8. In determining to confirm the Order, the Scottish Ministers consider that the compulsory acquisition of Flat 0/4, 94 Allison Street, Glasgow is necessary to stop the decline of this property and the detrimental impact on neighbouring properties. Acquisition will bring this property back into use providing much needed social rented housing accommodation in the area which would be managed by the Housing Association. It is believed this would have a positive impact on the local community and would also be in line with local strategies. No person would be made homeless by this acquisition as the flat has been empty for many years. The whereabouts of the owner is unknown despite search agencies efforts to find him, as well as newspaper advertisements to try to locate him.

9. The Scottish Ministers have considered carefully all the evidence presented and consider that acquisition of the interest listed in the Order by compulsory means is proportionate, and strikes a fair balance between the need to protect the rights of the owner of the property and the public interest. Taking these considerations into account, the Scottish Ministers are satisfied that the Order should be confirmed.
10. This letter constitutes the Scottish Ministers decision to that effect.

### **Subsequent Procedures**

11. In accordance with paragraph 6 of the First Schedule to the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 ("the 1947 Act"), notice of confirmation of the Order should be published as soon as may be in the prescribed form (Form No. 4 in the Schedule to the Compulsory Purchase of Land (Scotland) Regulations 2003 (SSI 2003/446) in one or more newspapers circulating in the locality in which the land comprised in the Order is situated. A like notice and a copy of the Order as confirmed must be served on all persons on whom notice under paragraph 3 of the First Schedule to the 1947 Act was served.
12. Glasgow City Council will require to take what action they consider necessary regarding the service of the notices in accordance with paragraph 19(4) of the First Schedule to the 1947 Act, as amended by paragraph 6 of Schedule 2 to the Local Government (Miscellaneous Provisions) (Scotland) Act 1981.
13. The Order will become operative on the date on which notice of the confirmation is first published, but any person aggrieved may, within 6 weeks of that date make application to the Court of Session in terms of paragraph 15 of the First Schedule to the 1947 Act, as extended by Section 60 of the Land Compensation (Scotland) Act 1973.
14. Extracts of newspapers containing notice of the confirmation of the Order should be forwarded to the Scottish Ministers for retention along with a certificate of the service of required notices. Please send these notices to:

  
 Policy Officer  
 The Scottish Government  
 More Homes Division  
 Bothwell House  
 Hamilton Business Park  
 Caird Park  
 Hamilton ML3 0QA

Alternatively they may be emailed: 

15. I should be grateful if you would acknowledge receipt of this letter to [REDACTED].

Yours sincerely

[REDACTED]

[REDACTED]  
**Team Leader**  
**More Homes Division**  
**Directorate for Local Government & Housing**