



CPO Example	Numerous Interests and Untraceable Owners
Project Name	Sighthill Regeneration in North of Glasgow
Acquiring Authority	Glasgow City Council
CPO Type	Planning

OVERVIEW

In late 2014 Glasgow City Council made a Compulsory Purchase Order to allow the transformation of the Sighthill area of the City to be taken forward. Despite complex land ownership, absent and unknown land owners, and a number of objections to the order the Council's careful and structure approach enabled the order to be confirmed in July 2016, enabling the comprehensive regeneration of the area to begin.

BACKGROUND

The regeneration of Sighthill is part of the Transformational Regeneration Areas (TRA) initiative, which is a partnership between Glasgow City Council, the Glasgow Housing Association and the Scottish Government.

The initiative seeks to bring about the transformation of areas through the creation of sustainable mixed use developments, and the renewal of housing. Sighthill suffers from high levels of deprivation and dereliction, poor quality housing, unemployment and poor transport links. In addition, the quality of the land at Sighthill itself is considered to be very poor with extensive areas of contamination as a result of the site's industrial past. Therefore, Sighthill was identified as one of eight TRA sites within Glasgow in need of comprehensive regeneration.

"It was not practical or realistic to be able to acquire all of the interests by agreement within the timescale required"

The aim of the project is to bring about a wholesale regeneration of the Sighthill area to create a sustainable and visually attractive area, and to create new employment opportunities. The redevelopment (some of which has now completed) includes: essential land remediation works; the demolition of five high-rise blocks; the development of new and improved housing units; the creation of a new 'village square'; enhanced transport links, including a new pedestrian bridge to the city centre over the M8 motorway and a new road bridge over the railway line; a new school; and general infrastructure and improvement works.

WHY CPO WAS CONSIDERED NECESSARY AND OTHER OPTIONS CONSIDERED

Where possible, the Council and the Glasgow Housing Association sought to acquire ownership of the land required for the project by voluntary agreement. However, given the number of interests that were required, it was not practical or realistic to be able to acquire all of the interests by agreement within the timescale required. Also, there were a number of plots where ownership could not be traced or where the holders of the interest were unwilling to enter into negotiations regarding a voluntarily sale of their property.

Other options were not appropriate to achieve the extent of the development which was being proposed, particularly within the preferred timescale.

STEPS TAKEN TO AVOID CPO

As above, compulsory purchase could not be avoided if this large scale development was to be achieved as the voluntary acquisition / simultaneous agreement of all the different title interests would have taken too long to achieve by any other means.

EXPERIENCE OF THE CONFIRMING THE CPO

On 18 November 2014, Glasgow City Council made the Sighthill CPO and issued notices and advertised the CPO creation in accordance with its statutory duties. On the 2 December 2014 the CPO and supporting documentation were issued to Scottish Ministers to confirm the Order.

Following the objection period, and as a consequence of objections to the Order being maintained, Scottish Ministers on 23 October 2015, passed the case to DPEA to submit a report and provide recommendations. A Reporter was appointed in January 2016 and dates proposed for a Public Local Inquiry (PLI) to be held towards the end of April/beginning of May 2016. The Council went back to see if an earlier date could be arranged. The Inquiry date was subsequently set for 5th April 2016.

Prior to the PLI, the Council successfully agreed terms with the last remaining objector – consequently, the final objection was withdrawn and the PLI was cancelled. The Reporter submitted his report to the Scottish Ministers on 11 May 2016, and the Order was confirmed on 2 July 2016

CONCLUSION AND LEARNING POINTS

Prior to submitting the CPO, the Council submitted a draft of the CPO to the Scottish Ministers for a technical check, which was useful in helping to avoid any technical/procedural issues, which could have delayed matters.

Also, the Council spent a lot of time at the outset preparing a comprehensive Statement of Reasons which proved to be extremely useful when it came to responding to objections and to preparing the Statement of Case (in advance of the PLI).

There were some points in the process which could have progressed a little quicker. In particular, it took several months for a Reporter to be appointed and then for a Public Local Inquiry (PLI) to be arranged. The delay did allow the Council more time to negotiate with the objectors, so ultimately the PLI was not required. However, we had anticipated that a PLI would be required for this CPO and so would have been keen for a date to be set earlier. Once we were notified that a PLI would be held, we found this helped to expedite the negotiations with many of the objectors. It seemed that many of them were reluctant to go to a PLI and so once a date was set, they were eager to try and reach agreement. With hindsight, had arrangements been made for a PLI earlier in the process, it may have allowed the CPO to have been confirmed sooner.

Notwithstanding some delays in the process, the CPO successfully progressed to completion within the timeframe set out in project development programme. The Council subsequently took title to the plots by way of a General Vesting Declaration and the redevelopment works at Sighthill are currently on-going.

Glasgow City Council

© Crown copyright 2017

ISBN: 978-1-78851-480-4 (web only)

Published by The Scottish Government, December 2017

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA
PPDAS325366 (12/17)