Compulsory Purchase Reform in Scotland: The Way Forward

August 2026

Scottish Government
Riaghaltas na h-Alba

Compulsory Purchase Reform in Scotland: The Way Forward

26 August 2026

Building on last year's consultation, the Scottish Government will move forward with proposed measures to reform and modernise Scotland's compulsory purchase system, with a view to implementing the changes in this Parliament. The case for introducing compulsory sale orders will be further explored, drawing on the evidence gathered through the consultation.

Compulsory purchase orders (CPO) are a powerful tool: they can help to deliver a wide variety of development projects – large and small – that would not otherwise happen. This ranges from major infrastructure and regeneration schemes, through to the refurbishment of individual empty homes and derelict properties that can blight neighbourhoods. Effective use of CPO powers can therefore play an important role in facilitating sustainable economic growth, revitalising communities and achieving net zero. However, the current legal framework governing compulsory purchase in Scotland is old, complex and fragmented, with core parts of the legislation dating back almost two centuries. This contributes to CPOs not being used to their full potential.

In 2024 we initiated a major programme of work to overhaul Scotland's compulsory purchase system. An intensive period of policy development and stakeholder engagement – including with an expert practitioner advisory group – culminated in a public consultation on a comprehensive package of proposed reforms, which ran from September to December 2025.

We have today published a summary of the responses to the consultation. It is clear from the feedback received that there is widespread support for the proposed reforms. The vast majority of the proposals attracted very strong backing from a broad cross-section of stakeholder groups. In view of this support – and noting the positive change that CPO powers can bring about – we will bring forward legislation to implement the reform proposals in this Parliamentary term.

In modernising the system, we want to encourage authorities to make positive and proactive use of their powers, including in partnership with third parties. At the same time, we are clear that a reformed system needs to ensure that those affected are given opportunities to challenge, are treated with respect and are compensated fairly. Taken together, the proposed changes will make Scotland's CPO system simpler, more streamlined and fairer for all. This will be a substantial piece of work and will cover a wide variety of measures; we anticipate these will include:

- Repealing centuries old legislation and replacing it with a single Compulsory Purchase Act that brings together CPO procedures and compensation.
- Extensive changes to make the CPO approval process faster and more certain, including: clearer timescales, greater flexibility around how objections are handled, quicker procedures for unopposed CPOs and reduced double-handling by Scottish Ministers and Scottish Government Reporters.

- Digitising the process by allowing CPO notices and documents to be served electronically, with consistent data standards.
- New flexibilities to create new rights (e.g. servitudes) and take temporary possession, rather than authorities having to acquire land permanently in all cases.
- Introducing a single mechanism for taking possession of land after a CPO is approved – replacing the various methods that can currently be used – with clear and fair timescales for each part of the process.
- Making sure compensation rules are fair to owners and acquiring authorities; codifying decades of case law while repealing outdated and anomalous legislation.
- Measures to encourage quicker settlement of compensation claims and timeous advance payments, to support those affected until the final amount is agreed.

Last year's consultation – and the responses to it – provide a clear direction of travel for many of the proposed changes. However, a few issues require further consideration and refinement, for example: how statutory loss payments are calculated, and the extent to which CPO compensation takes account of 'hope value'. We will shortly be commissioning a piece of research focussed on building a stronger evidence base with regard to the latter. Additional targeted stakeholder engagement may also be carried out on various issues. If you have any questions or would like to discuss the compulsory purchase reform programme, please get in touch at CPO.Reform@gov.scot.

Compulsory Sale and Lease Orders

In line with commitments given to the Scottish Parliament, last year's consultation included a number of high-level questions on Compulsory Sale Orders (CSO) and Compulsory Lease Orders (CLO). The questions were exploratory in nature, reflecting that neither of these mechanisms currently exist and there is no common understanding of how they might operate or when they could be used. The responses to the CSO and CLO questions have been analysed and a report has been published.

The majority of respondents expressed support for the principle of CSO, with local authorities particularly supportive. Those in favour of CSO felt they could be used to tackle vacant or derelict land or buildings, including homes. However, a significant minority of respondents were strongly opposed to CSO and/or questioned the need for them given the scope of existing powers and the CPO reforms being proposed. Support for CLO appears to be less well defined, with concerns about the complexity involved and uncertainty of the added value.

The responses, both those supporting and opposing CSO, raise further questions about the practical benefits of CSO compared with a reformed and modernised CPO system, particularly when consideration is given to the safeguards that any CSO process would need to be subject to. It is notable that the majority of respondents felt that procedures for a CSO would need be similar to CPO, which calls into question

whether CSOs would be a simpler, quicker and cheaper option. Some respondents felt that CSO could be just as, if not more, complex than CPO and at least as resource-intensive for local authorities. As the consultation paper noted, it is already possible to acquire property using CPO powers where the intention is to dispose of the property to a third-party developer who finances and/or carries out the works. These are often referred to as ‘back-to-back’ CPOs.

We will continue our exploration of CSO, taking account of the views expressed in the consultation. It is particularly important to determine whether they can offer clear advantages over the use of back-to-back CPO, in order to justify the infringement of property rights under ECHR. This consideration will take account of what is already possible using existing powers, as well as the extensive reforms to CPO that we propose to take forward. The Scottish Government will also engage with Glasgow City Council who are currently piloting the use of CPO powers to acquire empty properties with a view to selling them on as private sector development opportunities. We are interested to understand any lessons learned from this pilot and how these experiences might inform the CPO reform programme and further consideration of CSO.

We will also continue to explore the concept of CLO and how they might operate, with particular regard to the potential impacts of leasing a property without the consent of its owner.

© Crown copyright 2026

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit **nationalarchives.gov.uk/doc/open-government-licence/version/3** or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: **psi@nationalarchives.gsi.gov.uk**.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at **www.gov.scot**

Any enquiries regarding this publication should be sent to us at

The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

ISBN: 978-1-80775-471-6 (web only)

Published by The Scottish Government, August 2026

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA
PPDAS1777026 (08/26)

w w w . g o v . s c o t