

E: [REDACTED]@gov.scot

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

5 February 2025

Dear Ms [REDACTED]

**THE HOUSING (SCOTLAND) ACT 1987
THE ACQUISITION OF LAND (AUTHORISATION PROCEDURE) (SCOTLAND) ACT 1947
THE GLASGOW CITY COUNCIL (32 IBROX TERRACE, GLASGOW) COMPULSORY
PURCHASE ORDER 2024**

1. I refer to the Council's email of 13 December 2024, submitting the Glasgow City Council (32 Ibrox Terrace, Glasgow) Compulsory Purchase Order 2024 ("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 32 Ibrox Terrace, Glasgow, G51 2TB. The property is B listed and situated within the Ibrox/Cessnock housing priority area of Glasgow. It is a long term empty mid-19th century 2-storey terraced house, set back from the street, with a small front garden and back garden.
4. If the Order is confirmed, the Council will take title to the property which will be transferred to Linthouse Housing Association (Linthouse HA) 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 house will be made available to the Association through the Council's Affordable Housing Supply Programme budget 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 last recorded owner is Mr [REDACTED], deceased. The owner has two sons, Mr [REDACTED] and Mr [REDACTED]. It was not possible to establish that the sons took steps to inherit the property by applying to the Sheriff Court for confirmation of their father's estate.
6. The property was identified on the council tax register as long-term empty, being unoccupied since 5th October 2017 when the owner passed away. The state of neglect can easily be seen from outside through the windows. The front room ceiling has collapsed with the top floor radiator hanging through. The roof coverings are defective and some windows are broken, letting rain water into the house. Rainwater pipes, sandstone elements, chimney heads, front and rear doors must be replaced or repaired. In 2022 the property was reported to the Council's Public Health Services by the owner of the adjoining terrace house, number 34 Ibrox Terrace. He reported issues with vermin (rats coming through the walls), water ingress caused by defective roofing, and nuisance. The owner of number 34 decided to sell and reached an agreement with Linthouse HA in November 2024.
7. The Council made several attempts to engage the owner's family with regard to number 32, to repair the property. Initial correspondence involved Mr [REDACTED], who lives in Glasgow. An empty homes letter was issued on 5 September 2022, with a second letter dated 4 October 2022. Nothing progressed at that time. In correspondence dated 3 April 2022, Mr [REDACTED] indicated that his solicitor was obtaining a bond of caution before proceeding with the application to court for appointing him and his brother as executors. On 4 April 2024 Mr [REDACTED] indicated that the "plan is to now sell the house at the earliest opportunity". The Council officer sent an email on 20 August 2024 with information about options to sell the empty home and requested an update. The officer also wrote on 13 September 2024 advising that Linthouse HA were interested to purchase the house. There was no response from Mr [REDACTED] since the April 2024 correspondence.
8. With assistance from Fraser and Fraser (genealogists), the officer found the other son of the deceased, a Mr [REDACTED]. Notifications were sent to this person, who did not respond. There was no communication from this person. The Council also contacted the family solicitor on 24 October 2024 and on 25 November 2024 to establish whether they were indeed instructed to obtain confirmation of the estate and if so, to ascertain how far into the process they were. No response was received.
9. The Council also issued a Work Notice under Section 30 of the Housing (Scotland) Act 2006 on 30 October 2024. The owner's executors had until 27 November 2024 to confirm whether the defects identified in the notice were rectified. The executors did not respond. The property continues to lie empty. It is not wind and watertight, so will deteriorate further unless urgent action is taken. It is now in a serious state of disrepair, is causing damage to adjoining terraced houses, and it is blight in the community. The Council's approach has always been to encourage and assist owners with reinstating their properties and they used all reasonable efforts to encourage the owner's descendants to take title, to repair the property, bring the property back into use or sell.

10. The house at 32 Ibrox Terrace meets the requirements for housing and would provide most needed affordable housing accommodation for a larger family. Linthouse HA already own the adjoining property at 34 Ibrox Terrace, which was damaged by the deterioration of number 32. If the Order is confirmed, the Association will be able to take forward the repairs to both properties thus avoiding further damage to them, adjoining properties and bring them back into use as social rented housing units for larger homeless families.
11. The title is not encumbered by any secured charges.

The Scottish Ministers' Decision

12. In determining to confirm the Order, the Scottish Ministers consider that the compulsory acquisition of 32 Ibrox Terrace, Glasgow is necessary to stop further decline of this house and the obvious detrimental impact on neighbouring properties. Acquisition will remove blight and bring this long term empty property back into use, providing much needed family sized social rented housing accommodation in the area, which would be managed by the Housing Association. This would ensure maintenance of the property and provide a secure tenancy for future tenants. It is believed this would have a positive impact on the local community and would also be in line with local strategies. At present the house cannot be used as housing accommodation as the owner is deceased and his sons do not appear to have taken title to the property, nor corresponded with the Council to try and find a permanent remedy to the situation since April 2024. In its current condition it is uninhabitable. No person would be made homeless by this acquisition as it is believed the house has been empty since 5 October 2017 and the deceased owner's sons reside elsewhere.
13. 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, his inheritors, and the public interest. Taking these considerations into account, the Scottish Ministers are satisfied that the Order should be confirmed.
14. This letter constitutes the Scottish Ministers decision to that effect.

Subsequent Procedures

15. 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.
16. 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.

17. 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.
18. 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:

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

Alternatively, they may be emailed: [REDACTED] [@gov.scot](mailto:[REDACTED]@gov.scot)

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

Yours sincerely

[REDACTED]

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