
To: Communities and Housing Policy Board

On: 16 May 2023

Report by: Director of Environment, Housing and Infrastructure

Heading: Compulsory Purchase Orders

1. Summary

- 1.1 The purpose of this report is to obtain Board approval for officers to proceed to seek consent of Scottish Ministers for a Compulsory Purchase Orders for a specific address in the Auchentorlie area of Paisley and the remaining privately-owned residential and commercial properties and land within the Paisley West End Masterplan Area detailed in the table at paragraph 3.12 below.
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2. Recommendations

- It is recommended that the Communities and Housing Policy Board:
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- 2.1 Authorise the promotion and use of a Compulsory Purchase Order to acquire the last remaining privately owned property within the Auchentorlie regeneration area namely Flat 2/1, 9 Auchentorlie Quadrant, Paisley; and
- 2.2 Note the progress made by the Council's delivery partner Sanctuary HA in acquiring private properties in the Paisley West End Masterplan Area on a voluntary basis;
- 2.3 Agree that in accordance with the decisions of the Leadership Board on 12 December 2017 and Communities and Housing Policy Board on 25 October 2022 a further Compulsory Purchase Order (or, at most, two such Orders) will be promoted with a view to acquiring the remaining privately-owned residential and commercial properties and land within the Paisley West End Masterplan Area detailed in the table at paragraph 3.12 below.
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3. Background

Housing Regeneration Areas – Auchentorlie

- 3.1 The Communities, Housing and Planning Policy Boards of 18 January and 15 March 2022 authorised the Council's Housing-Led Regeneration Programme, with eight Housing Regeneration Areas in the first phase.
- 3.2 One of these Regeneration Areas is Auchentorlie, which comprises thirteen closes of six flats each. The proposals include retention of and investment in ten closes and the demolition of the other three, in which the Council owns seventeen flats, with the remaining one (Flat 2/1, 9 Auchentorlie Quadrant) being in private ownership.
- 3.3 Officers have been liaising with the owner for some time but have so far been unable to secure an agreement for the Council to acquire the property on a voluntary basis. The situation is complicated by the fact that the property has twice been very seriously damaged by fire and remains unrepaired – and its value will reflect that.
- 3.4 As all reasonable attempts to contact the owner and agree voluntary acquisition have been made and have been unsuccessful in securing agreement for acquisition, authority is sought for the use of Compulsory Purchase Order powers to acquire the property.
- 3.5 The Compulsory Purchase Order process would run in parallel with continued efforts to acquire the property on a voluntary basis.

Paisley West End

- 3.6 The Leadership Board approved a Regeneration Masterplan for Paisley West End on 12 December 2017, to be implemented in partnership with Sanctuary Scotland Housing Association Ltd ["Sanctuary"]. The acquisition of over 100 private properties was required so that demolition could be carried out in order to facilitate delivery of the Regeneration Masterplan.
- 3.7 Sanctuary's agents have successfully negotiated the acquisition of most of these properties and this work continues in respect of any properties not yet acquired.
- 3.8 The Leadership Board approved the use of Compulsory Purchase Order powers to facilitate delivery of the Regeneration Masterplan if voluntary acquisition of all privately owned residential and commercial properties and land within the Masterplan area was not possible despite all reasonable attempts.
- 3.9 The Communities, Housing and Planning Policy Boards of 29 October 2019, 18 August 2020 and 18 May 2021 respectively authorised the use of Compulsory Purchase Orders at 1 Underwood Lane & 22 Well Street and 26 & 30–34 Well Street. The Communities and Housing Policy Board on 25 October 2022 authorised the use of Compulsory Purchase Order procedures where voluntary acquisition could not be secured to ensure the acquisition of the remaining properties in the approved Paisley West End Masterplan Area.

- 3.10 In accordance with the decisions of the Leadership Board on 12 December 2017 and of the Communities and Housing Policy Board of 25 October 2022, authorisation is sought to promote Compulsory Purchase Orders (either one order or (at most) two separate Orders) in respect of the specific properties listed in the table at paragraph 3.12 below.
- 3.11 The Compulsory Purchase Order processes will run in parallel with Sanctuary's and its agents' continued efforts to acquire the properties on a voluntary basis. During this time, if an acquisition were successful, the property would be removed from the list of those subject to the Order.
- 3.12 All properties in the Paisley West End Masterplan Area are now already owned by the Council or Sanctuary except the twenty one listed below and these are the properties which may be the subject of Compulsory Purchase Orders:

Address		Type of property
6 Well Street	Ground floor shop premises (or 6A)	Commercial
8 Well Street	Northmost Shop	Commercial
	Middle Shop	Commercial
	Southmost Shop	Commercial
10 Well Street	Lefthand Shop	Commercial
	South-eastmost Shop	Commercial
	Flat 1/2	Residential
12 Well Street	Right hand Shop	Commercial
16 Well Street	Southmost and centre ground floor shop	Commercial
	Northmost shop	Commercial
18 Well Street	Middle shop	Commercial
4 Underwood Lane	4A	Residential
26 Well Street	Northmost shop	Commercial
	Southmost shop and centre shop	Commercial
30 Well Street	Middle shop	Commercial
32 Well Street	former southmost shop (now 32A or Flat 0/2)	Residential
34 Well Street	Flat 2/1	Residential
13 Well Street (also known as subjects at the rear of 34-36 Wellmeadow Street, Paisley)		Commercial
3 Clavering Street East	Flat 0/2 (or Ground/2)	Residential
	Flat 1/1	Residential
Land behind 2–20 Well Street		Brownfield site

Implications of the Report

1. **Financial** – Sanctuary will continue to acquire where voluntary agreement is reached. Costs associated with the acquisition of properties accrued as part of a successful CPO action will be paid by the Council and recharged to Sanctuary as part of the overall agreement approved for the regeneration masterplan for Paisley's West End. In respect of Flat 2/1, 9 Auchentorlie Quadrant, the cost of acquisition is already included in capital budgets for the Housing-Led Regeneration Programme.
2. **HR & Organisational Development** – none.
3. **Community/Council Planning** –
 - *Reshaping our place, our economy and our future* – improving neighbourhoods and introducing new social rent and shared equity opportunities to current and future residents.
 - *Building strong, safe and resilient communities* – increasing resident satisfaction with neighbourhoods and communities.
4. **Legal** – conveyancing and legal advice associated with the CPOs for both Auchentorlie Quadrant and Paisley West End and transfer of Council owned properties and land within the masterplan boundary to Sanctuary Scotland in line with the overall agreement approved for the Paisley West End regeneration masterplan.
5. **Property/Assets** – removal of void properties from Council stock as detailed within the Regeneration masterplan.
6. **Information Technology** – none.
7. **Equality & Human Rights** –
 - (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health & Safety** – Flat 2/1, 9 Auchentorlie Quadrant remains seriously damaged by fire. Demolition of the block cannot be progressed until ownership is concluded.
9. **Procurement** – none.
10. **Risk** – in addition to the health and safety risks associated with Flat 2/1, 9 Auchentorlie Quadrant, there is a risk of reputational damage to the Council if we do not obtain a Compulsory Purchase Order as soon as possible.
11. **Privacy Impact** – none.

12. **COSLA Policy Position** – none.

13. **Climate Risk** – none.

List of Background Papers

Report to Council on 20 April 2017: Paisley West End – Regeneration Masterplan.

Report to Leadership Board on 19 September 2017: Paisley West End Regeneration Masterplan – Consultation Update.

Report to Leadership Board on 12 December 2017: Paisley West End Regeneration.

Report to Communities, Housing and Planning Policy Board on 29 October 2019: Paisley West End Regeneration Update

Report to Communities, Housing and Planning Policy Board on 18 August 2020: Paisley West End: Regeneration Update

Report to Communities, Housing and Planning Policy Board on 18 May 2021: Paisley West End – Housing Regeneration Update

Report to Communities, Housing and Planning Policy Board of 18 January 2022: Housing-led Regeneration and Renewal Report

Report to Communities, Housing and Planning Policy Board of 15 March 2022: Housing-led Regeneration and Renewal Programme – Consultation Update

Report to Communities and Housing Policy Board on 25 October 2022: Paisley West End – Regeneration Update

The foregoing background papers will be retained within Communities and Housing Services for inspection by the public for the prescribed period of four years from the date of the meeting. The contact officer within the service is Ray Walkinshaw, Housing Regeneration and Development Manager, 07483 146814, ray.walkinshaw@renfrewshire.gov.uk.
