



Housing (Scotland) Act 1987

1987 CHAPTER 26

PART VI

CLOSING AND DEMOLITION ORDERS

Powers of local authority

121 Local authority may acquire and repair house or building liable to closing or demolition order.

- (1) If, in relation to any house or building to which this section applies, it appears to a local authority that having regard to—
 - (a) its existing condition;
 - (b) the needs of the area for the provision of further housing accommodation;the house or building must remain in use as housing accommodation, they may purchase it.
- (2) This section applies to any house or building in respect of which the local authority may make—
 - (a) a closing order under section 114; or
 - (b) a demolition order under section 115 or 120(1).
- (3) Where a local authority determine to purchase a house or building under subsection (1), they shall serve notice of the determination on every person on whom they would be required under section 118(1) to serve a closing order or a demolition order made in respect of the house or building, and at any time after that notice comes into operation the local authority may purchase the house or building by agreement or may be authorised by the Secretary of State to purchase it compulsorily.
- (4) The provisions of the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 shall apply in relation to the compulsory purchase of a house or building under this section as if this section had been in force immediately before the commencement of that Act.

Changes to legislation: Housing (Scotland) Act 1987, Section 121 is up to date with all changes known to be in force on or before 15 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (5) The compensation to be paid for any house or building purchased compulsorily under this section shall be assessed by the Lands Tribunal in accordance with the ^{M1}Land Compensation (Scotland) Act 1963 subject, however, to the provisions of subsections (6) and (7).
- (6) The compensation payable under this section shall not (except by virtue of paragraph 3 of Schedule 2 to the said Act of 1963) exceed the value, at the time when the valuation is made, of the site as a cleared site available for development in accordance with the requirements of the building regulations for the time being in force in the area.
- (7) The references in subsections (5) and (6) to compensation are references to the compensation payable in respect of the purchase exclusive of any compensation for disturbance or for severance or for injurious affection.
- (8) A local authority by whom a house or building is purchased under this section shall carry out such works as may in the opinion of the authority from time to time be required for rendering or keeping it capable of being continued in use as housing accommodation.
- (9) In respect of any house purchased by a local authority under this section, the authority shall have the like powers and duties as they have in respect of houses provided under Part I.

Marginal Citations

M1 1963 c. 51.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 21(3)(i)s. 21(3)(ai)(ii) by [2001 asp 10 Sch. 10 para. 13\(3\)\(c\)](#)[para. 13\(I\)-\(iii\)](#)
- s. 24(3)(f) and word(s) inserted by [2003 asp 10 s. 5\(1\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 5 omitted (31.12.2012) without ever being in force by virtue of S.S.I. 2012/330, arts. 1, 13)
- s. 31(2C)(c) words substituted by [2004 asp 8 Sch. 4 para. 2](#)
- s. 61(2)(a)(ia) by [2001 asp 10 Sch. 10 para. 13\(6\)\(a\)\(ii\)](#)
- s. 63(1A)-(61C) by [2001 asp 10 s. 46\(2\)](#)
- s. 66(1)(vi)(vii) by [2001 asp 10 Sch. 10 para. 13\(9\)\(b\)](#)
- s. 286(a)(c) by [2001 asp 10 Sch. 10 para. 13\(40\)\(a\)\(b\)](#)