The Egyptian Halls CPO Review Report Update

8th JUNE 2026

(previous versions March, June, Sept 2025, Jan 2026)

Can a second CPO be justified without reviewing why the original CPO failed?

"You will see from the letter that Mr Souter is concerned at the Council's handling of the transfer of ownership of the remainder of the building to his company. He feels that the Council's actions may be putting the project to repair and restore the building in jeopardy."

"I would be grateful if you could reply direct to Mr Souter outlining the Council's position. Can you also let me have a copy of the response for our records."

First Minster McConnell's Private Secretary 1st May 2004 to GCC's Lord Provost

This report examines whether key information relating to the original 1996 CPO was disclosed to decision-makers and whether unresolved issues continue to affect current proposals.

Key Questions/Issues Raised

- Was the First Minister provided with complete and accurate information at the relevant time?
- USP's position is unequivocally **No**, as GCC did not disclose a known contract breach.
- This contributed to a 12-year delay in title conveyance, preventing delivery of the approved scheme.
- Had GCC disclosed the contract breach, would the approved 2000 scheme have proceeded as intended?
- If so this would have significantly reduced the consequential issues for responsibility, delay, and liability?
- Why did GCC not provide agreed pre-2013 funding of **£3 million** required to close the scheme funding gap?
- A grant requirement of **£2.5M** in 2002 has increased to circa **£20M**, the causes of this has to be reviewed?
- Why were awarded Scot Govt grants **1998–2000** rescinded summarily, with no apparent accountability?
- Note GCC has on record praised the contribution and significant expenditure of the co-owners.
- Why are the consequences of a lack of joined-up government being attributed to the co-owners?
- The known contract breach was only disclosed **14 years later**, and then only as a result of a GCC error.
- Given **22 years have now passed**, should there should be a formal assessment of why the first CPO failed?

THE EGYPTIAN HALLS CPO REVIEW RESPONSE – ISSUED

31/03/2025,, 30/09/2025, 31/01/2026

UPDATED 08/06/2026

A CONSIDERED RESPONSE: PRE-APPEAL PROCESSES BEING ACTIONED

How GCC's "Partners" in 1999 became "Outcasts" in 2025

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Executive Summary

This is not merely a failed redevelopment project albeit FOUR failed approved planning applications, but sustained legal, financial, procedural, and governance failures since 1980; 46 years! What GCC characterised Dec as occurring Dec 1999 as a "*weak on error contract breach"* was not formally disclosed until July 2018. And has since evolved into a major public-sector controversy; disputed accountability, escalating costs, deterioration of an architectural masterpiece which challenge the legitimacy of a proposed second CPO.

At the core of the dispute lies the original 1996 CPO process. Since 2002, USP has consistently sought a full review, including direct representations to successive Scottish First Ministers from then onwards. Despite substantial documentary evidence, it appears senior political leadership was never fully or accurately briefed regarding the true causes of the project delays. Give the critical failure originated from LBRN error then a CPO Appeal then a unilateral and irreversible CPO amendment imposed by GCC in 1998 based upon structural advice that later proved materially inaccurate. And initially expected to cause a few months delay, its legal and commercial consequences proved profound and irreversible.

Fundamentally, GCC lost direct control over conveyancing of the upper-floor titles, irrevocably altering the ownership, compensation, and redevelopment framework underpinning the entire project. The resulting delays and compensation complexities created a 12 year delay, ultimately reconciled by USP and acknowledged by GCC.

The financial implications have escalated dramatically; a year 2000 **£3M** grant requirement became **£10M** by 2012 and currently is **£22M- £24M**. In parallel deterioration has continued and the upper floors have remained vacant for 46 years. And attempts to attribute responsibility for this to USP or USI fail to acknowledge the cumulative impact of prolonged public-sector procedural failures, institutional churn, non-engagement, and delayed decision-making. Given this dates back to 1991 (35 years), including the requirement for the original LBRN to be re-served 1995, thereby enabling subsequent appeal processes.

Four approved schemes have failed due to grant rescindment, unresolved ownership structures, title disputes, and legal disagreements combining to obstruct while the building's condition has continued to deteriorate. GCC's failure to recognise the Egyptian Halls is co-owned by the same core investors . With separate legal obligations and valuations is perplexing. A merged title has been on offer since 2010.

GCC has practiced continually an adversarial rather than collaborative approach, despite repeated offers of negotiated resolution and reconciliation. And a significant public-interest question arises: why has mediation not been meaningfully pursued if it could materially reduce public expenditure, avoid further delay, and minimise legal confrontation for all parties? And is the Scottish Government prepared to support what is a blatant attempt at asset stripping designed to avoid responsibility for historic errors and disclosure failures. Public grant support integral 1996 onwards was subsequently withdrawn by GCC/HES- Scottish Government 2015, further compounding the financial and structural deterioration . And does the CPO review satisfies this legal benchmark ***https://www.bailii.org/uk/cases/UKHL/2006/50.html***.

- Whether the terms upon which GCC proposes to make the assembled site available to a developer fall within the lawful scope of its statutory powers?
- Whether GCC properly considered all relevant considerations when deciding to exercise those powers in the manner proposed?

USP and USI contend there is no legitimate justification for pursuing a second CPO while the original failures remain unaddressed. The evidence demonstrates unequivocally that the delays, cost escalation, and deterioration have been caused principally by GCC and Scot Govt failures. These lie at the centre of the ongoing dispute and any future appeal process should that be required.

GCC Legal Errors and Procedural Misjudgements starting 1991 create a 35-Year Impasse!!!

No single individual or department within GCC, HES, or the Scottish Government can fairly be held solely responsible for what has since become a highly complex and longstanding problem. Over the past 27 years, USP and USI have engaged with more than 100 officials across planning, legal, conservation, building control, regeneration, and government departments in an attempt to reconcile the position.

The origins can be traced to a series of legal and procedural decisions by GCC between 1991- 1998 Starting when 1991 LBRN Notice was re-served in 1995 despite the original appeal period having expired. Publication subsequently triggered a further appeal process and ultimately the later CPO Appeal.

The decisive turning point occurred in February 1998 when GCC unilaterally amended the CPO following structural advice that later proved materially inaccurate. The building had been assessed as being close to collapse, directly influencing the subsequent appeal and GCC's wider approach. However, after USP reconciled the appeal at the Court of Session, a conservation-led restoration scheme — approximately 90% funded and designed to deliver full restoration — was ready to proceed by 2000.

The position then changed fundamentally. GCC altered the conveyancing mechanism from a General Vesting Declaration to a Notarial Instrument, resulting in GCC losing direct control over transfer of the upper-floor titles. Former upper-floor owners were therefore able to retain title until compensation issues were resolved. Although the amendment was initially expected to cause only a "few months delay", the resulting disputes took from 1998 until 2010 to reconcile. GCC had also breached the Dec 1999 CPO Agreement with USD(USP) but never disclosed this despite numerous reports from GCC DRS to Committee which failed to reference and instead blamed USP for scheme delays; egregious conduct to the nth degree

GCC however acknowledged the consequences but without accepting it was to blame Aug 2003:" ***The CPO process adopted by the Council in this case involves compensation being determined before the Council can gain a satisfactory title for onwards disposal. There is potential for significant delay in being available for Union Street. I can understand the frustration expressed by Mr Souter The resolution is not straightforward"*** Had these legal and technical errors not occurred, there would likely have been no CPO Appeal, control of the upper floors would have transferred to the original consortium, and restoration could have commenced almost three decades ago.

Importantly, the documentary record — including the December 1999 CPO Agreement and subsequent GCC correspondence — does not support any suggestion that the owners deliberately allowed the building to deteriorate. On the contrary, GCC repeatedly acknowledged the efforts and commitment of USP and associated investors. The evidence instead points to prolonged delay arising from institutional churn, procedural failures, non-engagement, funding withdrawals, and lack of coordinated public-sector decision-making over many years. And being open and transparent its believed to still be continuing

Additional errors continue to be uncovered e.g. July 2025 relate to valuation assessment processes. GCC/ District Valuer have relied on outdated Deeds of Conditions and outdated Repairs Apportionment from January 2018 onwards, while also failing to access current Title Deeds and Rateable Value data available through the Assessor's records. Therefore the CPO Review is founded upon an insufficient, one sided presentation of less than adequate research further impaired by materially flawed record keeping.

Yet GCC now attempt via (ab)use of statutory powers to "in effect" asset strip the co-owners of their let's not forget acknowledged by GCC "***significant expenditure***" on site acquisition/development etc. USP, USI, and the core investors have little option but to defend their proven track record, proven substantial financial investment, and approved schemes. And an objective Review should be instructed timeously as to how and why the original CPO failed. And should involve all key stakeholders; Scot Govt, GCC USP, USI, Ediston, GCBPT, SCT, GCHT. As one current GCC officer stated this ***"why we are where we are."***
Log also to the independent view of Greek Thomsons's Greatest Champion for context
http://www.egyptianhalls.co.uk/assets/files/The-EgyptianHalls-HeritageLobbying.pdf

From GCC "Partners" to "Outcasts": December 1999 – January 2025

A consistent and significant issue throughout the Egyptian Halls matter has been the repeated failure by key public bodies to disclose material facts, correspondence, and historical context relevant to the project's deterioration and non-delivery.

Key Non-Disclosures and Omissions

- **December 1999 – CPO Agreement** Failure to disclose that Glasgow City Council (GCC) and USP/USD were described as "***partners***" within the December 1999 CPO Agreement, with the stated objective of "***clearing the way for the repair of the building to proceed.***"
- **September 2000 – Buildings at Risk Register** Failure to disclose the entry stating: "**Scottish Enterprise has withdrawn its offer of a grant, and Historic Scotland has reduced its; the project is unlikely to proceed**."
- **April 2003 – GCC Position on the CPO Process** Failure to disclose GCC's acknowledgement that: "***The CPO process adopted by the Council in this case involves compensation being determined before the Council can gain a satisfactory title for onward disposal. There is potential for a significant delay in being available for Union Street. I can understand the frustration expressed by Mr Souter. The resolution is not straightforward.***"
- **June 2004 – GCC Economic Development Report** Failure to disclose that: "***USD re-secured the grant funding from Historic Scotland, which had reduced the offer of grant for the scheme from £990,000 to £250,000. Union Street Properties negotiated the grant offered back up to £930,000 for the revised scheme***."
- **June 2004 – Withdrawal of CPO Objection** Failure to disclose that: "USD also brought about the withdrawal of the objection to the promulgation of the CPO by the upper-floor proprietor of the building."
- **July 2010 – Scottish Government Submission** Failure to disclose GCC's statement that: "***The Council has been working with USP Properties, the owners of the magnificent Grade A listed Egyptian Halls building in Union Street, Glasgow, for many years in order to help them bring the building into a single ownership.***"
- **1999–2010 – Extensive Engagement** Failure to disclose that:" ***A considerable amount of correspondence and many meetings, over a prolonged period of time, have already taken place between the developer and his agents, the City Council and Historic Scotland***."
- **July 2010 – Developer Investment** Failure to disclose that the developer had committed: "***Very significant expenditure on bringing the building into a single ownership, on preparing a range of technical and conservation studies, and in completing both option and development appraisals for a variety of potential end uses.***"
- **August 2023 – "*Blight on Union Street*" Narrative** Failure by GCC to acknowledge that the deterioration and prolonged impasse were not created by USP/USI, but arose through the cumulative actions, decisions, delays, and interventions of GCC, GDA, Historic Scotland/HES, and the Scottish Government. Instead, responsibility was publicly attributed to "Mr Souter."

The "Dead Horse Theory" and the Egyptian Halls

The current GCC-SCOT GOVT approach resembles what is commonly referred to as the "Dead Horse Theory" — a satirical management metaphor describing how institutions continue investing time, resources, and bureaucracy into failed or fundamentally flawed processes rather than confronting underlying realities. The theory suggests that when people realise they are "riding a dead horse," the rational response is to dismount. Instead, organisations often:

- Create committees and task forces to study the obvious problem;
- Produce reports confirming what was already known;
- Redefine failure in order to avoid admitting it;
- Increase budgets and prolong processes;
- Replace individuals rather than addressing systemic issues;

- Continue pursuing unrealistic outcomes despite overwhelming evidence.

The Egyptian Halls project reflects many of these characteristics. **Since 2000, difficult but necessary decisions regarding structural stability, funding viability, regeneration strategy, and delivery mechanisms have repeatedly been deferred. Significant opportunities have been missed. Joined-up government failed to materialise. Material facts were not properly disclosed. Meanwhile, substantial private capital investment was committed in attempts to preserve and maintain the building**. Importantly, income generated from the ground-floor commercial units and intermittent advertising hoardings has been reinvested into maintaining the property — a fact GCC appears reluctant to acknowledge, despite being on record The reality is there has been little or no meaningful private-sector appetite for the project due to longstanding and demonstrable issues surrounding viability.

Yet GCC has produced a Preferred Bidder report, which personifies this perfectly by ignoring all GCC has done wrong and in parallel ignoring/discounting all USP has done correctly despite been praised by GCC for doing this; cognitive dissonance personified

June 2026 GCC- Preferred Bidder Report; critical analysis
http://www.egyptianhalls.co.uk/0806-2026-GCC EH Report Preferred Bidder-Response.pdf

A Project That Should Have Been Delivered Decades Ago

The project had approved grant funding of approximately **£1.35 million in 1997**.
Had the September 2024 Feasibility Study been properly reviewed and responded to — as GCC promised within one week — the scale of any required public-sector intervention would likely already have been quantified. To date, no formal response has been issued.

GCC's Narrative and the Question of Responsibility

One of the defining characteristics of institutional propaganda is attributing blame to others for circumstances created by one's own actions or failures. The following actions and decisions — all documented and on record — materially contributed to the current position:

Chronology of Significant Contributory Events

1991–1995: Listed Building Repair Notice (LBRN)
- An LBRN was served in 1991.
- It required re-service in 1995 due to a minor technical error.
- Had this error not occurred, there would likely have been no subsequent CPO Appeal.
- The upper-floor titles would likely have transferred to the original ground-floor consortium and redevelopment could have commenced approximately 28 years ago.

1997–1998: Structural Assessment and CPO Amendment
- GCC's inaccurate structural assessment led to the February 1998 CPO Amendment.
- What was predicted to be a delay of only a few months ultimately became a delay of over a decade and is now approaching 28 years.

1998: Grant Rescindment
- GDA rescinded approved grant funding because the grant could not be carried over between financial years.
- This bureaucratic decision proved both perplexing and disastrous for the scheme.

2000: Historic Scotland Position on Office Rents
- The Head of Grants at Historic Scotland reportedly argued that Union Street office rents should equate to St Vincent Street rents ignoring on record expert Chartered Surveyor valuation advice
- This position is viewed as economically unrealistic and materially damaging to viability assessments.

2004: First Ministerial Interest
- The First Minister reportedly showed significant interest in the project.
- GCC allegedly failed to disclose known contractual breaches and key contextual information.

2008 Onwards: Loss of Governmental Interest

- Correspondence involving GCC, MSPs, Historic Scotland/HES, and USP/USI reinforces diminishing governmental interest and support.

The 2023 "Blight" Statement

In August 2023 GCC publicly stated: "***The Egyptian [Halls] is a blight on the street, and it has been allowed to get into that condition.***"
The statement continued: "***We would be willing to have further discussions with Mr Souter and his Planning agent in Savills, but we would note that we are very keen as a city to progress with plans for this important building which are feasible and have a realistic chance of being delivered but so far discussions with Mr Souter have not produced this.***" This appear difficult to reconcile with:

- GCC's longstanding knowledge of the building's condition dating back to at least 1991;
- GCC's February 2002 structural appraisal warning of potentially serious structural risks;
- Documented systemic viability issues;
- GCC's own historical praise of USP between 1999 and 2014;
- The prolonged delays and failures associated with the original CPO process.

This raises a legitimate question whether such statements are merely inaccurate or knowingly misleading?

The Structural Reality

Recently uncovered GCC structural and stability assessments — including correspondence from February 2002 — indicate GCC itself believed the deterioration was extremely serious and potentially capable of leading to a "fatal building collapse" nearly 24 years ago.

At that time GCC also believed the LBRN required urgent discharge. Given GCC controlled the 1996 CPO process through to January 2010, it is difficult to reconcile these facts with subsequent allegations that USP/USI were solely responsible for the building's condition. Assertions regarding "negligent owners" therefore do not withstand detailed scrutiny when examined against the documentary record.

Independent Expert Opinion

One of the strongest independent assessments of the Egyptian Halls saga comes from a recognised champion of Alexander 'Greek' Thomson's architectural legacy. The paper, titled *A National Scandal in Slow Motion: 45 Years and Counting!*, provides a detailed critique of the cumulative failures surrounding the project: A National Scandal in Slow Motion: 45 Years and Counting!

Conclusion

The evidence suggests that the Egyptian Halls situation cannot reasonably be attributed solely — or even principally — to USP or USI. Rather, the project reflects decades of:

- Bureaucratic delay;
- Failed public-sector coordination;
- Poor strategic decision-making;
- Funding inconsistency;
- Non-disclosure of material facts;
- Structural and viability misjudgements;
- And repeated failures to deliver agreed regeneration objectives.

Had any one of several approved schemes proceeded, the scaffolding would likely have been removed 15–25 years ago, with substantial regeneration, employment, and economic benefits already delivered to Union Street and Glasgow city centre. Instead, the legacy left behind is one of institutional failure, entrenched narratives, and unresolved accountability.

Facts Change Opinions – But Opinions Can't Change Facts

Lack of Joined Up Government causes errors and misrepresentation

The Egyptian Halls project has experienced more than 26 years of delay arising from unresolved legal, funding, viability, conservation, and public safety issues. The position advanced is that many of these issues were known to Glasgow City Council ("GCC") and associated parties from at least 2000 onward yet were not fully or accurately disclosed at critical stages. The consequence has been prolonged deterioration, escalating repair costs, repeated project failures, and continuing uncertainty surrounding one of Scotland's most important listed buildings.

Misrepresentation and Failure to Disclose

It is contended that GCC DRS/Legal records from 2002 onward demonstrate that the true position regarding the Egyptian Halls project was not fully disclosed to councillors, ministers, or stakeholders.

Documentary evidence is said to show that GCC failed to accurately present the combined impact of legal constraints, funding withdrawal, viability issues, and conservation obligations. Inaccurate or incomplete briefings were allegedly provided internally from October 2002 onward, with similar representations later repeated during direct engagement with Scotland's then First Minister in May 2004.

A Buildings at Risk Register entry from September 2000 stated: "***Scottish Enterprise has withdrawn its grant; Historic Scotland has reduced its grant; the project is unlikely to proceed."***

This is viewed as evidence that the approved schemes promoted in 1997, 2000, 2005, and 2013 were fundamentally compromised by **unresolved Govt sourced funding, legal, and commercial obstacles**.

There is strong evidence, had the true position been openly acknowledged from mid-2002 onwards, the building would have been preserved and returned to commercial sustainability more than 20 years ago.

Therefore the cumulative effect since 2000 includes

- missed opportunities;
- delayed decision-making;
- failures of joined-up government; and
- continuing misunderstanding or misrepresentation of the project's actual constraints.

Questions are now being raised regarding accountability for these historic decisions and whether longstanding "legacy issues" are being avoided rather than objectively reviewed.

Structural Stability and Public Safety

Major concerns relates to longstanding structural and public safety issues associated with the building. The position advanced is that GCC's March 2025 Defective Building Notice ("DBN") failed to properly recognise or incorporate GCC's own historic structural assessments dating from 1995 onward.

Particular importance is attached to a February 2002 GCC assessment which reportedly:

- reinforced the need for full discharge of the Listed Building Repairs Notice ("LBRN");
- identified significant structural interconnectivity concerns; and
- warned of risks including "potential fatal building collapse."

That assessment is understood to have been circulated at the time to GCC Building Control, Public Safety, Legal, and Standards departments.

However, the March 2025 DBN reportedly focuses only on stabilising the distorted parapet and does not fully address the wider structural causation and interconnected stability risks previously identified.

This has led to concerns that critical historic knowledge has either been lost, overlooked, or insufficiently considered in current decision-making.

Importantly, GCC Building Control's general competency is not disputed. The concern instead relates specifically to whether detailed specialist knowledge regarding the Egyptian Halls' unique structural condition and history has been fully considered.

It is argued that a collaborative risk assessment undertaken prior to the DBN process would likely have produced a broader and more effective public safety response. And now as of June 2026 from HES we hear GCC are to instruct another Structural Survey despite dismissing summarily USP's recommendation this was an integral requirement to assess whether the March DBN could be implemented?

Insurance, Liability, and Escalating Costs

The building has been effectively uninsurable since 1991 due to unresolved obligations associated with the longstanding LBRN due to being

- a structurally unpredictable building;
- with unresolved statutory obligations; and
- with known progressive collapse risks,
- constitutes an ongoing public safety concern.

It is further argued that the scaffolding currently in place performs an essential public safety function and must remain until either:

- the full LBRN obligations are discharged; or
- equivalent remedial works addressing the wider structural risks are completed.

USP and USI maintain that they will not knowingly compromise public safety or breach their fiduciary duties. Further Repair and stabilisation costs have increased approximately eightfold between 1998 and 2025 due to continuing deterioration and failure to implement expert structural recommendations produced between 2000 and 2024.

Valuation and Development Concerns

Concerns have also been raised regarding District Valuer reports prepared between 2019 and 2025.

The reports are alleged to be materially flawed because:

- the relevant title deeds were reportedly not fully considered; and
- standard RICS valuation practice was allegedly not properly applied.

As a consequence, concerns are raised regarding repair apportionment assumptions, valuation conclusions, and suggested negotiation scenarios. Questions have also arisen regarding GCC's references to an alleged above-valuation offer involving Ediston. USP and USI state they never met representatives of Ediston and contend that Ediston withdrew from an agreed feasibility exercise in April 2023 before substantive engagement took place.

Conclusion

The overarching concern is that Egyptian Halls has suffered decades of deterioration, delay, and failed delivery arising from unresolved legal, structural, funding, and governance issues that were historically known but insufficiently addressed. The central question now being raised is whether an objective and independent review of the full historic position is required before further irreversible decisions are taken regarding the future of the building.

Mediation/Collaboration Action Plan Options

Option A- Collaborative Process

- June-Aug 2026 Feasibility Study/Holistic architectural/structural review; budget TBCF
- June- Nov 2026- Scot Govt Reporter assesses USP GCC acknowledged "significant expenditure" and USI's separate valuation and how 46 years of deterioration has been allowed to occur given four approved but failed Planning Applications on record.
- Dec 2026- Discussions agreement on whether it's a JV between Ediston/USP and USI. Or USP and USI agree a 10 or 15 year lease with phased payment structure
- Timescale Six Months start to finish
- Funding; 33.33% USP/USI, 33.33% Union Street Recovery Initiative, 33.33% Ediston/GCC
- **Benefits; No 2nd CPO, reduced costs, uncertainty removed, can be integrated within overall Union Street Recover plan; Golden Z, City Avenues Project, New Build not an option**.

Option B- Non Collaborative Process

- GCC approve a 2nd CPO - Appeal Process begins
- GCC-Scot Govt have to prove USP 1998-2026 and in parallel USI 2010-2026 have allowed the Egyptian Halls to intentionally deteriorate

a) Scot Govt Reporter assesses and 2nd CPO request is refused- GCC then has to accept USP and USI have not been responsible for circa 46 years of deterioration

b) GCCs request approved; Court of Session appeal 99% certain

c) Timescale 3 years+,

d) Funding' USP and USI and GCC and Scot Govt allocate scarce resources very ineffectively

Downside Summary

- Significant Delays
- Costs increase 40%+,
- Deterioration increases exponentially
- Demolition founded upon known for 25 years Public Safety issues becomes a live option
- Scaffolding cannot be removed until Public Safety is guaranteed

Submitted to GCC, Scot Govt, Union Street Recovery Initiative 27th Feb 2026

Egyptian Halls, 84-100 Union Street, Glasgow Strategic Intervention Call

Issue

The long-term stagnation of the Egyptian Halls (1980–2026) represents a significant heritage, economic, and governance failure. Without immediate intervention, further delay risks irreversible loss and reputational damage.

Strategic Context

The building offers a £100m+ regeneration opportunity with transformational potential for Union Street and the wider city centre that is Mackintosh-Thomson Mews;
http://www.egyptianhalls.co.uk/opportunity.html

Its redevelopment aligns with national objectives for:

- Urban regeneration
- Heritage preservation
- City-centre economic renewal
- Private-public partnership delivery

Governance Impasse

Progress has been hindered by prolonged procedural drift and lack of coordinated decision-making between key stakeholders, including Glasgow City Council and the Scottish Government.

Recommended Action

1. Immediate agreement to structured mediation or arbitration.
2. Convening of a joint leadership meeting upon submission of the Feasibility Study scoping.
3. Establishment of a time-bound delivery framework with clear accountability.

Objective

To unlock a viable, deliverable regeneration pathway within 2026 and prevent further reputational and economic harm.

Projected Benefits

And a phenomenal very early positive good news indeed story for Glasgow, for the City Centre, for Heritage, for Conservation, for Regeneration, for increased Rates, for Job Creation, which would be quantified as part of the evaluation process

Option B- 2nd CPO Appeal Process assesses USP and USI's case - Timescale 3 years+, costs increase 40%+, deterioration increases exponentially – Demolition potential inexorably increases;

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1. Early Collaboration and Acknowledgment of Responsibility (1998–2003)

- February 1998 (preceding event non disclosed to USP) – GCC had unilaterally imposed a CPO amendment to allow emergency structural repairs, projecting a short delay of "a few months." The outcome, however, was a structural delay lasting over a decade, symptomatic of internal mismanagement within Council processes
- Feb-Aug 1998 USP purchase two of four Ground Floor units, Sept 1999 USP purchases third unit. December 1999 – GCC's Development and Regeneration Services Sub-Committee authorized the Director of Protective Services to enter into an agency agreement with USD Ltd following USP's acquisition of Portfolio Holdings' interest. This step unified ownership resolved CPO objections, and should have kickstarted delivery , with GCC praising the effective collaboration.
- Dec 1999 brilliant 100% Conservation scheme approved lauded by GCC/HES and Greek Thomson Heritage lobby. Sept Year 2000 at Risk Register states, **"***Scottish Enterprise has withdrawn its offer of a grant, and Historic Scotland has reduced its; the project is unlikely to proceed***."** How to snatch Defeat from the Jaws of Victory. Never a truer prediction indeed! And one can also ask how can now 46 years of delay be blamed on the co-owners?
- April 2003 – GCC formally acknowledged public-sector-induced delays: "*The CPO process in this case involves compensation being determined before the Council can gain a satisfactory title… I can understand the frustration expressed by Mr. Souter.".* Never a truer prediction indeed! It took till Jan 2010 to reconcile. And one asks again how can now 46 years of delay be blamed on the co-owners?

Key Point: GCC repeatedly acknowledged both cooperation with USD/USP and its own procedural shortcomings during this foundational phase.

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2. Recognition of Developer Commitment and Investment (2004–2010)

- June 2004 – GCC Economic Development Report:
  - USD re-secured reduced grant funding from Historic Scotland, restoring it from £250,000 to £930,000.
  - USD successfully negotiated the withdrawal of remaining CPO objections.
  - GCC expressly recognized USD's perseverance and negotiation success.
- July 2010 – GCC Letter to Culture Minister Fiona Hyslop:
  The Council described USP as a long-term, highly engaged partner that had "***committed very significant expenditure on site acquisition and development*** and "prepared a range of technical and conservation studies." GCC reinforced a very time-limited opportunity" to realize the restoration project and expressed "extreme concern" that lack of funding would prevent progress. Again how can now 46 years of delay be blamed on the co-owners?

Key Point: GCC's correspondence to government ministers serves as authoritative confirmation of USP's major role, diligence, and the public significance of the project.

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3. Documented GCC Endorsement and Praise continues (2013)

- May 2013 – Letter from Councillor Gordon Matheson, Leader of the Council:
  Matheson congratulated USP for securing Planning Permission and Listed Building Consent, acknowledging GCC's ongoing engagement and commending USP's efforts to bring "the building back into a viable new use… which will complement Union Street and the surrounding area."

Key Point: This letter constitutes direct acknowledgment — from the highest civic level — of USP's competence, good faith, and progress.

4. Subsequent Contradiction and Institutional Inconsistencies begin to develop (2014–2018)

- February 2014 – GCC letter supporting USP's £5M Heritage Lottery Fund (HLF) application: GCC stated: "We wish you success in your application to the Heritage Enterprise Scheme."
- May 2015 – HLF refusal: The HLF concluded there was "no realistic prospect of funding from GCC, Historic Scotland, or the Scottish Government." This directly contradicted GCC's previous assurances of support.
- May 2015, Bailie Cameron in a letter to Shadow Culture Minister Baker ***"As the property recession took hold the project became unviable."*** So GCC is highlighting this impact and is NOT blaming the Egyptian Halls owners. Unlike now, in 2026, based on discounting all evidence it's been provided, and apparently GCC does not the depth of files USP has to hand.
- March 2018 – GCC statement to *Scotland on Sunday*: GCC's public narrative shifted, suggesting instead that "building owners should join with us in a co-operative manner," disregarding the documented history of collaboration and delays caused by public-sector process failures.

Key Point: These reversals highlight an absence of consistent governance strategy and a potential pattern of administrative discrimination against USP, despite extensive evidence of commitment and compliance.

5. Evidence of Long-Term Non-Viability Ignored

- September 2000 – Buildings at Risk Register: Documented project non-viability due to withdrawal of Scottish Enterprise and reduction of Historic Scotland grants.
- **January 2010 – GCC acknowledges USP's resolution of the 12-year title impasse, originally forecast to delay "a few months."
- Feb 2014 GCC to USP HLF £5M Grant App- *wish you success in your application to the Heritage Enterprise Scheme. We look forward to learning the outcome of this bid in due course.*
- May 2015 HLF to USP *We have discussed the project with both GCC and Historic Scotland. Our conclusion is that there is no realistic prospect of you receiving funding from either of those bodies, or from the Scottish Government, in the foreseeable future. The proposal submitted to us is therefore not viable***.**
- May 2015 letter (Bailie Cameron) to Scot Govt: GCC attributed project unviability to the broader property recession, not USP's conduct.

Key Point: The record is consistent: public-sector decisions created systemic non-viability and prolonged delay; USP's actions were constructive and remedial throughout.

6. Legal and Procedural Observations

The documented pattern confirms the following:

- Sustained collaboration (1998–2018) endorsed by GCC at multiple levels.
- Repeated acknowledgments of USP's financial, administrative, and technical commitments.
- Procedural mismanagement within GCC — including delayed CPO processes and internal decision fragmentation.
- Discriminatory treatment post-2014, in contradiction to previous Council positions.
- Grounds for action: Any differential treatment or grant facilitation for other parties would constitute demonstrable discrimination and potential legal liability.

Key Point: Documented evidence is on file for objective assessment either as part of agreed Mediation/Arbitration or if this proceeds to legal actions, which we all know waste time, resource and scarce funds; which could be deployed in a 100% positive way immediately.

7.Regeneration, Conservation, Economic Additionality delayed for 26 Years

The Egyptian Halls has had FOUR approved but failed Planning Applications 1997-2018 – There will be a FIFTH! Since 2000, difficult choices sidelined, missed opportunities, failures to deliver joined up government, inadvertent misrepresentation. And in addition to the praised significant capital investment made. There is also the significant income earned from ground floor shops and intermittent Hoarding advertising, which has all been spent on trying to maintain the building. There are very challenging decisions ahead if the building is to be saved, no interest from private sector investors and developers due to known and proven non-viability reinforced also by documented GCC and HES assessment based on being provided with Development Appraisals 2000-2019 (6 different firms) and are on record praising this approach . GCC however now believe differently and have approved a Preferred Bidder founded upon inaccurate structural condition, leads to mis briefed scheme costs and skewed valuations. Remarkably this preferred bidder approval has stated it would secure 40% public/grant funding (non-confirmed) Yet there is documented evidence GCC-HES/Scot Govt denied similar grant funding to USP 2015 onwards.

Key Point: how to leverage and maximise the current Pre-App, which both replicates the approved 2013 application but also mirrors the Ediston proposal and then for all stakeholders to engage positively with GCC-HES and Ediston and USP- USI so all are working collaboratively ASAP.

8. Stakeholders' Collaboration Options?

This project had approved grant funding in 1997 of £1.5M. What public sector interventions it needs now would be quantified by Pre-App and causal Feasibility Study. Hence, we arrive at the final decision process. Given there's documented proof only funding has, been holding up Union Street's regeneration since the Year 2000.

Key Point: Effective collaboration would see challenges resolved as part of a facilitated pragmatic Mediation/Arbitration process; co-ordinated by the Union Street Corner Recovery Initiative

Conclusions

Between 1999 and 2015, GCC's own communications provide convincing evidence of sustained cooperation and recognition of USP's integrity and effectiveness. Post-2014 deviations from this position — including arbitrary denial of access, inconsistent statements, and grant obstruction — are not only unsupported by the documented record but indicate a reversal contrary to public-sector accountability principles. This record provides prima facie evidence suitable for presentation in mediation, arbitration, or before the Court of Session: GCC itself repeatedly affirmed USP's collaboration, commitment, and competence in the Egyptian Halls redevelopment project. Yet can by the use of statutory powers with and the presence of significant knowledge gaps within GCC has allowed a narrative to develop, which is an almost 100% reversal to now blame the co-owners despite documented proof confirmed Regeneration, Conservation, Economic Additionality benefits have being delayed for 26 Years

Background Downloads

Mackintosh-Thomson Mews http://www.egyptianhalls.co.uk/opportunity.html

CPO Review Response http://www.egyptianhalls.co.uk/assets/files/3001-2026CPOReviewResponseDoc.pdf

Inadvertent Misrepresentation 2002-2004 http://www.egyptianhalls.co.uk/assets/files/CPO-TitleTransferDelay-InadvertentMisrepresentationDocument.pdf

1. DETAILED EXAMINATION OF REPORT

This response forms the basis for legal challenge due to errors, misrepresentations and omissions. USP/USI remain committed to preserving this architectural masterpiece, which should have driven Union Street's regeneration in 2000 or 2012-2013. They seek to work with GCC and potential developers to resolve commercial viability issues, as previous funding was withdrawn at the last minute twice.

The CPO Feasibility Report is flawed and misrepresents years of public sector failures, attempting to shift blame onto USP and also USI (which has no Repairs Liability). It appears GCC and their new partners aim to seize the building at a low cost despite previously recognising USP's major financial contributions.

And for the record any CPO for the USI Upper Floors runs into immediate issues given there is a surplus and always has been since 2009. In fact it's on record USI was to "loan" it's Dev Appraisal Surplus to reduce the USP deficit. And USI can hardly be blamed for the increasing deficit caused by accelerating deterioration, failure of joined up govt, failure to provide awarded/promised grant funding.

One could surmise GCC and their new "***partners"*** are attempting to engage in a process of clandestine appropriation to somehow squirrel away the building from investors at a price that does not reflect the true scale and scope and timescale involved, despite GCC being on record praising USP's "very significant expenditure" and scheme development activities from 1998 to 2025.

CPO Complexities as per GCC on the record commentary

- ***"CPOs can be lengthy and complex legal processes, but this would be the first major step towards the repair and reuse of this beautiful building, bringing part of Glasgow's heritage back into city life, with so many positive impacts for our city centre."***

- ***Expect the council to use a Compulsory Purchase Order should a "credible" proposal come in and then "transfer it to that organisation" along with £150,000, according to reports. He added that the council's priority is "positive movement" for the Egyptian Halls.***

- ***It's a complex process, and there's no timeline for when it might be concluded.***

- ***CPO's are legally challenging and they are expensive as well, so there is a lot that is beyond the reach of the council."***

Combined Public Sector Track Record Of Failure

- Technical error required the 1991 LBRN to be reserved 1995 and re-advertised.
- This Notice Jan 1996 prompted a CPO Appeal
- GCC believing the building was to collapse changed CPO entry allow immediate access
- This change caused the 1996 CPO to fail due to a unilaterally imposed 1998 CPO Amendment
- Caused the Upper Floors "few months" title transfer delay 1998 to take 12 years to 2010
- Caused the 100% Conservation Year 2000 scheme to fail
- Failed (on record) to disclose known contract breach to Councillors
- Failed to alert (on record) Councillors of potential legal liabilities caused by breach
- Caused the re-approved in 2005 100% Conservation Year 2000 scheme to fail
- Caused massively non-viability to occur due to Upper Floors title non-availability
- Caused unchecked and accelerating deterioration to occur due to title unavailability
- Failed to initiate and develop a planned maintenance programme 1996-2010
- Conspired (GCC/HES) to derail potential £5M HLF grant funding
- Created the environment that could see it defined as a dangerous building
- Created the environment that means scaffolding has be in place to protect public safety
- Created the potential for demolition if scaffolding is removed before LBRN discharge
- Continue to ignore expert advice/studies from USP's architects/structural engineer

Additional Context and Background 1998-2025

The following sets out the key parameters stakeholders require to be cognisant of to assess these effectively and at last begin to develop what would be the FIFTH planning Application. And which have been singularly ignored by GCC, as GCC could not write this report if this had been taken account of. And e.g. here's perhaps the leading contender for the most dysfunctional decision *a)* **refusing Demolition despite non viability being proven and then agreed by both GCC and HS mid 2010. Then both GCC and HS promoted the potential to scope an application that would be funded and then when 100% Conservation based 2012-2013 application was approved GCC failed to part fund it's agreed share**

Union Street should have been regenerated 15-25 years ago. And now in 2024-2025, the Scot Govt keeps asking for a Business Plan to be created. GCC called for this in the media in Aug 2023; it is both perplexing in the extreme and also on record stating schemes are non-viable. And today GCC are wholly confrontational and unwilling/unable to accept there are consequences accruing from historic failures.

Ownership/Investment

- Ground Floors are owned by USP Ltd but controlled by the Standard Security holders
- Upper Floors are owned by USI Ltd but controlled by the Standard Security holders
- Note USI has no legal obligation to cross-subsidise USP!
- Note GCC is on record stating USP has committed a ***very significant expenditure***

Development Appraisals Deficit Reduction Factors

- Since 1997 Grant funding has been a pivotal component due to proven non-viability.
- Last Dev Apps (2019) – Massive Ground Floor deficit and decent Upper Floor surplus
- Fundamentals that would change are a) more storeys Upper Floors, b) increased costs
- Any Upper Floors valuation uplift is attributed solely to the USI, as it owns the Upper Floors.
- The oft-requested merged title was offered 2010-2015 but was rejected by GCC and HES
- Remarkably in 2015 GCC and HES met the HLF and briefed no grant funding was on offer when a **£5M** grant was being applied for. Note: GCC-HES did not discuss this with USP-USI
- Note GCC 9th July 2024 reinforced this was a Commercial Project being developed by commercial companies, e.g., a 14-15 storeys NEW BUILD for PBSA (Student Accom).

A New CPO; Contentious, Controversial and Should Trigger a Review of Why the 1996 CPO Failed.

- What would GCC's rationale for this be? What would actually be CPO'd?
- USI – Upper Floors have no LBRN liability, so they should not be part of any potential CPO
- USI – offered a **£3M** subsidy 2012-2013, but GCC failed to provide its promised **£3M** gap funding
- USP has a 100% LBRN Liability. GCC would require a back buyer for Ground Floor deficit.
- This would also require for Scot Govt to review why the 1996 CPO failed.
- A reversal of its current position, which ask for business plans for the Feasibility Study proposed.
- **Plus USP has been calling for a CPO Review since 2002 – all on record!!!**
- **Will the new Scottish Govt continue to ignore this toxic Legacy they have a hand in creating**

Conservation Burden

- GCC created the 2008 Deed of Conservation Burden, which both GCC and USP signed
- GCC can't amend the 2008 Deed of Conservation Burden; it has no locus to do this
- USP can amend the 2008 Deed of Conservation Burden by application to the Lands Tribunal
- Deed of Conservation Burden specifies TMP as the architect to discharge the 1991 LBRN
- GCC wishes to ignore the Burden as the TMP/WRD provided expert advice, GCC refuses to accept.

- Conjecture: GCC is ignoring what was designed to preserve a Grade A architectural masterpiece because GCC cannot accept conservation structural/architectural advice from it specified experts.

Statutory Notice Primacy/Deed of Conditions

- LBRN served on building 1991; circa 15 ownership interests
- Now reduced to single ownership then co-ownership co-ordinated by common investors
- Neither USP nor GCC can't vary the legally non-variable 1991 LBRN (on record from GCC)
- USP is 100% liable when Deed of Conditions is applied for Statutory Repairs
- USI has Zero liability when Deed of Conditions is applied for Statutory Repairs

1996 CPO Failure Timeline

- Started when GCC had to re-serve in 1995 the 1991 LBRN due to a "technical error" – on record and attached
- Implemented because a competent LBRN is required for a CPO and the 1991 LBRN was assessed and serving errors were found (no surprise as there was then circa 17-20 ownership interests)
- This prompted a Court of Session Appeal, which would have been time barred already but the technical error allowed this to NOT time barred.
- GCC believing (based on inaccurate structural advice) the building was about to collapse changed CPO to gain immediate entry.
- This GCC unilaterally imposed vvv minor CPO Amendment Feb 1998 was predicted to cause a ***"few months delay".***
- USP becomes involved and reconciles the CPO appeal, which GCC is on record praising. Note GCC has not disclosed the vvv minor Feb 1998 CPO Amendment
- Somehow in parallel GDA/HES then rescinded approved VITAL grant funding of **£1.25M**; today needs **£20M+**
- Non predictable CPO title issues are ignited by GDA and HS and combined to derail the brilliant Year 2000 100% Conservation scheme
- CPO Amendment actually caused a 12-year delay**,** which GCC now chooses to ignore or has forgotten.
- USP did reconcile what then became a **12-year legal impasse**; GCC failed to disclose this!
- GCC had then still failed to disclose the existence of the CPO Amendment to USP (from mid 1998 till April 2014); astonishing!
- GCC on record praising USP for reconciling this CPO issue and for significant development activities/investment
- This very specific CPO Amendment was then no longer allowed to be implemented without the approval of the Scottish Govt circa 2011 onwards.
- And it's more than easy to comprehend why this autonomy has been amended to afford greater scrutiny before irreversible implementation.

Defective Notice Option

- Would it conflict with the incumbent, legally non-variable 1991 LBRN
- Was discussed in detail 2016 and 2019 (on file) and not progressed
- If GCC served a Defective Notice, USP would appeal, citing GCC's role in causing deterioration.
- GCC could step in and remedy what it believes needs to be done and be liable for this.
- Any then GCC expenditure claims would rank behind the SS holders for payment

Historic Maintenance

- GCC did not carry out any programme of Maintenance 1996-2010 as per its legally binding 1996 CPO obligations. So from 1980-2010 (30 years), very limited Repairs/Maintenance
- GCC in 2019 via an FOI request denied it had any obligations due to never owning the Upper Floors, a claim that is untenable when assessed against the 1996 CPO T&Cs.
- Since 2010 USP has carried out limited Maintenance since July 2023, Budget been cut massively
- GCC rescinded the Ad Hoarding income based on internal opinion whilst ignoring the advice of its own specified architect **FACT!**
- Scaffolding is protecting public safety and costs £50k p.a.
- Temp Works at the request of Building Control were scoped/cost and presented Sept 2022; no response or requests for clarification were made by GCC

Scaffolding Removal without discharging 1991 LBRN

- Deed of Con Architect-TMP on record many times stating Scaffolding cannot be removed
- Skim from 2016 ***https://www.glasgowtimes.co.uk/news/14285327.warning-over-calls-for-egyptian-halls-facade-to-come down/***
- March 2016 Kidstons letter details what action USP would take if GCC actioned this
- USI would have also then taken separate legal action to protect its property.
- WRD state similar that the Scaffolding cannot be removed 2019-2024 WRD 1, 2 and 3
- Both cite It's protecting Public safety and is ***"approved building/construction works"***
- Feb 2016 GCC states: ***'the Council acknowledges that George Morrison and John Addison have considerable experience, expertise and knowledge of this building.'***
- And we now to hand have GCC's "forgotten" 2002 warnings regarding ***"potential fatal building collapse"*** unless the "***stabilise ALL elements of the supporting structure"*** is implemented . As well as additional GCC commentary 1995, 2000, 2008, 2009 regarding proven Stability issues.
- So until then the Scaffolding has to stay in place as it's Protecting Public Safety unless GCC step in and reconcile these GCC stated issues, which the core professional team agree with and reinforce.
- Somehow between circa 2016 and 2026 GCC appears to have misfiled all its earlier structural assessments? **WHY?**

Onerous Financial Costs of Protecting Public Safety for 17 years

- USP's asset value declined from circa **£3M** to negative- **£15M** due to public sector incompetence
- Scaffolding is protecting public safety and costs **£50k** p.a.
- **£700k** has been spent on Scaffolding/Electricity since 2008 an
- USP has lost circa **£1.6M** in Rental income due to the presence of the Scaffolding.
- Over the period **£1.5M** of Ad Hoarding income came in, so overall down **£800k!**
- GCC has cut the USP/USI working capital budget by **£250k** since Aug 2023 and currently remains to be convinced that the budget should be restored.
- The Scaffolding costs cannot be maintained indefinitely by a commercial company, which in 27 years has not had 1 penny of grant support.

Unequivocal Evidence of Prima Facie Non Engagement by GCC Jan 2025-April 2026

As this response to GCC's unilateral decision to seek a 2nd CPO is based upon ignoring how it and causal Scottish Govt agencies combined to derail the 1996 CPO, causing its failure. More inconsistencies, misrepresentations and non-collaborations have been uncovered. And an incredibly pertinent example is the non-provision of GCC DV Valuation Reports 2016-2024 to USP/USI. Whilst in parallel USP/USI were providing GCC with (praised) Development Appraisals (1999 onwards) and specifically 2008, 2009, 2010, 2016, 2017, 2018 and 2019 and the draft version of 2024.

Remarkably, this only came to the fore July 2025 when GCC provided the 2025 report. Which referenced the existence of the previous reports. As one has come to expect, these reports are updates, and therefore these have more than a few errors, some massively germane, which lead to assumptions, which are then rendered at best challenging at worst untenable, e.g.

a) does not access current title Deeds, which is standard RICS practice
b)using obsolete Deed of Conditions;
c) separate ownership is not applied;
d) out-of-date Rateable Values are used;
e) DV briefed to ignore extant LBRN
g) Repairs Apportionment is 100% inaccurate;
g) actual estimated Ground Floor deficit is underrated;
h) actual Upper Floors likely/potential surplus is ignored
i) Reference to known Upper Floors surplus is deleted despite being in previous FOUR DV Reports- Clause 4.1- **why?**

How can USP engage effectively when GCC has not been engaging but has been with like-minded heritage bodies who've minimal knowledge and ZERO investment? And if the 2019 GCC-DV Report had been provided, the aforementioned issue would have been raised and assessed, and the aforementioned either accepted or not?

Proven, systemic LONG TERM Non-Viability

Sept 2000: Buildings at Risk Register states *Scottish Enterprise has withdrawn its offer of grant aid and Historic Scotland has reduced its; the project is unlikely to proceed* So what part did USP have in creating this? Note GCC on record praising USP for getting the HS grant restored. GCC despite its scale, contacts, heft, did not achieve same for GDA grant. And has never ever taken GDA and HS to task to explain why they derailed this massively important Conservation/Regeneration project from 1996 onwards (yep, there was also a first CPO which GCC appears to believe can be).

April 2003: E.Times article briefed by GCC DRS: "*The CPO process adopted by the Council in this case involves compensation being determined before the Council can gain a satisfactory title for onwards disposal. There is potential for significant delay in being available for Union Street. I can understand the frustration expressed by Mr Souter The resolution is not straightforward*. Jings unerringly accurate took from 1998-2010 and GCC failed of course and it was USP who reconciled this; again, on record.

Jun 2010: The GCC Econ Dev Report states, "*There is therefore no prospect of the project proceeding without external funding support.*" Again, proof on file that GCC and also HES never engaged on any serious discussions centring on deficit reduction. Just the usual narrative of blaming the private sector owners. My personal opinion is GCC dislikes private sector investors who don't toe the GCC line.

Aug 2010: HS Head of Grants Martin Fairley - "*However, I have made my position clear: the project as it stands is not viable*." Again, proof on file that GCC and also HES never engaged on any serious discussions centring on deficit reduction. Just the usual narrative of blaming the private sector owners. My personal opinion is that the GCC dislikes private sector investors who don't toe the GCC line.

Potential £5M Grant Application; Potential Lifeline

Feb 2014 GCC to USP HLF £5M Grant App- ***wish you success in your application to the Heritage Enterprise Scheme. We look forward to learning the outcome of this bid in due course.***

GCC/HES torpedo £5M Grant Application

May 2015 ***We have discussed the project with both Glasgow City Council and Historic Scotland. Our conclusion is that there is no realistic prospect of you receiving funding from either of those bodies, or from the Scottish Government, in the foreseeable future. The proposal submitted to us is therefore not viable.***

(This HLF £5M grant decision refusal; now near 11 years on this is even more staggering and perplexing. Especially when GCC claim in the Evaluation Report that Ediston have grant experts. Well even they could not overcome both GCC and HES's duplicity then and since as USP has been told numerous times that Grant funding is not available.
Should GCC or HES or any Scottish Govt entity provide direct grant funding or facilitate indirect grant funding availability then legal action will be instructed as this would be clear and blatant discrimination.)

May 2015, Bailie Cameron in a letter to Shadow Culture Minister Baker ***"As the property recession took hold the project became unviable."*** **So GCC is highlighting this impact and is NOT blaming the Egyptian Halls owners.** Unlike now, a decade later, it's now alleging, based on discounting all evidence it's been provided, that it apparently does not the depth of files USP has to hand.

March 2018 GCC Scot on Sunday: "And ***it may be better – rather than returning to issues from the late 1990s – that the building owners join with us in a co-operative manner to ensure the preservation and regeneration of this historic building.*** **Seven years+ later, still waiting for GCC.**

Aug 2020 legal opinion: USP has received a 2nd CPO attempt. *GCC could, of course, seek to promote a new CPO, and in such a CPO GCC might seek to include a direction for minimum compensation (for this* ***GCC has to be satisfied that listed building deliberately been allowed to fall into disrepair for the purposes of justifying demolition and development or redevelopment of the site or any adjoining site*** *– see S45 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997). GCC before embarking on consideration of a proposed CPO would, presumably, look at its exposure including compensation – I suspect GCC could not even afford the value of minimum compensation, never mind (market value) compensation – and usually would not embark upon promoting this CPO unless it had a "back-to-back" agreement with a prospective developer*.

Q. Surely GCC can't seriously believe it can in an open court blame USP and latterly USI for these local Govt/Scottish Government on record failures/errors?

Consequences of Non-Disclosure of a known Contract Breach July 2002- July 2018. And refusal to investigate Aug 2018- 2025 and beyond

And skim new f/cover and Page 2 as it's often said the cover up is worse than the crime of what was a "weak on error" contract breach then not disclosed and allowed to fester away from Dec 1999 to July 2018 and even since it's disclosure to current day GCC has failed to apply effective corporate governance procedures after the issues of new materiality Ms O'Donnell stated April 2014 were required by then new Legal Director Forrest.. And of course, one could surmise are now not ideal expert witnesses for effective corporate governance processes should that be required.

And for the record Ms O'Donnell (April 2014) of course does not reference the failure to disclose the true and known position to Scotland's First Minister and/ or explain why the known contract breach had been holding up the title transfer by then for **SIX YEARS** by 2004 and by 2014 for **SIXTEEN YEARS** and today now **TWENTY-SEVEN YEARS**.

And also, when the germane new issues of materiality emerged that Ms O'Donnelly had pre-determined were required came to fruition when GCC Legal inadvertently emailed legal advice to GCC DRS to not disclose **the known non disclosed for 19 years contract breach** (Just conjecture GCC openly advising to not tell the truth and being asked to explain this at any CPO Review?)

How GCC squares ethicality and corporate governance and not reconciling the consequences of GCC-GDA-HS-GCC/SCOT Govt lack of joined up Govt. Again, Ms Forrest failed to respond effectively with ZERO RESPONSE to the detailed evidence provided (mainly GCC's own correspondence).

And if only GCC which if responded to accurately would have seen the Egyptian Halls preserved and returned to commercial sustainability 20+ years ago. So, we're copying in the key Councillors who same as you and Mr Gillespie must wonder how it ever got to this stage. Ergo GCC had told the truth, the whole truth and nothing but the truth). And then GCC Legal confirmed inadvertently (vvv) a known contract breach but advising to not disclose this 19 years later? Was detailed to now Legal Director Forrest (attached). And of course was it a) assessed objectively or b) GCC just doubled on down and some as follows. So whether former Legal Directors O'Donnell and Forrest are still expert witnesses

a) July 2018 threatened to sue me for being a whistleblower ; **as perplexing at it comes**
b) Sept 2018 the attritional campaign to rescind the Ad Hoarding income claiming the Scaffolding was not protecting public safety/ was not approved building/construction works. Yet to repeat GCC 2002 stated there were public safety issues needing fixed to avoid a "potential fatal building collapse". Was this correspondence misfiled or just ignored?
c) And today Scaffolding can't be removed until **£25M**+ is spent discharging the 1991 LBRN to reconcile to repeat the GCC identified public safety risks specified to repeat Feb 2002; nearly 24 years ago.
d) No matter what GCC Building Control contend if the Scaffolding is removed post the Defective Notice it's then an a) an uninsurable building b) 99% a Dangerous Building **(Click for PDF Link)**

We ask GCC confirm if it's position remains the same founded upon both Ms O'Donnell and Ms Forrest's assessments given both were **SILENT** regarding the **FACT** Scotland's First Minister had initiated direct intervention May 2004 and GCC allegedly failed to tell the truth, disclose the truth, be transparent and accountable all on F/Cover. And given GCC has had the 1st version for **SEVEN** months surely a prompt response back can be forthcoming Therefore, allowing for a formal complaint to the SPSO.

Ms O'Donnell was for the record working in the Legal Dept 1996 onwards; ***Following local government reorganisation in 1996, she was promoted to Chief Solicitor*** - ***leading the council's work on commercial contracts,*** *procurement, planning and environmental law. In 2003, O'Donnell was appointed Assistant Head of Legal and Administrative Services*

And which was prior to the Feb 1998 CPO Amendment. Dec 1999 GCC/USD CPO, Non-disclosure of Contract breach to GCC Councillors, MSP's, USP and Scotland's First Minister. Now if USP is wrong then GCC can provide the evidence. Nor are USP or USI or the SS holders for the record casting any blame or aspersions on Ms O'Donnell or colleagues; it's just this became so complicated, so opaque, so disjointed nobody had or (has) the full story. We do believe any knowledge of who knew what and when would assist inform and update collective understanding.

Does telling the truth matter especially when asked by Scotland's First Minister?

And here's a very interesting comment (Lord) *Michael Gove has finally admitted what Brexit really was a* ***lie that worked and was therefore justified*** *In 2026, Gove is still insisting the £350m Brexit bus slogan was "literally the truth", even after years of fact-checking, economic evidence and public harm. He now says it doesn't matter that the UK never paid £350m a week to the EU, or that the money was never "taken back".* ***Why? Because belief mattered more than accuracy. That is an extraordinary admission****. Gove actually compares belief in the Brexit claim to religious faith, saying you can recite facts forever, but you'll never convince the other side. Read that again. A former Cabinet minister is saying:* ***• facts don't matter • truth is subjective • emotional mobilisation beats evidence That's propaganda.*** And that fits the GCC modus operandi perfectly.

Incontrovertible evidence the Scottish Government will require to consider

GCC DRS/Legal Not telling the truth to Councillors and Glasgow rate payers; prima facie evidence;

- 28 December 2002: *The Glasgow Herald reports that GCC has given USP until January 2003 to finalise its funding package. If the package is not finalised, it may withdraw from the compulsory purchase agreement it has with company and may seek another arrangement with other developers*. **An egregious falsehood given GCC by then know they can't convey the title, have breached the Dec 1999 Contract with USP and have failed to disclose this in the Oct and Dec 2002 Committee Reports and thereafter, GCC also has a non-disclosed Contingent Liability? Perhaps "some" knew of this? Perhaps Not? And lo and behold Feb 2025 GCC attempts the same process- yet cannot admit what the consequences of it and it's Scot Govt partners error strewn actions/non actions/mistakes.**

- This was based on an October 2002 (I think) Committee Report/Letter (we don't have to hand), which then proves the Councillors were not told the truth/were lied too? Which is it? Also attached are the various reports thereafter which fail to reference the known contract breach, the cover up and the failure to record potential/ probable.

- This then rattled on for another EIGHT YEARS (now 24 YEARS) including not telling the truth to Scotland's First Minister as follows. **Compensation of £10K became £300k!!!**

- The Building Design article from Jan 2003 **is a complete and utter fabrication; a signal misrepresentation of the actual truth**; GCC could not take title **EVER** due to its non-disclosed CPO Amendment until USP stepped in and reconciled this eminently avoidable mess 2005-2010.

- To be clear the Feb 1998 CPO Amendment caused the Dec 1999 contract breach, which GCC covered up then until July 2018. And since then has just waged an attritional, sustained campaign of aggression and bullying aimed at the actual, legal owners whom GCC did not tell the truth to mid 2002 onwards. Yet today GCC attempts to blame USP and USI for their on-record contract breach consequences.

GCC DRS/Legal NON TRUTHFUL response (on file) to GCC's then Lord Provost and what we believe was then the basis of the response to the First Minister McConnell

Salient Points

1. Non-disclosure of what was causing the by then 4-year delay; Feb 1998 CPO Amendment/ Dec 1999 Contract Breach
2. First disclosure of no "timescale for title conveyance"; Dec 1999 CPO contract was to be immediate.
3. Reason title was not transferred early 2000 was due to HS/GDA rescinding grants;
4. let's be clear lack of joined up Govt caused this as per B@R see above
5. And the request for ***a "share of the profits"*** then was perplexing and with hindsight absolutely bewildering to the nth degree
6. And 23 years later GCC seeks to wipe out the "significant investment" it's on record July 2010 acknowledging USP had made
7. Hardly equitable and definitely not effective transparency and accountability
8. Note GCC Legal was still advising to not disclose a known for 18 years contract breach July 2018 and then threatened to sue me for being a "whistle blower"
9. And of course, now the expert internal Officers GCC were relying on are now have at best a very chequered corporate governance implementation track record.

Consequences of GDA/HS grant rescindments and parallel non disclosed contract breach by GCC Dec 1999 to July 2018.

- **Unequivocal proof 24 years ago GCC's public sector partners derailed the then approved scheme, which GCC could not reconcile and which USP then reconciled; on record!**
- **Achieved before the non-predicted effects of the non-disclosed Feb 1998 CPO Amendment, 12 Year title transfer delay, preventing all scheme from being delivered 1998-2010**
- **This delay increased costs massively and made future schemes non-viable 2010 onwards!**
- A **£25M** grant is required today when it was **£2.5M** in 2002-2004!
- **There's been a 23 year+ failure to regenerate Union Street!**
- **The Scaffolding in place for 16 years can't be removed for public safety reasons? Unless GCC takes on 100% the liability for a 95% proven DANGEROUS BUILDING**
- **GCC believe it can but has no Risk Assessment to support this claim and is ignoring its own on record assessments regarding identified Public Safety issues.**
- **Proper, transparent negotiation and the 25-year Regenerational benefits for Mackintosh – Thomson Mews offers the scale and potential to reconcile all issues!**

As we continually advise if this goes all the way to a) Scot Govt mediation or Court of Session certain very inaccurate some would say egregious breaches of corporate governance procedures would be subject to forensic assessment.

And to borrow from Councillor Bell GCC would not be marking their own homework. As above GCC can reconcile this farrago but by collaborative, by integrative negotiation not the current distributive negotiation. https://www.pon.harvard.edu/daily/negotiation-skills-daily/negotiation-skills-expanding-the-pie-integrative-bargaining-versus-distributive-bargaining/

And who knows maybe GCC and USP/USI can share in future profits? Hence why GCC should consider P&C Mediation/Arbitration. As one surmises the Scottish Govt will suggest given it one surmises has no desire to have to clarify/confirm if as has been alleged GCC did not tell the truth/disclose the reasons for the scheme to Scotland's First Minister May 2004 onwards.

More proof of systemic non engagement/non-collaboration by GCC

Example 1- Timeline July 2024- Oct 2025 – GCC's Engagement with WRD/ TMP/ Savills malfunctions

GCC claim Oct 2025 ***Nor do we consider from the information in our possession there are any technical or safety reasons why the works required by the Notice could not be undertaken and that the structure of the building is well enough understood to bring forward proposals***

1. Obviously this does not include GCC's own Feb 2002 assessment/solution, which is the requirement to discharge LBRN including "***stabilise all elements of the supporting structure"*** to avoid a "***potential fatal building collapse".*** Or GCC's 1995, 2000, 2008, 2009 stated significant stability – structural issues
2. GCC's assessment fails to reference . **http://www.egyptianhalls.co.uk/Egyptian%20Halls%20Structural%20Survey%20Glossary%20Year%202000-2023.pdf** which has all submitted studies, reports and surveys circa 1100+ pages painstakingly developed over a 25 year + period.

3. So, what was GCC "concurring with" a) a DRAFT Report which needs significant amendment or b) a 1-hour site tour?
4. Given it also had no expert evidence to hand from its own Conservation Burden specified architect; TMP nor was it founding upon the 2018 Narro Report or indeed the May 2025 Narro Report updated Conditions Survey.
5. WRD emailed DRAFT Report 3rd July (did not contain TMP Conservation Burden specified architect's reports e.g. 3rd July 2024 Conservation/Construction/Cost Summary or any of the relevant Appendices (see attached **g App K and the full range from App A to App R -17**
6. The final report would have Appendices e.g 1991 LBRN and also the 2008 Conservation Burden.
7. 3rd Dec site tour GCC/WRD- TMP not available
8. GCC had emailed WRD post 3rd Dec site tour stating, "***would gather its thoughts***" and revert back for discussion but as we know never did.
9. WRD had emailed USP re the above, asked USP to not contact GCC directly, which USP did not
10. It was expected this process would lean into the April 2018 GCC – Narro Conditions Report and of course post the March Defective Notice GCC then commissioned the May 2025 Narro Conditions Report.
11. CPO Review announced including reference to a Defective Notice served 25th March, which as above did not include GCC's "*gathered thoughts"* .
12. CPO Review states it "concurs" with the Engineers report via few sentences describing a 105-page DRAFT Report; does not define what the detail of this is?
13. WRD did then not debrief USP/USI-TMP as GCC had not provided *"gathered thoughts.*
14. August submission by USP and TMP, which has all the submitted reports that GCC has had submitted previously.
15. October decision by GCC and GCC claims to not have ***Nor do we consider from the information in our possession there are any technical or safety reasons why the works required by the Notice could not be undertaken*** but of course is "concurring" with a DRAFT report, which App K would have these if it was a FINAL, CLIENT APPROVED REPORT.
16. Note GCC is not founding upon either or both the April 2018 Narro Report or indeed the May 2025 Narro Report both specifically developed for GCC, which is surprising/ perplexing. WHY NOT?
17. Early Nov (mid Oct?) USP uncovers GCC's Feb 2002 correspondence re extant LBRN, full discharge, non-variable and the urgent need (10 months) to also, ***stabilise all elements of supporting structure.***
18. 17th Dec GCC inform USP its seeking Emergency Powers for as yet non specified/unspecifies works believed to be founded upon a Defective Notice founded upon **NO APPROVED EXPERT STUDY**. **(June 2026 GCC apparently to now commission a Structural Survey to assess if the DBN as scoped can be implemented; should have been done before serving March 2025)**
19. 17th Dec USP informs GCC of existence of Feb 2002 correspondence and 18th Dec details these massive Public Safety issues that could cause a *"potentially fatal building collapse"* that GCC 2025 are apparently unaware of especially given GCC had denied the potential for this as recently as Feb 2020.
20. 29th Dec 2026 TMP provide an expert in depth and quality of the assessment/works required for **GOLD STANDARD CONSERVATION** (an update of their July 2022 submission for a Grade A "architectural masterpiece", which also appears to have gone astray?) The Defective Notice does not deliver this **http://www.egyptianhalls.co.uk/assets/files/TMP-ExpertStatementAppendices-GCCMarch2025DefectiveNotice.pdf**
21. Jan 2026 -USP details what the implementation of GCC's Defective Notice and additional bolt on non- specified works would cause. Reinforcing what could happen if the Scaffolding was removed before the extant 1991 LBRN was discharged fully as per GCC's Feb 2002 **http://www.egyptianhalls.co.uk/assets/files/TheEgyptianHalls-PublicSafetyIsParamountAppendices.pdf** **Whether GCC would then breaching the extant 1991 LBRN is surely to now be under assessment?**
22. USP and USI have since mid 2019 reinforced to GCC that it will be liable for all costs and causal Public Safety issues should they decide to embark upon a process that is believed could see the Egyptian Halls demolished or GCC commit to a significant, non-recoverable sum circa **£10M+**

Example 2 – Expert Advice Ignored as well as GCC's 1995-2009 assessments -Knowledge Gaps- 2014 onwards up to 2025 onwards

- Obviously this does not include GCC's earlier and in particular Feb 2002 assessment/solution, which is the requirement to discharge LBRN including "***stabilise all elements of the supporting structure where necessary"*** to avoid a "***potential fatal building collapse".***

- And GCC's non conservation accredited expert opinions as detailed below fail to reference . **http://www.egyptianhalls.co.uk/Egyptian%20Halls%20Structural%20Survey%20Glossary%20Year%202000-2023.pdf** which has all submitted studies, reports and surveys circa 1100+ pages painstakingly developed over a 25 year + period.

- Further you did opine of the efficacy of Ms O'Donnell's April 2014 letter, which we now know **ALSO** did not disclose the long-term failures of GCC Feb 2002 to reconcile known Public Safety issues 1996-2010 and has always refused any discussion regarding. Yet GCC 2025 attempts to frame "deterioration" as a recent occurrence/discovery when it's on the B@R 1995, GCC on record Year 2000 re let's call them "Dangerous/Unstable" Floors that need yep "stabilised". As per the extant and legally non variable 1991 LBRN that GCC has been briefing does not need discharged e.g. VARIOUS DV REPORTS 2016-2025

- August 2018 GCC's Susan Connolly ***DRS does not agree with your view that the scaffold cannot be removed, providing appropriate measures (i.e., maintenance works) are undertaken to ensure the façade is secure. I'm sure the ward councillors are aware of your arguments for the retention of the scaffold from your correspondence.***

- October 2018 GCC's Susan Connolly ***It's not just my unqualified opinion but the opinion of the Service with appropriate repairs to the façade the scaffolding can be removed safely***

- April 2019 Raymond Barlow ***"it's a building, walls-floors-façade, sort the façade and the rest can follow".*** And it would be if it was a traditional/normal tenement but it's not; see the from the 29th of Aug submission Proven by expert advice -discovered in the archives, which supports the Addison/TMP/WRD body of work and now to a fair degree the May 2025 Narro study also

    1) July 2023 GCC Carole Connolly- cancelled meeting – agenda point "***GCC are currently of the opinion that the scaffolding can be removed without creating a safety issue. "***
    2) GCC 27th Oct 2025 quote ***Nor do we consider from the information in our possession there are any technical or safety reasons why the works required by the Notice could not be undertaken*** *and that the structure of the building is well enough understood to bring forward proposals*.

To repeat and reinforce all of the aforementioned ignores/ discounts Feb 2002 commentary that to avoid a ***potentially fatal building collapse the 1991 LBRN has to be discharged within 10 months***, which has at its core the requirement "***repair or otherwise stabilise all elements of the supporting structure*** . Note this was also copied to GCC Building Control/Public Safety and Building Standards and Legal now 24 years ago. And also misfiled, forgot about, discounted is the expert advice from the GCC-specified 2008 Conservation Burden architect, which then agreed with GCC that the Scaffolding had to stay in place post the crucial 2008 Structural Survey, which laid bare to the extent of and accelerating rate of deterioration. **Apparently GCC 2025 is also wholly unaware of the following reports and studies**

Building Condition Proven Deterioration – Structural Engineering Chronology
http://www.egyptianhalls.co.uk/Egyptian Halls Structural Survey Glossary Year 2000-2023.pdf

• Year 2000 - Approved Scheme- Year 2005 - Year Scheme planning approval extended

• 2009 - Structural Review - End Uses Assessment - requested by GCC

• 2009 - Conservation Plan - requested by GCC and a A Do or Die Review

• 2010 - TMP/Add Cons report, "Water the Engine of Decay"

• 2011- How This Unique Structure has Worked for 150 Years

• 2011-2013 - Full Planning and Listed Building Consent Application and Approval

• 2014 - Joint GCC/TMP/Addison Conservation Updated Building Review - requested by GCC

• 2014 - Scale and Complexity of the Conservation Works required

• 2015 - Joint Structural Survey GCC-TMP/Add Conservation

• 2015-2016 - Structural - Parapet Review requested by GCC

• 2016 - Premature Scaffolding Removal Would Cause Public Safety Issues, Feb 2016

• 2016 - Several Structural/Scaffolding/Urgent Repairs assessment reports - requested by GCC

• 2017-2018 - SEVEN Scheme Options requested by, developed, and presented to GCC/HES

• 2018 - Additional structural assessment linked to Scheme Options - requested by GCC

Body of Reports/Surveys/Commentary Chronology 2019-2024 - WRD/TMP/Savills

• 2019 - WRD 1 Covering Letter

• 2019 - WRD 1 Structural Survey

• 2021 - WRD 2 Covering Letter

• 2021 - WRD 2 Structural Survey

• 2021 - LBRN Discharge Visual Aide Memoire

• 2022 - Temporary Works Costs/Safety Factors

• 2022 - Deterioration Timeline

• 2023 and 2024 - WRD 1 & 2 Combined Building Survey Reports (DRAFTS)

• 2024 - TMP Conservation/Construction/Cost Commentary

So, to summarise unequivocal reinforcement of Non – Engagement and crucially Non-Collaboration despite accusing USP and USI of this very thing

AUTHORITY TO INVESTIGATE THE USE OF COMPULSORY PURCHASE POWERS (CPO) AND TO SEEK A DEVELOPMENT PROPOSAL FOR EGYPTIAN HALLS

Purpose of the report: To seek committee authority to investigate the use of CPO powers in respect of the property at 84-100 Union Street (Egyptian Halls), including approval to seek proposals for the repair, repurposing and future active reuse of the property and devise an appropriate bid process, including selection and evaluation criteria, to assess proposals.

It should be noted that GCC have approved four previous applications, and they, along with public sector partners, managed to derail all four – quite an embarrassing track record of failure by any stretch of the imagination. The Egyptian Halls, designed by Alexander 'Greek' Thomson in 1873, have suffered 45 years of neglect. The Upper Floors have been vacant since 1980. GCC and ground-floor tenants initiated a 1996 CPO due to ownership disputes. USP joined the consortium in 1999, but unresolved issues led to a legally irreversible CPO Amendment, delaying title transfer for 12 years. GCC projected only a few months' delay in 1998 but failed to disclose this key information to USP until 2014.
An Oct 2002 GCC Econ Dev report revealed plans to break their partnership with USD while hiding contract breaches that could have led to damages. The Year 2000 plan could have saved the Halls for **£4.5M-£5M**, preventing further decline and ensuring Union Street's regeneration. Instead, GCC's mismanagement caused delays, with vital repairs neglected despite their CPO obligations.

From 1996-2010, GCC admitted on record inaction was inevitable due to title non availability caused directly by GCC but ably assisted by GDA/HES-Scot Govt And GCC is now somehow attempting to shift blame onto USP for 45 years of neglect, 30 of which predate USP's involvement. GCC has also cut USP's income by 80% over the past 18 months while failing to offer grant funding. Repairs remain subject to GCC Conservation Architect approval. In July 2024, GCC NRS confirm there is no grant funding available, and in their opinion, the Egyptian Halls Development Project is a private one, being undertaken by private companies. Therefore, the co-owners logically are entitled to a commensurate commercial return. Further, the fact that both grant rescindments and title transfer delays created this non-fundable non-viability as long ago as 2008 – this non-viability will shortly be re-confirmed for assessment/analysis.

It is recommended that Members: Consider the contents of the report.

They must also realise that, as it stands, the owners have the right to challenge the report contents as per these amendments and causal support documents, while the actual claimed offer breaches the embryonic working arrangement between The List and USP and USI.

Approve the investigation of the use of CPO powers in respect of the property at 84-100 Union Street (Egyptian Halls), including approval to seek proposals for the repair, repurposing and future active reuse
They must also realise that, as it stands, the owners have the right to appeal this decision.

i *Authorises the Executive Director of Neighbourhoods, Regeneration and Sustainability, in consultation with the Director of Legal and Administration, to approve a development brief and selection and evaluation criteria for the development proposals, including departures from the relevant CPO Framework where necessary or expedient, with the recommended proposal being reported to a further committee for approval.*

They must also realise that, as it stands, the owners have the right to ensure GCC follows established Commercial Property Law, that the 1991 LBRN is non-variable and that GCC put in place a Conservation Burden in 2008 that binds both GCC and USP to discharge this fully – however, USP has the sole right to seek a rescindment, should this be required. This could be replaced by a comparable DBN but what GCC has scoped and served is frontage/façade centric and not Public Safety oriented.

ii *Authorise officers to appoint agents to act on the Council's behalf, if required.*

iii GCC must also openly and honestly assess the role and contribution of themselves across all aspects and also that of other public sector bodies – HS/HES, GDA – in creating the situation now faced.

Important Project Development/Implementation Considerations:

No commercial entity can discharge the 1991 LBRN due to the Fact proven non-viability proven by the fact that four schemes since 1996 have failed. So what caused them to fail? (**Note the now disclosed DV Reports 2016, 2019, 2024 and now 2025 all agree this is unequivocally factual.)**

1) The 1997 scheme was approved based on an inaccurate structural assessment by GCC and HS.

2) The Year 2000 100% Conservation Scheme was derailed by the first GDA and HS on record, then held up for 12 years due to GCC's CPO Amendment. Both GCC and HES are on record stating non-viability in mid-2010. So how can it be viable 15 years later?

3) The envisaged scheme by GCC's "New Partners" is a carbon copy of the approved 2013 scheme: a 150-room Hotel: Upper Floors and Bars and Restaurants and a Food Court- Ground Floors. If that did not happen due to GCC failing to honour their pre-application funding promises as part of a combination of grant and funding sources.

4) How can it be viable today and also structurally achievable given the parlous structural state? Moreover, expert advice based on 27 years of studies and report states it is not possible to remove the scaffolding until discharge of the 1991 LBRN/2008 Conservation Burden.

This means the City Plan/Avenues Project/Golden Z Initiative are held up, and all schemes have been for 25 years. None of this is the fault of USP or USI. There is also no single guilty party, despite some deliberate proven efforts to mislead, which have been brushed under the carpet. This independent quote personifies the situation: "***Since Year 2000 difficult choices sidelined, missed opportunities, failures to deliver joined-up government, and inadvertent misrepresentation (all on file). And in addition to the capital investment acknowledged by GCC, the significant income earned from ground floor rents and intermittent Hoarding advertising has also been spent on trying to maintain the building.***"

GCC cannot admit that all Conservation Schemes are non-viable since 1997, and GCC has no budget to fund scheme costs, which increase by **£1.5M** per annum. Meanwhile, GCC engages in performative theatre with a non-proven interested party who won't fund the current **£25M+** needed for their proposal, which ticks all the heritage boxes but is now structurally undeliverable. GCC then seeks to throw the investors and owners below the proverbial bus after praising them for making a "very significant expenditure on three failed applications". In light of the Scot Govts and then GCC's errors, mistakes, misrepresentations and failures to act ethically and in good faith (all on record) but ignored to date, one surmises strongly the writer(s) of this report have not been briefed fully on the complexities and consequences of how such a massive non-viability chasm has been created; that has been known about for 20+ years; the most recent non-collaborative action was by GCC to rescind the Hoarding income – if not, then the Feasibility Study or *"Creative Business Plan"* called for by GCC would be funded already.

It is on file that GCC in instances "***did not disclose the truth"*** (Aug 2023 Herald and Times); GCC statement (out of the blue) reinforces why lobbying has to be repeated and reinforced: *"the dilapidated building is a barrier to the regeneration of Union Street"; "The Egyptian Halls has been the biggest barrier for us being able to do anything with Union Street"; "it's a blight on the street and it has been allowed to get into that condition"; "We would be willing to have further discussions with Mr Souter and his Planning agent in Savills, but we would note that we are very keen as a city to progress with plans for this important building which are feasible and have a realistic chance of being delivered but So far discussions with Mr Souter have not produced this"; "anyone with a creative business plan should get in touch*".

Contrast the above with the following from March 2018, which is the essence of misleading the public, Councillors and MSPs: "*it may be better – rather than returning to issues from the late 1990s – that the building owners join with us in a co-operative manner to ensure the preservation and regeneration of this historic building"* (GCC March 2018); ***Facts Change Opinions, But Opinions Can't Change Facts***

28 years of Structural Studies, Planning Applications, Schemes, Correspondence:

- **JAN 2024:** ***http://www.egyptianhalls.co.uk/ProductiveProblematicNowHopefullyProductiveDiscussions.pdf***
- **JAN 2024:** ***http://www.egyptianhalls.co.uk/EgyptianHallsSpineTimelineofCorrespondence.pdf***
- **JAN 2024:** ***http://www.egyptianhalls.co.uk/Egyptian Halls Structural Survey Glossary Year 2019-2023.pdf***
- **Conservation Bond specified architect's expert advice, which was ignored by GCC** ***http://www.egyptianhalls.co.uk/Approved Building and Building Work 1998-2019.pdf***

These timelines illustrate the need for clarity, as they ignore 26 years of activity, proven deterioration and causal non-viability. There will be a massive Heritage/Cultural/Conservation/Glasgow backlash if it's decided to demolish without assessing all options.

There is unequivocal evidence that highlights public sector errors and systemic dysfunctionality. This legacy, created by GDA-HS-GCC 1997-2000, has been reinforced to current officers and Councillors of the legacy GDA-HS-GCC created from 1997-1998 onwards – an absolute must give the prevalent inadvertent and/or deliberate amnesia. Furthermore, it should be clarified whether, after any CPO review, an absence of joined-up government was found to be a critical factor.

To underline: GCC are on record praising USP's *"significant expenditure",* while HES state, *"There are some complex issues around Egyptian Halls. Solving those issues will need some creative solutions It needs creative approaches to design and engineering, but also creative approaches to funding. It also needs a commitment from all involved to continue to discuss and test a wide range of options."*

This report seeks committee authority to investigate the requirement for the use of CPO powers in respect of the property at 84-100 Union Street (Egyptian Halls), to include the development of an open, fair and transparent process.

This report is certainly not an example of this, given its massive inaccuracy and bias, fails to record GCC's and HS/HES's and the Scot Govt's disastrous track record from 1997 to the current date. Moreover, the alleged offer of **£2M** over 5 years or 10 years is not the same value as **£2M NOW** unless interest is factored in e.g,6% per year cumulative. Meanwhile, the alleged non-offer made by the "interested party" could be defined as a form of Hire Purchase – with HP the ownership of the goods and services, and in this instance the property would rest with the owners. So the Ground and Upper Floors could not be used as collateral, as they have not as yet been purchased and paid for.

This renders even more untenable, if that is possible, the claim at *5.3 that "an informal offer to purchase the building was made by an interested party in excess of an independent valuation but this was not progressed by the owners."*

To reiterate, separate offers for Ground Floor properties and Upper Floors was asked for and again not provided. So even the approach asked for was not adhered to. In fact, there was never an offer. Moreover, there is incontrovertible proof it was the interested party that failed to progress matters and, it appears, also breached the agreed commercial confidentiality they stated would be followed.

Assessed objectively, the foundation, accuracy and provenance of the claims made to justify this process being developed and approved are not competent and do not meet the aforementioned benchmark GCC have set, aligned with statutory tests, with which to seek proposals for the repair, repurposing and future active reuse of the property.

aligned with statutory tests, with which to seek proposals for the repair, repurposing and future active reuse of the property. To repeat and for the record, the building is co-owned and separately valued and with very different end uses once developed. Related and relevant activities are regulated by the registered , legally binding Deed of Conditions. GCC did use this document when apportioning LBRN costs for the 1996 CPO and at the 2006 Lands Tribunal hearing.

GCC have used in 2016, then RVs were used, and obsolete RVs in 2019, 2024 and 2025; again, all four DV Reports ignore the legally binding Conservation Burden. Limited internal checks for changes from report to report?

2008 Conservation Bond; Crucial Points Of Relevance to repeat GCC fail to take cognisance of:

- **GCC created the 2008 Deed of Conservation Burden, which both GCC and USP signed, the objective being to deliver and discharge the 1991 LBRN or equivalent scheme**
- **Deed of Conservation Burden specifies TMP as the architect to discharge the 1991 LBRN**
- **GCC cannot amend the 2008 Deed of Conservation Burden**
- **USP can, however, amend or rescind the 2008 Deed of Conservation Burden**
- **GCC cannot just summarily rescind, discount, ignore its legal obligations without good reason.**

Primacy of the Deed of Conditions and Values: Ground and Upper Floors:

Both USP and USI are confident their respective, legally separate commercial properties will be developed and valued using this registered and legally binding document in order to deliver on the significant investment GCC is on record praising. Why would a commercial project not look to achieve this? Why would commercial companies not seek to achieve this? GCC-Scot Govt cannot have it both ways? It's either a Heritage project that needs grant funding or a for-profit private sector project.

Since 2010 separate valuations have always been calculated due to the hotel option being marketed via a single Upper Floors title. This improves its marketability – ask any professional Chartered Surveyor, not some "person" providing an informal but, of course, independent valuation that USI was unaware of until Tuesday 28th January. However, USI did agree to loan to USP its development value to combine with BPRA funding, HES grant and "promised" GCC funding; GCC then failed to deliver. And has always been mindful of the potential to merge titles subject to grant funding reassurances, which, being frank, have been absent since circa 2004.

As of July-Sept 2025, it has been confirmed that for the GCC – District Valuer July 2025 Valuation Report, the 2017 Deed of Conditions was not used despite it being online appended to the various title deeds. As it transpires, it appears the 2008 Deed of Conditions had been used for the 2016 GCC-DV Report correctly (apart from the major error of excluding the GCC-imposed 2008 Conservation Burden). The subsequent GCC 2019 DV Report and the GCBPT. GCC, by proof of referencing the Deed of Conditions in each of these reports, reinforces its earlier use of the Deed of Conditions since 1996 all the way up to July 2025. It's just that the 2019, 2024 and 2025 Reports are not using the up-to-date Deed of Conditions. The GCC 2024 DV Report appears to have just cut and pasted the relevant paragraph from the 2016 Report. Therefore, for the 2019,2024 and 2025 Report GCC has predicated a strategy underpinned by several interconnected assumptions that materially flawed given they're not using the 2017 Deed of Conditions.

1.2 The Council has a Framework for the Use of Compulsory Purchase Powers under the Town and Country Planning (S) Act (CPO Framework), which sets out the process for making CPOs and entering into back-to-back agreements with developers.

This we believe would be based on, for example, the Dev Apps commissioned since 2008, which GCC is on record praising USP for both funding and producing – GCC and HS/HES have had Dev Apps 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018 and 2019 from Chesterton, Driver Jonas Knight Frank, and Shepherds which underpin this (all correspondence is on file).

Back-to-back agreements regulate the transfer of the acquired land to the developer. This process is typically triggered by an approach from a developer. So now we know there was never an offer, informal, indicative outline or by any definition to purchase, but there was a flawed, misformed enquiry of a very vague future profit share, which did not match the asked-for offer conditions by the willing sellers of the separately owned Ground Floors and Upper Floors (see 5.3), or another view is an (sic) offer to acquire on Hire Purchase.

The failure to progress was by the interested party, who also breached confidentiality by disclosing commercially sensitive information. This means, from the outset, the process is materially flawed. Either the alleged developer or GCC or both are being economical with the truth, and the alleged developer and GCC choose with premeditation to ignore the separate ownerships/valuations/LBRN obligations, or GCC has encouraged this approach without due diligence (or GCC knows it was in effect an HP offer).

Is it because GCC are unwilling to accept expert reports – structural, design, and valuations – that they now look to leverage out USP and USI based on inaccurate, misinformed assessments and opinionated doubts, while providing alternatives, and somehow hope to rehabilitate its challenging project track record?

The report sets out the Council's intended response and the changes to the process set out in the CPO Framework proposed to be adopted on this occasion to reflect the differences in the current circumstances from those envisaged in the CPO Framework.

As long as Commercial Property Law is followed, and property ownership is respected, then GCC can present this to the co-owners who, as GCC has stated, ***"committed a very significant expenditure"***. When, after a now 28-year involvement, USP and its investors read the aforementioned, they cannot fathom why GCC are now trying to build the case for a new CPO, given they caused the 1996 CPO to malfunction massively, aided and abetted by core Public Sector bodies GDA and Historic Scotland. USP and USI also look forward to GCC accounting for their role in the project delays since the year 2000, as well as the Scottish Government and HS/HES, given all of this is on file, yet to date any independent assessment has been refused by GCC, HES and various Culture Ministers.

Furthermore, nearly five years ago the potential fact that the Egyptian Halls was a dangerous building and would very likely be one if the scaffolding was removed without the 1991 LBRN being discharged to the satisfaction of the Director of Planning was raised. GCC refused to discuss this, but now, five years on, they are acknowledging there is a significant issue but attempt to limit this to façade repair, which is again materially flawed – and also somehow this is now all the fault of USP. Further, USI was denied the approved Upper Floors hotel 2013 due to Ground Floor deficit, which was caused by GDA, HS and GCC.

Additional information As Record Of Proof:

- **Aug 2023, Egyptian Halls Slicing the Gordian Knot** ***http://www.egyptianhalls.co.uk/SlicingTheGordianKnot.pdf***

- **Feb 2024, GCC's inadvertent misrepresentation to Provost, Scotland's FM, USP, key stakeholders 1999-2024** ***http://www.egyptianhalls.co.uk/CPO Title Transfer Delay-Inadvertent Misrepresentation Document.pdf***

1.3 This report does not seek authority to promote a CPO at the current time.
It would likely fail for a variety of core challenges and, if it succeeded, would be appealed immediately; GCC should be in no doubt.

2.0 Background *2.1 Egyptian Halls is a category A-listed building located at a key arrival gateway to the city centre from Central Station on Union Street, within Glasgow Central Conservation Area. The building is in private ownership. The building has been vacant and derelict (at upper floors) for over 30 years* (**45 years**) *and has featured on the national Buildings at Risk Register since its inception in 1990* (vacant for 10 years). Scaffolding has been in place for 15 years but is not being used to facilitate repairs, conversion or maintenance

- **Conservation Bond specified architect's expert advice – ignored by GCC**
  http://www.egyptianhalls.co.uk/Approved Building and Building Work 1998-2019.pdf

Completely disingenuous and dangerously misinformed, and it ignores detailed Public Safety issues detailed to GCC numerous times since 2009 after the Scaffolding had been installed to carry out a major structural survey; such was the noted deterioration that it has been needed to protect public safety (again, see link above), partly due to identified works not being carried out by GCC as per their legal obligations under the 1996 CPO. GCC has attempted to claim (on record) they had no Repairs Obligations as they never took title to the Upper Floors. GCC had this liability and never discharged it. Hence why the retention of the Scaffold has been recommended by TMP/Addison Cons and now TMP/WRD all on record. Including a Protective top deck on the Scaffold as the parapet is not tied to the building. And cannot be, as the roof, floors and rear wall all need replaced. **Surely GCC would fund the consequences of their CPO errors and mistakes, and a scheme would be implemented and funded. And because it never was, the scaffolding has been principally protecting public safety to the current date. And affording access for the raft of surveys as well as façade maintenance, which GCC has been briefed on over the period but in 2025 appears wholly unaware of.**

Onerous, non-acknowledged by GCC Financial Costs of Protecting Public Safety for 17 years

- Scaffolding is protecting public safety and costs **£50k** p.a.
- **£700k** has been spent on Scaffolding/Electricity since 2008.
- USP has lost circa **£1.6M** in Rental income due to the presence of the Scaffolding.
- Over the period £**1.5M** of Ad Hoarding income came in, so overall down **£800k!**
- GCC has cut the USP/USI working capital budget by **£350k** since Aug 2023 and currently remains to be convinced that the budget should be restored.
- The Scaffolding costs cannot be maintained indefinitely by a commercial company, which in 27 years has not had 1 penny of grant support.
- A budget proposal has been submitted which included a Core Maintenance component
- And somehow, based on FLAWED OPINION, GCC believes it's USP's fault! Perplexing indeed!!!

Yet GCC rescinded the income stream that, funded general maintenance, all studies, all reports, scaffolding hire and electricity for the scaffolding (again, we refer to on-record correspondence from TMP/Add Cons and now WRD as well as MSP Paul Sweeney and Heritage-centric journalist Mark Smith).

There has been widespread concern from neighbouring proprietors, heritage bodies and the wider public regarding the deterioration of the building over many years This has been recorded on the Buildings at Risk Register since 1980. USP did not get ownership of the Upper Floors until 2010, **so there were 30 years of unchecked deterioration despite GCC's CPO obligations**. And now we know GCC undertook at best minimal Maintenance 1996-2001. And ZERO 2002-2009 as follows

Did GCC adhere to Gold Standard Conservation Maintenance 2002-2009 Compare and contrast what GCC did and what USP did? Pass or Fail

- did not monitor the condition of the building internally or externally. Fail
- did not arrange necessary care or maintenance to help protect the building in existing form. Fail
- When they did so circa 2000-2005 badly advised, causing long term damage to the fabric. Fail
- Opposition to the scaffold and shroud is prejudicial to the building and its potential. Fail
- On 2 occasions had an engineer undertake a brief walk- through viewing and report Fail
- Inspection results omitted many areas, were cursory, highly qualified and misrepresented Fail
- Show no continuity of cross checking with past records to assess deterioration and risk Fail
- Had no consultancies other than engineer examine or report. So, inability to evaluate. Fail
- Repeatedly insist on actions and proposals base upon dubious supposition. So prejudicial. Fail

- Required actions are temporary, partial, limited with no consideration to future works. Fail
- Demands show no awareness of GCC's marketing of the development. So prejudicial. Fail
- Shows little awareness of financial implications and damage due to their proposed actions Fail

How USP sought to adhere to Gold Standard Conservation/Maintenance 2009-2023 (GCC failed to support approved 2013 scheme then rescinded Hoarding £350k working capital lost (see overleaf)

- regularly monitored the condition of the building internally or externally. Pass
- Arrange necessary care and maintenance to help protect the building in existing form Pass
- Continue to provide essential access scaffolding including shroud to protect the building. Pass
- Had the various consultants examine the fabric and structure in detail over time. Pass
- Had the various consultants gather material samples, examined in detail and recorded. Pass
- Had the various consultants over time assess and report the stability of the building Pass
- Had results cross checked with past records to assess deterioration and risk. Pass
- Wider consultancy includes architecture/ conservation/ structure/ costs/ marketing/viability. Pass
- Insist that any proposed works to the existing fabric accord with the Guiding Principles. Pass
- Require new construction works are sympathetic and not conflicting with the existing Pass
- Oppose intervention works to the existing fabric that will require further change. Pass
- Current tender re GCC's marketing of the building opportunity accords with Gold Standard Pass
- Judge GCC's notice to Repair devoid of HBRN obligations & therefore unacceptable. Pass
- Judge GCC's pursuit of the notice prejudicial to the current tendering submission Pass

Important Dates To Consider:

December 1990: External inspection reveals the building to be in poor condition, with the upper floors vacant for over 10 years since 1980. (Buildings at Risk Register).

January 1991: LBRN is served. Glasgow City Council considers compulsory purchase.

September 1995: Local planners report that the condition is deteriorating with extensive stone repairs required. Repairs are subsequently undertaken via Urgent Works Notice.

August 1995: The Scotsman newspaper reports that consent has been granted for restoration. The building currently suffers from weakened concrete floors and rotten windows, and the external walls require stabilisation. Proposed works include stone cleaning, re-roofing and rot eradication. For the record none of this was done, hence why 30 years later the building's very future is massively uncertain.

Feb 2002 : GCC DRS requests/demands the 1991 LBRN is implemented citing accelerating deterioration and causal public safety issues but does not know GCC DRS/Legal cannot transfer the Upper Floors title

July 2010: Bailie Cameron to Minister Hyslop: "*GCC is now extremely concerned that this development may not proceed for a number of reasons: the building is one of Glasgow's most important grade A listed buildings and is of real international significance. There is no doubt that it is a masterpiece of Victorian design and construction – unfortunately now showing clear signs of accelerating deterioration.*"

Given these Repairs were never actioned by GCC prior to this, and by the time USP got title to the Upper Floors, all schemes to discharge the 1991 LBRN needed additional grant funding, which was refused. So how can the blame be attributed some 15 years later to USP and USI? Both will be lobbying assiduously so their good name is untarnished as a result of this activity, which does not even attempt to reference GCC's role in this farrago. USI, which, as GCC knows, has no repairs or LBRN liability as per the Deed of Conditions apportionment, should not be included in any Assessment. Again, an automatic appeal regarding this by USI is a given.

The presence of the scaffolding and the consequent adverse impact on the environment of Union Street.

USP and USI agree 100%, and this has cost USP circa **£1.6M** in lost rental income, and, to repeat, the Scaffolding is in place to protect public safety, costing **£700-£800k**, which is the decision of the GCC-specified scheme architect.

Of significant interest is the fact that the 2008-2009 structural review revealed massively increased deterioration, a direct consequence of title availability delay caused by the non-predicted incredibly elongated timescale from a few months to 12 years, due to GCC error, weakening significantly control over the title. This form of CPO Amendment is now no longer allowed without Scottish Govt approval.

USP has to take expert advice from TMP/Addison and, since Dec 2019, from WRD. If this advice was ignored then USP would be breaching its known Fiduciary Duty and would see Directors potentially taken to Court. Further Demolition/New Build was refused 15 years ago. But was raised again Feb 2016, April 2016 and Dec 2019 Zero engagement from GCC whom one has to assume are unaware of all of this.

And if GCC had disclosed the true position then the Scaffolding would have been up and down by 2004-2005 and not still in place circa 20 years later. And it would of course as GCC has been briefed on numerous times create even greater public safety issues 24 years later if the Scaffolding was removed before the full/ extant 1991 LBRN was discharged. If one accepts the accuracy of GCC's Feb 2002 advice

April 2023: E.Times GCC DRS **"***The CPO process adopted by the Council in this case involves compensation being determined before the Council can gain a satisfactory title for onwards disposal.* ***There is potential for significant delay in being available for Union Street. I can understand the frustration expressed by Mr Souter. The resolution is not straightforward.***

So Title Availability Delays caused by GCC's non-disclosed CPO Amendment derailed all schemes 1998-2010 and now 2011-2026**.** Scaffolding went up 2008 for the first major Structural Survey revealed massive deterioration and it was "agreed" it would stay in place until the expected 2010 scheme was eventually approved 2012 but of course GCC then failed to fund its "agreed" gap funding. And we're back to the old story of there's a hole in your bucket Dear Liza, Dear Lisa

Steps are being considered separately to facilitate the removal of the scaffolding – S3.4.4 and 3.5 below.

This has been much debated since 2009, all on record, and again TMP and now WRD do not recommend at all the removal of the Scaffolding until the full LBRN is discharged. GCC have also been put on notice as far back as March 2016 what the implications would be if they stepped in and somehow removed the scaffolding and ignored the recommendation of its own specified architect/structural engineers. Especially now we have GCC on record 1995-2009 disclosing there were identified structural/stability problems that cause public safety issues that required the extant 1991 LBRN discharged to reconcile

2.2 The condition of the property has deteriorated in recent years (**this is again as wholly and utterly inaccurate as it's disingenuous** given it has been in dire state for **over 45 years** according to the Buildings at Risk Register) . And of course we now have a file copy of GCC's Feb 2002 requests/demands as follows "*You may be aware that there was a potentially fatal building collapse in the City Centre in October 2001"****The general condition of the building overall is much deteriorated and an immediate cause of concern. This situation will only worsen if the full repairs package as per the terms of the extant Listed Building Repairs Notice, are not effected before the onset of the next winter.***

And if one refer to the 1991 LBRN ***"repair or otherwise stabilise all elements of the supporting structure, where necessary, leave in a wind and watertight condition; all works urgently required for the preservation of a listed building and to be carried out to the satisfaction of the Director of Planning"*** How can GCC 2025 be unaware of this? Surely they're not aware of this but have decided to not disclose this? Surely, surely not?

GCC DRS had therefore requested/demanded of USP that the 1991 LBRN is implemented citing accelerating deterioration and causal public safety issues. **Yet GCC states 2016-2025 DV Reports that this extant 1991 LBRN is not to be discharged despite this evidence, which GCC 2025 appears to be unaware of completely. And instead a partial/ very limited Defective Notice was to be served. Again one surmises what levels of knowledge gaps actually exist within GCC DRS/Legal?**

And what is GCC's definition of "recent" given Feb 2020 it stated unequivocally that the "*building was not in any danger of imminent collapse"* despite WRD 1 The *building is now in an unsafe condition and structurally unpredictable, primarily due to the deterioration of the roof and upper floors from continued water ingress over a prolonged period and the fundamental lack of robustness in the structure,* ***with the potential for a trigger event to cause a structural failure which could have serious consequences****, with the risk to public safety and damage to surrounding buildings*

and there does not appear to be a viable scheme (**this, too, is wholly and utterly disingenuous: there never was a viable scheme**) It needed **£1.5M** Grant funding in 1997 and **£9M** in 2010, with both GCC and HES pronouncing all schemes were non-viable, and in 2025, circa **£25M+** due primarily to the combined errors and dysfunctionality of GDA, HS and GCC, all on record)

being developed or proposed by the current owners GCC, in early 2023, was presented the Mackintosh-Thomson Mews proposal but appears to have forgot this. And a proposal for a Feasibility Study Sept 2024 has not yet been responded to, *and without intervention, there is an increased risk of significant failure in the fabric of the building.*

We now have on file GCC's Feb 2002 statements as follows ***"You may be aware that there was a potentially fatal building collapse in the City Centre in October 2001 "The general condition of the building overall is much deteriorated and an immediate cause of concern. This situation will only worsen if the full repairs package as per the terms of the extant Listed Building Repairs Notice, are not effected before the onset of the next winter*** **the legally non variable LBRN states "*stabilise all elements of the supporting* (whole) *structure"***

- Why has GCC apparently forgot this or decided to ignore this?
- How can GCC state 23 years later what it's attempting to do without references to why they did not take any action from Feb 2002- Jan 2010?
- Why did it then not provide it's agreed gap funding 2010-2015
- Why did GCC-HES/Scot Govt brief the HLF that no grant funding would be awarded to USP for the foreseeable future May 2015.
- Why now in 2026 has GCC announced it will work with Ediston to assist it secure "grant funding"

USP to repeat warned of this Feb 2020 Potential Building Collapse that there was via the highly unlikely Progressive Collapse Scenario (WRD 1 Dec 2019), which raised the potential it could collapse due to a number of "*trigger events",* including the failure of floors slabs, columns and beams. ***http://www.egyptianhalls.co.uk/StructuralMovie.html*** This was presented GCC/HES Feb 2020. However GCC stated via the Herald and Times a survey, carried out by the authority around 18 months ago, found "*no danger of imminent collapse*". GCC also stated at same time, "*the building structure is the responsibility of the owners."* **And now we uncover that GCC in fact was on record with similar Feb 2002 detailing how to avoid a *potential fatal building collapse* by discharging ASAP the full 1991 LBRN, which includes *stabilising all elements of the (supporting) structure where necessary.***

More and more this CPO Review is proven to be under researched, suffers from misformed assessment and was scoped at breakneck pace to meet a deadline unrelated to the best efforts required to preserve this Grade A "architectural masterpiece" i.e. 2026 Summer Commonwealth Games

Again, this links to the question: is it now a Dangerous Building, given GCC Building Control are now similarly minded, given it stated recently to USP's tenants something akin to ***"we don't want a large building falling to the ground and injuring people and potentially worse"?*** Yes: five years later than it should have been. Is this accurate? Surely it has to be assessed especially given GCC are hell bent on removing the Scaffold post via a partial Defective Building Notice being implemented by GCC **http://www.egyptianhalls.co.uk/assets/files/The-EgyptianHallsPublicSafetyClarificationRequest.pdf**

Again, GCC somehow believe, based on apparently ignoring expert structural evidence, that carrying out a raft of unrelated Urgent Repairs via a Defective Notice will somehow reconcile this and also see the scaffolding removed. This cannot happen easily and safely as was presented in considerable detail in 2014, 2015, March/April 2016, April 2019 and Dec 2019. Underpinned and reinforced by the advice of GCC's specified Conservation Bond architect TMP, based on numerous expert reports justifying the recommended approach – such as that façade repair in isolation won't see the scaffolding removed.

The stated reasons are on record, which both GCC and HES have had submitted; however, GCC point blank refuse to accept expert advice despite the robust conclusions that the scaffold removal is not possible based upon Public Safety, Construction, Conservation and Financial Grounds. And to repeat GCC's own Feb 2002 assessment requires to be taken full cognisance

Also in 2022 an exercise to assess Temporary Works stated that despite these works being carried out, the scaffolding could not be removed due to still very challenging public safety issues that would not be reconciled (all on record). **Skim link pages 844- 905**
http://www.egyptianhalls.co.uk/Egyptian Halls Structural Survey Glossary Year 2000-2023.pdf

2.3 It is important to take steps to secure the future of this A-listed building, as it is widely regarded as the masterpiece of Alexander Thomson's architectural legacy within the city. Thomson was an extremely important and influential architect whose pioneering approach to design and structural innovation has been praised and celebrated internationally since he began designing buildings in the mid-19th century.

GCC (and Scot Govt) have had **46 years** to act, but what have they and HS/HES achieved, apart from approving the 1997 Planning Application, which if implemented would have seen the Egyptian Halls collapse (TMP on record)?

FYI it should be noted that "minimal structural alteration" now sought based on ignoring 26 years of EVIDENCE and providing no comparative would have been achieved for the approved Year 2000 scheme but 26 years on it's now structurally impossible as follows

Evolving Structural Changes from 100% Conservation to Façade Retention; Cultural Chaos

- **1997: GCC/HS approved the removal of the cast iron frame, would have caused Demolition. minimal structural alteration DEFINTELY NOT achieved".**
- **2000: brilliant TMP/Add Cons 100% Conservation scheme retains cast iron frame; "minimal structural alteration achieved".**
- **2013: Another brilliant TMP/Add Cons scheme, but now the cast iron frame is structurally too weak, so structural cellularisation is developed by passing the cast iron frame. "minimal structural alteration achieved".**
- **2026-2027- TMP to work on the only realistic option: Façade Retention, which then means the unique cast iron frame is lost. And of course "minimal structural alteration NOT achieved".**

And consider this endorsement of the superior scheme by Greek Thomson's greatest champion:

"The Council did the right thing and started compulsory purchase proceedings against the delinquent owners of the upper floors. Now after legal wrangles, majority ownership has been acquired by Dundee developer Derek Souter, ***who has commissioned an admirable conservation report from good architects and structural engineers. The resulting proposals for a conservative restoration of the whole structure, including the remarkable iron-framed interior, have won backing from Historic Scotland."*** (Private Eye, Piloti (Professor Gavin Stamp), Jan 2000)

Despite this, between them, GDA and Historic Scotland derailed this scheme (the FACT this was allowed is 26 years on even more jaw dropping). The building's at Risk Register Sep 2000 states: ***"Scottish Enterprise has withdrawn its offer of grant aid, and Historic Scotland has reduced its grant; the project is unlikely to proceed."*** Then we have more delays caused by GCC, not USP, as outlined in the April 2003 Evening Times article briefed by GCC DRS: *"The CPO process adopted by the Council in this case involves compensation being determined before the Council can gain a satisfactory title for onward disposal.* ***There is potential for significant delay in a being available for Union Steet.*** *"I can understand the frustration expressed by Mr Souter*. ***The resolution is not straightforward."*** **A contender for the understatement of the last 28 years.**

So on what basis can the accusation be levelled that USP has held up the implementation of approved building/construction works or approved scheme planning permissions? Especially relevant when considering GCC praises USP GCC Econ Dev Report of June 2004: *"Derek Souter has been the driving force behind the second consortium, which comprised Union Street Properties, Birthdays and Superdrug (as tenants of numbers 88 and 96) and Co-operative Insurance as proprietors of number 100. Union Street Properties on behalf of the Consortium re-secured the grant funding from Historic Scotland, which had reduced the offer of grant for the scheme from £990,000 to £250,000.* ***Union Street Properties negotiated the grant offered back up to £930,000 for the revised scheme.***
Union Street Developments also renegotiated and entered into "Agency" missives with the Council to allow the CPO of the upper floors to proceed. ***Union Street Developments also brought about the withdrawal of the objection to the promulgation of the CPO by the upper-floor proprietor of the building***. The above is yet another on-record endorsement from GCC. Yet somehow in this report GCC can't find the room to acknowledge this. Again, this will be submitted as evidence, if required.

Evidence of a lack of Joined-up Government between GCC and HES/Scottish Government – could it lead to the Demolition of this Grade A "architectural masterpiece"?

The other — unspeakable — option also looks like a dark shadow: demolition. As we've seen with Africa House, demolishing a listed building is possible if the owner can demonstrate that it's not financially viable, no longer of significance, incapable of repair, or that demolition would benefit the public. It seems unlikely that the Met Tower would meet much of this criteria yet—it's in a prime location and was only built 60 years ago. What if a new development is proposed that the council considers to be of greater public benefit… it's all to play for. The Bell May 9th, 2025

Is the Egyptian Halls facing the same quandary

it's not financially viable, **Grant Funding Issues – highlighted 25 years ago!**

- Sept 2000: The Buildings at Risk Register states ***Scottish Enterprise has withdrawn its offer of grant aid and Historic Scotland has reduced its; the project is unlikely to proceed.***

Title Availability Delays caused by GCC's non-disclosed CPO Amendment

- April 2003: E.Times GCC DRS **"***The CPO process adopted by the Council in this case involves compensation being determined before the Council can gain a satisfactory title for onwards disposal.* ***There is potential for significant delay in being available for Union Street. I can understand the frustration expressed by Mr Souter. The resolution is not straightforward.***

Has created Proven, Long Term Non-viability

- Jun 2010: GCC Econ Dev Report states ***There is therefore no prospect of the project proceeding without external funding support***
- Aug 2010: HS Head of Grants **"*****However, I have made my position clear: the project as it stands is not viable."***
- 1999-2019 **On record are chronological Development Appraisals by leading Chartered Surveyors including District Valuer; each records increasing non-viability. 2026 iteration under development**

External Economic Factors

- **May 2015, Bailie Cameron, in a letter to Shadow Culture Minister Baker, said, *"As the property recession took hold the project became unviable."* So GCC is highlighting this impact and is NOT blaming the Egyptian Halls owners, unlike now, a decade later, based on discounting all evidence that's been provided, given it apparently does not the depth of files USP has to hand**

One of GCC's many calls for Collaboration; but never delivered on!

- **March 2018 GCC Scot on Sunday: "And *it may be better – rather than returning to issues from the late 1990s – that the building owners join with us in a co-operative manner to ensure the preservation and regeneration of this historic building* seven years+ later, USP and USI are still waiting for GCC to collaborate effectively. Then again, GCC believed it had no need to!**

Massively controversial Discussion Points!

- ***no longer of significance* – a Worldwide renowned, architectural masterpiece shamefully mistreated by public sector (HS-GDA-Scot Govt), and then GCC was left carrying the baby.**
- ***incapable of repair, does that now only mean façade retention?***
- ***or that demolition would benefit the public* GCC cannot fully implement its City Centre plans/Golden Z initiative until it reconciles this, so unless it's made viable, then the decision ducked 15 years ago has to be made.**

And in 2026, GCC are still attempting to evade (assisted by the Scottish Govt) the now-known consequences of what everyone would agree was a weak-on-error, easily reconcilable contract breach 2000-2002. Time to release the FOI files!!!! The lauded 100% Year 2000 Conservation scheme could not get the Upper Floors title; costs are accelerating, and grant funding has been reduced from £1.335M to £350k, ergo, non-viable 23 years ago. How could GCC reconcile the move from a **£10k** compensation to **£2M** potential claim? It spent years doing very little, as it had rings run around it by Paratus (403) Ltd, who also claimed to have POA over the other 50% pro indiviso title. USP decided, based on the now massively elongated timescales and cost increases, that GCC could not sort this, and instead USP developed and implemented the decisive action that reconciled this for still circa **£200k**.

How? Through a 50/50 pro indiviso title owned by Man Lung Fung (MLF), now Hong Kong-based, and Paratus (403) Ltd. Over the period 2004-2005, MLF, via his brother (UK-based), was in contact with Derek Souter, and discussions started slowly about how much MLF's 50% could be sold for. They wanted £250k, which was impossible to fund, as Paratus (403) Ltd still wanted £2M. Tiger Lung Fung (TLF) stated they needed £100k as soon as possible and would settle for this. He also provided an updated POA, which gave him control over the 50% pro indiviso title. Remarkably, we managed to get this down to £25k. This was done; USP had 50% of the Upper Floors. This threw Paratus into a tailspin, as this price would be a market price for their 50%. However, Paratus held out all the way to the Lands Tribunal in mid-2008 before being awarded £25k. Paratus then raised another C-of-S action, which GCC then began obfuscating over again – their Officers had no experience of this, despite it being self-created by GCC in late 1997 and early 1998. USP investors became involved directly again and funded a further £150k payment to Paratus.

So the original **£10k** GVD title transfer cost **circa £200k** (massively less than **£2M**, mind you) meant lost time on the project amounting to **circa 12 years,** during which deterioration had accelerated, and costs, likewise, coalesced to deliver massive non-viability. The GCC appear to have overlooked these measurable consequences of their misformed CPO Amendment. None of this is referenced – if it was, this report could not be written, given its central premise is to look to blame USP and USI, while absolving GCC and the Scot Gov of chronological errors, mistakes and misrepresentation by GCC DRS/Legal.

Again, this will be founded upon if required. If USP has to go back to the Lands Tribunal, how can anyone seriously blame USP (and now also USI) for the collective failure of GDA/Scot Govt/HES and GCC to achieve effective joined-up Government?

Even now in 2026, GCC still cannot accept expert structural advice from Conservation-accredited Structural Engineers and its own specified Conservation Bond architect, as GCC does not like what it's being told**. Opinions** should never supplant **FACTS, but** it seems to be the GCC modus operandi, very redolent of Trumpian/DOGE tactics.

Scottish Government Long-Term Failures/Causal Disinterest

There are on record numerous attempts, letters, emails and lobbying to Scottish Govt Ministers by GCC, MPs, MSPs and Heritage stakeholders. All of these prove fundamental and deep-seated non-interest. A special mention of Culture Minister Hyslop and her department for consistently defining this as a commercial project from 2010 onwards, despite grant funding of £1.35M being awarded in 1997.

- **AUG 2022 HES Request for Accountability**
  http://www.egyptianhalls.co.uk/HES-Accountability-Appendices.pdf

- **JUNE 2023 What caused the Brilliant and Feasible Year 2000 Scheme to Founder?**
  http://www.egyptianhalls.co.uk/What Caused The Brilliant Feasible Year 2000 Scheme To Founder.pdf

- **MARCH 2023 How a Barrier to Regeneration was created inadvertently**
  http://www.egyptianhalls.co.uk/How A Barrier Was Created Inadvertently.pdf

Independent Commentary

"The neglect of iconic buildings such as the Egyptian Halls highlights broader issues: economic stagnation, fragmented urban planning and insufficient investment in cultural assets. Glasgow's Victorian-era structures are not just relics of the past but vital symbols of its heritage and potential drivers of tourism and civic pride. The decline of the city centre also underscores significant socioeconomic disparities. In many other European cities, wealthier suburbs contribute little to their upkeep, and the city's cultural and economic vibrancy suffers as a result. Stalled redevelopment projects further highlight the pressing need for collaboration between public and private sectors to repurpose unused spaces for contemporary needs, such as affordable social housing and creative industries." **Sarah O'Donnell, Jan 2025.**

"If the Egyptian Halls were in Edinburgh, would they be in this condition? Specific buildings, this being one of them, should be better protected by the Scot Govt, and the responsibility should not just be at the feet of Glasgow City Council. Look at the Scottish Government's approach to the burnt-out Glasgow School of Art Mackintosh Building. They rejected their own committee report that recommended a public inquiry into the fires. Probably because at the root of most built heritage drama is government ineptitude. What would they do if Edinburgh Castle burnt down, I wonder? Would the Mack be back in business if it was in the capital?" **Marissa MacWhirter, Jan 2025**

"On Alex's left is the indefatigable developer Derek Souter, possibly the only property developer to receive consistent praise from Private Eye, for doing what he can to save this astonishing building". http://glasgowalbum.blogspot.com/2015/05/alexander-greek-thomson-9-egyptian.html
Edwin Moore (Glasgow Blog Spot- renowned Heritage/ Conservation stakeholder)

Now skim the following and then conjecture in what world apart from GCC's is the blame for this down to USP 1998-2010 and USP and USI 2010-2025

- **Piloti Files written by late Thomson champion Professor Gavin Stamp**
  http://www.egyptianhalls.co.uk/assets/files/The-EgyptianHalls-HeritageLobbying.pdf

- **How Defeat Was Snatched From The Jaws of Victory, STV 2001**
  http://www.egyptianhalls.co.uk/page13.html

Massive, massive, missed Opportunities due to a lack of collaboration from GCC/HES/Scot

GCC also stated to the Culture Minister in July 2010: *"The Council is now extremely concerned that this development may not proceed for a number of reasons, including:*

a. *The likelihood that the failure to fill the current funding gap will almost certainly mean the prospect of securing the development in the foreseeable future would be lost.*

b. *The building is one of Glasgow's most important Grade A listed buildings and is of real international significance. There is no doubt that it is a masterpiece of Victorian design and construction – unfortunately, now showing clear signs of accelerating deterioration;*

c. *The proposed development is clearly in line with national economic and tourism strategy and, in addition to providing accommodation towards the acknowledged hotel bed space shortage in the City, will contribute employment (160 jobs) and additional non-domestic rates (approximately £350,000 per annum); and*

d. *The development is a critical part of our developing strategy for the refurbishment/upgrading of Union Street*

I am writing to request that the Government take account of all of the above and agree, either through itself, or the appropriate Government-funded agencies (i.e., Historic Scotland, Scottish Enterprise), to provide the ***additional £1.35 million*** *needed to allow this vitally important project to proceed."*

The challenges to do so remain formidable, ***Taking account of all potential contributions, including the provisional allocation from Historic Scotland, bank lending and developers contribution etc, there remains a funding gap of approximately £1.35 million*** **approximately £16.65 million out of the £18 million (92.5% target- Ediston at 60% but approved with a massive 77.3/100 rating by GCC's project development experts?) require to undertake the development is either in place or accessible. If the funding gap cannot be closed much of this funding will simply fall away, and the project will not proceed.** ***More significantly however the fact that much of the funding is time limited does mean that the prospect of an alternative funding package being assembled for this future is unlikely, and I would suggest simply not possible*****.**

Certainly, confirmation of intense, detailed private/public sector collaboration and how close this was again to delivery (same as 2000 and 2005) and also reinforcing the consequences of non-collaboration still to be reconciled 16 years on. But the Scottish Govt then (and since e.g. HLF debacle May 2015 in collaboration with GCC decided Glasgow was not a priority yet somehow decided to award an astonishing **£4.5M** to Abbotsford House (in effect a library with a Cafe – see especially Culture Minister's Hyslop "misguided" NON Regenerational/ Conservation centric assessment on record!
As perplexing, biased, discriminatory and totally myopic in its comprehension of what could and should have been delivered 12-15 years ago; £M's in Rates, Job Creation, Economic Additionality and Conservation. Yet GCC now attempt to blame USP and USI for this. And also skim on **Page 9** the late Professor Gavin Stamp's assessment (P.Eye's Piloti and Thomson's greatest ever champion for those unaware). http://www.egyptianhalls.co.uk/assets/files/The-EgyptianHalls-HeritageLobbying.pdf

How it went even more wrong courtesy of GCC- Hard To Believe for GCC I'm sure; even harder if you're USP/USI- Union Street businesses!

Given GCC "promised" to find the gap funding of **£1.35M** requested July 2010 to greenlight Planning Application by 2012 this was now circa **£3M**+ due to remarkably GCC Planning reducing the extension from **THREE** storeys to **TWO** storeys; Absolutely perplexing to the nth degree. And further if FOUR storeys had been approved then the £1.35M would not have required to be requested. And again, don't take USP's word for this (given it's so distrusted)skim below and attached. Oh, and then GCC refused to fund anything despite this being "shovel ready"- (Independent commentary on record from 2013- attached also)

GCC 2026 will now SURELY be aware of this Scot Govt failure and then its own casual failures how can GCC somehow airbrush away why **FOUR** approved Planning Applications failed. As it looks to attempt to blame all the causal non viability and structural issues as having occurred during the last FIVE- SIX YEARS (2020-2022 pandemic effect ignored also). Culminating in **GCC SNP are blatantly attempting to asset strip the co-owners of their 28 year and multi £M investment**; is Donald Trump's Art of the Deal required reading at SNP Glasgow one wonders?

Duty of Care Failures

So, it was not funded, and the approved scheme for 2012-2013 was not delivered. Also, GCC admit *"clear signs of accelerating deterioration"*, which dovetails with the postings on the Buildings at Risk Register. Again, this was just after GCC had been legally responsible for Repairs and Maintenance as per the 1996 CPO- 2010. However, GCC cannot confirm what Repair Works were carried out, stating via an FOI request that this would be too costly to do. If one refers now to Aldi V Inverclyde recent Court case it raises the question of whether GCC did not discharge effectively its legal obligations as per the 1996 CPO it promoted. The evidence it did not appears to be unequivocal, that's a significant Duty of Care failure.

In terms of valuation criteria, the registered and legally binding Deed of Conditions, as calculated by Hardies/valued Shepherds for a scheme scoped by GCC's specified architect, all based upon the Deed of Conditions, sets out how statutory Repairs are apportioned. By the time USP reconciles the CPO by "voluntary acquisition", the project is impossible to deliver without significantly increased grant funding.

- **June 2010 GCC Econ Dev Report states, "There** *is therefore no prospect of the project proceeding without external funding support."*
- **Aug 2010 HS Head of Grants Martin Fairley states, "However,** *I have made my position clear; the project as it stands is non-viable."*

Opportunities that were allowed to atrophy, founded upon inadvertent misrepresentation, created an ironclad, fundamentally flawed institutional belief within GCC, HES, GDA and the Scot Govt e.g

NOV 2018 - History of Non-Viability Development caused by GDA, HS, GCC, and Scot Govt
http://www.egyptianhalls.co.uk/assets/files/0811-2018-TheEgyptianHallsNonViabilityConfirmation1996-2018.pdf

NOV 2018 - Missed Opportunities caused by GDA, HS, GCC assisted by Scot Govt
http://www.egyptianhalls.co.uk/assets/files/0511-2018-HistoricMarketingandMissedOpportunitiesSummary1996-2018.pdf

2.3 Thomson's designs were largely confined to Glasgow, and many of those properties have now been demolished, damaged or lost to bombing in the Second World War. Egyptian Halls is one of the very few large-scale, commercial buildings that he designed which survives. It is a unique architectural and historic asset within Glasgow, and repair, repurposing and future active reuse of the building is a priority for the Council.

GCC has had 46 years, and now it is a priority that is close to being untenable. One would not have surmised this was a priority given the approach GCC and its public sector partners have handed down since 2000, yet GCC's approach is one of being afforded to mark their own homework, which they then present as being objective, transparent and wholly accurate. Again, don't rely on USP's opinion, as it's defined as being subjective. It is certainly worth repeating this:

Endorsement of the superior scheme by Greek Thomson's greatest champion:

"The Council did the right thing and started compulsory purchase proceedings against the delinquent owners of the upper floors. Now after legal wrangles, majority ownership has been acquired by Dundee developer Derek Souter, who has commissioned an admirable conservation report from good architects and structural engineers. The resulting proposals for a conservative restoration of the whole structure, including the remarkable iron-framed interior, have won backing from Historic Scotland." Private Eye, Piloti (Professor Gavin Stamp – Greek Thomson's unrivalled expert), Jan 2000.

GDA and HS's grant rescindment/reductions combined with GCC's CPO errors, mistakes and contract breach caused a 12-year delay, making all schemes non-viable. GCC then failed to contribute towards the 2012 approved scheme despite promising to do so prior to Planning being applied for (on record from a well-respected Heritage Planning Consultant.

1.4 The City Development Plan and the City Centre Strategic Development Framework both prioritise and encourage retention of historic assets. The Central District Regeneration Framework and its Action Plan identify the Egyptian Halls as a "high profile, architecturally significant Building at Risk that must be prioritised to find a sustainable long-term use that respects (these) important buildings". (Again, this ignores now **46 years** of failure by the public sector.) *The Action Plan supports early focus on the Egyptian Halls as a building at risk as an "Immediate Action".*

USP and USI have been lobbying for this, investing for this and delivering their side of the bargain but have been let down numerous times by GDA, HS/HES/GCC, as evidenced as per above downloads:

Proposed action identified within the Action Plan includes approaching owners to evaluate potential to support and advise. As discussed below at 3.3 prolonged engagement by officers with the current owners in line with the Action Plan, why it has not resolved the issues or brought about meaningful progress.

USP and USI do not recognise any prolonged positive engagement with GCC DRS from Dec 2000. From 2013 onwards we've experienced akin to 95% attrition from GCC. In 2014 GCC focussed almost entirely on getting the scaffolding removed because GCC had been offered **£750k** Streetscape funding from ScotRail for the immediate area out with its Union Street side entrance at Central Station.
This could not be actioned due to the presence of the scaffolding, which needed to be reinforced by the reports and studies related to public safety from GCC's specified architect due to the very fragile state of the façade and parapet (this had been noted as far back as 1995 on the Buildings at Risk Register).

We also had the Pandemic, circa 3 years of massive disruption, but no leeway afforded to USP. Note GCC had also banned USP's Derek Souter for being too persistent and the tone of correspondence for alleging non-disclosure to GCC's then Lord Provost, Scotland's then First Minister and its own Economic Dev Committee Councillors, all of which is 100% accurate and factual. And in terms of non-engagement, nobody from GCC DRS ever got in touch directly with USP between Dec 2019 and April 2023, when USP's Derek Souter had a brief meeting with a GCC Senior Officer out with the GCC Offices.

One also cannot comprehend how GCC and their *"new partners"* expect to bridge the LBRN deficit, which has to be discharged due to it being legally non-variable. The CPO report does not reference any of this. GCC must be asked why and must explain this.
To repeat, GCC banned USP and USI in April 2019 for continuing to ask GCC to account for why it took 12 years for the Upper Floors title to be conveyed (Jan 2010) when it was originally agreed legally to be Dec 1999 and how it could be expected to find a commercial funding solution to a now massively non-viable building. **Again, redolent of the Trumpian tactics both SNP, Labour, Greens are so condemnatory of, apart from when it's of their doing**

On the question of *"not resolved the issues or brought about meaningful progress",* to repeat HES, Scottish Government and GCC have a significant case to answer here, given they derailed the Year 2000 scheme and caused massive non-viability. And then GCC, after promising to part-fund a known grant commitment, did not and derailed the approved 2012-2013 scheme. Further, this would have been resolved 20+ years ago if only GCC had disclosed the actual true position after the direct intervention of Scotland's then First Minister, who asked what was causing scheme delays.

The FM's Office unequivocally was not disclosed the reasons for the scheme delays but was given a confected account. Also GCC's own Councillors were kept in the dark and told a false story as to why there was a delay. So GCC needs to look at its own pivotal contribution and not blame USP or USI.

Current Example of GCC derailing the achievement of meaningful progress

Given GCC remarkably, without a hint of irony or accuracy or **FACT** state at CPO Review Point 3.3 ***Correspondence received from the owners over the last five years repeatedly indicates that scheme proposals will be submitted for discussion, but no deliverable or realistic proposals have been received.*** **So as well as already providing evidence that dispels this unequivocally (non-viable and dependent on grant funding 1996 onward) we did detail that via GCC's then Senior Officer, and USP's Planning Consultant had facilitated a Feasibility Study to be carried out by Ediston (Note GCC claim in the Feb CPO Review USP had refused an offer from Ediston and as said then and now no one from USP or USI has ever met anyone from Ediston). USP and USI were then to fund the scaffolding upgrade.**

And another GCC "knowledge gap" has just emerged GCC's then Senior Officer offered **£5K** towards **an independent set of Development Appraisals** (on record. USP was then to co-fund £5k also). As perplexing as it's somehow not surprising GCC then rescinded all this collaboration and embarked upon a campaign of open attrition, where and when expert Conservation/Construction/ Cost and Public Safety advice was ignored from TMP GCC specified Conservation Burden architect and as we now know GCC (somehow?) **had misfiled its Feb 2002 correspondence that cited Public Safety linked to the potential for a fatal building collapse.**

And of course GCC insisted since circa 2015- 2016 there were no Public Safety issues so the Scaffolding was not needed ergo no Ad Hoarding income should be allowed to be realised as it was being used for non-project purposes. And another GCC flight of fantasy/falsehood based on bully boy "**McTrumpian** tactics,. Yet as all should know by now GCC Feb 2002 had warned of the following ***You may be aware that there was a potentially fatal building collapse in the City Centre in October 2001 "The general condition of the building overall is much deteriorated and an immediate cause of concern.***

This situation will only worsen if the full repairs package as per the terms of the extant Listed Building Repairs Notice, are not effected before the onset of the next winter the legally non variable LBRN states "stabilise all elements of the supporting (whole) structure" So again why was this crucial information not taken full cognisance of by GCC let's say 2019-2026. The essence of this advice has been front and centre of what TMP/Add Cons reinforced

3.0 Current situation – 3.1 Ownership: **Ownership/Investment Clarification:**

- Ground Floors are owned by USP Ltd but controlled by the Standard Security holders
- Upper Floors are owned by USI Ltd but controlled by the Standard Security holders
- USP's Ground Floors have a massive deficit, but would not if this was New Build
- USI has a significant surplus whether the building is preserved, or it is New Build
- Then WRD1 - Dec 2019, WRD2 - Sept 2021 and WRD 1 & 2 combined - July 2024
- The Upper Floors have a single title and legally separate repair obligations and valuation
- USI has no legal obligation to cross-subsidise USP but has offered to loan it's development surplus 2010 onwards subject only to GCC-Scot Govt actually taking financial responsibility for their errors.
- GCC is on record stating USP has committed a "***very significant expenditure (provided to GCC on a P&C basis)".***

3.1.1 The property address is 84–100 Union Street. 3.12 The ground and basement floors, known as 84, 88, 96 and 100 Union Street, are owned by UNION STREET PROPERTIES LIMITED (SC186601), Registered Office Whitehall House, 33 Yeaman Shore, Dundee, They are also separately valued with a significant deficit as per Dev Apps 1999, 2000, 2003, 2008, 2009, 2010, 2012, 2014, 2016, 2019 and 2025 based upon the legally registered Deed of Conditions.

3.13 The upper floors are entered from the close numbered 92 Union Street and are owned by UNION STREET INVESTMENTS LTD (SC353348). They are also separately valued with a significant value as per Dev Apps 1999, 2000, 2003, 2008, 2009, 2010, 2012, 2014, 2016, 2019 and 2025 based upon the legally registered Deed of Conditions.

- **Ground Floor Deficit estimated NEGATIVE £25M+**
- **Upper Floors Surplus estimated PLUS £3M-£6M+**

How a back-to-back buyer reconciles this is a source of significant conjecture, given the statutory non-viable obligation to discharge the 1991 LBRN, further reinforced by the legally binding obligations to discharge the 2008 Conservation Burden as defined by the specified architect. And separate ownership!

Long-term Proven Lack Of Engagement From GCC and HES

Finding a back-to-back buyer for the separately owned properties will be an almost insurmountable challenge. However, USP and USI believe this deficit can be reconciled if a 20-25 year timescale is factored in, despite GCC having not yet engaged fully since resiling from the MT Mews Feasibility Study. Perhaps they will when the now favoured back-to-back buyer cannot secure the funding quantified and/or USP and USI have secured an independent project review sought since 2002. Please note:

- Nov 2018 **http://www.egyptianhalls.co.uk/assets/files/0811-2018-TheEgyptianHallsNonViabilityConfirmation1996-2018.pdf**

- FEB 2024: ***http://www.egyptianhalls.co.uk/CPO Title Transfer Delay-Inadvertent Misrepresentation Document.pdf*** to Councillors, Scotland's FM, USP, key stakeholders

Attempted Engagement With GCC (HES) by USP and USI, 2000-2015 and 2016, 2017,2018,2019,2021, 2022, 2023, 2024, 2025 onwards

GCC has on record significant studies/reports/scheme options after its failure to provide gap funding Year 2000-2005 and 2010-2015. Also approved Schemes 2000, 2005 and 2103 and Scheme Options 2016, 2017, 2018 and 2019, then WR1-Dec 2019, WRD2-Sept 2021 and WRD 1&2 (Draft-July 2024.

An outline Feasibility Scheme was also "agreed" with Ediston Spring 2023 facilitated by GCC and Savills, which was then cancelled citing non viability. And by sheer coincidence by Aug 2023 GCC stated "anyone with a creative Business Plan get in touch". And lo and behold so CREATIVE were GCC and EDISTON, within 18 months Ediston become GCC's preferred bidder with the most creative solution ever; truly amazing and it's significant PUBLIC/GRANT funding of up to 40% of some non-disclosed project total. Now if this does not raise questions of how GCC-Ediston can achieve this with the assistance of Scot Govt 99.99% yet USP was denied this unequivocally 2012 onwards; **notably May 2015 via HLF/GCC/HES/Scot Govt confirming no GRANT FUNDING for the foreseeable future.**

Also, from April 2019 (via the Shepherds Valuation Report) onwards, GCC was offered discussions centred on the £10M site assembly/acquisition costs (which GCC had acknowledged USP had made via "committing a very significant expenditure"), which would have seen this significant sum reprofiled given USP believed this would be recouped long term given their unstinting belief in the project.

And that a regenerated Union Street Rental currently valued at £12-£15 could return to the heyday of £70+ as per 1992 Rental values. Mackintosh-Thomson Mews could, of course, springboard this valuation uplift. And we now know in 2025 two units in Buchanan Street were sold for £13.5M.

And of course the Egyptian Halls is on Union Street, but it does have FOUR units and a critical location well capable of driving valuation growth and uplift. Again, it would appear the CPO Report authors are also unaware of this also. Systemic issues are undoubtedly present in relation to retention of and access to core correspondence and documentation.

Also tabled for discussion was the merged title option that would see the now significant Upper Floors surplus added to reduce the Ground Floor deficit. The idea being to agree with the Standard Security holders on a long-term lease/part or whole purchase by an SPV? Again, zero response back from GCC. For the record, below is a broad indicative of attempted engagement, which on reflection is 98% one way from USP to GCC, Councillors, MSPs, the Scottish Government and Heritage stakeholders.

Emails/Letter To	2007-2020	2021-2026	TOTAL
GCC	**2025**	**884**	**1679**
Councillors & MSPs	**690**	**262**	**912**
HES/Scottish Government	**480**	**89**	**579**
HES/Grants-HLF-SPRUCE	**406**	**N/A**	**406**
Heritage Stakeholders	**405**	**113**	**518**
TOTAL	**4006**	**1288**	**5354**

In addition to above, there are also on file (as hard copy) 1000+ letters, reports and documents to GCC, HS/HES and the Scottish Government from 2000 to 2025. And don't forget GCC banned Derek Souter USP/USI from contacting Officers/Councillors 2019 and has to this day not rescinded this formally.

GCC therefore favoured, we are led to believe, for contact to be principally between Savills/WRD/TMP, in what USP believed to be attempts to scope and fund a FIFTH Planning Application. However after GCC announced their core city centre car ban policy, which would also see the old NCP Mitchell Street Car Park become redundant, we approached the owners to look to develop that site and create Mackintosh-Thomson Mews **+ Golden Z + Avenues + Frasers:** (a plan dating back to April 2000). That led to the development of the concept, which was presented to a Senior GCC Officer, and a Feasibility Study was also agreed to be developed in spring 2023. **http://www.egyptianhalls.co.uk/opportunity.html/** As well as GCC part funding an independent set of Development Appraisals-see Page 33, which GCC since circa late 2024/early 2025 appears to be unaware of? Or worse had decided to ignore?

However, to repeat, post-mid 2023 and Ediston resiling from a joint feasibility study option, GCC had another Senior Officer and a year to facilitate a meeting to look to discuss (non-viable) scheme options. GCC cancelled that due to taking court action, then that person left, and it took until April 2024 to schedule the next meeting; although Derek Souter did attend as an observer a meeting Nov 2023 between GCC and Primevest (owners of the NCP Mitchell Street Car Park), and post that meeting, USP and USI again pushed the potential for Mackintosh-Thomson Mews.

And in parallel to this, and to repeat, Ediston were not interested in the Egyptian Halls circa mid-2019 due to known issues but did state the NCP site redeveloped as New Build was of interest in the passing, then the MT Mews concept was to be assessed by Ediston Spring 2023. This approach was rescinded from, citing systemic non-viability. And as of Feb 2025 Ediston have become GCC's preferred bidder. Attempted asset stripping in plain sight underpinned by blatant abuse of statutory power by GCC.

In September 2024 the property standard security holders approved the concept to develop a Feasibility Study via Savills, which would include structural details, costings, development options and a full valuation commentary. The report also makes no reference to the pandemic and the subsequent issues experienced by all, which should be factored in, but lo and behold, it has not been.

3.14 Both companies are owned by the same parties.

Again, for clarity, they are legally separate property titles, with separate obligations and valuations. Ideally, this should have been a distinct advantage and was the agreed approach from Dec 1999 onwards, given it was reduced down from 10 ownership interests.

GCC now has an issue with this despite it praising this from Dec 1999 to 2010. And today expect a combined valuation or a single title, despite being unable to be trusted as proven time after time.

GCC has to accept the legally Registered Title Deeds and causal Deed of Conditions, which regulates all relevant commercial property matters, including apportionment of repairs, in this case by Rateable Value – not just when it suits. In fact, when they undertook the 1996 CPO with the Ground Floor consortium, Nos 88 and 96 were both owned by Scottish Metropolitan, and their respective repair obligations were separately calculated using each unit's Rateable Values. GCC also used the Deed of Conditions in relation to the Lands Tribunal process 2002-2008, all on record.

3.15 The ground floor shops are partly occupied by tenants, which include a phone shop, a motorbike shop and a vape shop.

3.16 The upper floors are not occupied. The Council will investigate ways to support the relocation of the current tenants if the use of compulsory purchase powers is authorised in due course.

Previous CPO – 3.21 The property has been the subject of a previous back-to-back CPO. The City of Glasgow District Council made a CPO in March 1996 at the request of a consortium of owners in the building. The CPO was confirmed by the Secretary of State for Scotland on 23rd May 1996.

The paucity and sparseness of this paragraph is the essence of being economical with the actualite. USP would have won the 2010 CPO refusal appeal due to GCC valuing the building as a single title and ignoring the legally binding Deed of Conditions. And being cognisant of this, GCC encouraged the 2013 application.

When GCC failed to provide its promised share of the known deficit, the approved Upper-Floors hotel and clutch of Ground-Floor Restaurants could not be developed. Then the EHBPT was incorporated to allow an HLF **£5M** grant application that GCC originally endorsed in 2014. Before torpedoing the application process a year later by confirming along with HES there would be no grant funding support to bridge the known deficit, which, for the record, both GCC and HES had stated was commercially non-fundable mid-2010.

In 2016, given the only option was New Build as it had been confirmed not grant funding was on offer for let's be clear "**for the foreseeable future"**, a detailed **292-page** dossier was submitted to GCC and HES to look to agree to this or secure the funding for a conservation-centric scheme; zero engagement from both GCC and HES. Similar non-engagement occurred April 2019 (all on file) Please skim the following; it has everything GCC does not want to have to come to terms with.

3.22 Notice of Confirmation and then Notices to Treat and Notices of Entry were served in January 1998 at the request of the consortium. However, the title was not taken at that time.

3.23 In late 1999 the consortium of owners invited the Council to begin discussions with Union Street Properties Limited (USP) and a connected back to back agreement with USD in 2002 which restated and amended the original agreement with the consortium.

3.24 During 1998, and 1999 USP purchased 84, 88 and 98 Union Street, and completed their purchase of the remaining interests in the property in 2004. The upper floors of the property were transferred to Union Street Investments Limited in 2009.

SITE ACQUISITION/ASSEMBLY FACTS

No 88 & 96 in 1998, 84 in 1999, 100 in 2005, 50% Upper Floors 2006, other 50% 2009.

This refers obliquely, to say the least, to the unilaterally imposed CPO Amendment by GCC, founded upon a massively flawed structural assessment. GCC then took entry 1997 as it believed the building was to collapse. Lo and behold, GCC were massively, massively wrong again. However, the poison pill (well, overdose) was the predicted "*few months scheme delay*" due to the CPO Amendment became 12 years and now 27 years. And not a reference or a mention in this report. Note GCC did not disclose this to USP until April 2014 – yes, 16 years later. And somehow had the temerity /arrogance to claim it was not of material concern. A prime example of marking your own homework.

3.25 The whole of the property has been in the ownership of one or other of the linked Union Street companies since 2004.

This is probably the biggest falsehood within the CPO Review Report and that is saying something, read the following. GCC for the record had agreed to transfer the Upper Floors titles Dec 1999, this was not achieved until mid 2009; nearly a decade later.

Lands Tribunal 1999-2008 moves from £10k Compensation to a £2M Claim!!!! Perplexing indeed!!! Caused by GCC incompetence and failures; all now covered up.

This elongated, very expensive and time-consuming process would never have been needed if GCC had not unilaterally implemented a CPO Amendment founded upon a **wholly inaccurate structural assessment by non-Conservation-accredited Structural Engineers** (see TMP's Inconvenient Truths Dec 2024). GCC, for the record, used the Deed of Conditions extensively during the 1996 CPO process right up to the Lands Tribunal as it sought to increase the Upper Floors LBRN apportionment due to applying appealed Rateable Values achieved for Ground Floor units against the older non-appealed separate Upper Floor Rateable Values. GCC ignored USP's pre-Lands Tribunal advice to allow the Upper Floors to use the appealed Rateable Values. Note the Land Tribunal approved this.

This disaster caused by the CPO Amendment was predicted by GCC to cause a few months delay Jan/Feb 1998 and to be done and dusted for April/May 1998), precipitating a nominal compensation claim predicted to be £10k to become a £2M compensation claim from the now massively disaffected former owners who'd agreed a deal to exit for a six figure sum.

This was to be funded out of the lease surrender payments that two FRI tenants had agreed to pay to exit FRI leases. GDA and HS grant rescindments made this fail. The two 50% pro-indiviso owners then set out to hold up all schemes for as long as they could. How did this happen? Before the CPO Amendment title was taken by General Vesting Declaration (GVD) and then compensation was paid.
However the unilaterally imposed Jan 1998 CPO Amendment (which was legally irreversible) used a Notarial Instrument (NI) and before the title could be conveyed onward the current owners had to be compensated. So GCC threw away direct control of the CPO process. It is an undeniable fact that GCC and failed to disclose from Dec 1999 to April 2014.

Of course, this saw GCC breach the Dec 1999 CPO contract with USP – again this known contract breach was never disclosed out with GCC DRS/Legal we are led to believe until July 2018 when it was inadvertently disclosed to USP's Derek Souter. And it gets more perplexing as we believe GCC DRS did not realise between Dec 1999 and June 2022 that the Upper Floors title could not be transferred, ***e.g FOI March 2019***. *Can I now request perhaps two or three at most earlier reports that relate to:*

1. Recommendation of approval for Dec 1999 GCC-USD CPO Agreement

2. Explanation of why the Dec 1999 GCC-USD CPO Agreement requires amendment

3. Recommendation for approval for the amended June 2002 GCC-USD CPO Agreement

FOI March 2020 "*The other report(s) or reports I'd wish to have a copy of relate to the requirement to amend the aforementioned missives, which would have been discussed and agreed between 26th July 2002 (also see letter from GCC Legal to Kidstons, which states the Upper Floors title was ready to be transferred) and Dec 2002 when the amended missives were signed.*

And the real kicker here is if HS had not reduced the **£1M** grant to **£250k** instead of increasing it to circa **£1.25M**, **the then very real weak-on-error contract breach would have been reconciled**. The Dec 1999 contract allowed for the title to be transferred to USD. And the approved scheme had to be delivered within 30 months. So whilst the lobbying to get the HS grant reviewed and increased, the title transfer was on hold. Hence why June 2022 it was ready to be transferred and by Dec 2022 an amended CPO had to be signed due to the effect of change in title conveyance from a General Vesting Declaration (GVD) to a Notarial Instrument (NI) Proof no one really knew of the contract breach, out with a very few at GCC and of course the 1st Consortium and their lawyers, who also failed to tell the truth.

And by the time we realised fully there had been a breach, options to raise actions of Prescription against all – Portfolio Holdings, Birthdays, Superdrug, Bird Semple/DLA, Shepherd Wedderburn, Kidstons and GCC – had expired. Skim the following

Sept 2000: The Buildings at Risk Register states ***Scottish Enterprise has withdrawn its offer of grant aid and Historic Scotland has reduced its' the project is unlikely to proceed***.

How Defeat was snatched from the Jaws of Victory - STV 2001
http://www.egyptianhalls.co.uk/page13.html

JUNE 2023 What caused the Year 2000 Scheme to Founder?
http://www.egyptianhalls.co.uk/What Caused The Brilliant Feasible Year 2000 Scheme To Founder.pdf

MARCH 2023 How a barrier to regeneration was created inadvertently
http://www.egyptianhalls.co.uk/How A Barrier Was Created Inadvertently.pdf

AUG 2022 HES Request for Accountability
http://www.egyptianhalls.co.uk/HES-Accountability-Appendices.pdf

So, how can the predicted consequences from nearly 25 years ago be ignored? Given also the availability of the Upper Floors titles legally agreed to be conveyed to USD in Dec 1999 was never possible due to the never-disclosed CPO Amendment, which delayed this for a decade.

And it was USP who reconciled the title availability impasse, which GCC acknowledged as such in Jan 2010 that USP "***had completed title by voluntary acquisition"***. So in what commercial world are the consequence. s of this delay somehow the fault of USP? Where then is the critical assessment of GDA, HS, GCC? **Where was the joined-up government, where was the strategic direction?** Instead we currently have GCC attempting **blatant clandestine appropriation** whilst attempting to airbrush away 27 years of local govt/public sector errors. Another prime example of people giving out the homework are marking it also.

What caused the 1st (1996) CPO to fail?

SEPT 2019 - Why did the 1996 Egyptian Halls CPO fail? Briefing to SPICE- Scottish Parliament
http://www.egyptianhalls.co.uk/assets/files/1609-2019-UPDATEDEgyptianHallsCPOBriefingNote.pdf

SEPT 2019 - Why has GCC's CPO Amendment Claim "it will only delay your scheme by a few months" become 312+ months and MANY times the original £3M cost?
http://www.egyptianhalls.co.uk/assets/files/2409-2019-GCCsFeb1998CPOAmendmentwillcausea300monthdelay-WHY.pdf

Due to the 12-year delay caused by GCC's (still non-disclosed) CPO Amendment, all projects had become non-viable as per Development Appraisals provided. Both GCC and HES are on record on this. On May 1, 2004, the then First Minister McConnell's PS wrote to GCC's Lord Provost:

"You will see from the letter that Mr Souter ***is concerned at the Council's handling of the transfer of ownership of the remainder of the building to his company. He feels that the Council's actions may be putting the project to repair and restore the building in jeopardy****. I would be grateful if you could reply direct to Mr Souter, outlining the Council's position.* ***Can you also let me have a copy of the response for our records?***

GCC's response requires to be cross-referenced with proven non-disclosure of a known contract breach Dec 1999 onwards, which was "weak on error" if it had been reconciled 25 years ago. How can GCC look to divert blame and liability onto USP and USI for what is maladministration even potential malfeasance?

Prima facie proof of GCC'S unstinting, non-facilitated praise of USP

June 2004 GCC Econ Dev Report

- *USD re-secured the grant funding from Historic Scotland, which had reduced the offer of grant for the scheme from* ***£990,000 to £250,000***.
- *Union Street Properties negotiated the grant offered* ***back up to £930,000*** *for the scheme.*

- *USD also brought about the withdrawal of the objection to the promulgation of the CPO by the upper-floor proprietor of the building."*

July 2010 GCC wrote to Culture Minister Hyslop as follows:

"***As you may know, the Council has been working with USP Properties, the owners of the magnificent grade A listed Egyptian Halls building in Union Street, Glasgow, for many years*** *in order to help them bring the building into a single ownership and, having achieved this, to bring forward suitable proposals for the refurbishment of the building for an appropriate productive use. A considerable amount of correspondence and many meetings, over a prolonged period of time, have already taken place between the developer and his agents, the City Council, and Historic Scotland,* ***and the developer has committed very significant expenditure on bringing the building into a single ownership, on preparing a range of technical and conservation studies, and on completing both option and development appraisals for a variety of potential end uses.*** *We have now reached a very critical stage in these discussions whereby there is a clear, but very time-limited, opportunity to secure the development.* ***The challenges to do so remain formidable****. The Council is now extremely concerned that this development may not proceed for a number of reasons, including* ***the likelihood that the failure to fill the current funding gap will almost certainly mean the prospect of securing the development in the foreseeable future would be lost****."* **And whose fault was that? In chronological order, it is a) GDA, Historic Scotland and GCC (all on record)**

May 2013 Another very positive GCC compliment, this time from then GCC Leader Matheson; wonder how many more to uncover? Certainly adds to the story of commitment and investment by the core investors. *Dear Mr Souter, Thank you for your kind invitation to visit the Egyptian Halls.* ***I have been kept fully informed of your progress so far and I am delighted that your team has now secured Planning Permission and Listed Building Consent as the next milestone in your plans to redevelop the building. Officers from the Council have visited this building on many occasions, as have those from Historic Scotland, and I have been briefed by them on the work you have done.*** *Unfortunately, I'm unable to attend a tour at this point but I look forward to your team bringing the building back into a viable new use, which I'm sure, will complement Union Street and the surrounding area. Councillor Gordon Matheson Leader of the Council,* 22/05/2013

Q? How in 2025 can a 46 year delay be blamed on USP and USI? GCC surely requires to explain why?

GCC Ethical, Contractual Contradictions or Knowledge Gaps: 1996 CPO Admitted Failure by GCC

- **Dec 1999, DRS Prop Sub-Committee stated,** *"Union Street Developments Ltd (USD) had now purchased the interests of Portfolio Holdings in the building and wished to enter into an agreement with the Council, thus becoming the Council's new partner; \ and completion of the CPO and transfer of the property to USD would result in a single ownership being achieved for the ground and upper floors of the building, which would allow the objection to the CPO to be dropped, clearing the way for the repair of the building to proceed."* *After consideration, the sub-committee authorised the Director of Protective Services to enter into an agency agreement with USD,* **almost delivering the 100% Year 2000 Conservation scheme; however, GCC was let down badly by GDA and Historic Scotland (all on record).**

- **April 2003**: GCC DRS *"The CPO process adopted by the Council in this case involves compensation being determined before the Council can gain a satisfactory title for onwards disposal.* ***There is potential for significant delay in being available for Union Street. I can understand the frustration expressed by Mr Souter. The resolution is not straightforward."***

- **1st May 2004**: **FM McConnell to GCC -** *You will see from the letter that Mr Souter is concerned at the Council's handling of the transfer of ownership of the remainder of the building to his company.* ***He feels that the Council's actions may be putting the project to repair and restore the building in jeopardy. I would be grateful if you could reply direct to Mr Souter outlining the Council's position.*** *Let me have a copy of the response for our records."*

- **May 2004**: **GCC DRS Exec Director stated to the Lord Provost/First Minister, Councillors, Owners:** *"The circumstances surrounding the CPO process have now been explained to Union Street, and a follow-up meeting will be held with them, their solicitor, and the council's solicitor to provisionally agree the way forward."* **Note that there is no disclosure of a contract breach, then known by some for 5 years.**

- **Aug 2004**: GCC Econ Dev Report *Based on legal advice it has been determined that to complete the compulsory purchase process the Council will either have to agree compensation with the two parties possessing ownership interests or, if required, to include them in a reference to the Lands Tribunal for Scotland.* ***The position has been explained to USD, who appreciate a number of months will elapse before the Council will be able to complete the compulsory acquisition*** *and in turn be able to pass legal Title to them.* **Not even remotely accurate and it took another near 6 years to reconcile**. Why were the GCC Councillors not briefed on the actual FACTS, e.g., a few months' title transfer delay was by now 78 months! And no end in sight for another near 6 years. Oh and GCC had breached the Dec 1999 CPO Agreement, but this has not been disclosed to USD or USP

- **April 2014**: **GCC Director of Legal Services states,** *"Given this comprehensive response, which has taken up a considerable resource, I do not consider that there is any merit in continuing this dialogue unless any new matters of materiality emerge.* Note there is no disclosure of a contract breach known now by some for **15 years**.

- **March 2018**: **GCC in Scotland On Sunday:** *"These allegations in respect of misrepresentation and impropriety by the council are entirely refuted. The true position has been set out in detail on many occasions by the council."* **No disclosure of a contract breach known for 18 years.**

- **July 3, 2018, 8.29am, City Centre Manager GCC DRS**: *"As stated, the council's position is a final one, and we have no intention of engaging in any further correspondence on this matter. I trust you will note the above."* **Note there is no disclosure of a contract breach at this point, known by some for nearly 19 years.**

- **July 3, 2018, at 3.20pm, GCC Legal**: *"The only point is that in December 1999 we entered into missives with Union Street Developments Ltd (not USP Ltd) (renewing the terms of the 1996 missives with the previous consortium).*

  These missives contained the provision that GCC would obtain title using the GVD procedure. Accordingly, we were in breach of the missives entered into (subject to a weak argument on error). We could answer Souter's questions on the basis of the above, but I would strongly advise against doing so. To concede now that we were indeed in breach of the 1999 missives will just renew his conviction that he is right and will perpetuate further diatribes." So, after nearly 19 years and 8 months, GCC Legal inadvertently admits a known (by some) but non-disclosed historical breach of contract.

- **Feb 2019, Note from GCC Customer Care (not GCC Legal) states**: *"The Council sent the responses which were intended to be the Council's final position on the matter, subject to any material changes. These are* ***(1)*** *letter of 11 April 2014 from Annemarie O'Donnell of GCC to you;* ***(2)*** *letter of 5 April 2017 from Richard Fisher of GCC to Ken Gerber of Anderson Strathearn, your solicitors;*

- *and* ***(3) an e-mail*** *of 9 March 2018 from Richard Fisher to Ken Gerber of Anderson Strathearn, your solicitors. There is nothing in the e-mail of 3 July 2018 which changes the position as set out in those three pieces of correspondence."*

- **Feb 2019 – Feb 2025**: **USP continues to directly ask GCC:** *"How can three pieces of historic and significantly contested correspondence somehow invalidate a later disclosure by error of a contract breach known but never disclosed in any letters, emails, reports or media and to Councillors, Scottish Govt Ministers and even Scotland's First Minister?*

- *Yet somehow, a now openly admitted historic non-disclosure of a contract breach according* **to GCC did not meet the benchmark of "issues of new materiality"?**

- **April 2019**: GCC ban USP's Derek Souter from contacting DRS Officers and Councillors due to being "*over-persistent*" and the *"tone of the correspondence*" relating to the consequences of this now inadvertently disclosed contract breach.
- **April 2020**: **Further GCC refused all relevant FOI requests, e.g., March 2019 and 2020** "The other report(s) or reports I'd wish to have a copy of relate to the requirement to amend the aforementioned missives, which would have been discussed, agreed between 26th July 2002.
- **On file July 2002 letter from GCC Legal to Kidstons, which states the Upper Floors title was ready to be transferred,** and in Dec 2002, when the amended missives were signed, this was not able to be achieved. The information relating to this was requested but refused via an exemption(s) contained within the Act. **To be clear GCC DRS does not disclose the fact this meant the Upper Floors titles could not be conveyed and therefore GCC were in breach of its agreed contract with USD (USP). Maladministration personified!**

The information contained in the timeline above highlights important points:

1. It is surprising and perplexing, given GCC's Lord Provost and then First Minister McConnell in 2004 were not disclosed the full circumstances, as GCC DRS claimed it had already been disclosed to USP and USP's lawyer (all on file).
2. If the true circumstances had been disclosed between Dec 1999 and May 2004, USP would not have been time-barred. GCC also has on file several signed statements from USP's lawyers detailing what legal redress would have been undertaken against all relevant parties, including GCC, Bird Semple/DLA, Shepherd & Wedderburn, Portfolio Holdings, Birthdays and Superdrug.
3. So why was the attached request submerged and appeared to infuriate GCC Legal to the level it threatened to sue? Of course it did not; then consider if there were any consequences caused.
4. How can GCC deny "allegations of misrepresentation and impropriety", given that it has admitted non-disclosure of a known contract breach and has made no reference to the known consequences?
5. **It is untenable for GCC to continue to claim this week on error contract breach did not cause a 12-year title availability delay, made the project non-viable then and now, and has created a financial chasm. And as illustrated elsewhere in this document, the structure has deteriorated and is now on the verge of being defined as a Dangerous Building.**

1996 CPO Failure: Important Questions To Be Asked and Answered:

1. **Failed when GCC's public sector partners GDA and H. Scot derailed the Year 2000 100% Conservation scheme.** True or False?
2. **Failed again due to a unilaterally imposed belief to be by the GCC minor CPO Amendment Feb 1998, predicted to cause a *"few months delay"*.** True or False?
3. **USP reconciled what then became a 12-year legal impasse, but GCC failed to disclose.** True or False?
4. **GCC is on record praising USP for this and its causal development activities/investment.** True or False?
5. **Given the aforementioned are all true, why do GCC and HES-Scottish Government not believe reconciling the financial, heritage and wider Regenerational delay consequences of this now 27-year delay are their combined responsibility?**
6. **Believed to be pivotal in saving the Egyptian Halls, returning commercial sustainability and kick-starting wider regeneration of Union Street.** *(See Page 64)*.

USP, not USI, *had a demolition application refused in 2011*. USP and USI also funded – ***http://www.egyptianhalls.co.uk/assets/files/E-HALLS 8000+ Petition SUMMARY 2011.pdf*** believed to be pivotal in saving the Egyptian Halls, returning commercial sustainability and kick-starting wider regeneration of Union Street

GCC *"The new city centre strategy will review specifically a consideration of whether areas like Union Street should be completely reconfigured."* "***We need to find the right sources of funding; there are various routes.***" E Times June 2012).

USP would have won any appeal due to the refusal report's major errors a) stated it was viable when the Dev Apps proved it was not. It had combined the Ground and Upper Floors values as one title, when legally this was flawed and was to be appealed. However, GCC decided to try for another application and to get the funding in place from all sources: USP, USI, HES, BPRA and GCC. We believed GCC was a good actor and would collaborate, given they knew why the scheme had been delayed by themselves.

Thereafter, planning permission and listed building consent for a hotel scheme were gained in 2012.

Disingenuous to the nth degree as it fails to reference GCC failed to provide its "agreed" partial gap funding which was calculated pre-Application (independent confirmation on file). HES, USI, USP all had their agreed funding in place. This

Further none of the consented schemes have been delivered. The Year 2000 100% Conservation scheme was described thus: "*Now, after legal wrangles, majority ownership has been acquired, and an admirable conservation report from good architects and structural engineers. The resulting proposals for a conservative restoration of the whole structure, including the remarkable iron-framed interior, have won backing from Historic Scotland." (Private Eye, Piloti (Prof Gavin Stamp), Jan 2000).*

The building has been continuously marketed over the past 27 years by Chesterton, Driver Jonas, Savills, Knight Frank and latterly Shepherds – ***https://www.shepherd.co.uk/property/the-egyptian-halls-84-100-84-100-union-street-glasgow-glasgow/*** We look forward to the council proving the interest expressed by the current developer meets the commercial benchmark for an offer to be defined as something to found upon. And if they can then address the commercial viability issues, given gap funding from public sources was pulled at the last minute on the last two previous attempts to save the building.

And there are no extant permissions in place.

Now perhaps the leading contender for the most dysfunctional decision: After refusing demolition despite non-viability being proven and then agreed by both GCC and HS in mid-2010, caused by a 12-year grant funding/CPO title non-viability.

Both GCC and HS promoted the potential to scope an application that would be funded, yet when a 100% Conservation-based 2012-2013 application was approved it was not funded. **And if so we would have seen the wider environs of Union Street regenerated 12-13 years ago**.

Again, there is independent evidence on record. However, somehow GCC NRS believe an "extant permission should be in place for yet another non-viable scheme". How would that reconcile the "blight" that GCC and GDA/HS-HES refuse to own the creation of due to their lack of collaboration?

And of course, what has the Scot Govt contributed? All but **ZERO**!!! This personifies the essence that is ***https://psychology-spot.com/the-dead-horse-theory/*** and the unwillingness to accept the combined non-viability and structural deterioration has combined to create a chasm that cannot be bridged. And instead, stakeholders refuse to engage or accept reality. And look for a convenient scapegoat to blame.

GCC looks to ignore/discount expert advice since 2013-2025 that it's structurally challenging to remove the Scaffolding, ***https://www.glasgowtimes.co.uk/news/14285327.warning-over-calls-for-egyptian-halls-facade-to-come-down*** "***We will not be party to removing the facade because of the risks.***" TMP (GCC specified architect Feb 2016) and scaffolding removal would increase this public safety risk massively. GCC were provided March 2016 with legal clarification of the liability they would immediately inherit if GCC removed the scaffolding without agreement and ignoring the expert advice **USP and USI cannot and will not compromise their legally binding Fiduciary Duties.**

And of course GCC NRS fails to reference the only extant Notice in place the legally binding, non-variable 1991 LBRN; what legal advice is GCC NRS founding on to implement a breach of the law?

The Planning Service and Building Standards Service have been engaged in discussions regarding the condition of the building and its potential reuse for over three decades (including discussions with previous owners). As stated, the current owners have had control of the entire property for approximately twenty years

And GCC has to be reminded it has a track record of failure, errors, mistakes, misrepresentation, non-disclosure of known contract breaches to its own Councillors and remarkably Scotland's First Minister all of which is just accepted as being "normal practice".

And any questions of flawed corporate governance being ignored by then top level Officers who have now left GCC and wait for it found to have committed egregious corporate governance breaches. And it took till 2010 to secure clean title to the Upper Floors, due to a 12-year delay caused by GDA/HS/GCC, and therefore all conservation schemes were non-viable – GCC and HS on record), *and based on that history, it would appear they are unable to progress with any scheme for bringing the whole of the building back into use.*

As perplexing as can be GCC attempt to divert all blame, responsibility for the consequences of the combined public sector errors, incompetence, misrepresentation causing all schemes to be non-viable. As documented by GCC and HES. GCC and HES and Scot Govt caused to repeat a 15 year delay yet to repeat openly attempt to avoid any responsibility for the consequences of this; cost/deterioration/massively delayed regeneration.

And to cap it all to repeat GCC via abuse of statutory powers attempts to blame the co-owners. Again read these key **FACTS**

Documented Proven Delays caused by GCC-GDA-HES/Scot Govt; GCC attempts to divert blame and responsibility onto USP and USI is both misformed and knowingly egregious

- Sept Year 2000 at Risk Register states, ***"Scottish Enterprise has withdrawn its offer of a grant, and Historic Scotland has reduced its; the project is unlikely to proceed."***

- April 2003: E.Times GCC DRS **"***The CPO process adopted by the Council in this case involves compensation being determined before the Council can gain a satisfactory title for onwards disposal.* ***There is potential for significant delay in being available for Union Street. I can understand the frustration expressed by Mr Souter. The resolution is not straightforward.***

So GCC must also disclose all key documents, agreements and who knew of a what turned out to be a non-disclosed contract breach for 18 years who decided to NOT DISCLOSE THE TRUTH to GCC's own Councillors and to repeat with premediated disrespect to Scotland then First Minister. And since 2018 three First Ministers have apparently blocked all assessments of this "legacy falsehood farrago". Which has created Proven Non-viability see further on for details but one has to question how can GCC blame the consequences of the aforementioned on the co-owners. Especially given GCC is on record a) not telling the truth b) misrepresenting the actual position, c) does this meet the benchmark for lying?

Also based on what evidence did GCC out of the blue indeed state the following Aug 2023: *'The dilapidated building is a barrier to the regeneration of Union Street.' The Egyptian Halls has been the biggest barrier for us being able to do anything with Union Street****," it's a blight on the street and it has been allowed to get into that condition****. " We would be willing to have further discussions with Mr Souter and his Planning agent in Savills****, but we would note that we are very keen as a city to progress with plans for this important building which are feasible and have a realistic chance of being delivered** *but So far discussions with Mr Souter have not produced this."*

Complete, perplexing misrepresentation, which was countered, but of course no response from GCC.

JAN 2024:
http://www.egyptianhalls.co.uk/ProductiveProblematicNowHopefullyProductiveDiscussions.pdf

JAN 2024:
http://www.egyptianhalls.co.uk/EgyptianHallsSpineTimelineofCorrespondence.pdf

So GCC DRS/councillors/MSPs/Scot Govt Ministers were provided the aforementioned. And yet it's an easy guess ZERO engagement back. And of course, the writers of the CPO Review report make no reference to this; either due to being unaware or by deliberate omission. And also, GCC stated, ***"Anyone with a creative business plan should get in touch."*** Hence, we started discussions with The List, ergo "the interested party", who've made no contact since Dec 2023; astonishing for an alleged commercial entity.

And when one gets to Point 5 onwards then one can begin to **determine that their NON OFFER offers no guaranteed payment at all**. Let alone be in excess of the now inaccurate "independent valuation" GCC claims was not progressed despite it being proven it was the "interested party" who walked away. is not a commercial entity, so would not fully comprehend the "creative business plan" they called for, and what they received are not one and the same thing? And since 2010, the Upper Floors has had a valuation and development surplus as calculated by independent Development Appraisals on record. USP has a development deficit to public sector failures, which precluded commercial funding, detailed as follows:

Proven Non-Viability

- **Sept 2000** Buildings at Risk Register states, "Scottish *Enterprise has withdrawn its offer of grant aid, and Historic Scotland has reduced its grant; the project is unlikely to proceed."*
- **June 2010** GCC Econ Dev Report states, "There *is therefore no prospect of the project proceeding without external funding support."*
- **Aug 2010** HS Head of Grants Martin Fairley: "*However, I have made my position clear; the project as it stands is non-viable."*

Independent confirmation of long term non viability by DV; so how does GCC get a back to back buyer?

- The July 2025 District Valuer Report (3.3) for GCC states *For this valuation, I am not required to assess the costs of refurbishment and / or extension associated with the various retail, restaurant, hotel and office uses previously put forward by the Owner, however, in 2019,*
- *I reported a number of valuations reflecting potential end values and the costs required to achieve them. The costs reflected a range of approximately £19m to £29m* ***and the valuations all demonstrated mathematically negative residual figures in excess of minus £9m***. *Build costs have increased significantly since that time and it would not surprise me if residual appraisals returned an even larger development deficit.*
- **Yet working back GCC and /or Ediston rescinded the agreed feasibility study Spring 2023,**
- **GCC and HES torpedoed the 2015 HLF £5M grant application, 2013 GCC failed to provide the (sic) promised grant funding pre- application when the approval was confirmed, 1998-2000**
- **GDA and HS derailed the approved and brilliant scheme by rescinding awarded grants for frankly still to this day cast iron perplexing reasons.**
- **So for 25 years GCC, HES, Scottish Government have been updated that the development deficit for a non-commercial project was increasing.**
- **And if one only read the DV Reports you could conjecture this is a very new occurrence and caused by the private sector owners, which of course is what GCC and its heritage stakeholders wish to believe (and Jings how vehement/visceral is that belief ?)**
- **Yet the on record evidence is unequivocally that delays causing deterioration and causal cost increases are 100% the combined fault of GCC/GDA/HS-HES/GCC-HES/Scottish Government.**

External Economic Factors

- **May 2015 Bailie Cameron in a letter to Shadow Culture Minister Baker, said, *"As the property recession took hold the project became unviable."* So GCC is highlighting this impact and is NOT blaming the Egyptian Halls owners, unlike now, a decade later It's now alleging based on discounting all evidence it's been provided, given that it does not have the depth of files USP has to hand.**

"Unable to progress with any scheme for bringing the whole of the building back into use."

Unbelievably and deliberately inaccurate designed to divert attention, focus and accountability for systemic chain of errors, misrepresentation and non -disclosure. Since 1996 the CPO was unable to be delivered due to legal appeals, then GCC's CPO Amendment when coupled with GDA/HS'S grant rescindment caused a 12 year title availability delay. And since 2010 the Upper Floors scheme has been prevented from being implemented by the Ground Floor's proven non-viability (see above) for a conservation project due to the financial consequences of admitted (**12-year)** delays by GDA, HS/HES and GCC.

And which as above GDA, HS, GCC and HES have confirmed as long ago as 2000 and then again in 2010 and since. How GCC believe 25 years later they can attempt successfully to blame USP and USI for the consequences the legal title conveyance errors, mistakes and repeated, long-term failures to account for these consequences is a mystery and will be founded upon.

*No applications for planning permission for reuse have been submitted by the current owners since the 2012 consented scheme.(*which lasted till 2017 and of course 2015 GCC-HES/Scot Govt both torpedoed a £5M HLF application whilst confirming ZERO grant funding was on offer; today Ediston looking for 40%)

For the record, this consented scheme **was non-viable**, was known before the application; hence, GCC had agreed to combine with HES, USI, BPRA investors to bridge the known deficit.

To repeat, GCC went back on its word (**on record from independent sources**). And again one conjectures whether the report writers are actually unaware of this or decided to ignore this, as, if included along with misrepresentations and falsehoods, this report would not have been able to be tabled . Also, what would be the point of submitting another non-viable scheme that was never, ever to be funded? When all stakeholders know only New Build is viable and GCC/HES refuse to entertain this, whilst avoiding any scrutiny for its blatant errors. Then again it marks its own homework. and is then allegedly "externally assessed" by the Scottish Govt currently as effective as a chocolate fireguard

Or let's ask GCC NRS: should a non-viable scheme just be applied for despite all stakeholders knowing it can't be funded commercially and/or with the support of the public purse, which was withdrawn entirely from 2010 to 2015? And as confirmed in Feb 2025, it's still the same situation: somehow source commercial funding for a non-commercial project – Catch 22 meets Franz Kafka!

The consent lasted for five years, up to 2017, and during that time massive efforts were made to get GCC to reverse their broken promise or secure additional funding. In mid-2014 GCC supported the HLF application, but by May 2015 GCC and HES conspired to decide **NO GRANT FUNDING** was to be awarded when they separately met the HLF regarding potential **£5M** funding via Egyptian Halls Building Preservation Trust (both GCC and HES offered the option to nominate directors). This was bewildering given this was a non-viable scheme which had the opportunity to secure **£5M** and could have brought the approved 2013 scheme to a viable level. Again, GCC and HES require to clarify their combined approach.

GCC/HES were presented in WRD1 - Dec 2019, WRD2 - Sept 2021 and WRD1 & 2 Combined (draft) - Dec 2024. Given GCC still do not agree on what the actual structural condition is, and given HES internally appear to have diametrically opposed views, compare and contrast these:

"We are aware of the structural condition of Egyptian Halls, as described in the engineering reports by Will Rudd Davidson. We recognise that significant investment is required for structural and fabric repairs and conversion to a new use." HES 17th Feb 2025

"Historic Environment Scotland (HES) said the Egyptian Halls required investment for structural and fabric repairs, as well as a modern fit-out. She said the building was in a "fair condition" and "reasonably weathertight" so it could realistically be used again. HES 28th Jan 2025.

This highlights the scale and scope of public sector dysfunctionality and knowledge gaps and reinforces further why no application can scoped until it can be certain LBC can be agreed and approved based agreement what the actual structural condition not the version they wish fervently to believe it is.

Correspondence received from the owners over the past five years repeatedly indicates that scheme proposals will be submitted for discussion, but no deliverable or realistic proposals have been received.

This is incredibly perplexing misinformation. GCC/HES to repeat received Scheme Options 2016, 2017, 2018 and 2019 and attend joint meetings (all on record) . GCC also received major structural surveys with scheme options 2019, 2021 and 2023 and 2024. Also to repeat Spring 2023 Ediston had agreed via GCC to fund a Feasibility Study to include NCP Mitchell Street integration ergo Mackintosh-Thomson Mews. And GCC and USP were then to fund updated Development Appraisals. This then was cancelled without explanation. And then two years later GCC claim an offer to purchase at above independent valuation from Ediston was refused. An utter falsehood bordering on fraudulent misrepresentation and there's a rich vein of this permeating this project 1991 onwards.

And by Feb 2026 Ediston were approved by GCC to become the preferred bidder for the Egyptian Halls having "submitted a "*compelling and well thought out proposal"* It's only that if one overlooks the fundamental material flaws (which GCC continues to deny/discount/ignore e.g. it's impossible to achieve 100% Listed Building Retention with minimal structural alteration which GCC/Ediston "believe" despite the evidence from amongst others GCC's own specified Conservation Burden discharge architect so a very inaccurate structural position, which has also failed to reference GCC's own on record public safety which details LBRN needs to be discharged. And not ignored as GCC has decided summarily 2019 onwards without relevant risk assessments. GCC somehow did not brief the District Valuer effectively given RICS standard practice is not implemented. Therefore out of date Deed of Conditions Oct 2017 onward and Repairs Apportionment Jan 2018 onwards. If the actual Title Deeds and Rateable Values had been referenced Assessors then the current RV's for the constituent parts of the overall building would have been evident and one assumes had to have been factored in. Yet when briefed on this GCC just ignores and/or discounts completely. Therefore submitting to the Contracts and Property Committee reports, which are at best "highly conditional" and certainly not "compelling and well thought out".

GCC also was submitted a Development Proposal Sept 2024, which they failed to respond to. And as of Jan 2026 a Pre-App was lodged with GCC for a Façade Retention scheme. The level of collaboration from GCC is almost negligible, whilst Ediston are given the red carpet treatment by GCC NRS and Councillors as well as SNP Glasgow

And How does one reconcile the following with the acknowledged non viability on record from GCC and HES by the same entities GCC and HES; cue brain explodes!!!

HES- November 2017 - The visual impact of a tall building next to The Lighthouse would be particularly detrimental and, setting aside the impacts on Egyptian Halls, it is possible that we would object to a scheme of this height on that account alone. We could, however, support the principle of a lower building on the car park site, provided that it sits comfortably below the level of The Lighthouse's viewing tower, and we would very much welcome this approach if it allowed the level of intervention to Egyptian Halls to be reduced. We recognise that there are significant potential benefits associated with a scheme of this ambition, but our view is that this potential scheme requires further detailed discussion about the principles.

GCC- January 2018- In relation to the concept of the creation of a 'Mackintosh-Thomson Mews', the Council is not adverse to this in principle, but the proposal presented, as Option 6 could not be supported, due to its impact on Egyptian Halls, the Lighthouse and the surrounding Conservation Area. If you are committed to taking this concept forward, as discussed at our meeting, there may be merit in examining a scheme which largely retains Egyptian Halls as per your previous consent but enables interventions to the rear elevation to create the connections and permeability required to link it to a new building (reduced in height from Option 6) and to Mitchell Street beyond and form the covered courtyard. This may be something we could discuss at our forthcoming meeting when you have progressed your discussions with the car park owners.

And never forget an outline Feasibility Scheme was also "agreed" with Ediston Spring 2023 facilitated by GCC and Savills, which was then cancelled citing non viability. And by sheer coincidence by Aug 2023 GCC stated "*anyone with a creative Business Plan get in touch*".

And lo and behold so *CREATIVE* were GCC and EDISTON, within 18 months Ediston become GCC's preferred bidder with the most creative solution ever; truly amazing.

And now the Ediston *"compelling and well thought out proposal"* has a significant PUBLIC/GRANT funding of up to 40% of some non-disclosed project total. Now if this does not raise questions of how GCC-Ediston can achieve this with the assistance of Scot Govt 99.99% yet USP was denied this unequivocally 2012 onwards; **notably May 2015 via HLF/GCC/HES/Scot Govt confirming no GRANT FUNDING for the foreseeable future.**

Notwithstanding four previous approved planning applications which failed; 1997, 2000, 2005 and 2013 for combined grant funding rescindments and legal errors/mistakes by GCC/HS/GDA. And Sept 2024, GCC was again submitted a Feasibility Study/Core Maintenance/ Scaffold upgrade proposal; to date no response, but if the aforementioned is acknowledged, the CPO Review **FAILS!**

So to reinforce the report writers fail to accurately record development failures caused by the public sector being unwilling to deliver and, when push came to shove, decided to blame USP and USI with a withering arrogance. Let's also factor in GCC when they could not persuade/bully the more appropriate TMP/Addison Conservation to agree to a) temporary repairs and remove the scaffolding. GCC then bypassed their own specified Conservation Bond architect to commission what was a snapshot (The Narro) report with indicative conclusions but lacked structural testing.

GCC DRS/BC in April 2019 stated in no uncertain terms it was to implement this report and recharge USP. It was pointed out by USP that **a)** the Narro report owed USP no duty of care and was therefore to be assessed by USP's professional team; **b)** the TMP GCC-specified architect then said it was not detailed or rigorous enough, had no structural testing and did not change the combined TMP/Addison Cons advice based upon 20 years of studies.

GCC had stated TMP/Add Cons had considerable knowledge of the building, so why was GCC ignoring this expert advice? And also WRD now states you cannot remove the Scaffolding until you discharge the 1991 LBRN/2008 Cons Burden? If GCC removes it?

Then it becomes liable for causal public safety and financial liability risk, as per on-record legal statement of March 2016. The CPO Review report does not reference this, so Councillors are unaware of this, one must assume.

Correspondence received from the owners over the past five years repeatedly indicates that scheme proposals will be submitted for discussion

As perplexing as it is inaccurate, given the failure to clarify GCC and the Scottish Government have defined this as a commercial project but then deny the commercial solution: new Build in 2010, then separately in 2016, 2017, 2018 and 2019 and also 2025. Proposals have then been submitted based on the actual structural condition, which firstly GCC disagreed unequivocally with. And it then took from mid-July to secure cognisance of via HES. which requires approving Listed Building Consent, and this then led to reworked scheme options, including Mackintosh-Thomson Mews nearly two years ago! (on record), but there has been a singular lack of engagement from GCC.

GCC and HES have known since 1996 that Grant funding was needed; hence, £1.335M was awarded. And since 2010, the Ground Floor LBRN deficit was massively non-viable, but the Upper Floors development had a significant surplus, and the only viable scheme is New Build, which was refused but now is a real option due to the parlous structural condition.

The principal issue to reconcile is funding the Ground Floor deficit! Further, it would appear, the "owners" (note separate owners USP and USI) are also apparently not afforded leeway due to the Covid pandemic, March 2020-March 2023, yet GCC looks actively to leverage every advantage it can from the pandemic when it suits them. Again, GCC fails to reference HES, stating the *complex Design, Engineering and Funding issues require collaboration;* where's the evidence of any meaningful collaboration from GCC and HES?

To repeat, this has already been disproven as being wholly inaccurate and misleading given it did not reference the known fact all schemes are non-viable due to grant funding rescindments (GDA and HS) and admitted legal title transfer delays caused by GCC. Also, GCC accuses USP and USI of not taking part in meaningful engagement, which, as above, had already been rebutted. Prior to the following perplexing series of disclosures. To repeat GCC states *Correspondence received from the owners over the last five years repeatedly indicates that scheme proposals will be submitted for discussion, but no deliverable or realistic proposals have been received*. **Egregiously and deliberately inaccurate**

Prima Facie proof of non-engagement by GCC

And now given the following has just been disclosed in July-September 2025 and has now been able to be pieced together July 2025 DV Report "*DVS previously provided valuation advice to GCC with regard to the subjects in 2016 and 2019.* ***An additional valuation, prepared for the Glasgow Building Preservation Trust (GBPT) in 2024, was facilitated by and shared with GCC,*** which was never disclosed to USP and USI or their core professional team e.g Shepherd Chartered Surveyors, Savills – Planning. The disclosure of these two reports would have allowed the discussions/meetings in 2016, 2017, 2018 and 2019 with GCC to be far more open, transparent and very probably more productive. And at all further meetings between 2021 and Dec 2024, these 2016, 2019 and 2024 DV Reports were not disclosed.

Given the material errors, one could reasonably conclude GCC would have had to accept these reports at best were to be challenged and at worst failed to adhere to accepted commercial property law that GCC itself had cited and used for the 1996 CPO, Lands Tribunal activity 2002-2006 and the subsequent 2008 Conservation Burden that incorporated at GCC's request the 2008 Conservation Burden.

Update as of 13th Jan 2026 a Pre- App was lodged and validated *Our ref: PRE APPLICATION ACKNOWLEDGEMENT GCC Application Ref: 26/00052/PRE* **this should and would have been submitted mid 2023 post the completion of the then the agreed feasibility study Spring 2023 with GCC/Ediston facilitated by Savills. USP and USI were to fund the scaffolding upgrade out of the then accruing Ad Hoarding income. GCC then decided to rescind this and began planning for a 2nd CPO unaware of or unwilling to accept the FACT it was pivotal in causing the 1st CPO to fail aided spectacularly badly by GDA/HS-HES and the Scottish Government**

Evidence of Further Non Engagement and Collaboration from GCC. As well as systemic NON disclosure of GCC DV Reports, whilst USP and USI have submitted their Development and Valuation Reports; again raises significant issues!

Context - Firstly, the required clarification that this was all from 2013 onwards (note GCC fail to deliver their agreed funding) and the key officers; Forbes Barron, Alastair MacDonald, Ken Clark, Richard Rae, Richard Brown, Gerry Gormal, Tom Tulley have all departed. And a year on from the announcement of the CPO Review we're now very well prepared to take this forward given we're 100% convinced of our inalienable rights legal, commercial, moral. **Again, we reinforce the willingness to collaborate and the flexibility that can be leveraged if only USP and USI were accorded similar access and understanding allegedly provided to the "interested party".**

The legal requirement to discharge the extant 1991 LBRN prompted me to check the DV 2025 Report (and 2019 and 2016 DV Reports, which now certain aspects raise additional questions regarding GCC's minimal collaborative approach and non-engagement. It's also near SIX months since it was highlighted the DV 2025 Report had used obsolete Rateable Values. And as yet no response from GCCA and below also significant issues with the entire phalanx of DV reports 2016-2025 and impact crucially on the GCC- Ryden assessment This and other causal issues to come will have significant ramifications for any potential back to back buyer should the legal, rightful, legitimate 100% co-owners of the Egyptian Halls somehow not be successful via a process that is now becoming more and more than flawed e.g since 2016 GCC has also briefed the 1991 LBRN is an optional requirement when it's both extant and legally non variable as per on record GCC correspondence 2002, 2005 and 2009 (at least)

But no deliverable or realistic proposals have been received.

So to repeat again, this is a signal misrepresentation or unwillingness to accept GCC's deleterious role in causing massive commercial non-viability and causal significant structural deterioration from 1996 to 2025 and all on record for assessment? Or is it a lack of understanding and comprehension by the writers on what is needed when it's a Grade A building?

Apparently GCC when scoping CPO Review was unaware completely that an outline Feasibility Scheme was also "agreed" with Ediston Spring 2023 facilitated by GCC and Savills, which was then cancelled citing non viability. And by sheer coincidence by Aug 2023 GCC stated "anyone with a creative Business Plan get in touch". And lo and behold so CREATIVE were GCC and EDISTON, within 18 months Ediston become GCC's preferred bidder with the most creative solution ever; truly amazing and it's significant PUBLIC/GRANT funding of up to 40% of some non-disclosed project total. Now if this does not raise questions of how GCC-Ediston can achieve this with the assistance of Scot Govt 99.99% yet USP was denied this unequivocally 2012 onwards; notably May 2015 via HLF/GCC/HES/Scot Govt confirming no GRANT FUNDING for the foreseeable future.

See earlier commentary related to GCC's denial of what the actual structural condition is, which inhibits the approval to apply for Listed Building Consent, which is required for Listed Buildings.

Non-viability has been a pivotal factor since 1997 when grant funding of **£1.335M** was awarded, is ignored, as well as GCC/Public Sector's role in creating this. Further, GCC and HES reconfirmed non-viability in 2010 and 2015 and refused all grant funding requests, whilst refusing New Build. The essence of a conflicted position reinforced by denial of the causes of this non-viability. Yet now GCC's preferred bidder EDISTON has claimed it's project proposal needs 40% Non-Commercial Funding, with 30% Grant funding; but, but, but Ediston's have experts in grant funding so that's just accepted as a given. The absence of Due Diligence is remarkable but really we all know GCC and the heritage groups; GCBPT/SCT/GCHT and HES are all hand in glove and lobbying Scot Govt. **Frankly this is bordering on institutional asset stripping and specific abuse of statutory powers by the entities that have caused FOUR approved planning applications to FAIL!!! YES FAIL!!!**

It's also important to reiterate that Listed Building Consent based upon an agreed structural congruence is also required. Neither GCC nor HES actually agree or know what each other thinks or wishes to believe, or do both just ignore the actual condition? GCC stated on 30th April 2019 it was to implement immediately the Narro 2018 report. USP stated this was impossible, as the Narro Report owed USP no Duty of Care and that it was in effect an indicative study, which had recommended GCC instruct further assessment, which GCC did not undertake.

GCC got WRD1 Dec 2019 and disagreed with the fundamental conclusions, stating the *"building was in no danger of imminent collapse"*. Five years later, it is looking to somehow state it maybe agrees but only in relation to the façade and parapet. What about the floors and walls and the fact the parapet is not tied to the building? The façade is tied to a series of floors with circa 33% of the compressive strength required. What about its Feb 2002 request for another set of Temporary Repairs required to protect public safety? Can it be reinforced? This was more than 24 years ago. To repeat, if there is no agreement on the actual Structural Condition, then Listed Building Consent cannot be applied – no proposals apart from New Build can be submitted yet. GCC-HES says **NO** to this despite knowing all other options are non-viable as per the 30th April 2019 meeting, which both GCC and HES attended to discuss the latest iteration of Development Appraisals and the wish to establish mutual collaboration and co-operation based upon acceptance of the facts – not the strongly held opinions. For the record, USP then instructed these detailed Structural reports 2019-2024:

WRD1 Dec 2019 with four broad scheme options (all on record): *the following potential collaborative proposals are being considered for the future redevelopment of the Egyptian Halls:*

Option A *– Existing building preservation, ergo Year 2000 approved scheme, all but impossible to achieve due to approximately 85% of the structure needing to be replaced and being commercially non-fundable.*

Option B *– Façade retention - 2 storey extension ergo Year 2013 approved scheme; culturally acceptable, commercially non-fundable.*

Option C *– Façade retention – 4-storey extension; potentially culturally acceptable, potentially commercially fundable.*

Option D *– Demolition and New Build – structurally easier to achieve, culturally unacceptable, commercially fundable depending on Planning*

If the required remedial works cannot be delivered due to technical constraints or financial restrictions, then alternative options for collaborative proposals should be considered to enable any future developments to be realised.

And no response for five years apart from to publicly deny the scale of the now structural issues, e.g., *the building is in no danger of imminent collapse*. Yet 5 years on GCC now agrees with this, possibly after touring the Upper Floors for a couple of hours early Dec 2024

Sept 2021 WRD 2- Covering letter- no response or engagement for 5 years by GCC *"This second stage Building Condition Report sets out the results of intrusive investigations and laboratory testing into all aspects of the current building structure – central staircase, floors, roof, structural columns and façade and represents the most up-to-date assessment of the building's condition.*

We have already shared this report with Historic Environment Scotland, who agree with its overall findings. Our aim is for the Council to also endorse the findings of the second stage Building Condition Report in order that we may move forward to consider the future of the building collectively with you, HES and other stakeholders: **no response by GCC -was during the pandemic**.

WRD1 & 2 Combined Survey (DRAFT): discussed Sep 2024 and Dec 2024, reinforces WRD1 and WRD2

In light of this, GCC must also concede the pandemic had an impact on the discussion and delivery of all project options, not just USP or USI. Since WRD1 & 2 (Draft) Summary was issued in July 2024, a subsequent proposal for a Feasibility Study was submitted to GCC in Sep 2024, again setting out the development options that would be developed, if there is agreement on the structural condition, as there can be no formal planning application until this is clarified. Note that WRD 1 set out these options as far back as Dec 2019; again, no response from GCC

Grant funding rescindments would cause the scheme to not progress in Dec 2000, and non-viability confirmation from GCC and HS came in mid-2010. Of course this scheme was not funded by GCC/HES in 2013 (see on record independent opinion). At this juncture two of the four senior GCC Officers stated the Egyptian Halls was heading for the same fate as the Springburn Baths (on record) – it would be demolished. Then in 2015, its attempt to secure up to **£5M** funding from the Heritage Lottery Fund, the Egyptian Halls Building Preservation Trust, was derailed when GCC and HES met the HLF separately and confirmed no grant funding was available going forward (all on record).

Let's be unequivocal: GDA/HS derailed the Year 2000 scheme, then GCC's CPO Amendment caused a 12-year delay. GCC and HES stated in 2010 all conservation schemes were non-viable, yet in 2015 conspired to torpedo an already difficult grant application. Today both are attempting to airbrush past conduct, errors and mistakes and somehow shift all the blame onto USP. USP must question what internal oversight procedures GCC and HES have if they can so easily attempt to achieve this.

The failure to gap fund in 2013 caused massive deleterious side effects as USI resiled from loaning USP its **£3M+** development surplus. The time-constrained BPRA Upper Floors funding of **£3M** then also evaporated, as well as HES's **£1.5M** grant. Not forgetting the derailing of the 2015 HLF application, both GCC and GES are proclaiming it is supportive of the project objectives. Now we have this report; it appears both don't want USP and USI to succeed. From being GCC's Partners in Dec 1999 to being "Outcasts" in Jan 2025. An appalling and brutal attempt at clandestine appropriation!

Acknowledged Project Benefits: Egyptian Halls (subject to Feasibility Study)

- ***The preservation of the world-famous Egyptian Halls***
- ***£20M+ Development begins much-desired Union Street regeneration***
- ***154+ bedroom, circa 3-4-star hotel on the USI-owned Upper Floors***
- ***Bars/Restaurants on the USP-owned Ground Floor*** **or** ***Gourmet Food Market/Restaurants***

- ***200 jobs – 30+ Modern Apprenticeships- Deliver an EXTRA £300k-£350k Business Rates p.a. 15-20 years: £6M+***
- ***Meets GCC - Scot Govt's Economic Growth, Tourism, Training, and Cultural strategies***

Acknowledged Project Benefits: Mackintosh Thomson Mews (subject to Feasibility Study)

- **Regeneration, connectivity, economic additionality, job creation gains are significant**
- **Preservation of the Egyptian Halls**
- **Establishment of a new build on the site of the Mitchell Street Car Park Site, which does not compete visually with either the Lighthouse or Egyptian Halls**
- **An upgrade for the Lighthouse, establishing a "new location" with strong commercial opportunities to be realised**
- **The creation of a new arcade linking Central Station and Buchanan Street.**
- **Creation of an upgraded route to and from Buchanan Street via Mackintosh-Thomson Mews and urban realm improvements for Mitchell Lane, Union Place, and Gordon Street.**
- **This would lead to the rebirth of the once-famous City Centre Merchants' Wynd**
- ***Deliver an EXTRA £600k-£7000k Business Rates p.a. 15-20 years: £10M+.***

GCC have also stated this, which is inaccurate bordering on a falsehood: "*The council said the owner of the Egyptian Halls recently refused a bid to buy the building from a group led by arts guide The List and real estate company Ediston. Council papers said the proposals included a new food market or restaurant development on lower floors, with a hotel on upper floors.*"

To repeat, this is a carbon copy of the 2013 scheme: Food Court/Bar-Restaurants on Ground floors owned by USP and hotel on the Upper Floors owned by USI. We now know GCC are pursuing this, resulting in delay, exercise time, accelerating deterioration and extra cost founded upon no "informal offer" but instead a vague offer of Profit Share. Where is GCC's due diligence regarding this?

USI, with a significant surplus, was denied the approved 2013 hotel due to Ground Floor deficit, which GCC had promised they'd part fund. Now GCC also wishes to CPO the Upper Floors and also somehow the Ground Floors, which is perplexing given USP's asset value was destroyed by GDA, HS-HES and GCC errors and wrong decisions.

GCC, for the record, used the Deed of Conditions extensively during the 1996 CPO process, the 2005-2008 Lands Tribunal adjudication, and then the addition of GCC's 2008 Conservation Burden. So precedent has been established and would be referenced if needed.

3.4 Building condition

Is GCC's DBN actually comprehensive enough? Is it competent enough? Does it protect Public Safety?

New information May 2026- According to HES ***"I have asked them about how they propose to implement the works required by the recent Defective Buildings Notice". My understanding*** *(is this in writing as if not I suggest HES secures this ASAP)* ***is that they will carry out a further structural survey (with input from appropriate conservation specialists) that will then inform a detailed specification for the works set out in the Notice"*** **(HES Case office 23rd May 2026)**

Surely HES should have clarified this when HES was assisting/advising GCC to scope this DBN?)

Since the CPO Review GCC has served a DBN, which was responded to by this

DBN Discussion Proposal (but ZERO GCC engagement)
http://www.egyptianhalls.co.uk/2908-2025 Defective Notice Response.pdf

GCC refused the submission Oct 2025 stating this ***Nor do we consider from the information in our possession there are any technical or safety reasons why the works required by the Notice could not be undertaken and that the structure of the building is well enough understood to bring forward proposals .***

And since then was submitted on record prior GCC statements which are surely self-explanatory including this **FEB 2002 GCC advise "*You may be aware that there was a potentially fatal building collapse in the City Centre in October 2001 "The general condition of the building overall is much deteriorated and an immediate cause of concern. This situation will only worsen if the full repairs package as per the terms of the extant Listed Building Repairs Notice, are not effected before the onset of the next winter* the legally non variable LBRN states "*stabilise all elements of the supporting* (whole) *structure***

Gold Standard Conservation 29th Dec 2025http://www.egyptianhalls.co.uk/assets/files/TMP-ExpertStatementAppendices-GCCMarch2025DefectiveNotice.pdf

GCC- DBN Report; Known Stability/Structural-Public Safety not factored in
http://www.egyptianhalls.co.uk/0806-2026-GCC-Defective Building Notice Updated Clarification.pdf

USP is unequivocally of the opinion the now served DBN does not in any way, shape or form reconcile the potential for Disproportionate Collapse Risk Failure as referenced by GCC's own Feb 2002 assessment of what is required to avoid a "*potential fatal building collapse"* and will cause immediate and significantly increased Public Safety Risks. And the Scaffolding removal would arguably be knowingly negligent unless GCC has indemnified everyone that has asked for this given it has not ever provided any Risk Assessment(s) plural to counter it's earlier Feb 2002 what could be defined as broad Public Safety Risk Assessment. Note it took until 2009 to get a Protective Scaffolding erected and only when USP had secured control over the Upper Floors. GCC did NOWT 2002-2009 for the record

And as of June 2026 we learn from HES ***I have asked them about how they propose to implement the works required by the recent Defective Buildings Notice. My understanding is that they will carry out a further structural survey (with input from appropriate conservation specialists) that will then inform a detailed specification for the works set out in the Notice. Once that has happened consents will be sought, if the scope of work requires this, and we would be consulted as part of the usual LBC process.*** Surely this should have been addressed and reconciled before the DBN was scoped and served. And has USP been denied due process?

USP has argued for now 17 years based on expert advice (and originally agreement with then GCC DRS/Building Control) the scaffolding is and always has been protecting Public Safety GCC disagreed as did the Scottish Govt when it rescinded the Ad Hoarding permission of which the income was funding the Scaffolding and also protecting Public Safety. Both GCC and the Scottish Govt will now be asked to review their submissions to the Scottish Govt Reporter and also Court of Session. And if deemed appropriate compensate USP for the lost income and Scaffolding costs Sept 2018 onward

To repeat, we also now have unequivocal evidence of proven and DIRECT KNOWLEDGE GAPS between Building Control Feb 2002 and Oct 2025 when GCC refused summarily USP's Defective Notice proposal, which reinforced known Public Safety issues, which GCC's March 2025 Defective Notice was nowhere near comprehensive enough to discharge the scale and scope of works to a) avoid a potential fatal building collapse- GCC Feb 2002 b) Protect Public Safety USP 2009-2026 and counting.

Let it also be noted that USP had recommended a specific structural survey relating to stability of floors/key elements as a pre-requisite to scoping any DBN works, this was discounted summarily by GCC. Yet now GCC is to carry out a structural survey despite carrying one out May 2025 after it had scoped and served the DBN without of course any conservation accredited expertise underpinning this. Seems out of kilter to say the least. One does surmise this was politically driven (and very naïve/even dangerous turn of events)

Significant and systemic 1991 Listed Building Repairs Notice GCC confusion and mis briefing by GCC. The following are extracts from the July 2025 District Valuer Report

DV July 2025 3.3 For the purposes of this valuation, I am instructed to assume that GCC will not enforce the Listed Building Repair Notice.

Further significant knowledge gaps the 1991 LBRN which was reserved 1995 (due to a GCC error) is both extant, crucially legally non variable and defines what specifically what was required as of Feb 2002 GCC correspondence to reconcile identified public safety issues e.g. *stabilise all elements of the supporting structure in order to a avoid a potential fatal building collapse.* So again why was this crucial information not taken full cognisance of by GCC let's say 2019-2026. The essence of this advice has been front and centre of what TMP/Add Cons reinforced.

And this is also well worth noting on Page 2 of the GCC Feb 2002 letter the following were copied in

- **Mr G MacDiarmid, City Solicitor, Conveyancing/, Legal Services, City Chambers**
- **Mr K Crookston, Building Services, 266 George Street**
- **Leigh Johnston, Historic Scotland, Longmore House, Salisbury Place, Edinburgh, EH9 1SH**
- **Ms S Thorne, Case Manager, Grants Division, Historic Scotland, Longmore House, Salisbury Place, Edinburgh, EH9 1SH**
- **Mr R McArthur, Divisional Manager, N.West/C. Centre, Building Control and Public Safety**

So, evidence that not only GCC DRS had briefed USP it had also briefed all relevant stakeholders and what I assume to be the 2002 iteration of GCC Building Control. And then of course we were informed of the following by GCC Building Control Oct 2025 ***Nor do we consider from the information in our possession there are any technical or safety reasons why the works required by the Notice could not be undertaken and that the structure of the building is well enough understood to bring forward proposals*** So, a proven and DIRECT KNOWLEDGE GAP between Building Control Feb 2002 and Oct 2025 when GCC refused summarily USP's Defective Notice proposal, which reinforced known Public Safety issues, which GCC's March 2025 Defective Notice did not reference therefore not afford any time to assess?

DV July 2025 - 3.8 *The property is the subject of an historic Listed Building Repair Notice and a Defective Building Notice has recently been served on the owner.*

As has been stated since 2002 by GCC the LBRN is non variable but GCC 2019 onwards began briefing it would not be enforced but of course did not brief USP or USI. And then late October USP uncovers GCC's Feb 2002 correspondence, which states ***You may be aware that there was a potentially fatal building collapse in the City Centre in October 2001 "The general condition of the building overall is much deteriorated and an immediate cause of concern. This situation will only worsen if the full repairs package as per the terms of the extant Listed Building Repairs Notice, are not effected before the onset of the next winter the legally non variable LBRN states "stabilise all elements of the supporting (whole) structure"*** **So again why was this crucial information created by GCC 1995-2009 not taken full cognisance of by GCC let's say 2019-2026. The essence of this advice has been front and centre of what TMP/Add Cons reinforced.**

DV July 2025- Point 4 *Valuation* **GCC has every right to serve Notices (they have to be competent, take cognisance of public safety and developed by experts (so again one refers to Feb 2002 GCC correspondence on this; is the Defective Notice competent, USP has put forward the case it does not address public safety issues and lo and behold from its files it uncovers GCC correspondence that agrees with what TMP/ADD Cons 2000-2019 and WRD/TMP 2019 onwards state)**

DV July 2025 Point 4.2 GCC will not serve a Listed Buildings Repairs Notice.

Again another further significant knowledge gaps the 1991 LBRN which was reserved 1995 (due to a GCC error) is both extant and defines what is required as of Feb 2002 GCC correspondence and legally non variable as per GCC correspondence May 2005 and March 2009. *You may be aware that there was a potentially fatal building collapse in the City Centre in October 2001 "The general condition of the building overall is much deteriorated and an immediate cause of concern. This situation will only worsen if the full repairs package as per the terms of the extant Listed Building Repairs Notice, are not effected before the onset of the next winter* the legally non variable LBRN states "*stabilise all elements of the supporting* (whole) *structure*" So again why was this crucial information not taken full cognisance of by GCC let's say 2019-2026. The essence of this advice has been front and centre of what TMP/Add Cons reinforced 2000-2019 and WRD/TMP 2019-2025

3.4.1. A report by the structural engineers employed by the building owners (July 2024), notes the continuing decline in the condition of the building. It notes that since the engineers' involvement from 2019 ***although there have not been any drastic changes, there has been an ongoing incremental decline, and the risk of a significant failure will only increase without appropriate intervention*****.**

GCC's references to the July 2024 engineers report and earlier 2019 one is materially flawed as there is no causal cognisance of GCC assessment dating back to mid 1990's

August 1995: "*The Scotsman reports that consent has been granted for restoration. The building currently suffers from weakened concrete floors and rotten windows and the external walls require stabilisation. Proposed works include stone-cleaning, re-roofing and rot eradication".* B@Risk Register

September 1995: *Local planners report that the condition is deteriorating, with extensive stone repairs required. Repairs are subsequently undertaken following an Urgent Works Notice.* B@Risk Register

FEB 2002 GCC advise "*You may be aware that there was a potentially fatal building collapse in the City Centre in October 2001 "The general condition of the building overall is much deteriorated and an immediate cause of concern. This situation will only worsen if the full repairs package as per the terms of the extant Listed Building Repairs Notice, are not effected before the onset of the next winter* the legally non variable LBRN states "*stabilise all elements of the supporting* (whole) *structure*" This Feb 2002 assessment/ statement reinforcing identified Public Safety issues and what is needed to reconcile these i.e. *stabilise all elements of the supporting structure* as per 1991 LBRN, which is in lock step with TMP/Addison Conservation advice 1998-2025

GCC March 2008- *I recall that the original investigation found this material to be very weak to the extent that some of the attempted cores could not be obtained because they fell through when they started to core the concrete.* ***The addition of any loading onto the existing foundations*** *would have to be very carefully considered and independent foundations for new elements may be a less risky option*

GCC DRS - Dec 09: *In terms of the "floors" ice the concrete infill, in my opinion, that has never been entirely safe to walk on anyway. If you recall when they tested the material, some years ago (circa 2000), some of it was unable to be cored and fell through onto the floor below. It is clear from the original construction that it was never intended for that purpose anyway; however, its continuing security/stability is indeed an issue.*

TMP - Aug 09: "*You have seen our last report/animation. The building's stability is dependent on the inter-relationship of so many elements. Increasing distress in one element compounds the risk for the rest, and all move towards failure. Not until well into their decay will these elements show any outward signs of distress. The reality is, however, that the decay is well embedded, and it cannot be reversed. This building is very close to the point – if it isn't already there, recovery is then not an option*."

Addison Conservation Nov 2014: *"**Standing on the scaffolding with only an hour of background reading and then handing out suggestions is unprofessional and incompetent**. Regarding the overall frame, we might sympathise with a Building Control statement based on the old adage that if it looks stable, it is stable. But this is a dangerous assumption set against a potentially wobbly matrix of 1000001 chemically interacting components, including lime concrete, wood, nails, iron, steel, rivets and iron lathes. **We have used radar, boreholes, probes and stone analysis to help us understand!"***

GCC Feb 2016 **https://www.glasgowtimes.co.uk/news/14285327.warning-over-calls-for-egyptian-halls-facade-to-come-down/** ***The proposed works on the Egyptian Halls will both preserve this building and promote public safety – always our greatest priority*** *- by making the building weather tight and arresting the rate of its deterioration. "These works are considered urgent for the building's preservation, and entirely unrelated to future work on Union Street* GCC later confirmed no Risk Assessment had been carried out.

WRD - Dec 2019: *The building is now in an unsafe condition and structurally unpredictable, which has primarily been caused by the deterioration of the roof and upper floors from continued water ingress over a prolonged period and the fundamental lack of robustness in the structure, with the potential for a trigger event to cause a structural failure which could have serious consequences,*
with the risk to public safety and damage to surrounding buildings. Key decisions now need to be made. While these decisions may be a difficult compromise for some parties, it is no longer possible to leave the building in its current condition.

Feb 2020 for the record USP reinforced the aforementioned "***Egyptian Halls is under "real threat of structural collapse", which stated the building could potentially collapse due to a number of "trigger events", including the failure of floors slabs, columns and beams***. based on a detailed study underpinned by specialist testing (19 years later) GCC dismiss it out of hand

Feb 2020 GCC stated via **A spokesman said a survey, carried out by the authority around 18 months ago, found "*no danger of imminent collapse"* So what expert assessment had GCC made or been made aware of that allowed it to 18 years later of unchecked and accelerating deterioration?**

And the following information has been repeatedly provided to GCC, apparently overlooked or even discounted for the purposes of this CPO Review Report. Again GCC decided to "concur with a DRAFT Report, which did not have the Appendices that would have listed 25 years of reports including.

- **Deterioration Timeline 1980-2022**
  http://www.egyptianhalls.co.uk/assets/files/Deterioration-Timeline1980-Oct2022.pdf

- **LBRN Discharge Visual Aide Memoire July 2021**

  http://www.egyptianhalls.co.uk/E-Halls LBRN Repairs Aide Memoire-June2023.pdf

- **GCC also ignores the independent Buildings at Risk Register**
  https://www.buildingsatrisk.org.uk/search/keyword/Egyptian%20Halls,%20Glasgow/event_id/892661/building_name/egyptian-halls-84-100-union-street-glasgow
- ***How This Unique Structure has Worked for 150 Years. "The façade can't stand without the support of the floors, walls and stairs; not today's modern orthodoxy but it works***
  http://www.egyptianhalls.co.uk/page17.html

Why has GCC 2025 ignored all this evidence and sought to rely on a single "**DRAFT"** engineer's report but has not clarified what exactly it has "concurred with" And then compare and contrast with **GCC March 2025 Defective Notice states "*stabilise the distorted parapet***

Deterioration Evidence-Disagreement between GCC Building Control and Narro Associates

GCC stated *At the end of March the Council served a defective buildings notice in terms of the Building (S) Act 2003 on the owners of Egyptian Halls. This sets out work which the Council considers is necessary to rectify defects in the building and bring it into a reasonable state of repair.*

This would also result in the removal of the scaffolding which has been located in front of the building since 2010. These repairs are necessary to prevent a further deterioration, but they are not the comprehensive and long term solution which is required to secure the future of the building. So the latter sentence should be taken cognisance of and defined as a requirement given the believed counterproductive component which would see much of this work requiring re-done hence a Contingent Liability should be estimated. Also there has obviously been no risk expert risk assessment by GCC regarding Public Safety.

May 2025 The latest Condition Survey, prepared for GCC by Narro Associates. provides the following commentary: ***From our last full structural survey conducted between March and July in 2018, and our further site visits in February 2020, November 2023 and now May 2025, the building does not appear to have deteriorated significantly.***

Again further conflict, complexities proven by a significant difference of opinion hence why Narro did not we believe scope the DBN. And may now be involved in somehow revising the served DBN without breaching the parameters of the current notice. And indeed all very avoidable indeed if GCC had as agreed post the Dec 2024 tour had reverted to WRD/TMP and USP once they had "gathered their thoughts". More and more the DBN takes on the guise of a scoped notice designed to fit a timeline and not the preservation of a Grade A *"architectural masterpiece"*.

Now let's reference Inverclyde V Aldi Stores
https://www.scottishconstructionnow.com/articles/aldi-wins-costs-in-dispute-over-dangerous-building-notice and note GCC had served the 1991 LBRN and had control over the 1996 CPO up to Jan 2010 and had a responsibility for Repairs and Maintenance, which it details in its Feb 2002 letter. USP and USI have asked GCC many times to detail specifically what works it carried out via correspondence and FOI requests the latter being refused due to estimated costs? GCC have also attempted to claim in correspondence (2019) because it never took title to the Upper Floors it did not have any Repairs/Maintenance Liability, which the 1996 CPO details GCC has. And the Feb 2002 LBRN letter reinforces GCC was discharging that responsibility 1996-2001 but then just stopped completely.as it relates to dangerous buildings notices, falling masonry, and a Council failing to take appropriate action!

- We know 99.99% GCC carried out minor repairs 19916-2001
- We know 99.99% GCC did not carry out any Repairs from mid 2001 to Jan 2010.
- We have the Deterioration Timeline to refer to for evidence of this.
- We also know the Conservation options have reduced from 100% Restoration Year 2000 to at best Façade Retention 2026/2027; innovative, wonderful cast iron frame cannot be preserved!
- And if one assesses WHY this has occurred objectively we need to ask GCC why it did not discharge the Repairs works it defined were needed Feb 2002
- TMP have assessed GCC's based on the Gold Standard Conservation principles that should be afforded to a world renowned Grade A "architectural masterpiece"; GCC does not score well
- And check the following all ignored or discounted by GCC

  - **Deterioration Timeline 1980-2022**
    http://www.egyptianhalls.co.uk/assets/files/Deterioration-Timeline1980-Oct2022.pdf

  - **LBRN Discharge Visual Aide Memoire July 2022**
    http://www.egyptianhalls.co.uk/E-Halls LBRN Repairs Aide Memoire-June2023.pdf

  - **Egyptian Halls Potential Progressive Collapse Scenario Feb 2020**

    http://www.egyptianhalls.co.uk/StructuralMovie.html

  - **Requested Public Safety Clarification?** **http://www.egyptianhalls.co.uk/assets/files/The-EgyptianHallsPublicSafetyClarificationRequest.pdf**

- **Gold Standard Conservation Approach**
  http://www.egyptianhalls.co.uk/assets/files/TMP-ExpertStatementAppendices-GCCMarch2025DefectiveNotice.pdf

And did GCC take a deliberate (but misguided) decision to not take account of 27 years of reports

http://www.egyptianhalls.co.uk/Egyptian Halls Structural Survey Glossary Year 2000-2023.pdf

Further the July 2024 report states explicitly the following Section 14 Report Limitations Egyptian Halls | Combined Volume 1 + 2 Report | G8540-WRD-states ***This report has been prepared for the sole benefit of Union Street Properties Ltd. The report shall not be relied upon or transferred to any other party without the written authorisation of Will Rudd Davidson Glasgow Ltd***

GCC have founded upon this without approval of WRD. Without the causal approval or consent of Union Street Properties Ltd (which would not be unreasonably withheld once the final version is agreed with WRD and TMP). And USP would for the record also be reliant on the advice/input of The Morrison Partnership (TMP) who to reinforce are the GCC specified Conservation Burden discharge architects.

To repeat The July 2024 Report is a **Draft** and was always to be subject to tweaks and amendment going forward via TMP (whose 3rd July 2024 opinion as well as their Temporary Works July-Aug 2022 had to be factored in. See Pages 842- 906 of the following **http://www.egyptianhalls.co.uk/Egyptian Halls Structural Survey Glossary Year 2000-2023.pdf** which of course GCC has been in receipt of.

So one asks which or what valid reports are GCC relying on for their technical/safety assessment?

1) GCC surely cannot rely solely on a Draft report (clearly defined as such)
2) Cannot rely on a Draft Report that does not owe it any Duty of Care
3) Cannot competently state "it concurs with that position" when it's not stated what that is?
4) Cannot impose this on USP and USI given GCC owes USP and USI no Duty of Care
5) We have the perplexing situation where GCC is agreeing with a Draft Report that it did not commission or owes it a Duty of Care to somehow then believe this allows it to state USP and USI should take this on board after it had a 2 hour site visit.
6) When for the record USP and USI and TMP have tabled tweaks and amendments since mid 2024, which are being worked through for early 2026.
7) GCC then could be asked to confirm what "it concurs with" given it's not defined this?
8) Has GCC in fact "cherry-picking" selectively as it from the same report fails to take full cognisance or reference of the following.

Key Quotes from WRD 1&2 Combined (Draft) July 2024, which GCC apparently does not concur with

WRD 1 & 2 Combined (Draft) - July 2024: *Designed by world famous, Alexander 'Greek' Thomson in 1871, one of his most celebrated remaining completed works which has unfortunately deteriorated significantly due to a lack of intervention over the previous 40 years and has now reached the point where appropriate measures need to be taken to save the building from being lost forever through material deterioration that is beyond feasible recovery.*

Elements of the structural fabric are now considered to be in an unsafe condition and structurally unpredictable which has primarily been caused by the deterioration of the roof and the upper floors from continued water ingress over a prolonged period of time, and the fundamental lack of robustness in the structure with the potential for a trigger event to cause a structural failure which could have serious consequences with the risk to public safety and damage to surrounding buildings.

WRD 1 & 2 Combined (Draft) - July 2024 stated it would also scope a re-assessment of work to date including updating specialist testing "*Alongside the works to restore the building's structural integrity, a full holistic architectural feasibility study should be commissioned to develop a concept design for the building conservation project.*
There are now key decisions that will need to be taken as a result of the structural investigations. Whilst these decisions may be a difficult compromise for some parties, it is no longer possible to leave the building in its current condition" .

WRD 1 & 2 Combined (Draft) - July 2024 *"Prior to the completion of the required permanent works, the scaffolding would have to remain in place along Union Street to provide a suitable protection platform to prevent any large parapet stones falling and posing a risk to the public. The long-term permanent solution will require appropriate restraint to be introduced at the head of the parapet stones to tie it back to the structural frame*

And the now addition of the DV reports 2016, 2019, 2024 and 2025 also detail that GCC accept and have been briefing since 2016 the structure needs strengthening but refused to agree with Add Cons/TMP/WRD, who have been stating since 2014 there are major interconnected structural issues.

Again, this also calls into question the scoping of the Defective Notic which fail to reference these key, fundamental structural issues. So again, fundamental supporting statements underpinning the CPO Review are materially flawed. GCC have not produced anything comparable to this Chronology of Studies and also have their shared obligations with USP as per the 2008 Conservation Burden. **FYI** The April 2018 Narro Report for GCC had recommended detailed and rigorous testing to be undertaken but this did not happen, one assumes due to funding constraints. What if GCC cannot rely on or "concur" with the 2024 "engineer's" report based upon earlier commentary? This then prompts or what reports are GCC relying on for their technical/safety assessment for the March 2025 Defective Notice. **And it is restricted to**

- **Narro 2018 Conditions Survey; desktop/visual inspection; no specialist testing**
- **Dec 2024 – 2 hour site tour/visual inspection**
- **Now assess this opinion from a decade earlier; a tad unvarnished but accurate -Addison Conservation Nov 2014**: ***"Standing on the scaffolding with only an hour of background reading and then handing out suggestions is unprofessional and incompetent***. *Regarding the overall frame, we might sympathise with a Building Control statement based on the old adage that if it looks stable, it is stable. But this is a dangerous assumption set against a potentially wobbly matrix of 1000001 chemically interacting components, including lime concrete, wood, nails, iron, steel, rivets and iron lathes.* ***We have used radar, boreholes, probes and stone analysis to help us understand!"***

Top Line Structural Conclusions

- **Floors are circa 33% of the required commercial strength, and cannot be walked upon safely**
- **Massive , dead weight stairwell requires to be assessed and strengthened/removed?**
- **Roof requires to be replaced**
- **Rear wall requires to be replaced (approved 2013)**
- **Façade stonework increasingly fragmenting and friable 1995 onwards; evidence on record**
- **Massive dead weight parapet is balanced atop the structurally weak façade and is not tied to the floors or structure**
- **Nov 2019 – A protective Crash Deck was designed and constructed as a safety feature should the parapet move forward onto the scaffold**
- **Nov 2019, 75+ parapet stones were removed temporarily to protect public safety**
- **GCC also fails to take cognisance of *How This Unique Structure has Worked for 150 Years. "The façade can't stand without the support of the floors, walls and stairs – not today's modern orthodoxy, but it works."* *http://www.egyptianhalls.co.uk/page17.html***
- **Egyptian Halls Potential Progressive Collapse Scenario – GCC again fails to take cognisance of *http://www.egyptianhalls.co.uk/StructuralMovie.html***
- **GCC has been asked to assess if it's now a Dangerous Building but has ignored this request http://www.egyptianhalls.co.uk/assets/files/The-EgyptianHallsPublicSafetyClarificationRequest.pdf**

So if we accept the premise this a world renowned Grade A architectural masterpiece which requires expert analysis, assessment and recommendations, which both GCC and HS/HES have had since. **TMP/Add Cons performed a very significant intervention circa 1998 to save the structure** and then again 2000, 2005 and 2012 and then 2013-2024. Yet GCC appears to have decided to impose a Defective Notice prior to another Conditions Survey being carried out, surely the cart before the horse yet again. And again, an absence of collaboration with the co-owners and their expert team. GCC also does not have in-house specialist Conservation-accredited structural engineering/architectural expertise.

Let's refer again to Aldi V Inverclyde **https://www.scottishconstructionnow.com/articles/aldi-wins-costs-in-dispute-over-dangerous-building-notice** and reference that GCC had served the 1991 LBRN and had control over the 1996 CPO up to Jan 2010 and had a responsibility for Repairs and Maintenance, which it details in its Feb 2002 letter. USP and USI have asked GCC many times to detail specifically what works it carried out via email and FOI requests the latter being refused due to estimated costs?

GCC have also attempted to claim in correspondence (2019) because it never took title to the Upper Floors it did not have any Repairs/Maintenance Liability, which the 1996 CPO details GCC has. And the Feb 2002 LBRN letter reinforces GCC was discharging that responsibility 1996-2001 but then just stopped completely. And as we know between 1998-2013 the development options declined from 100% Conservation to very expensive process of bypassing the cast iron frame. And now in 2025 it's very likely to be Façade Retention at best. GCC and Scottish Govts since Year 2000 have to be asked to account for their approach to this *"architectural masterpiece".*

Further 1998-2010 GCC due to the never scoped potential consequences of GCC's unilaterally imposed CPO Amendment GCC presided over a massive deterioration when it still had liabilities as per CPO T&C's. And of course GCC never disclosed the existence of this CPO Amendment to USP until April 2014; an astonishing and perplexing 13 years and 4 months on from the Dec 1999 GCC/USD (USP) CPO Agreement. And yet in the Feb 2025 CPO Review GCC attempts to blame USP for the combined results of GCC/Scot Govt negligence. Any a proper CPO Review or Court of Session Review would prove this.

GCC's CPO Review it is alleged contains numerous significant falsehoods and misinformation relating to the approved building/construction works carried out since 2008 as defined by GCC's specified Conservation Bond architects (all on file) as per the review, which is founded upon FACTS. ***"The Egyptian Halls has been vacant and derelict at the upper floors (only the ground floor is partly occupied) for over 30 years and has been on the national Buildings at Risk Register since 1990. Scaffolding has been in place for 15 years but is not being used to facilitate repairs, conversion or maintenance or serve any structural need and is causing environmental, social and economic blight.***

To repeat, wholly misformed, inaccurate and dangerous opinion and potential negligence due to ignoring the **FACT** the Scaffolding is protecting public safety, which GCC stated was present in Feb 2002, yet GCC 2025 apparently fails to reference this fundamental issue known for 23 years. This is despite the on-record chronology of architectural/structural studies submitted to and discussed with GCC and HES

1) From GCC Conservation Bond specified architect, does GCC just discount this summarily?
2) From WRD (July 2019 onwards), who recommended the Protective Scaffold. And yes, it's a further protection of Public Safety, which does GCC just also discount entirely?
3) And also skim on **Page 10** the late Professor Gavin Stamp's assessment of how and why the Scaffolding is required (P.Eye's Piloti and Thomson's greatest ever champion for those unaware).
4) http://www.egyptianhalls.co.uk/assets/files/The-EgyptianHalls-HeritageLobbying.pdf
5) And now given the already Union Corner massive disruption will continue short, medium and long term and based on layman assessment can only admire from by Mr Barlow and his team and key contractors this past month; the strategic approach, the handling, the co-ordination, their dealing with real time concurrent structural, safety, construction issues. **And they surely don't need a 2nd major project across the street; 5 Metres distance especially one based on the Feb 2002 assessment of what is needed to avoid a "fatal building collapse"; yes discharge the 1991 LBRN. But of course GCC has been briefing 2019 onwards all the way up to the Preferred Bidder project that the implementing the LBRN was not to be pursued. Again a timeous and expert and objective review of this confused, potentially negligent approach is required.**

GCC without doubt has not been taking full cognisance of fundamental public safety issues. And appears to have decided to downplay the actual structural deterioration and causal protective measures required due to 45 years of unchecked decline caused by the public sector. And now tries to blame it on USP and USI. And as we uncovered from Feb 2002 the following, which at best calls into question GCC's assessment and very likely indeed renders it as being untenable. GCC's Feb 2002 correspondence, which states ***there was a potentially fatal building collapse in the City Centre in October 2001 "The general condition of the building overall is much deteriorated and an immediate cause of concern. This situation will only worsen if the full repairs package as per the terms of the extant Listed Building Repairs Notice, are not effected before the onset of the next winter the legally non variable LBRN states "stabilise all elements of the supporting (whole) structure"***

So again ones asks why was this crucial information was not available to GCC ? And therefore not taken full cognisance of by GCC let's say 2015-2025. Given the essence of this advice has been front and centre of what TMP/Add Cons reinforced.

Scaffolding Removal without discharging 1991 LBRN – Summary

- Deed of Con Architect-TMP on record many times stating Scaffolding cannot be removed until it's defined as being safe to do so based upon identified public safety risks being reconciled fully.
- Skim from 2016: ***https://www.glasgowtimes.co.uk/news/14285327.warning-over-calls-for-egyptian-halls-facade-to-come down/#:~:text=AN%20architect%20involved%20in%20the%20Egyptian%20Halls%20project,and%20scaffolding%20from%20the%20A-listed%20three%20storey%20building.***
- Feb 2016 GCC states: ***"the Council acknowledges that George Morrison and John Addison have considerable experience, expertise and knowledge of this building."***
- March 2016 Kidstons letter on record details what action USP would take if GCC removes Scaffolding.
- WRD1, 2 and 3 state similarly that the Scaffolding cannot be removed prior to LBRN discharge.
- Dec 2019, the Scaffolding is upgraded via a Protective Crash Deck on the advice of WRD
- Both TMP and WRD state It's increasing protecting Public safety and is ***"approved building/construction works"***
- All on record, all submitted previously and available again for GCC to assess once it takes full cognisance of its own Feb 2002 advice to avoid a "*potential fatal building collapse"*

3.41 REPEATED Although there have not been any drastic changes, there has been an ongoing incremental decline, and the risk of a significant failure will only increase without appropriate intervention. **This is a wholly disingenuous, dangerous and misleading statement and ignores or discounts or is unaware of assessments dating back to 1995-more than 30 years**. So let's compare the following with the above. So again to repeat further proof of significant knowledge gaps.

B@R 1995 - August 1995: follows The Scotsman reports that consent has been granted for restoration. The building currently suffers from ***weakened concrete floors*** **and rotten windows and** ***the external walls require stabilisation***. Proposed works include stone-cleaning, re-roofing and rot eradication This is 30 years ago not FIVE YEARS AGO!!! And certainly not December 2024 onwards GCC Feb 2002 *You may be aware that there was a* ***potentially fatal building collapse in the City Centre*** *in October 2001 (*yet for the record when USP states this could potentially happen based on a detailed study underpinned by specialist testing Feb 2020 (19 years later) GCC dismisses it out of hand quoting from a desktop survey it had carried out*).* ***"The general condition of the building overall is much deteriorated and an immediate cause of concern. This situation will only worsen if the full repairs package as per the terms of the extant Listed Building Repairs Notice, are not effected before the onset of the next winter.*** **And if one cross references this to the 1991 LBRN** ***"repair or otherwise stabilise all elements of the supporting structure, where necessary, leave in a wind and watertight condition; all works urgently required for the preservation of a listed building and to be carried out to the satisfaction of the Director of Planning"***

GCC March 2008- *I recall that the original investigation found this material to be very weak to the extent that some of the attempted cores could not be obtained because they fell through when they started to core the concrete.* ***The addition of any loading onto the existing foundations would have to be very carefully considered*** *and independent foundations for new elements may be a less risky option*

GCC DRS - Dec 09: ***In terms of the "floors" i.e. the concrete infill, in my opinion, that has never been entirely safe to walk on anyway****. If you recall when they tested the material, some years ago (****circa 2000****), some of it was unable to be cored and fell through onto the floor below. It is clear from the original construction that it was never intended for that purpose anyway;* ***however, its continuing security/stability is indeed an issue.***

TMP - Aug 09: *You have seen our last report/animation.* ***The building's stability is dependent on the inter-relationship of so many elements.*** *Increasing distress in one element compounds the risk for the rest, and all move towards failure. Not until well into their decay will these elements show any outward signs of distress. The reality is, however, that the decay is well embedded, and it cannot be reversed.* ***This building is very close to the point – if it isn't already there, recovery is then not an option.***

WRD Dec 2019 "*Elements of the structural fabric are now considered to be in an unsafe condition and structurally unpredictable has primarily been caused by the deterioration of the roof and the upper floors from continued water ingress over a prolonged period of time,* ***and the fundamental lack of robustness in the structure with the potential for a trigger event to cause a structural failure could have serious consequences with the risk to public safety and damage to surrounding buildings.***

July 2024 - WRD 1 & 2 Combined (Draft) - July 2024: *Designed by Alexander 'Greek' Thomson in 1871, one of his most celebrated remaining completed works which has unfortunately deteriorated significantly due to a lack of intervention over the previous 40 years and has now reached the point where appropriate measures need to be taken to save the building from being lost forever through material deterioration that is beyond feasible recovery.* ***Elements of the structural fabric are now considered to be in an unsafe condition and structurally unpredictable which has primarily been caused by the deterioration of the roof and the upper floors from continued water ingress over a prolonged period of time, and the fundamental lack of robustness in the structure with the potential for a trigger event to cause a structural failure which could have serious consequences with the risk to public safety and damage to surrounding buildings***

And this quote personifies the confused approach by GCC It *notes that since the engineers' involvement from 2019, although there have not been any drastic changes, there has been an ongoing incremental decline, and the risk of a significant failure will only increase without appropriate intervention*. Yet to repeat GCC is stating Feb 2002 as follows ***"You may be aware that there was a potentially fatal building collapse in the City Centre in October 2001 "The general condition of the building overall is much deteriorated and an immediate cause of concern.***
This situation will only worsen if the full repairs package as per the terms of the extant Listed Building Repairs Notice, are not effected before the onset of the next winter **the legally non variable LBRN states "*stabilise all elements of the supporting* (whole) *structure*"**

So let's be unequivocal the building, the structure has not self-healed since 2002 in fact the Deterioration has increased significantly as per the following, which GCC appear to believe it's never been submitted to repeat any of the following How can any definition define this as **"*ongoing incremental decline*"?** Refer, again, too,

- **Deterioration Timeline 1980-2022**
- **http://www.egyptianhalls.co.uk/assets/files/Deterioration-Timeline1980-Oct2022.pdf**

- **LBRN Discharge Visual Aide Memoire July 2021**

  http://www.egyptianhalls.co.uk/E-Halls LBRN Repairs Aide Memoire-June2023.pdf

GCC further continue to downplay massively the interconnectivity of identified major structural deficiencies they stated were not present in Feb 2020 but somehow are apparent in Dec 2024 but are also somehow incremental ***decline***. To repeat, the WRD1&2 Combined Draft report of July 2024 is similar in its WRD1 & 2 findings – so to repeat the obvious, it's wholly disingenuous to state the aforementioned.

Public Safety Game Changer from Feb 2002 – 24 Years Ago (uncovered mid 2025)

And having been working through the massive archives Feb- Nov 2025 USP has as detailed earlier came across the referenced above correspondence from 1995-2016 and pivotally GCC 1995-2009; why GCC did not have this on file is a question of fundamental Public Safety Protection. Why has USP been the entity to find this? Skim this**http://www.egyptianhalls.co.uk/buildingcondition.html** which calls into question an at most two hour visual tour.

3.4.2. A recent inspection of the property by Building Standards in December 2024 concurs with that position. Yet GCC has scoped a Defective Notice that won't reconcile the 2019 (APPROVED) and 2024 (DRAFT) studies by WRD, discounts the on record advice/recommendations of GCC's specified 2008 Conservation Burden architect and to repeat ignores GCC's own Feb 2002 position that the full extant 1991 LBRN has to be discharged to reconcile let's repeat a "potential fatal building collapse" required to protect Public Safety. Notwithstanding the very misformed statement 18 year later from GCC that denied the possibility a structural collapse could occur: Incredibly perplexing and significantly dangerous. **And to repeat, disingenuous,** see above, and if concurring, would also agree the scaffolding cannot be removed until the full LBRN works are discharged as per GCC's on record assessment from 24 years ago.

Further this statement fails to disclose GCC via email mid Dec post 3rd Dec site tour stated they were to "gather their thoughts" and revert to WRD who would have reported back to USP and USI and also TMP (scheme architects). GCC however never and just pressed ahead with a Defective Notice without any further discussion with WRD. This calls into even more doubt GCC's reliance on "*concurs with that position"* . If so why is GCC discounting the on record specified Conservation Burden architects studies/ reports/commentary 2000-2024? Could it be because TMP will not agree to what GCC just wishes to be done but has no evidence to support these long made and increasingly aggressive requests to somehow just remove the Scaffolding and ignore all identified public safety issues that GCC itself stated were present Feb 2002 onwards.

And as we knew already it was a **DRAFT** and was developed for USP Ltd only but we now realise GCC did not provide any feedback to WRD post the Dec site tour. And therefore has based a Defective Notice on in essence a Site Tour, not understanding the deterioration of the structural condition as assessed from 1991 onwards. Given GCC attempts to position this as beginning last few years? And if there had been a site tour debrief GCC would have had the following noted to it

Section 14 Report Limitations Egyptian Halls | Combined Volume 1 + 2 Report | G8540-WRD-*This report has been prepared for the sole benefit of Union Street Properties Ltd. The report shall not be relied upon or transferred to any other party without the written authorisation of Will Rudd Davidson Glasgow Ltd*

Also of relevance is GCC's decision making process as we've uncovered post Dec 2024 tour information

- July 2024 Presentation of DRAFT report
- Dec 2024 GCC/WRD site tour;
- Mid Dec GCC email WRD to state "we'll gather our thoughts" one assumes for a follow up debrief; this never happens
- End Jan 2025 GCC then announce CPO Review and in parallel a Defective Notices is being served which GCC detail Building Control "concurs with the engineer's report".
- But as we know it's a **DRAFT** report, prepared for USP Ltd, not GCC and has not as yet been approved by USP but will be once TMP's comments and amendments are discussed and where agreed integrated (to repeat TMP are the 2008 Conservation Burden GCC specified architect)

- And here's a prime example that would have been discussed if there had been a WRD/GCC/TMP/HES- USP debrief post GCC "gathering its thoughts"; the WRD hypothesis the parapet can be tied back to the Stairs-(top area takes most load one assumes?) (Stairs are the Anvil in this movie ***"The façade can't stand without the support of the floors, walls and stairs; not today's modern orthodoxy but it work*** http://www.egyptianhalls.co.uk/page17.html

- WRD recommend 2023-2024 a holistic architectural review including physical load tests; floors are 30% of compressive strength and of course the stairs are connected to not only the floors but also the roof (needs replaced), rear wall (needs replaced). And also of the FOUR floors the top is the weakest and 3rd floor next and so on. Read TMP's Point 8 Dec 2025 expert summary. Complex, complicated, requires conservation accredited architectural/ structural input.

- So if GCC cannot use/"concur" with a Study it did not commission or owes it any Duty of Care? Then the Defective Notice is founded upon a 2 hour site tour Dec 2024; of which perhaps 30 mins was expended discussing the parapet?

- And on what evidence/assessment is GCC considering the very likely scoping of and serving of additional Defective Notices? Or now exploring the use of Emergency Powers?

- Again how relevant and prescient is this? **Addison Conservation Nov 2014**: *"**Standing on the scaffolding with only an hour of background reading and then handing out suggestions is unprofessional and incompetent**. Regarding the overall frame, we might sympathise with a Building Control statement based on the old adage that if it looks stable, it is stable. But this is a dangerous assumption set against a potentially wobbly matrix of 1000001 chemically interacting components, including lime concrete, wood, nails, iron, steel, rivets and iron lathes. **We have used radar, boreholes, probes and stone analysis to help us understand!"***

To repeat, reinforce the relevance of GCC Feb 2002 correspondence to USP Ltd

*You may be aware that there was a **potentially fatal building collapse in the City Centre** in October 2001 (*yet for the record when USP states this could potentially happen based on a detailed study underpinned by specialist testing Feb 2020 (19 years later) GCC dismisses it out of hand quoting from a desktop survey it had carried out*). **"The general condition of the building overall is much deteriorated and an immediate cause of concern. This situation will only worsen if the full repairs package as per the terms of the extant Listed Building Repairs Notice, are not effected before the onset of the next winter.** **And if one cross references this to the 1991 LBRN "repair or otherwise stabilise all elements of the supporting structure, where necessary, leave in a wind and watertight condition; all works urgently required for the preservation of a listed building and to be carried out to the satisfaction of the Director of Planning"***

GCC DRS had requested/demanded the 1991 LBRN is implemented citing accelerating deterioration and causal public safety issues but this then Officer does not know GCC DRS/Legal cannot transfer the Upper Floors title due to a (known to some but not many- non disclosed contract breach. Then when it's realised it can't transfer the title, GCC cover this up and then do ZERO Maintenance/Repairs next SEVEN years despite being liable under the 1996 CPO. And which GCC refused all FOI requests to clarify/explain this. All on record

GCC March 2025 **Defective Notice item 8 details "*Stabilise the distorted parapet wall and associated stone cornice below*** is nowhere near comprehensive enough to match the Feb 2002 GCC recommendations and protect public safety given this Notice makes no reference to risk assessment of what is on record long standing public safety issues. That to repeat GCC 2018 onwards have failed to take full cognisance of.

The following was submitted Aug 2025 and rejected without any discussion or feedback-WHY?

DBN Discussion Proposal (but ZERO GCC engagement)
http://www.egyptianhalls.co.uk/2908-2025 Defective Notice Response.pdf

To repeat GCC's 1995-2009 assessments from all of 30+ years ago yet GCC wishes to believe it's all happened the last few years, fails to take cognisance of identified Public Safety issues and scoped a Defective Notice accordingly "concurring" with a DRAFT single study that it cannot rely upon to then use to scope the aforementioned Defective Notice. And crucially with no causal, relevant risk assessment to underpin it's attempt to coerce USP and USI into what could be breaking the law given. USP does have a pressing legal fiduciary duty regarding Public Safety, which will not be compromised via GCC's Defective Notice, which has failed to take effective cognisance of its own Feb 2002 commentary/opinion

The Egyptian Halls is UNINSURED due to the legally non variable obligations of the LBRN and won't INSURED until the LBRN or the equivalent is discharged-FACT

- USP/USI do not have any insurance in respect of the property, as they cannot obtain any cover 2010 due to the disclosure that the property has to repeat an extant 1991 LBRN in place of which a key requirement is *repair or otherwise stabilise all elements of the supporting structure, where necessary,; all works urgently required for the preservation of a listed building.*

- So the removal of the Scaffolding without this being actioned would be incredibly dangerous and increase significantly known public safety issues, whether this would negligent due to no risk assessment as has been recommended for legal assessment by USP and TMP.

An UNINSURED building with a 35 year old LBRN obligation, which is structurally unpredictable *prone to trigger event causing progressive collapse* is a Definite Public Safety Risk- FACT

- Given it's been an uninsurable building since 1996 we believe and given what GCC has stated re "potential fatal building collapse" and what is needed since 2002.

- USP and USI does require GCC to clarify it will it then take on the responsibility and liability for any public safety incidents and issues post removal of the Scaffolding prior to the full discharge of the extant 1991 LBRN as recommended by GCC Feb 2002.

Public Safety Risk Assessment Scenarios GCC should NOW consider ASAP

- What happens if the this defined ***unpredictable structure which is prone to a trigger event caused (partial, internal?) progressive collapse*** (WRD Dec 2019 /July 2024) and it knocks out the electricity substation in the basement of No 88 before or during the Commonwealth Games?

- Can the current Defective Building Notice (DBN) somehow afford the Scaffolding removed given the Public Safety issues require to ***stabalise all elements of the supporting* (whole) *structure are NOT just the distorted parapet***

- How can pedestrians walk past, walk up and down Union Street safely when it's known to GCC (up to circa 2016), USP, USI and respective core professional team the full LBRN has to be discharged e.g ***stabilising all elements the supporting structure;*** not just the façade/parapet? Or indeed the current DBN is supplemented with additional support DBN's..

- **How can pedestrians walk up and down and past the Egyptian Halls if there is no Scaffolding in place 100% SAFELY when it's known to GCC the building is a) not Insured b) can't be insured c) is uninsurable until the LBRN or DBN (with additional Notices) is implemented fully and to the satisfaction of GCC, Architects/Structural Engineers.**

- **<u>One asks again where the GCC Risk Assessment is given the advice USP and USI have is this cannot be contemplated until this is actioned or both companies and Directors would be KNOWLINGLY breaching Fiduciary Duty</u>**

- What if GCC steps in and finds the Egyptian Halls is in fact a Dangerous Building or would become one if the Scaffolding was removed. If so then Demolition is likely and that would close Union Street and the surrounding environs (Mitchell Street- NCP) during the Commonwealth Games?

- What further massively negative impact would this have for the now underway Union Street Corner Recovery Initiative?

- What impact would this have on a GCC Building Control who've been flat out and more working to stabalise- yes that word stabalise all of Union Corner?

- What is the potential cost of this; community, safety, financial? And who is then liable/held liable?

- Would the Scottish Govt be so ready this time to step in with another £10M+ tranche of "extraordinary funding"?

- Can as per <u>GCC March 2025 Defective Notice states **"*stabilise the distorted parapet*"** (**be achieved SAFELY** by somehow tying this to the structure**?).**</u>

- **Is Scaffolding the only cost-effective method to protect public safety until the extant 1991 LBRN is discharged or New Build is approved and implemented? Yes/No**?

- <u>And before anyone blows steam out of their ears, keeping the Scaffolding in place has cost USP **£700k.** And USP would welcome its removal tomorrow if what was left would not immediately endanger public safety. Ms MacDonald has the financials for this and further assessment would be most welcome.</u>

- When there must be a way to continue to protect public safety, to slim down the Scaffolding; keep the protective crash deck, afford greater and safe pedestrian flow whilst a full scheme is scoped/funded and then working access/scaffold goes back up for 18-24 months**. This then allows for remedial works to be actioned timeously**

- **Make it a massive PR/Social Media opportunity.**
  https://www.facebook.com/share/v/14KCmWDsySY/?mibextid=wwXlfr

3.4/2 CONTINTUED Whilst the roof covering appears to be preventing water ingress, the building remains open to environmental conditions. For the record it was open to environmental conditions from 1980 to 2010; thereafter a protective shroud (breathable weather / moisture resistant membrane) was installed up to Jan 2024.Expert advice from both TMP and WRD notes the front elevation shroud from 2009 to Jan 2025 has dried out the façade, and internally the effects of unchecked water ingress from 1980 to 2009, again showing a distinct lack of knowledge by the report writers or deliberate non-inclusion. Again, the

GCC and wider stakeholders are reminded they can access the following:
http://www.egyptianhalls.co.uk/Egyptian Halls Structural Survey Glossary Year 2000-2023.pdf

The effects of this on the building's preservation were also previously discounted by GCC when rescinding the Ad Hoarding and denied as being *"approved building/construction works"*. There is now no in-place shroud that has been protecting the façade since Jan 2025, as currently there is no Ad Hoarding income to fund it, with unchecked water ingress now affecting the façade after 16 years of protection. Again, there is no cognisance of this prior to the Enforcement action from Sept 2018-Dec 2024.

And of course we now know there were public safety issues Feb 2002; never reconciled hence the Scaffolding that was put for 6 months in mid 2008 was then agreed to be kept up with GCC via TMP/Addison Conservation until the expected to be approved (yep) and funded (nope) GCC failed to deliver its promised gap funding) scheme was delivered.

Now GCC warned Feb 2002 of ***potential fatal building collapses***; so by deduction the presence of the Scaffolding afforded an identified public safety protective capacity. That was enhanced further by the installation of a reinforced protective crash deck Nov 2019.

Again incontrovertible evidence Public Safety had to be protected against a *potential fatal building collapse*, so the Scaffolding was a form of *"approved building/construction works".* But somehow GCC (and Scot Govt) could not change their mindset; more group think to deduct the Scaffolding had to be funded, had to paid for, USP were losing Rental income. GCC did not care this was always about reducing working capital.

And this decision to rescind the income that would have funded the recommended Scaffolding upgrade Aug 2023 is even more perplexing and really is an abuse of process and has threatened public safety since Aug 2023. Costing north of £350k; misformed, misjudged, singularly aggressive and perplexing.

I have always been perplexed at why GCC were so satisfied (smug even) with what has always been a non-strategic decision, given USP has been protecting Public Safety since 2000 via Scaffolding/Electricity at a cost of circa **£700k-£800k?** It now poses has there been a failure of effective Due Diligence. USP's lawyers will detailing this to GCC Legal such is the crucial importance of protecting public safety

3.4.2 CONTINUED The upper storeys remain in an entirely unoccupiable state, and it is clear the continued decline in the overall building fabric will continue through a prolonged lack of occupation and ongoing maintenance. The Upper Floors have been vacant for **46 years**, exposed to all elements until the scaffold was erected and the protective shroud began to act as a wind and rain shield after **30 years**, so this is the last **16 years**.

This is confirmed by TMP/Add Cons and WRD. Again, refer to the earlier Structural Condition Chronology. Note: in February 2016 Glasgow City Council stated the following in conservation-related correspondence: "*The Council acknowledges that George Morrison and John Addison have considerable experience, expertise and knowledge of this building."*

Why then does GCC continually ignore this and both the spirit and specific obligations of the 2008 Conservation Bond? Is it because the TMP, the specified architect, won't accede to GCC's strongly held opinion, which does not match up with the actual evidence? And we now have this to assess TMP has been involved since 1997 and is the GCC and USP specified Conservation Burden architect with now 27 years unbroken project involvement/experience. The *building is now in an unsafe condition and structurally unpredictable, primarily due to the deterioration of the roof and upper floors from continued water ingress over a prolonged period and the fundamental lack of robustness in the structure,* ***with the potential for a trigger event to cause a structural failure which could have serious consequences****, with the risk to public safety and damage to surrounding buildings*.

Evolving Structural Changes from 100% Conservation to Façade Retention; Cultural Chaos

1997: GCC/HS approved the removal of the cast iron frame, which would have caused Demolition.

2000: brilliant TMP 100% Conservation scheme retains the cast iron frame; it needs £2.5M grant funding.

2013: Another brilliant TMP scheme, but by now the cast iron frame is structurally too weak, so a process of structural cellularisation is developed by passing the cast iron frame. Needs £5M grant funding.

2026-2027- TMP to work on the only realistic option: Façade Retention, which then means the unique cast iron frame is lost and also requires grant funding in excess of £25M+.

Summary: The current Defective Notice if implemented will severely damage the scoping of the planning of the structural and architectural appraisal of the only option left; façade retention

3.4.3 There is notable ongoing concern for areas of the front façade, in particular the front parapet wall and cornice. This dates back to **1995,** so **30 years** later GCC is attempting to avoid responsibility for the consequences of their actions? **The very recent case of Aldi V Inverclyde Council does have relevance here and will be assessed for comparability and applicability (https://www.scottishconstructionnow.com/articles/aldi-wins-costs-in-dispute-over-dangerous-building-notice)**

We also now have GCC's Feb 2002 correspondence detailing to USP Ltd that the 1991 LBRN has to be discharged in full so as to protect public safety. However this was yet another GCC error/mistake/knowledge gap, as GCC were responsible 1996 to Jan 2010 for all Maintenance/Repairs under the T&Cs of the 1996 CPO. And which GCC should have actioned and then recharged accordingly, as it detailed then (23 years ago) it had the legal right to do so.

Further concerns arise regarding GCC's continuing structural position. The assertion that Listed Building Retention can proceed with "***minimal structural alteration"*** is disputed as being inconsistent with both the physical realities of the building and GCC's own recorded public-safety assessments. Concerns are further heightened by GCC since 2019 has effectively ignored the requirement to discharge the LBRN while also disregarding technical reports and studies submitted by USP, including reports prepared by conservation specialists specified by GCC itself.

Why has the Scottish Government not been called to account for the baffling actions of both GDA and HS? There is a signal failure to comprehend that the interrelated structural elements are all combined and conjoined. Note: GCC and HES have been presented since 2009. "*The façade can't stand without the support of the floors, walls and stairs – not today's modern orthodoxy, but it works."* ***http://www.egyptianhalls.co.uk/page17.html***

3.4.3 CONTINUED This has significant historic movement with an uncapped wallhead. This is because the parapet is not tied to the building, of which GCC has been advised for 28 years, and in Jan 2020 GCC just denied the possibility outright, and now five years on is attempting to somehow accord this some form of recognition but, as ever, doesn't get this right. Both the approved 2000 and 2013 schemes included works to reconcile this. GCC's approved (1997) scheme had no idea about this.

Hence, if implemented, it would have caused the Egyptian Halls to collapse (all on record). Also, a GCC Building Control March 2008 email to USP set this likelihood out since **YEAR 2000 – 25 YEARS AGO.** Please do skim the following. **Egyptian Halls Potential (unlikely!) Progressive Collapse Scenario:** ***http://www.egyptianhalls.co.uk/StructuralMovie.html*** And also conjecture what happens if the electricity substation in No basement of No. 88 was knocked out for a week, a month, even more.

3.4.3. CONTINUED And stone joints are exposed to continual water ingress. Without intervention this will lead to the type of significant failure noted in the engineer's report. This dates back to 1995 (**30 years ago**) and is noted by TMP/Add Cons since 1998 and specifically 2000, 2005 and 2013 approved schemes. And the 2014, 2015 and 2016 and WRD 2019, 2021 and now 2024 structural studies. Note again Feb 2020 GCC dismissed out of hand the *type of significant failure noted in the engineer's report*. And previously avoided this being discussed seriously. Again look at from Feb 2016; all but a decade ago; www.glasgowtimes.co.uk/news/18157408.alexander-greek-thomsons-egyptians-halls-real-threat-collapse-owners-say/

Further this ignores completely the on record, never ever disputed structural interconnectivity elements that somehow GCC Officers currently (well since 2016 onwards) have comprehension issues understanding. Or is it if they accept this assessment, then GCC can't logically have a DBN that is façade centric and ignores the known and acknowledged structural/ stability issues on record 1995-2025

How the building has stood for 150 years+ http://www.egyptianhalls.co.uk/page17.html

Potential Progressive Collapse Scenario http://www.egyptianhalls.co.uk/StructuralMovie.html

Are GCC really attempting to forget this occurred? That they had ignored identified Public Safety issues as follows **FEB 2002 GCC advise "*You may be aware that there was a potentially fatal building collapse in the City Centre in October 2001 "The general condition of the building overall is much deteriorated and an immediate cause of concern. This situation will only worsen if the full repairs package as per the terms of the extant Listed Building Repairs Notice, are not effected before the onset of the next winter* the legally non variable LBRN states "*stabilise all elements of the supporting (whole) structure"* And now attempt to state they're acting on new information and for clarity only new information GCC wishes to agree with, which is from a **DRAFT** Report that GCC does not have approval to concur with.

And all this then all just founded upon a **TWO hour tour** by non-conservation accredited but proficient general Structural Engineers who then did not "gather their thoughts" for discussion with WRD and TMP as stated but just embarked upon scoping a serving a Defective Notice March 2025, which by October 2025 may now require additional bolt on Defective Notices we believe are a result of the August submission by TMP/USP. **Again refer back to the Addison 2014 Standing on the Scaffolding quote**

Deterioration Evidence-Disagreement between GCC Building Control and Narro Associates

GCC has since stated March 2025 the following *At the end of March the Council served a defective buildings notice in terms of the Building (S) Act 2003 on the owners of Egyptian Halls. This sets out work which the Council considers is necessary to rectify defects in the building and bring it into a reasonable state of repair. This would also result in the removal of the scaffolding which has been located in front of the building since 2010. These repairs are necessary to prevent a further deterioration, but they are not the comprehensive and long term solution which is required to secure the future of the building.* So the latter sentence should be taken cognisance of and defined as a requirement given the believed counterproductive component which would see much of this work requiring re-done hence a Contingent Liability should be estimated

May 2025 The latest Condition Survey, prepared for GCC by Narro Associates. provides the following commentary: ***From our last full structural survey conducted between March and July in 2018, and our further site visits in February 2020, November 2023 and now May 2025, the building does not appear to have deteriorated significantly.***

This is incredibly germane as given WRD, TMP and now Narro Associates disagree with GCC currently re a) rate of deterioration b) when it occurred ergo certainly not the last FIVE- SIX YEARS! And c) GCC on record 1995 onwards regarding this and again it's all on these links

Deterioration Timeline 1980-2022
http://www.egyptianhalls.co.uk/assets/files/Deterioration%20Timeline%201980-Oct%202022.pdf

LBRN Discharge Visual Aide Memoire
http://www.egyptianhalls.co.uk/E-Halls LBRN Repairs Aide Memoire-June2023.pdf

It should be obvious to anyone who reads this report that the combined public sector GCC, GDA, and HS/HES-Scottish Government failed to collaborate and failed to deliver. However, instead of being transparent about this and developing a collaborative approach with the actual owners, GCC now attempt to ignore all of this and frame USP and USI for what was an avoidable serious conservation failure 25 years ago!!!

3.4.3 CONTINUED Timber packing to historical temporary supports installed on the rear wall showing signs of significant rot.

The approved 2000 scheme preserved 100% the entire building the subsequent 2013 scheme included works to replace the Rear Wall and Roof and bypass the floors due to irreversible decline.
Again, one would state this is very detailed and not readily understood. Temporary Works were scoped and costed at the suggestion of GCC Building Control and submitted in Sep 2022. GCC BC state they did not get this, but it was submitted to a Senior Officer and was assumed to have been circulated?

3.4.4 In order to prevent a significant deterioration occurring, which would result in an immediate public safety issue, a defective building notice using Building Standards powers is being served on the owners to address the condition of the façade and parapet wall.

The aforementioned is significantly misformed and therefore recommended for objective review. And all relate to/develops from the discovery of GCC's Feb 2002 correspondence (and let that sink in GCC knew of major issues 24 years ago), which why GCC did not have on file (**WHY NOT**?) this very significant given it reinforces **from 24 years ago known structural/stability and causal public safety issues** that GCC a) forgot about b discounted c) tried to divert onto 1st Consortium, then USP, then USP and USI. Again it's reinforced GCC are attempting to somehow confect a narrative Deterioration was only uncovered after their Dec 2024 site tour; at best disingenuous at worst potential maladministration).

And one fundamental given GCC describe it as extant Notice and the LBRN defines what is specified and GCC have defined it as being legally non variable. And would take 3 – 4 years to scope, fund, deliver. And that's no use to GCC who originally wanted the Scaffolding down in time for the Aug 2026 Commonwealth Games. **And now in May 2026 we find out indirectly that a structural survey is required despite GCC refusing USP's Aug 2025 recommendation this was needed and given this had been recommended July 2023, July 2024 and Sept 2024.** Overall the competency of GCC has to reviewed regarding what they actually a) understand b) who understands c) what they do with this knowledge? In the private sector product knowledge is much valued, however in local Govt and Scottish Govt it appears to not that valued at all in fact bordering on disposable.

HOW WAS/IS GCC BEING ALLOWED TO DISCOUNT THIS? IS IT POTENTIAL MALADAMINISTRATION?

FEB 2002 GCC advise (to repeat) "*You may be aware that there was **a potentially fatal building collapse** in the City Centre in October 2001 "The general condition of the building overall is much deteriorated and an immediate cause of concern. This situation will only worsen if the full repairs package as per the terms of the extant Listed Building Repairs Notice, are not effected before the onset of the next winter* the legally non variable LBRN states "***stabilise all elements of the supporting* (whole) *structure where necessary"***

GCC March 2025 Defective Notice states ***"stabilise the distorted parapet"*** So how can the Defective Notice supplant this especially one that does not reference known by GCC already for 23 years public safety issues. And has allocated no time for Risk Assessment of "***where necessary"***

Again, somehow, this was developed based on a vvv limited "tour" 5th December after a cursory assessment of WRD 1&2 Combined (DRAFT) - July 2024, which then GCC were to "gather their thoughts" for discussion with WRD and TMP. GCC then set out a series of repairs which do not take cognisance of the actual interrelated structure. Please click to ***http://www.egyptianhalls.co.uk/page17.html***

And yet when USP references the existence of these from Year 2000 onwards GCC responds as follows Oct 2025 *Nor do we consider from the information in our possession there are any technical or safety reasons why the works required by the Notice could not be undertaken and that the structure of the building is well enough understood to bring forward proposals*

And also this Defective Notice was apparently scoped by GCC without recourse to the following proof: USP and USI did not create the proven on-record Deterioration/Repairs which started 45 years ago. Given here is GCC 2002 requesting Temporary Works - approaching 24 years ago. From **Feb 2002,** coming out from the 6000+ emails/letter archive is massively relevant as it speaks volumes about the knowledge gaps USP/USI keep uncovering and calls into question yet another CPO Review assumption that Deterioration consequences require immediate action given these issues have been confirmed since at least 1991-1995

- GCC states Temporary Works are required urgently? And surely now, nearly 24 years later the concept of repeat Temporary Works scoped as a Defective Notice, which GCC reinforces states *These repairs are necessary to prevent a further deterioration, but they are not the comprehensive and long-term solution which is required to secure the future of the building.* QED in effect Temporary Works, which have been discussed for over a decade but always not progressed due to the stated requirement by TMP to discharge the extant 1991 LBRN. This of course GCC 2017-2025 has disagreed with aggressively. Yet if we revert to GCC's Feb 2002 it's in lock step agreement with TMP who to remind have been the GCC specified Conservation Bond architect since 2008 (approaching 18 years).

- GCC states these works are required to protect public safety And of course from 2002 to 2009, there was no Scaffolding in place to protect public safety. And only post the Scaffolding being in place was it possible to record any façade fragmentation. Note GCC's 2025 Defective Notice makes no comment on public safety; yet in 2002 public safety was a fundamental requirement.

- GCC stated Feb 2002 USP has to implement the FULL LBRN again by error as USP did not have control of the Upper Floors, when in fact it was GCC via the 1996 CPO. NB this is near 24 years ago. NB it's not a set of partial or limited repairs asked for, which does call into question the scoping of the March 2025 Defective Notice; one has to assume this 2002 assessment was not considered? And of course GCC is also failing to disclose a known contract breach, which, if it had this scheme, would have been funded 23 years ago? Was this just down to dysfunctionality?

- USP at that juncture early 2002 had to make the Planning Officer aware that GCC still had the title to the Upper Floors as the CPO title transfer had not been finalised, and that according to the CPO T&Cs, GCC was liable to carry out Maintenance/Repairs and as USP knows to its financial detriment, this was never done from then up until USP reconciled the consequences of GCC's disastrous CPO Amendment. And yet the CPO Review Report Feb 2025 appears to look to position/reinforce that significant deterioration has only occurred these past few years???

- Despite, of course, the approved 2000, 2005 and 2013 schemes detailing increasing deterioration and structural reports from 2011, 2013, 2015, 2016, 2019, 2021 and 2024. And to repeat the 2002 GCC assessment. One can only surmise yet another prime example of a knowledge gap at GCC nearly 24 years ago, which apparently no one currently is aware of.

- WRD state July 2023 and July 2024

3.4.4. CONTINUED Once repairs are actioned by the owners, or the Council, if necessary, further action will be considered and taken as appropriate to secure the removal of the scaffolding.

Again founded upon a denial of the actual structural condition and the resultant causal non-viability caused by GCC, GDA, and HS. And a denial of GCC's efforts to sledgehammer through this removal whilst attempting to avoid the stated and reinforced public safety issues detailed a perplexing 24 years ago! Okay maybe that should be defined as bizarre. And it appears that this specific section of the report is written by Officers who either have not been provided with the significant canon of structural and architectural reports and/ or have no effective Conservation-accredited structural engineering expertise. Also are unaware completely of

- **Deterioration Timeline 1980-2022**
  http://www.egyptianhalls.co.uk/assets/files/Deterioration-Timeline1980-Oct2022.pdf

- **LBRN Discharge Visual Aide Memoire July 2022**
  http://www.egyptianhalls.co.uk/E-Halls LBRN Repairs Aide Memoire-June2023.pdf

- **Egyptian Halls Potential Progressive Collapse Scenario Feb 2020**
  http://www.egyptianhalls.co.uk/StructuralMovie.html

- **Conservation Bond specified architect/structural engineers expert advice- ignored by GCC** ***http://www.egyptianhalls.co.uk/assets/files/Approved-BuildingBuildingWork1998-2019.pdf***

- **Requested Public Safety Clarification?** **http://www.egyptianhalls.co.uk/assets/files/The-EgyptianHallsPublicSafetyClarificationRequest.pdf**

We realise GCC believe the following in August 2018 from GCC: "*DRS does not agree with your view (*note it's the opinion of TMP/Add Cons and now WRD/TMP*) that the scaffold cannot be removed, providing appropriate measures (i.e., maintenance works) are undertaken to ensure the façade is secure. I'm sure the ward councillors are aware of your arguments for the retention of the scaffold from your correspondence."* Note these are not USP's arguments but expert advice from conservation-accredited engineers and architects. And given 30th April 2019 meeting Building Control's Mr Barlow stated, ***"****It's a building, walls-floors-façade: sort the façade and the rest can follow."*

However**,** this cannot happen until identified (by GCC since Feb 2002) massive public safety risks are reconciled or a) the LBRN discharge is funded and is signed off by both the specified architect and GCC's Director of Planning; b) GCC takes full liability for the aforementioned massive public safety risks this would create as put on record to GCC in March 2016. Further, to repeat, this is diametrically opposed to the expert advice GCC has been provided since 2008 by its **own** specified Conservation Bond architect. And reinforced by detailed analysis Addison Conservation 2000-2019 and WRD 2019-2024 (all on record)

There is also no reference to the existence of and primacy of the 1991 LBRN. This without doubt will already encompass what any Defective Notice would reference as works to be carried out. For the record, HES has stated it agrees with TMP and WRD's analysis and recommendations 2010-2024, so why can't GCC? Also for clarification, all studies from TMP/Add Cons 2008 up to 2024 WRD 3 are from specialist conservation-accredited structural engineers. So given the May 2025 Conditions Report states

May 2025 Narro stated *'Any refurbishment programme would likely* ***involve strengthening and repairs of the main structure****, a new roof, complete replacement of internal finishes to the upper floors and a* ***comprehensive restoration programme of the main façade****. Additionally, the structural integrity of the rear elevation has been questioned.*

Aug 2025 TMP stated *In which case it is virtually impossible to stabilise the distorted parapet in isolation. QED – IS THIS AN INCONVENIENT TRUTH.*

So given this May 2025 Report does state the structure needs strengthening so how can GCC still ask for the parapet to be stabilised as part of the March 2025 Defective Notice knowing this. And also knowing the 1991 legally non variable LBRN states ***repair or otherwise stabilise all elements of the supporting structure, where necessary, leave in a wind and watertight condition; all works urgently required for the preservation of a listed building and to be carried out to the satisfaction of the Director of Planning".*** And that GCC on record Feb 2002 also stated ***"The general condition of the building overall is much deteriorated and an immediate cause of concern. This situation will only worsen if the full repairs package as per the terms of the extant Listed Building Repairs Notice, are not effected before the onset of the next winter.*** GCC in same correspondence also stated *"You may be aware that there was a potentially fatal building collapse in the City Centre in October 2001 (*yet for the record when USP states this could potentially happen based on a detailed study underpinned by specialist testing Feb 2020 (19 years later) GCC dismiss it out of hand quoting from a desktop survey it had carried out

If, the Scaffolding in place is protecting Public Safety. GCC appears to believe it is not, but it has never agreed to take on 100% of the public liability implications of this. Again, to repeat, the Scaffolding has cost **£700k-£800k,** protecting public safety.

Public Safety Risk Assessment Scenarios GCC should consider ASAP

- What happens if the this defined ***unpredictable structure which is prone to a trigger event caused (partial, internal?) progressive collapse*** (WRD Dec 2019 /July 2024) and it knocks out the electricity substation in the basement of No 88 before or during the Commonwealth Games?

- How can pedestrians walk past, walk up and down Union Street safely when it's known to GCC, USP, USI and respective core professional team the full LBRN has to be discharged e.g ***stabilising all elements the supporting structure;*** not just the façade/parapet? Or indeed the current DBN is supplemented with additional support DBN's

- Can the current Defective Building Notice (DBN) somehow afford the Scaffolding removed given the Public Safety issues require to ***stabalise all elements of the supporting* (whole) *structure are NOT just the distorted parapet.***

- What if GCC steps in and finds the Egyptian Halls is in fact a Dangerous Building or would be if the Scaffolding was removed. If so then Demolition is likely and that would close Union Street and the surrounding environs (Mitchell Street- NCP) before/during the Commonwealth Games?

- What further massively negative impact would this have for the now underway Union Street Corner Recovery Initiative?

- What impact would this have on a GCC Building Control who've been flat out and more working to stabalise- yes that word stabalise all of Union Corner?

- What is the potential cost of this; community, safety, financial? And who is then liable/held liable?

- Would the Scottish Govt be so ready this time to step in with another £10M+ tranche of "extraordinary funding"?

- Can as per **GCC March 2025 Defective Notice states "*stabilise the distorted parapet*" (be achieved SAFELY by somehow tying this to the structure?)**

- What is the potential cost of this; community, safety, financial? And who is then liable/held liable?

- **Is Scaffolding the only cost-effective method to protect public safety until the extant 1991 LBRN is discharged or New Build is approved and implemented? Yes/No**? **And before anyone blows steam out of their ears, keeping the Scaffolding in place has cost USP £700k. And USP would welcome its removal tomorrow if what was left would not immediately endanger public safety. Ms MacDonald has the financials for this and further assessment to prove this would be most welcome**

- When there must be a way to continue to protect public safety, to slim down the Scaffolding; keep the protective crash deck, afford greater and safe pedestrian flow whilst a full scheme is scoped/funded and then working access/scaffold goes back up for 18-24 months**.**

- **This then allows for remedial works to be actioned timeously Make it a massive PR/Social Media opportunity.** https://www.facebook.com/share/v/14KCmWDsySY/?mibextid=wwXIfr

3.4.4. CONTINUED However, a sustainable long-term solution is required for the building, and if this report is approved, officers will seek proposals and investigate the use of CPO powers to facilitate this.

Unbelievably disingenuous or patently GCC's record keeping is flawed to the nth degree. GCC, GDA-HS/HES' track record of acknowledged grant rescindment, legal errors and mistakes non-viability, and long-term failure relating to four previously approved applications 1997, 2000, 2005 and 2013; including significant structural assessment errors. contract breach non-disclosure and misrepresentation is all on record but GCC refuse to assess this significant body of evidence as does Scot Govt 2014 onwards.

However, the surprising failure to provide the evidence that an "informal offer underpinned by an independent valuation" (which, as it turns out, is clearly not **independent**, as GCC facilitated (funded?) this via GCBPT, which it funds and has strategic Board member representation) was not followed up by the interested party, and not USP nor USI will see this reviewed.

Also the interested party has breached commercial confidentiality. Given that you believe it was an offer, then the T&Cs that underpin this have to be observed (on record for assessment)?

3.5 Advertisement on the scaffolding

Do GCC really believe rescinding the Ad Hoarding income assists in reconciling the ***blight*** on Union Street, bearing in mind the fact GCC/GDA/HS-HES have been the prime influence in causing the building's current state? Scaffolding has to be paid for, as it's protecting public safety, so it can reinforce a non-viable building to repair, which is on the cusp of being defined as a Dangerous Building.

This performative achievement does nothing to address core issues, e.g., GCC from Sep 2018, when GCC refused to meet to discuss why this income was needed and what it was being spent on. A definite lack of balanced strategic oversight and far less accountability! **£350k** in income for working capital has been lost to date that would have been spent on the scheme – such as scaffolding upgrades and Maintenance. And the submitted Sept 2024 Feasibility Study has yet to be commented on by GCC.

Further the scaffold Shroud has contributed significantly to the reduction in Water ingress as per TMP May 2019 *98-104 THE SCAFFOLD -SHROUD-BANNERS - CONDITION OF THE BUILDING*

See below a summarised version of what was submitted earlier to GCC Enforcement Again it comes from the Conservation Burden named/nominated/specified architect. I refer to our most recent and brief conversation about the above. ***On 8th January 2019 I wrote: 'DEREK - I think it is reasonable to define the scaffolding as a key part of significant and essential ongoing building works having particular reference to the facade and safety****. In addition to that I believe it is necessary to also recall and reinforce the following: John Addison and I have stated on numerous occasions to all those with an involvement in this building over the years that the presence of the Shroud and Advertising Banner have made a significant contribution to the process of sheltering the building's Upper Floors.* ***In particular it has made a significant contribution in helping to check the unrelenting ingress of water and high moisture content within the building fabric and atmosphere.*** *That detrimental status was the result of inadequate or inappropriate ongoing maintenance and prevailed from a considerable time prior to our first involvement with the building in 1998.*

We often stated that the shelter derived from the Scaffold, Shroud and Banners has been a major factor in the gradual drying out of both the Building Fabric and the internal atmosphere. That gradual process of improving conditions has been particularly sympathetic to the fabric and the internal atmosphere. Failure to maintain that gradual process would surely result in a reversal of the gains that have been achieved over recent years. Such retrograde steps are likely to have repercussions for what might be possible in the future.

http://www.egyptianhalls.co.uk/assets/files/Egyptian-HallsStructuralSurveyGlossaryYear2000-2023.pdf
See Pages 278 onwards in particular Water the Engine of Decay

WRD July 2024 9.75 Scaffolding/Shroud *Until the permanent works (or specifically designed temporary works to allow removal of the scaffolding)have been implemented the scaffolding, the double layer of external shroud / advertising hoarding should remain in place for the following reasons: It provides access to inspect the façade to fully determine remedial measures to allow the stonework to be conserved appropriately for future development proposals.* ***It provides some level of protection to the stonework against the effects of weathering and pollution helping to reduce the rate of decay. It provides shelter to the parapet against wind loading.***

Was there an Unfair and Unjust removal of Ad Hoarding income? Point of Growing Conjecture

Can I also confirm GCC when rescinding the Ad Hoarding approval argued successfully the Scaffolding was not protecting Public Safety ergo was not "approved building/construction works:. The re-discovery of these GCC assessments 1995, 2000, 2002. 2008, 2009, which GCC did not disclose during this protracted action (Sept 2018 onwards) will shine light on this decision. One which we believed then was the wrong decision should now be subject to objective review The Scottish Govt also had significant role here and concurred with GCC's belief.

But of course what also did not get disclosed was the full perspective so now we have the evidence of known about Public Safety issues (denied by GCC 2018-2023), the potential for fatal building collapse (denied by GCC Feb 2020) unless the extant 1991 LBRN is discharged then given no funding for this and that Demolition was refused 2010, 2016 and 2019.

Then it's surely a no brainer that the Scaffolding is protecting public safety and that has to be funded. However both GCC and the Scottish Government have ignored this, failed to take full cognisance of their own evidence as this as it suited their combined approach to deny working capital generated by Ad Hoarding income. Therefore GCC/Scot Govt should consider as a matter of urgency the re-approval of the Ad Hoarding income stream as well as grant circa £300k to USP/USI to fund required studies/reports.

Ad Hoarding Income: The Facts

GCC, leaked to the Herald and Times a fantasy opinion that the Ad Hoarding was generating **£70k** per month x 15 years = **£12M.**

FACT: It generated **£1.5M** over 15 years or £100k p.a., of which **£700-£800k**+ was spent on scaffolding

FACT: Ground Floor Rents have declined from **£220k** in 2005 to circa **£50k** in 2024, with a major factor being the presence of the scaffolding. Circa **£1.6M** of Rental income was lost due to this.
OPINION: *Approved building/construction works* have been carried out as detailed by GCC's specified expert architect. And in fact now the Feb 2002 letter plus other GCC support commentary has come to light it's clear the presence of the Scaffolding is protecting public safety. And in the absence of funding for the extant 1991 LBRN discharge the aforementioned is in fact being delivered. As if not then the Egyptian Halls would be a Dangerous building if the Scaffolding was removed.

USP and USI will be looking for a judicial review of the combined GCC/Scottish Govt decision to a) rescind the Ad Hoarding income b) was this deliberate aggression to reduce working capital or b) yet another error caused by dysfunctionality and a lack of project knowledge?

GCC has decided to ignore this as they have pursued a non-engagement agenda. And also what is now unquestionably a deliberate strategy of denying working capital despite this being spent on Public Safety and Maintenance which has proven In essence because they could and are allowed to do so because they mark their own homework.

3.51 Advertising Consent was initially granted on a temporary basis for one year in 2000, which expired without being implemented. Have no recollection of this? A later Advertising Consent was granted on 22 July 2008 (reference 08/1320/DC). However, scaffolding was not erected until 2009. The consent allowed for the erection of a shroud/banner image of the Egyptian Halls on the scaffolding and for an advertisement hoarding facing Union Street while approved works to the building were being carried out. ***No approved works were ever carried out.***

Structural Non Comprehension 1995-2025 (30 years and counting)

GCC continues to promote dangerous falsehoods and misinformation relating to NO approved building/construction works carried out since 2008, especially in relation to the unequivocal requirement for the Scaffolding platform to be in place as defined by GCC's specified Conservation Bond architects and Addison Conservation and now also WRD. And also, the CPO Media release details the following incredibly perplexing and fundamentally inaccurate opinion, which ignores all expert advice. *The Egyptian Halls has been vacant and derelict at the upper floors (only the ground floor is partly occupied) for over 30 (**45**) years and has been on the national Buildings at Risk Register since 1990. Scaffolding has been in place for 15 years **but is not being used to facilitate repairs, conversion or maintenance or serving any structural need**, and is causing environmental, social and economic blight.*
To repeat, a wholly misinformed, inaccurate and dangerous opinion. Despite the on-record chronology of architectural/structural studies submitted to and discussed with GCC and HES

- From GCC's Conservation Bond specified architect; now given this opinion is founded upon the expert advice and knowledge GCC has acknowledged TMP has! Why does GCC just discount it?
- From WRD (July 2019 onwards), who recommended the Protective Scaffold. And yes, it's a further protection of Public Safety, which GCC just also discounts entirely?

To put into context, GCC appear to be still unaware of fundamental public safety requirements and/or hope to ignore these, and the responsive protective measures put in place due to 45 years of unchecked deterioration caused by the public sector. And which GCC now tries to blame on USP and USI.

Non Engagement re March 2025 GCC Defective Building Notice (DBN)

DBN Discussion Proposal (but ZERO GCC engagement)
http://www.egyptianhalls.co.uk/2908-2025 Defective Notice Response.pdf

Gold Standard Conservation 29th Dec 2025 (Zero GCC engagement)
http://www.egyptianhalls.co.uk/assets/files/TMP-ExpertStatementAppendices-GCCMarch2025DefectiveNotice.pdf

Public Safety is Paramount 8th Jan 2026 Zero Engagement (updated 14th May 2026
http://www.egyptianhalls.co.uk/assets/files/TheEgyptianHalls-PublicSafetyIsParamountAppendices.pdf

Scaffolding Removal without discharging 1991 LBRN – Summary

- Deed of Con Architect-TMP on record many times stating Scaffolding cannot be removed
- Skim from 2016 ***https://www.glasgowtimes.co.uk/news/14285327.warning-over-calls-for-egyptian-halls-facade-to-come down/#:~:text=AN%20architect%20involved%20in%20the%20Egyptian%20Halls%20project, and%20scaffolding%20from%20the%20A-listed%20three%20storey%20building***.
- Feb 2016 GCC states: "*the Council acknowledges that George Morrison and John Addison have considerable experience, expertise and knowledge of this building.'*
- March 2016 Kidstons letter details what action USP would take if GCC removes Scaffolding.
- WRD studies state similar that Scaffolding cannot be removed prior to LBRN discharge (see below)
- Dec 2019, the Scaffolding is upgraded via a Protective Crash Deck on the advice of WRD
- Both TMP and WRD state It's increasing the protection of Public safety and is *"approved building/construction works"*
- All on record, all submitted previously and available again for GCC to assess
- And of course now we have GCC's Feb 2002 warning of **"potential fatal building collapse"**
- **Scaffolding is protecting Public Safety USP is funding this from very scarce working capital.**

Extract WRD 1 & 2 Combined Studies (Draft) July 2024 reinforces why Scaffolding is required
Designed by world-famous Alexander 'Greek' Thomson in 1871, it is one of his most celebrated remaining completed works, which has unfortunately deteriorated significantly due to a lack of intervention over the previous 40 years and has now reached the point where appropriate measures need to be taken to save the building from being lost forever through material deterioration that is beyond feasible recovery. Elements of the structural fabric are now considered to be in an unsafe condition and structurally unpredictable, which has primarily been caused by the deterioration of the roof and the upper floors from continued water ingress over a prolonged period of time and ***the fundamental lack of robustness in the structure, with the potential for a trigger event to cause a structural failure*** *which could have serious consequences with the risk to public safety and damage to surrounding buildings.*

5.95 Structural System and Relationship with Building Frame *The stonework elements act as a primary heavy load-bearing element supporting the primary wrought iron beams of the floors and roof, as well as providing the external cladding of the building. Although of sandstone construction, it is a very 'open' structure with many large continuous window bays creating the façade's elegance. As such, it cannot be considered a monolithic stone wall in the traditional sense – rather, it is a series of connected structural stone elements.* ***The key structural consideration is the integration of the primary iron frame and the heavy stone façade, and the interdependence of one on the other****. The wrought iron roof/floor beams bear onto the heavy stone façade, which provides a load-bearing support, whilst the frame in return provides the lateral support to the façade, transferring lateral loads into the floor diaphragm and into the stiff stair cores.*

7.3 Scaffolding to Union Street *There are various reports and discussions regarding the requirements for the scaffolding (which was erected in 2010) to be removed from Union Street. As noted in the Addison reports (appendix J) he has continuously advised that the scaffolding should remain in place to help protect the weathered stone façade from the elements whilst also importantly providing a barrier to prevent the risk of any masonry (particularly the upper parapet level) stonework falling from height onto the street and posing a significant risk to the health and safety of the general public. It is noted that debris has previously fallen onto the scaffold top. From our inspections and review of the parapet, we would agree that until a permanent solution has been implemented, the scaffolding is of fundamental importance and must remain in place until an appropriate permanent solution is found which addresses holistically the issues with the robustness of the roof/floors, the structural frame members and the restraint to the stone façade.*

7.4 David Narro Report (GCC commissioned bypassing TMP, its Conservation Bond specified architect) *The most recent previous report on the condition of the Egyptian Halls structure was completed in April 2018 by consulting Structural & Civil Engineer David Narro Associates, which was commissioned by Glasgow City Council. From our review of this report and our own subsequent further surveys, structural testing, and calculative assessment, there are two key issues where our findings differ from those included within the DNA report, which are noted as follows:*

7.41 Parapet *It is noted within the DNA report that there may be the presence of metal tie rods which connect the stone masonry parapet sections back to the cast iron segmented roof beam along the front wall head. "There appears to be metal rods tying the stones back to the inner cast iron segmented roof beam, suggesting the parapet relies on these rods and not gravity balancing of the stones. Further investigation into the parapet construction and the condition of the tie rods is of concern. Narro Report, April 2018)*

From the structural material testing completed by Henderson Thomas, which included GPR scans along the full length of the parapet and locally opening up in the suspected potential tie rod locations, the results ***concluded that there are no metal ties present and that the masonry parapet is currently in place by utilising its own self-weight and base mortar joints to resist sliding and overturning failure****. Refer to the appendix for the HTA report, noting this.*

7.42 Robustness Dealing ***As per John Addison's reports, it is noted within the DNA report that there is an inherent lack of tying between the iron framework components, which would not be satisfactory in accordance with current design codes of practice and industry guidance. It is noted that within the DNA report that through the use of appropriate tying straps and restraint bracing, the robustness requirements for the building could be achieved without significant effect on the existing fabric of the building. "****In general, although there is an inherent lack of tying between main floor and frame elements, the structure does not show signs of excessive deformation or deterioration, and with the judicious installation of some tying straps and restraint bracing, the building can be repaired to a level which would allow it to function as it was originally intended." Although modern building standards will require certain upgrades to fire protection, fire escape considerations and tying, this should be achievable with minimal impact on the existing structure." (Extract from David Narro Associates Report, April 2018)*

We do not agree with this assessment, and it is our opinion that due to the current condition of the floors (following evidence of recent material sampling and testing results), the requirement to achieve satisfactory robustness and to prevent disproportionate collapse is of critical and fundamental importance, and we do not expect that this can be achieved in this way. A more onerous solution will be required, which is later discussed in section 12.3.

We would note that to achieve satisfactory remedial details to suit the requirements of the current British/European standards and the building regulations, there would be a considerable impact on the existing fabric of the building, which will be technically difficult to deliver safely and would likely be financially onerous

TMP July 2024- GCC 2008 specified Conservation Burden Architect for now 18 YEARS!

http://www.egyptianhalls.co.uk/Egyptian Halls Structural Survey Glossary Year 2000-2023.pdf

- Temporary Repairs Phase 1 Feasibility Study - Egyptian Halls **P847- 907**
- 2024 - TMP Conservation/Construction/Cost Commentary….**P1127-1129**

The repair of the façade in isolation to enable removal of the scaffold has been reported on in detail on various previously occasions. In short, the case made clear that it was not a credible option for irrefutable and very clear reasons The robust conclusions for that not being possible are based upon: CONSTRUCTION GROUNDS ;CONSERVATION GROUNDS/ FINANCIAL GROUNDS

Independent Current Commentary

We are aware of the structural condition of Egyptian Halls, as described in the engineering reports by Will Rudd Davidson. We recognise that significant investment is required for structural and fabric repairs and conversion to a new use." HES 17th Feb 2025 (And for "significant investment" one could add by deduction **"and intervention"**_

And here's a quote from the GCC commissioned Narro Conditions Survey May 2025 "***Any refurbishment programme would likely involve strengthening and repairs of the main structure, a new roof, complete replacement of internal finishes to the upper floors and a comprehensive restoration programme of the main façade.*** *Additionally, the structural integrity of the rear elevation has been questioned.*

This highlights and reinforces further why no competent planning application can scoped past a Pre-App until it can be certain LBC can be agreed and approved based upon GCC also agreeing with the actual structural condition not the version many fervently believe it is. Hence why the recommended "*holistic architectural review"* with support, expert load testing and specialist testing updates is crucial!

3.52 Despite this, unauthorised large-scale advertisements continued to be displayed on the scaffolding, prompting a series of enforcement actions by the Council's Planning Enforcement team.

There was also no agreed-upon definition of what were to be *"approved building/construction works*". As all stakeholders believed that after a 12-year delay, a new scheme would be funded. And GCC Conservation Bond architect detailed what it believed were significant "approved building/construction works", but GCC chose to ignore this advice, instead stating as a justification that internal discussions and meetings had decided to rescind the Ad Hoardings appearing.

No action was taken until Sept 2018, remarkably two months after GCC Legal had inadvertently disclosed that GCC admitted they had breached the Dec 1999 CPO contract with USD, but the advice was to not disclose this. For the record, GCC DRS did not disclose this to its own Econ Dev Committee in Dec 2022, or either to their then Lord Provost in April 2004 or to then First Minister McConnell or to USP and its lawyers, despite stating they had! Surely, this misrepresentation will be reviewed!

Especially as we also now know DRS/Legal deliberately did not disclose the CPO Contract Breach Dec 2002 Econ Dev Committee meeting, nor did it disclose then the very real legal liability GCC would have faced if this had been disclosed? One must question, again, if there were functioning ethical oversight and accountability protocols circa 2002-2004, and just what were certain Councillors briefed or not.

And now we have the GCC-USP Feb 2002 letter to hand, which details the known existence of Public Safety issues, the potential for fatal building collapse unless the extant (full) 1991 LBRN is discharged then given no funding for this and that Demolition was refused 2010, 2016 and 2019 then it's a no brainer that the Scaffolding is protecting public safety and that has to be funded.
Therefore GCC/Scot Govt should consider as a matter of urgency the re-approval of the Ad Hoarding income stream as well as grant circa £300k to USP/USI to fund required studies/reports

Action included the Council seeking an interdict at the Court of Session to prevent further unauthorised advertising on the scaffolding surrounding the listed building. An out-of-court agreement was reached, leading to the cessation of further banner advertisements on the scaffolding.

Agreed, but this could have been achieved by a simple email exchange, saving scarce resources (**£40k** legal fees, USI and **£15k** GCC), which would have been allocated to Maintenance. GCC must have money to waste despite its public statements to the contrary.

Moreover, the Ad Hoarding income could have been mandated to GCC to hold for maintenance/scaffold upgrade (necessary as there is no safe access to the façade until it is upgraded). And it's now needed, so will GCC now blame USP and USI for not having the income to fund this? Jings, if so, this becomes so serious for Scotland's democratic checks and balances.

Can GCC really get away with rescinding a much-needed income stream based on abuse of power, ignoring expert advice, and then blaming the lack of income on the companies it cut by 80% of the income for no proven benefits? Perplexing to the ninth degree! And of course not taking similar action against Hoarding promoting GCC's own People Make Glasgow campaign **300M** away from 2014 till the present day, a period of discrimination and bias of **TWELVE YEARS!**

And the following is surely a prime example of cutting one's nose to spite one's face. Given as stated and stated and stated to continue to access the scaffold platform, it has to be upgraded, which will cost circa **£100k+** and would have been funded out of the Ad Hoarding income that did not accrue since Aug 2023.

And now access to the platform, and of course, whatever Repairs work cannot be carried out until the Scaffold platform is upgraded. Further, it's a possibility the Scaffold platform may become unsafe to be tied to the various floors given the measured, proven massively reduced commercial strength – circa 30%!!! USI is of the opinion this was also actioned to reduce income, as GCC believed massive income was being syphoned off, which is patently nonsense.

It would also appear the Scottish Government has minimal locus over GCC's activities, having failed to ask GCC since Aug 2018 to explain why in 2004 they failed to disclose the actual true position to Scotland's then First Minister, who'd taken a personal interest in why the Egyptian Halls project had stalled, and, to repeat, *'He feels that the Council's actions may be putting the project to repair and restore the building in jeopardy. I would be grateful if you could reply directly to Mr Souter, outlining the Council's position. Can you also let me have a copy of the response for our records?"*

Former FM's Salmond, Sturgeon, Yusaf and now new FM John Swinney, has been asked again if they believe the FM Office being misled significantly regarding a major regeneration project that should have been delivered 20+ years ago is important enough to revisit. Given the future existence of this Grade A architectural masterpiece is on the line, he will need to decide one way or another PDQ. Or will the new SNP/Green's administration just sit on their hands despite the unequivocal proof its agencies – GDA and HS – were instrumental in creating the environment for a raft of factors and never predictable consequences to coalesce so catastrophically?

3.53 As part of the resolution, the owners of the Egyptian Halls gave a formal undertaking to the court not to cause, undertake, or permit any advertisements on the scaffolding without prior consent from the Council.

And how can maintenance, scaffolding upgrades and a creative business plan be developed when income is cut 80% due to having to have in place scaffolding to protect public safety, which costs £50K per annum? So is Demolition and New Build now the only options, as if the Scaffolding is removed due to being unaffordable, the Egyptian Halls will become a Dangerous Building immediately.

The court's formalisation of the undertaking ensures compliance. This long-running process has ultimately achieved the Council's aim of prohibiting inappropriate large-scale advertising that detracts from the visual amenity of the conservation area. Since the agreement, no further banner advertisements have been displayed on the scaffolding.

Again should be reviewed as a matter of urgency given GCC failed to consider wait for it; yes its own assessment and advice? Again was this deliberate or an error caused by dysfunctionality.

However, GCC's own sign was installed on the Met Building, despite planning permission having expired in Sep 2014 and approaching **TWELVE YEARS** without permission (removed Nov 2025). This is a prima facie example of one rule for the Egyptian Halls and another for the Met Building – one of which uses Ad Hoarding income to fund maintenance, scaffolding, electricity, studies and reports, while the other displays a People Make Glasgow Advert FOC.

All in all, a totally misinformed action by GCC, which believed the Scaffolding was not protecting public safety. When in fact to repeat it's now being uncovered that GCC issued a strong request for USP to implement in full the 1991 LBRN so as to protect public safety. This was back in Feb 2002, so given that GCC-Scot Govt refuse to accept the financial consequences of their combined errors and lack of joined-up Govt, the scaffolding has been both protecting public safety and making a significant contribution to the preservation of the façade. Basically GCC either don't comprehend this or just choose to discount this as they seek to achieve some form of performative leverage. Pats on the back for all connected with this waste of time and resources.

4.0 Voluntary Acquisition by Council

4.1 Glasgow City Council has no intended use for the building and is not in a financial position to make a voluntary acquisition at this time.

USP and USI believe this can be assessed to check all options open to allow GCC to have a significant presence and have recommended an effective approach to achieve this, as of 3rd Feb 2025.

5.0 Current Proposal

- Since the CPO Review GCC have produced a Valuation Report; materially flawed; see as follows

GCC – DV Valuation Report; critical analysis
http://www.egyptianhalls.co.uk/0806-2026-Updated Response E-Halls DV Valuation Report-9th July 2025.pdf

- Since the CPO Review GCC have produced Preferred Bidder Report; which given the DV Report is deemed to be materially flawed so therefore is this

GCC- Preferred Bidder Report; critical analysis

http://www.egyptianhalls.co.uk/0806-2026-GCC EH Report Preferred Bidder-Response.pdf

Current Proposal – 5.1 The Council has been approached by an interested party which wishes to acquire the Egyptian Halls building with the intention of delivering a mixed-use repurposing proposal. This proposal is at an early stage and is considered to be commercially sensitive; however, plans would comprise a new food/restaurant market development on lower floors with a hotel on upper floors.

This is very surprising indeed and *is considered to be commercially sensitive. Firstly,* it's somehow accepted by GCC that The List's (sic) offer is to be treated as the aforementioned.

But The List can disclose to GCC what it had agreed was also ***"commercially sensitive"*** with the Standard Security holders. Surely GCC is demonstrating considerable bias against the co-owners and the project investors.

Also for GCC to define the following as being commercially sensitive is bordering on a lack of commercial acumen given the willing buyers asked for a purchase price and were advised to offer purchase prices separately for the Upper Floors property and also for the Ground Floor properties.

The response back did not meet the threshold for contractual assessment. Therefore at no time was there contractual congruence between the apparent willing buyer and the willing sellers (USP and USI). Therefore, the foundation underpinning this report is all but untenable from this juncture onwards.

However, let's continue the assessment of what it is, and it's stretching the definition between nascent and embryonic **POTENTIAL offers.** ***"We would like to formally offer you £2m for the building. This would be made up of 10% of the profits of the business per annum, capped at a total value of £2m, paid over as many years as necessary."*** One does conjecture that GCC has to therefore state this to be "***commercially sensitive",*** as in fact the "interested party" has actually offered **ZERO**.

And if detailed in the Report, would see questions asked as per detailed below. Let's also factor in GCC, HES and the Scottish Government have all stated since circa 2010 this was a commercial project, and we must find a commercial solution – despite simultaneously saying commercial projects were all non-viable and without external funding no scheme could happen. Again the essence of cognitive dissonance for all to assess, including local MSPs and Heritage journalists, (many are willing conduits for GCC.)

GCC also have no ownership interests, have invested zero funding and are the prime cause (along with GDA/HS-HES) of a 27-year delay. They appear, instead, to believe what they are told by non-owners, who have made no actual offer to purchase the property from the known co-owners as had been asked. Moreover, it would seem GCC still have fundamental, irreconcilable challenges believing what the actual owners say or what their core professional team advises, as well as GCC's specified scheme architect? Is this actually blatant bias, lack of conservation knowledge, lack of valuation and commercial transactional experience actually being passed off as development assessment?

The lower floors, it should be noted, are owned by USP Ltd and the separately valued Gourmet Food Market concept discussed with GCC 2013-2014, whereas the upper floors are owned by USI Ltd and separately valued. Despite being approved in 2013, both were derailed when GCC failed to provide the funding they had promised (this is on record from an independent professional planning consultant).

The proposed scheme would retain the existing building and would include a modest extension to the roof to create additional floor space

Firstly, this ignores the separately owned Upper Floors are for the Hotel schemes and the separately owned Ground Floor properties for Bars, Restaurants-Gourmet Food Market. Therefore there is no proposed scheme currently apart from in the minds of the interested party, who, to reinforce, have not made any relevant offers to purchase these separately owned and valued properties.
SCT-GCHT, HES and GCC, none of whom have any ownership locus; yep, as remarkable as it is perplexing, but we'll continue.

A two-storey extension was approved in 2013 (separate Upper-Floors hotel); if it had been a three- or even a four-storey extension, the extra value would have bridged the deficit left when GCC failed to deliver its agreed share pre-application, which is proven by independent commentary. **To repeat (2010-2013), the entire USI Upper Floors surplus/ Developer's profit (£3M+ was allocated to assist in reducing the Ground Floor deficit – something GCC appears to have forgotten.** Skim the following link ***https://www.ipetitions.com/petition/save_the_egyptianhalls/*** *(see Page 123)*

Note the detail, the collaboration and how close this came to fruition in 2011-2012. Note the scale and quantum of the USI-offered contribution to reduce the deficit to an amount which, of course, GCC and the Scottish Government could have and should have provided. And of course, the GCC "promised" to fund pre-2012 application approval (independent evidence attached in case anyone needs the proof). Again another example of voluntary private sector contribution that's just been airbrushed out of the current GCC landscape it appears. And beyond doubt USI will reinforce this to the nth degree

Given Skyline Changes were obviously being planned, why was a CPO Review instigated Feb 2025?
The latest policy announcement relating to Glasgow's skyline, June 2025, is noted in the Herald Scotland

https://www.heraldscotland.com/news/25212372.major-changes-glasgow-skyline-horizon-new-policy-agreed/?ref=ebbn&nid=1388&u=dd4cdf1fd1f802e39820d1128c5e9230&date=030625

Given this policy was already in the pipeline, the decision by GCC to initiate a Compulsory Purchase Order (CPO) Review is even more perplexing, **considering the option to increase the number of upper floors has been consistently tabled since 2010 through to 2023/2024 as a way to reduce the long-standing and growing financial deficit, the only obstacle to project delivery since 2010.**

Furthermore, this expansion was intended to be a central feature of a joint feasibility study between GCC and Ediston (Spring 2023), which was later cancelled without explanation. USP also submitted separate feasibility study proposals in mid-2024. These events suggest the existence of internal knowledge gaps within GCC itself.

For the record, the opportunity to expand upwards from **two to four storeys** was effectively allowed to atrophy 15 years ago. At that time, this would have revitalised Union Street, created hundreds of jobs, and generated circa **£10M** of business rates. Crucially, it would also have preserved this Greek Thomson architectural masterpiece. And was revisited 2017-2018 but GCC and HES appear to overlooked this also

HES- November 2017 - *The visual impact of a tall building next to The Lighthouse would be particularly detrimental and, setting aside the impacts on Egyptian Halls, it is possible that we would object to a scheme of this height on that account alone. We could, however, support the principle of a lower building on the car park site, provided that it sits comfortably below the level of The Lighthouse's viewing tower, and we would very much welcome this approach if it allowed the level of intervention to Egyptian Halls to be reduced. We recognise that there are significant potential benefits associated with a scheme of this ambition, but our view is that this potential scheme requires further detailed discussion about the principles.*

GCC- January 2018- *In relation to the concept of the creation of a 'Mackintosh-Thomson Mews', the Council is not adverse to this in principle, but the proposal presented, as Option 6 could not be supported, due to its impact on Egyptian Halls, the Lighthouse and the surrounding Conservation Area. If you are committed to taking this concept forward, as discussed at our meeting, there may be merit in examining a scheme which largely retains Egyptian Halls as per your previous consent but enables interventions to the rear elevation to create the connections and permeability required to link it to a new building (reduced in height from Option 6) and to Mitchell Street beyond and form the covered courtyard. This may be something we could discuss at our forthcoming meeting when you have progressed your discussions with the car park owners.* **Zero cognisance time after time that the Egyptian Halls is in the non-viable state it's been in since 1996 and in 2018 and now in 2025 has been caused primarily by you've guessed GCC and HES. Defies reality it really does!**

The lack of joined-up Government was, of course, proven earlier in 2010 when then Culture Minister Fiona Hyslop declined to provide extraordinary funding. This preceded critical decisions in 2011–2012 to reject a four-storey extension that would have secured the final tranche of required funding by increasing the Egyptian Halls valuation by **£3M**, complementing an already confirmed **£10.5M** from USI, HES, USD and BPRA funding. Combined, these funds would have brought the deficit close to zero. Then a three-storey extension was refused, with only two storeys ultimately approved. This forced GCC's DRS to seek extraordinary internal funding, culminating in the under-delivery of the then-approved scheme that should have been completed 15 years ago. Yet now a serendipitous opportunity arises! Gi

"a significant change from the past decades, where buildings have been capped well below what might be expected in a city of Glasgow's size and growing international profile. Glasgow is unique among Scottish cities in having the scope to build upwards, building towards the kind of city centre population density that's commonplace in European cities. Councillor Ruairi Kelly, Convener for Development, added, *"Tall buildings will play a significant role in our ambition to grow the city centre population, and encouraging major construction projects will be a boost for the local economy and employment."*

This will directly benefit the already planned GCC NRS initiatives. It could also significantly increase the development value of the USI-owned upper floors, providing greater flexibility to contribute toward reducing the known ground floor deficit, which must be addressed regardless of ownership, whether by USP or others. However, this requires GCC/Scot Govt collaboration, which to date has been a soundbite and all but a chimera.

5.0 Early review suggests that this proposal could be acceptable in principle in Planning terms.

Aspects for Clarification

Q? How can "in principle planning be "approved" Feb 2025 CPO Review but this won't discharge the ***1991 LBRN to the satisfaction of the Director of Planning?***

Apparently GCC 2019 onwards is confused by its legal obligations as it states it won't ask for the 1991 LBRN to be implemented by any "preferred bidder" apart from USP.

However the LBRN from 1991-2017 according to GCC is non variable-has to be discharged (by USP) reinforced by the overarching requirement to protect public safety.

Q? What then if the CPO Review is flawed and therefore so is the Evaluation Process? Has USP been discriminated against because it's been reinforced 1998-2016 the LBRN has to be discharged but others told to ignore it? That is not what a claimed to be open fair and transparent process should be.

So again, at least a confusing statement but likely to be discriminatory and also dangerously inaccurate given it ignores the agreed parlous, dire structural conditions, e.g., a trigger event could cause progressive collapse, and ignores four failed applications caused by GCC-GDA-HS/Scot Govt. And that both GCC and HES have stated since 2010 conservation-centric schemes are all non-viable. And to repeat, there had been no offer, so USP and USI are mystified as to how there can be a competent proposal. And also what is envisaged is a carbon copy of the 2012-2013 approved application. What is there to review? Crucially this proposal has ZERO locus over the Egyptian Halls. The interested party has no ownership interest. Has never offered formally to either the Ground Floor owners or the Upper Floor owners. In effect they've got the red carpet treatment from GCC for being a stalking horse to allow GCC to mount an aggressive, highly fabricated CPO Review, which GCC has written which bears no resemblance to the actual realities that have occurred and coalesced these past 30 years including the following.

To repeat, this was not delivered due to GCC failing to contribute their agreed gap funding contribution. And of course this project was praised by The List on 6th Dec 2023 (comments in blue): *"It's unfortunate that hotel development couldn't complete, as I am sure it would have been wonderful."* Now GCC and The List, the SCT, local Heritage Groups and an MSP or two are seeking to gazump the legal owners; GCC themselves are on record stating "***have committed a very significant expenditure on site assembly***" So why does GCC-Scot Govt not compensate whoever owns the Ground Floor properties for the consequences of proven errors, mistakes and misrepresentation from 1997 to 2025? *Taking into consideration the large deficit* **(this is attributable to the Ground Floor Properties only; the Upper Floors have a sizeable surplus that, once mature trading is reached, will increase)**

we are going to have to overcome, the current value of the building (there is no plan in place on how to achieve this, and the deficit is apportioned to the Ground Floor properties no matter who owns them*), "not to mention the undertaking of the development".*

Again, this makes no reference to the Deed of Conditions, Conservation Burden, LBRN obligations costs, structural challenges, complexities and the advice from GCC-Scot Govt that this is a commercial project. This is not surprising, as it is not addressed by the SCT, MSP Sweeney, GCHT or GCC, as they continually repeat untenable structural opinions.

One would think none have heard or read this despite all being at the Save the Egyptian Halls initiative, fronted by the SCT (which they did not invite the co-owners to).
"There are some complex issues around Egyptian Halls. Solving those issues will need some creative solutions. It needs creative approaches to design and engineering, but also creative approaches to funding. It also needs a commitment from all involved to continue to discuss and test a wide range of options." HES Feb 2020 Thomson Symposium.

5.2 The proposal would also require to be assessed against the evaluation criteria to be developed in accordance with section 8 below.

Non Control of the site by the "interested party"

For GCC to somehow accept this approach borders on disbelief given 17th Dec 2025 it commented that the Mackintosh-Thomson Mews Concept was not in 100% control of USP and USI

Egyptian Halls; we have 100% control; no argument; GCC has ZERO as does the "interested party"

1) For the record 100% cast iron control over the Egyptian Halls is exercised with discretion and pragmatism by the core Standard Security holders via USP and USI
2) The alleged interested party have no control over the site. Yet was given the red carpet treatment by GCC no doubt due to misformed lobbying by SCT/GCBPT/GCBT
3) They will never have the funds required to even assess the site purchase/development unless public funding has been allocated or is to be allocated.
4) If grant funding promises are accurate then USP has a massive claim for discrimination against GCC/Scot Govt
5) GCC will never control the site next 3-5 years until USP and USI agree to sell as well as the Standard Security holders
6) GCC will struggle to secure a guaranteed back to back buyer, that the Scottish Government will require as a pre-requisite; USP claim will be massive citing below
   a) persuading the Scottish Government to agree to a 2nd CPO when the incontrovertible evidence on record is the 1st CPO failed due to GCC/GDA/HS/GCC then GCC-HES errors, mistakes and misrepresentation.
   b) GCC's attempts to blame the private sector via a pre-meditated strategy of de-stabilisation concepted by people who a) need to cover this up b)
   c) Both GCC and the Scottish Government will be forced when at the Court of Session into accounting for GCC not telling the truth to its own Councillors, Media, it's then "partners" USP and also Scotland's then First Minister
   d) GCC in parallel covered up it's known liability by diverting blame onto the legal, rightful owners that are USP and USI.

7) And of course GCC's star sorry expert witnesses now are barely credible due to now SEPARATE highlighted systemic, serious breaches of corporate governance.

8) So neither any combination will never have any control over the site unless agreement is reached via mature, pragmatic assessment.

Mack-Thom Mews Control; USP and USI have 50% arguably and the "hope potential valuation uplift" can only be unlocked by

1) If there was not a CPO Review I believe we'd be much closer to some form of agreement.
2) GCC have been let's say "lukewarm" e.g. when the Bjorn Brink Primevest came over for a project assessment early July. GCC could not even offer a cup of coffee

To summarise GCC and any serious, funded "*interested party"* will require to adhere to the legally non-variable LBRN and the registered and legally Deed of Conditions/Conservation Burden and take full cognisance of this (none of which is referenced in this report).

If GCC were being fair, honest, transparent, collaborative and showing equal favour, they would have clarified they and the Scottish Government have defined this as a commercial project – and the only commercial solution is New Build. However, this was denied to USP in 2010, 2016 and 2019.

In parallel, there is a material failure to assess for balance the on-file Development Appraisals from 2008-2019 (the 2012 example is very prescient), showing a significant Upper Floors surplus – this, despite GCC being on record praising USP for this activity.

If this goes to the SPSO or the Lands Tribunal, commercial property case law will require to be adhered to. To repeat, GCC used the then-existing Deed of Conditions when developing the 1996 CPO with the original Ground Floor consortium and at the 2002-2008 Lands Tribunal action. Is this a reflection of deciding to use the law or not use the law as and when it suits?

5.3 The Council understands an informal offer to purchase the building was made by this interested party at a figure in excess of an independent valuation, but this was not progressed by the owners.

GCC surely cannot be founded upon this; based on the broadest of commercial property law, the willing buyers asked for a purchase price and were advised to offer separately for the Upper Floors property and also for the Ground Floor properties. Email extract 8th Dec 2023

This report also casts significant doubt on the notion of an independent valuation given we know 2019 x2 and 2025 DV Reports use the wrong Deed of Conditions, apportion Repairs inaccurately, ignores the LBRN discharge is needed to prevent a potential fatal building collapse. So one assumes 99.99% the non-disclosed GCBPT-DV 2024 Report (facilitated by and shared with GCC- GCC quote) is not competent nor is it independent, nor was it commissioned by any of the interested parties; all in all an attempt to conjoin non related interests; again refer to **GCC – DV Valuation Report; critical analysis** http://www.egyptianhalls.co.uk/0806-2026-Updated Response E-Halls DV Valuation Report-9th July 2025.pdf

***You highlight the wish to acquire the building, and I've clarified* USP to List Mag**

- *The actual state of the building and the approximate costs*
- *That the USP-owned Ground Floor properties has a significant deficit as per apportioned Deed of Conditions as they have to pay 100% of the 1991 LBRN discharge costs (see attached)*
- *And the USI-owned Upper Floors a decent surplus as per apportioned Deed of Conditions, given they have ZERO cost liability for the 1991 LBRN discharge costs (see attached).*

***Any offer should take cognisance of this ownership model given this. So can I ask that a P&C offer is made for each company and that would then be assessed by the Directors/investors?* USP to List Mag**

The response back did not meet this criteria. Therefore at no time was their contractual congruence between the apparent willing buyer and the willing sellers (USP and USI). Therefore the foundation underpinning this report is untenable. However this "interested party" then fails to perform unequivocally with no follow-up activity despite being asked via email FOUR times to establish a commercially acceptable threshold to allow a developing proposal to be considered by the two willing sellers, no proof of funding, no source of funding, no timescale to pay, no proof of Heads of Terms or comprehensive due diligence? Also there is no mention by the List that this was based on an independent valuation.

The first this was referenced was in the GCC report. Why did the List not disclose this? Given The List is a media sales entity appears to have made this sales pitch fundamentally weaker to the point it's untenable. And does the alleged independent valuation that The List offered above the figure calculated actually exist? GCC is asked to evidence its existence, given it's in the CPO report. Further, the assertion that an independent valuation was discussed with USP or with USI is an egregious falsehood.

Further no independent Chartered Surveyor assessed the building formally on behalf of the List. But given the errors now uncovered that the List have been unaware of they need to undertake proper, objective Due Diligence. . The List were advised there were separate valuations for the Ground Floor and for the Upper Floors but appear to have just ignored this with we believe GCC's let's say "*alleged support*".

Given it assists GCC establishing the case for a CPO Review, but surely not GCC being economical with the actualite again? But as we now know this is 2024 updated version of the GCC-commissioned 2016 and 2019 reports and was further updated in July 2025 but contains material errors, flaws and mistakes, and therefore the bulk of the assumptions made are markedly questionable at best. One would have also expected this independent "desktop" valuation to be caveated as follows: "*The figure reference is provided for indicative purposes only, based on the limited information available at this date. We have not inspected the property and have not been provided with a Report on Title, lease or other relevant legal documentation. This desktop valuation should not be relied upon and is provided with no liability on our part."* This casts further doubt on provenance of the claimed "*independent valuation*".

The "alleged" Offer by "the interested party"

- The alleged offer did not meet the requested separate ownership offer criteria. Therefore, it did not meet the required contractual threshold to become an indicative/outline/informal offer.
- Failure to disclose it's not an independent valuation, as it was part funded and facilitated by GCC and based on materially flawed and inaccurate GCC-briefed DV 2016 and 2019 Valuation Reports. Again, further evidence the CPO Review is founded upon untenable information.
- Failure to disclose the (sic) independent valuation does not value the envisaged end use of separate Ground Floor Retail and separate Upper Floors hotel use
- The interested party failed to disclose there was never an offer to purchase the co-owned building
- Failure to disclose the "approach" from an interested party was an offer of potential future payment, non-guaranteed.
- Failure to disclose an offer to pay by some unspecified date out of non-specified and non-guaranteed profits from a venture yet to be funded or delivered with no timescale.
- Failure to disclose the potential "approach" from the interested party was not followed up on four occasions. Instead, it was reported it was the owner who had not actioned this
- Failure to disclose the informal offer was from a non-specified entity and did not also specify what property it was enquiring about
- Failure to disclose the independent valuation was never used as a negotiation tool by The List
- Failure to disclose the alleged offer could then not be in excess of this independent valuation
- Failure to disclose GCC had not carried out the required due diligence of this non-offer
- Failure to clarify The List did not therefore table a competent " commercial offer"
- Failure to clarify if The List was able to disclose this information, given The List had given an undertaking to keep all "conversations confidential"
- Failure to clarify if this commercially sensitive information can be used by a non-authorised parties

Flawed Marketing based on District Valuers Reports 2016, 2019, 2024 and 2025 iterations.

We now have evidence of the DV and Ryden and GCC's marketing of the Egyptian Halls akin to a single title when GCC knows it's separately owned and valued with separate Repair obligations, and we find out somehow the District Valuer is using an out-of-date Deed of Conditions instead of the current version. Error or deliberate? If it's the former, then fundamental assumptions made by the District Valuer or briefed by GCC have to be reassessed.

As this throws into considerable (to say the least) doubt the DV's Valuation scenarios as well as those for negotiations to purchase the separate Ground Floor properties and Upper Floors. Plus the 2016 and 2019 DV Reports note the potential for Upper Floors potential valuation uplift at Point 4.1 in both. Yet the July 2025 DV Report deletes all reference to this. Now in June 2025 GCC announced its Tall Buildings Initiative. **And if Point 4.1 had been retained it would be an obvious increased obstacle for achieving a guaranteed back to back buyer. Is this ethical to somehow attempt to deflate potential/ probable market place valuation by virtue of manipulation of and presentation/disclosure of relevant information**

"Independent Valuation" claim untenable due to ignoring actual Title Deeds and RICS guidelines

We're now aware of the 2016, 2019, 2024 and 2025 District Valuers Reports but as yet have not been disclosed the 2024 DV Report, given its surmised it's optimistic in relation to securing the grant funding denied to USP since 2010. And if so, this blatant discrimination/bias will have to be accounted for fully. It does seem SNP Scotland can be anti-business. Across these reports the DV was correct in using the then-relevant Deed of Conditions and it should be noted the DV did for the GCC 2016 DV Report use the correct Deed of Conditions/Repairs apportionment at that time. However, the DV then did not use the current applicable version for the 2019, 2024 and 2025 reports, which is very surprising but understandable, as we surmise the 2024 was just updated at speed.

See clarification shared with GCC 21st October 2025 – Ken Gerber/Mitchells Roberton

If one were to download the title sheets for the constituent parts of the building, they would see that these do not make any reference to the 2008 Deed of Conditions, but they do contain the current and valid 2017 Deed of Conditions. My clients tell me they have been informed via GCC DRS that the District Valuer believes he can make certain assumptions; however, the use of Rateable Values is founded upon the use of current Rateable Values (2017 onwards), ***and my clients have pointed out that such is actually not an assumption but is the accepted manner of proceeding as decided and as recorded on file via the Scottish Assessors website based on Rateable Values assessed and calculated by your Council or your Council's appointed Valuation Board.***

RICS Standard Practice – The following general guidelines are adhered to as follows:

Title deeds: For residential properties in Scotland, particularly common tenement buildings, the title deeds specify the owners' responsibilities for common repairs and the formula for apportioning costs (the Egyptian Halls is in effect a Tenement Building.) An **RICS Red Book valuation** report may reference title deeds to assess how repair obligations are apportioned, but this is a complex issue often clarified by specific legal documents like a lease or a transfer deed. While the Red Book itself is a set of global valuation standards, a valuer will investigate legal and title issues, including the lease, to identify any constraints or obligations that affect value and a property's condition, and this includes repair responsibilities.

How title deeds and the Red Book relate to repairs

- **Valuation focus:** A Red Book valuation report is primarily an opinion of a property's market value and condition, not a detailed building survey. However, a valuer will identify any legal issues that could impact this value. Separate ownership, separate Repairs Apportionment, legally non-variable LBRN discharge, and the 2008 Conservation Burden are all missing from DV Reports.
- **Title deed investigation:** A key part of the valuation process is reviewing title documents, which can include details on who is responsible for what repairs. Uses wrong Deed of Conditions; why?
- **Apportionment clarification:** For properties with a lease, the lease document is the primary source for determining repair responsibilities. The title deeds will also confirm the lease terms. No attempt to assess leases 2016-2026 and counting

- A valuer will use these documents to understand if responsibility is shared or if one party is solely responsible for certain repairs. DV does this but does not use the current Deed of Conditions that's referenced within the title Deeds for 84, 88, 96, 100 Union Street (Ground Floor) and 92 Union Street- (Upper Floors)
- **Impact on value: The** extent and cost of repairs, and who is responsible for them, directly impacts the property's value. If a leaseholder is responsible for a large and costly repair, this could affect the property's market value. Agreed Ground Floor due 100% and Upper Floors due ZERO% as Deed of Conditions and Dev Apps 2018-2020

Key Fundamental not actioned – WHY?

- **An RICS valuer will check title deeds and lease documents as part of the valuation process to identify any repair obligations.** We do not know which documents the DVs were briefed on, but as Mr Gerber stated in an email to GCC on Tuesday 21st Oct, *"To summarise, GCC are correct in using a Deed of Conditions, but they are not using the current applicable version. They did it should be noted use for the GCC 2016 DV Report the correct RV's at that time.*

For the record, the actual owners, USP and USI, after taking soundings from the separate standard security holders, made a commercial decision given they were actually unsure whether the List wanted the Upper Floors and maybe the Ground Floors; they certainly had no idea about the LBRN obligations, the actual structural position and the existence of both the Conservation Burden and causal Deed of Conditions. This "nascent" approach was assessed but did not present full value for the valuable development option that is the separately owned Upper Floors. Nor did the List communicate it had access to the funding required to discharge the 1991 LBRN.

However, one forms the distinct impression GCC do not – or choose not to – understand this either. Looking more closely at the "*informal offer",* claimed to have been made and highlighted in numerous articles, as *"we would like to formally offer you **£2m** for the building. This would be made up of 10% of the profits of the business per annum, capped at a total value of **£2m** paid over as many years as necessary."*

To repeat and reinforce the meaning of the words *"we would like to formally offer you": who are "we"* and who are *"you"* in this email? This is not even close to any semblance of an offer. Moreover, the alleged offer of **£2M** was not immediate but **£2M** over a period of, e.g., five years or 10 years (it is difficult to pinpoint as this was never discussed). Therefore, it is not the same value unless interest is factored in, such as 6% per year cumulative. As noted above, it is akin to buying on Hire Purchase but without guaranteed payments and no credit history.

What investment might fund these non-guaranteed payments out of non-guaranteed potential future profit from the assets they want but don't want to offer market value for, as per the independent development appraisals provided to GCC 2008-2019? Similarly, as with HP, the ownership of goods and services – in this instance the property – would rest with the owners. In effect, the properties represented in both the Ground and Upper Floors with separate title deeds could not be used as collateral, as they have not as yet been purchased or paid for.

To finish the 8th of Dec email 2023 Derek Souter stated, ***"Happy to field any comments/aspects for clarification. Have a relaxing weekend."***

And this was followed up on the 14th, 18th and 20th Dec., all on file ***Subject:*** *Re: Egyptian Halls, Glasgow – Mackintosh-Thomson Mews – POTENTIAL OFFER On 14 Dec 2023, at 09:57, Derek Souter <derek@djscm.com> wrote: Lloyd, morning.* ***Just wondering if William/You want access for a "tour` ' after Christmas or early New Year?*** *Derek*
From: *Lloyd Dignan <lloyd.dignan@listmarket.co.uk>* ***Date:*** *Monday, 18 December 2023 at 15:02*
To: *Derek Souter <derek@djscm.com>* ***Cc:*** *William Burdett-Coutts <wbc@assemblyfestival.com>*

Subject: *Re: Egyptian Halls, Glasgow- Mackintosh-Thomson Mews- POTENTIAL OFFER*
Hi Derek, ***We will need to get back to you, it depends on availability which we will need to figure out over the next week or so.*** *Regards, Lloyd* ***Date:*** *Wednesday 20 December 2023 at 14:16* ***To:*** *Lloyd Dignan <lloyd.dignan@listmarket.co.uk>* ***Cc:*** *William Burdett-Coutts <wbc@assemblyfestival.com>*
Subject: *Re: Egyptian Halls, Glasgow- Mackintosh-Thomson Mews- POTENTIAL OFFER*

Lloyd Afternoon ***I'd prefer after New Year if we can?*** *Have a relaxing Christmas when it comes and a Happy New Year when it comes. Thanks Derek*

Therefore, there was no failure to progress by USP and USI and this renders even more the claim at 5.3 ***"an informal offer to purchase the building was made by an interested party in excess of an independent valuation but this was not progressed by the owners"*** **as being utterly untenable** Further and pursuant to this, repeat and separate offers for Ground Floor properties and Upper Floors were asked for and again not provided – even the approach asked for was not adhered too.

Contractual Bad Faith- confirmation discussions were confidential 16th Oct 2023 ***Ok great thank you, that would be helpful. As we have said, nothing you have disclosed has been shared outside of myself and William as agreed. Morning Derek, Of course, all our conversations are kept confidential. Look forward to receiving the cost plan and your valuation for sale.*** *Regards, Lloyd*

The mystery "***independent Valuation***". As stated since March 2025 in the CPO Review this has been called into question due to being wholly inaccurate regarding an "*informal offer"* and that this "was not progressed by the owners". And unequivocal proof has been provided but to date ignored by GCC.

However it has now came to light (July 2025 DV Report) that even the claim there was an *independent valuation* as a baseline for comparison is at best tangential, misleading and at worst fabricated. In fact this refers to the District Valuer 2024 Valuation defined as such by the District Valuer in the 2025 DV iteration *An additional valuation, prepared for the Glasgow Building Preservation Trust (GBPT) in 2024, was facilitated by, and shared with GCC.*

So to repeat it's not an *independent valuation* given GCC was involved in its development; very likely to have funded it and provided the previous 2016 and 2019 GCC commissioned valuations as background/framework. We have yet to be provided with the 2024 DV Report but are 99.99% this repeats the previous reports and is included in the 2025 Report. And we now believe 100% Ediston was afforded access to this "independent" report by GCC or with GCC's support? And if so it's then to repeat it's not an independent report by any normal commercial parameters/

So every key point Section 5 there are signal and proven inaccuracies, no offer was made, no tenable independent valuation existed to assess against, and the interested party failed to progress on FOUR chronological occasions. On the face of it, there has been little or no effective fact-checking; if there was, then this would not have developed to this now untenable position. Therefore the Current Proposal as submitted for approval unequivocally is out with all parameters of accuracy, objectivity, transparency, and deliverability. The fact it was approved requires it to be reviewed by an independent process.

Key Points Summary re "Interested Party":.

1. It's not a formal offer, it's not an informal offer; it was defined as a Potential Offer, which was then never made! **FACT**
2. It's not even a guaranteed sum; it's akin to Hire Purchase but transfers ownership before it's paid for! **FACT**
3. No offer has been made for the Ground Floor properties as asked for by the owners. **FACT**
4. No offer has been made for the Upper Floor property as asked for by the owners. **FACT**
5. No independent valuation was carried out of the separately valued Ground Floor 99% **FACT**
6. No independent valuation was carried out of the separately valued Upper Floors 99% **FACT**
7. No offer in excess of an independent valuation has been made or could have been made. **FACT**

8. The alleged interested party failed 8th, 14th and 20th December 2023 to follow up interest." **FACT**
9. The alleged interested party has breached the private and confidential undertaking it provided, so it is now excluded from any future discussion for this egregious bad faith. **FACT**

And this makes the GCC report even untenable due to the Proposal it is founding upon being fundamentally inaccurate, misrepresentative, and in breach of agreed confidentiality **And has GCC used legally commercially sensitive information that should not have been disclosed to it?**

And from a commercial perspective, we were presented with a buyer with no proof of funds or proof of source of funds who claimed an offer in excess of an independent valuation was made (no evidence provided) and that there was no follow-up from the owners (an egregious falsehood), yet they are granted a seat at the top table with GCC and the heritage bodies, while the actual owners are discarded.

GCC appear to be adopting Distributive Negotiation tactics (favoured by the USA currently) as opposed to Integrative Negotiation tactics favoured by USP, USI and the Standard Security holders, as well as the SNP government, in many media releases ***https://blogs.iu.edu/keep/distributive-negotiation-vs-integrative-negotiation***. Both USP and USI would appeal separately any CPO via the Court of Session and also seek a Lands Tribunal adjudication.

Mysterious mention/reference to Ediston? (Spoiler Alert– USP/USI has never met)

Again we reference GCC's Evaluation Report **GCC- Preferred Bidder Report; critical analysis** http://www.egyptianhalls.co.uk/0806-2026-GCC EH Report Preferred Bidder-Response.pdf

Feb 2025 GCC also claim the following: *The council said the owner (co-owned) of the Egyptian Halls recently refused a bid* (for the record, the co-owners never received any bid(s)) ***to buy the building from a group led by arts guide The List and real estate company Ediston***. For the record, the co-owners have never met anyone from Ediston. However, there is more to this than meets the eye indeed. Given Sept 2022, GCC's Chief Exec's office stated, ***"Officers have been working over an extended period of time to try and realise the shared ambition of bringing this building back into productive use. In pursuit of this, the GCC requested information to allow them to review feasibility options. It is hoped that the outcome of this will allow progress to be made.***

Hence, this in conjunction with the Car-Free core city centre zone prompted the Mackintosh-Thomson Mews concept to be expedited/developed. presented and GCC agreed to fund a Feasibility Study via Ediston in early 2023. Well there's many a story of a new invention, an innovation and in this case an investment project. That is concepted (started early 1998) then progressed in Year 2000 and worked on assiduously since then notably (2008-2011 and 2017-2020. Then came the Car Free City Centre strategy announcement Autumn 20022 and the scheme became deliverable.

So Mackintosh- Thomson Mews **http://www.egyptianhalls.co.uk/opportunity.html** was created, scoped, presented (with GCC support and endorsement Spring 2023 and was to be a Feasibility Study with support Development Appraisals for a variety of end uses). However out the blue this was deemed non-viable by e.g. Ediston. Only for just 18 months later GCC attempting to chiselled out the creators/owners when in collaboration with Ediston these combined entities that had been presented this opportunity just 18 months earlier then decide to and seek to do the project themselves. Now this is certainly commonplace in the private sector; notably Tech/Media/Digital/Finance.

But surely not in SNP's Scotland (or indeed Labour's Scotland or indeed the Green Party's Scotland), certainly not within SNP Scotland's flagship Council GCC. Well the truth is it's happening with the Egyptian Halls Union Street Glasgow as GCC in league with we assume HES/Scot Govt aided by SCT/GCBPT/GCHT. Have somehow persuaded Ediston to become the preferred bidder; yes the same Ediston who Spring 2023 resiled from an agreed Feasibility Study citing non viability. And instead of Ediston approaching the co-owners somehow GCC believed a 2nd CPO would be the correct approach; at this juncture this is bordering on alleged significant maladministration

And given post the "open, fair and transparent" claimed Evaluation Report see response to GCC and will be the part of the case to be made to the Property and Contracts Committee-

GCC- Preferred Bidder Report; critical analysis

http://www.egyptianhalls.co.uk/0806-2026-GCC EH Report Preferred Bidder-Response.pdf

The GCC submitted Report confirmed Ediston as the preferred bidder- all of the following has to be addressed or there won't be a guaranteed back to back buyer.

- The wrong valuation calculations have been produced due to using a Deed of Conditions from 2008 that was amended and registered Oct 2017
- It's also using the wrong Rateable Values dating back to Year 2016; they changed 2018 and thereafter were the same for the 2020 and 2023 RV/s
- So, the GCC 2019 x 2, 2024 and 2025 DV Reports are materially flawed using a 68.36% GF and 31.6% Upper Floors split when it's now 100% and ZERO %.
- Now GCC may wish to believe it can stick with accepted practice of using Deed of Conditions but it used the out of date version and the wrong RV inputs
- The Upper Floors has significant valuation, which GCC acknowledged in the DV 2016, 2019 (x2) and 2024 Reports but deleted for the July 2025 Report
- Ediston's proposal reinforces this by applying a 60% Commercial Funding claim, 30% grant funding claim and 10% funding TBCF. Has an obvious Achilles Heel. What is the quantum?
- What is the level of Contingency given the current exponential increase in Construction Costs?
- And on what is the return on investment predicated on the Upper Floors valuation and predicted Valuation uplift.
- Or the significant potential for Ground Floor Valuation uplift?

Basic Due Diligence Questions

- What would happen to any financial agreement if SS holders transferred ownership and the alleged/proposed food hall business subsequently failed?
- What if the Upper Floors Hotel failed, too, and we'd transferred the Upper Floors with no control on the title deeds? This is akin to buying on Hire Purchase with no credit history and with no guaranteed payments.
- What funding would meet these non-guaranteed payments out of non-guaranteed potential future profits?
- As with Hire Purchase the ownership rests with the seller until it is paid in full; this means they would not control the titles and therefore would not have any collateral?
- The List had been asked for an offer for the separately owned Ground Floor and separately owned Upper Floors. The List did not respond from 8th December onwards. How can that be the fault of the willing sellers?
- Also note the alleged independent valuation, which this "informal offer" was in excess of and founded upon by GCC when deciding to implement the envisaged CPO review. This surely cannot exist if it is a Profit Share offer, as there are no financial projections?

The non disclosed GCC District Valuers Reports 2016-2025

USP and USI were genuinely blindsided by the disclosure of the 2016, 2019 x 2 Reports (the 2024 Report has not as yet been disclosed as it contains GCC involvement in grant funding initiatives see web link

As follows and here it is **And given post the "open, fair and transparent" claimed see response to GCC and will be the part of the case to be made to the Property and Contracts Committee- WEB LINK HERE**

The mystifying removal of Point 4.1 from the July 2025 GCC-DV Report

District Valuer Valuation Report July 2016 (disclosed 9 years later)

4.1 *It should be specifically noted that our appraisal does not allow for any effects of value potentially associated with the Upper Floors being in separate ownership to the ground and basement floors or any effects associated with the repairs liabilities under the Deed of Conditions that appear to disproportionally burden the ground and basement floors (68.36% compared to 32% of current floor area)*

District Valuer Valuation Report 1 July 2019 (disclosed 6 years later)

4.1 *It should be specifically noted that our appraisal does not allow for any effects of value potentially associated with Upper Floors being in separate ownership to the ground and basement floors or any effects associated with repairs liabilities under the Deed of Conditions that appear to disproportionally burden the ground and basement floors (68.36% compared to 32% of current floor area)*

District Valuer Valuation Report 2 July 2019 (disclosed 6 years later)

Valuation 4.1 – *It should be specifically noted that appraisal does not allow for any effects of value potentially associated with the Upper Floors being in separate ownership to the ground and basement floors or any effects associated with the repairs liabilities under the Deed of Conditions that appear to disproportionally burden the ground and basement floors*

Fact Check Jan 2018 became 100% for 32% of current floor area! So the 2019 reports and thereafter were materially flawed therefore inaccurate due to having inaccurate inputs.
District Valuer Valuation Report July 2024

Not disclosed currently due it raising strong possibility of significant grant funding being available post any CPO . And would be very interesting to be informed if Clause 4.1 as per 2016 and 2019 x 2 reports was just cut and pasted? And if so the questions regarding the Clause 4.1 /July 2025 Report become incredibly relevant.

District Valuer Valuation Report 2 July 2025

Point 4.1 DV 2016 , 2019 x 2, 2024 DV Report (99%) WAS DELETED for the July 2025 Report! One would assume 100% this would be included. But it's not! WHY? Was it by error or by design? One would assume 100% this would be included. But it's not! WHY? Was it by error or by design? And if the latter on whose instruction was this deleted? And if deliberate would this breach ethical and corporate governance procedures for GCC. And also, similarly for the District Valuer given a consistent approach has been deleted summarily without any comment.

The separate value of the Upper Floors and its potential for uplift is a core component of the Upper Floors valuation. The announcement in June 2025 of the city centre Tall Buildings Initiative and e.g. the approval of a 14-storey extension development of similar scale building just 300M away in Queen Street is of relevance. And would be factored into both Development Appraisals and Valuation claims going forward, whichever is required. And the deletion of Point 4.1has to be clarified given the stated opinion for NINE YEARS the Upper Floors had a separate value.

And the secondary causal issue that the Deed of Conditions causes "alleged" disproportionality but to whom? Not to the core investors who control the Standard Securities but certainly to any potential purchaser of the Egyptian Halls who has read the GCC-DV 2025 Valuation Report.

Core Clarification/ information

- Deed of Conditions Amendments mid 2017

Mid 2017 post New Rateable Values GCC DRS (Ken Clark/Susan Connolly lobbied for these fixed % for Ground and Upper Floors to be allowed to float to then allow then current Rateable Values to be applied, which would then see the LBRN liability of 68.36% reduce to circa 54%. Therefore, the current 2008 Deed of Conditions was amended and disclosed to GCC and then registered. But as we know late 2017 GCC NDR re- assessed the then NINE separate Upper Floor Rateable Values so as to attempt to reduce Water Rates that were now to be levied to vacant Listed Buildings.

- Rateable Values Amendments – Upper Floors Jan 2018

This assessment was made and Jan 2018 the combined NINE RVs = **31.7%** became ONE RV = **ZERO%.** So, in one fell swoop the aforementioned subjective opinion of "disproportionality" (founded upon decades/centuries of commercial property RV's) became even more pronounced at **100%** Ground Floor and **ZERO%** Upper Floors.

- Does use of Deed of Conditions disproportionally burden specific areas of mutually owned buildings?

The DV raising the premise "appear to disproportionately burden" but fails to state that's how Deed of Conditions work and also underpinned the scoping of the 1991 LBRN and 1996 CPO. And for the record this caused the original owners to appeal the 1996 CPO. And of course, USP reconciled that, which of course GCC are on record praising but apparently GCC 2023 onwards has no record of this.

- LBRN Apportionment Issues and Reconciliation Opportunities

Now if both sets of properties were not under the control of the same core Standard Security holders then this problem would be nigh intractable! However in this specific but complex, complicated case they are. But to date since Jan 2018 to current day GCC, HES, Scottish Govt, Heritage stakeholders and interested media appear to be a) unable or b) unwilling to accept this apportionment founded upon commercial property law; and of course, which GCC is on record using for all relevant projects including the Egyptian Halls

Is the extant 1991 LBRN legally non variable or not?

Surely if it's to be replaced it has to be with the equivalent care and attention and detailed specification supported by conservation accredited experts who actually have a proper working knowledge of the Egyptian Halls and its storied architectural and structural uniqueness?

And GCC despite stating it's both extant and legally non variable 2002, 2005 2009 and it's discharge was also enshrined in legally binding Conservation Burden but 2016 onwards the following has been briefed

District Valuer Valuation Report 2 July 2019 (disclosed 6 years later)

2.8 *For the purposes of this Valuation I am to assume that GCC will not act upon the existing LBRN and are unlikely to serve an LBRN in the future*.

District Valuer Valuation Report July 2025

3.3 For the purposes of this valuation, I am instructed to assume that GCC will not enforce the Listed Building Repair Notice and 4.2 GCC will not serve a Listed Buildings Repairs Notice Whether it's the current LBRN, an updated DBN or a new LBRN the specification will have to a)make the building 100% safe; structurally and for public safety and b) for commercial uses going forward; vvv expensive indeed.

And this will come to the fore shortly if a back-to-back buyer emerges or at the CPO appeal stage. My strongly developing belief is this will likely go to P&C Mediation/Arbitration.

Deed of Conditions Clarification shared with GCC 21st Oct 2025 – Ken Gerber/Mitchells Roberton
If one were to download the title sheets for the constituent parts of the building, they would see that these do not make any reference to the 2008 Deed of Conditions, but they do contain the current and valid 2017 Deed of Conditions. My clients tell me they have been informed via GCC DRS that the District Valuer believes he can make certain assumptions; however, the use of Rateable Values is founded upon the use of current Rateable Values (2017 onwards), and my clients have pointed out that such is actually not an assumption but is the accepted manner of proceeding as decided and as recorded on file via the Scottish Assessors website based on Rateable Values assessed and calculated by your Council or your Council's appointed Valuation Board

Deed of Conditions Clarification NOW shared with GCC from Ken Gerber/A.Strathern May 2021

There have been any instances of people seeking to challenge a registered deed of conditions or other deed imposing title conditions, or to have its terms varied by the Lands Tribunal – invariably a challenge would be by an existing or new owner of part of the larger entity that is affected by the deed of conditions. Given the only parties burdened by the two deeds in question in your case are USP & USI it is difficult to see any problem on this front.

The FULL GCC- DV Reports Response by USP and USI can be accessed via this link

JAN 2026 GCC DV Valuation Reports update **http://www.egyptianhalls.co.uk/2701-2026-UPDATED%20Response%20E-Halls%20DV%20Valuation%20Report-9th%20July%202025.pdf**

The Big Game Changer –Could and Should be the Mackintosh-Thomson Mews Concept:
http://www.egyptianhalls.co.uk/page4.html *Mackintosh-Thomson Mews + Golden Z + Avenues + Frasers = the equal of or better than St Christopher,* ***https://www.stchristophersplace.com/*** *which takes one from Marylebone to Regent Street and back. Glasgow can deliver better than this.*

To repeat (ad nauseum) Ediston agreed via GCC to fund a feasibility study (facilitated by Savills-GCC), and USP would fund the required Scaffolding upgrade needed to afford access to the façade and parapet. GCC then resiled from this; the senior GCC Officer promoting this initiative had left, and the new Officer had decided not to progress, as Ediston apparently believed it was not a prudent use of scarce funding. Near three years later with Ediston now the preferred bidder this reason is "***smelly".***

Somehow another knowledge gap appears. In light of the above, it's perplexing a CPO Feasibility Review has been mounted by GCC, and the List would become a back-to-back buyer, given their proposal is not remotely even a conditional offer and was not refused – the List themselves did not respond or follow up. No discussions of acceptable Heads of Terms were held, so how could it be developed with no due diligence, no assessment of the entity that would fund the payments and no certainty of payments?

The expectation that USP and USI would transfer the title deeds for no guarantee of payment is also as perplexing as it would not be remotely a commercial decision. Note, too, there is no mention of the independent valuation GCC reference as one of the primary factors this "informal offer" was founded upon by GCC when deciding to implement the envisaged CPO review. This cannot exist if it's a Profit Share offer. GCC must also clarify this as soon as possible. And as we now know this DV Valuation is replete with inaccuracies and errors to the extent it's untenable.

Moreover, GCC are at considerable pains to advise consistently this is a commercial project, yet when USP and USI act in their best commercial interests, as is their inalienable commercial and legal right, they have been sandbagged by GCC. And of course the Ediston preferred (approved) bid has a 40% non-commercial funding yes that means Grant/Public funding. Again the smell is odorous.

If one refers to the estimated costs from Hardies Cost Consultants specified by GCC's Conservation Bond specified architect, which reference LBRN specification – mandatory due to being legally non-variable (GCC on record 2005 and 2009), at a basic level, there is no Developers Profit, no Site Assembly costs (Option 2), which sees the "informal offer" proposal for a "modest extension" come in at **£20.7M**. So with at least another **£4-£6M+** of costs, this amounts to **£25-£27M+.**

How a potential back-to-back buyer reconciles this, given separately owned Ground Floor values are at circa **minus £25M+** and separately owned Upper Floors with a value of circa **+£3M-£5M** is indeed a conundrum. The absence of this information is not referenced in the CPO Report. And again imperfect, Fact-Checking is a constantly recurring issue. If the List had actually engaged fully, they'd have been briefed on this, but they declined to engage. **EVIDENCE ON FILE BUT IGNORED BY GCC TO SUIT ITS FABRICATED APPROACH**

Furthermore, their favoured architects had no idea of either of these – they were stunned on Oct 2023 when I informed them of this at the ATS General Meeting. Neither did the SCT, who, when informed, ignored this altogether. Given the aforementioned, any Councillor should now be asking how an "interested party", whose unproven and unsatisfactory commercial offer was **NOT IN FACT** rejected by the owners. And that the interested party failed to follow it up further discussions **FOUR TIMES** as offered by the **WILLING SELLERS**, can get GCC to jump through hoops.

Unless GCC has a cunning plan that it can't divulge, as it would then have to adopt a fair and honest approach. Maybe it's Ediston using Pension Fund leeway allied to the GB Govt **£50B** fund for genuine asset development (**National Wealth Fund??),** which Mackintosh–Thomson Mews certainly has the potential to be game-changing for Union Street, Mitchell Street and Mitchell Lane. Does GCC not like or admire entrepreneurial activity? Aha, maybe you have to be a heritage "*mover and shaker*"

It's evident that a familiar and disappointing approach of opinion and causal belief displaces actual facts based on legal obligations. A prime example is when, on 30th April 2019, GCC and HES openly disputed the provenance, credibility and integrity of the scheme costs specified (Hardies) and scheme valuations (Shepherd) and separate site assembly costs (EQ Chartered Accountants). Yet GCC failed to commission the Peer Review process agreed Spring 2023. And again, why is GCC interfering in a potential commercial transaction and only getting one side of the story? Again, will form part of appeals process
.
USP, Ground Floor owners, and USI, Upper Floor owners, will be ensuring their separate provable significant investments are recouped. To repeat, the List's Valuation Surveyor has had no access, so how could they get a professional "independent valuation" that could then be assessed by Shepherd Surveyors? Could GCC's new "partners" have been embellishing or even inaccurately inflating the scale, level and provenance of their involvement? Regarding Ediston's "alleged" stated interest, which was rebuffed according to GCC, to repeat, this becomes even more confusing. In circa 2019 Ediston was approached by USP's Derek Souter (via Shepherd Surveyors). They declined the opportunity to meet but did express an interest in a New Build on the NCP Mitchell Street site. GCC appear to be unaware of this, and again this indicates a report very light on facts and fact-checking.

Again, this is yet another indication of a report very light on facts **(SOME WOULD SAY AKIN TO A DEARTH OF FACTS)** and fact-checking, to say the least. However, as per earlier emails highlighted, this could and should be looked at again, especially given the following: *"Glasgow will be one of the first city regions to benefit from/provide deeper, more focused investment from the National Wealth Fund" (**https://www.bbc.co.uk/news/articles/czxknwyxk09o**)*. The Standard Security holders did reach out via an intermediary to meet Ediston (**for the first time**) but were rebuffed immediately.

6.0 Planning Policy

6.1 It is considered necessary for the proper planning of the area that the property is returned to active use and repurposed to align with the City Development Plan's aspirations to repair, restore and enhance historic assets, improve the amenity of the Central Conservation Area and boost the vibrancy and economic competitiveness of the City Centre. The overall aim is to regenerate the building and, by doing so, improve and enhance the area surrounding it and the Union Street entrance at Central Station.

USP and USI have been working to deliver this since 1998 (all on record). One must ask if GCC and HES can now state the same, given their proven errors, mistakes, incompetence and non-disclosure.

Bringing this deteriorating building at risk back into productive economic and sustainable reuse aligns further with key policy objectives in National Planning Framework 4 (Policy 1 and 2) for tackling the climate and nature crises, climate mitigation and adaptation and (Policy 7) the reuse of existing buildings and historic assets.

We reference our response to Point 6.1 above and add the fact of USP being praised by GCC, notably on record in 2000, 2004, 2005 and 2010.

6.12 As discussed at 6.10 above, the Central District Regeneration Framework and its Action Plan identify the Egyptian Halls as requiring action as a priority. Again a prime example of GCC marking its own homework and ignoring the following

The Egyptian Halls FOUR approved but failed Planning Applications – There will be a FIFTH!

There is unequivocal proof the scheme has been delayed since Year 2000 due to causal legal, grant funding and non-viability issues, which combined to prevent any scheme being delivered

- 1997 - approved (without expert conservation structural advice) and would remove cast iron frame, causing collapse. A CPO Appeal was then made, prompting a CPO Amendment.
- 2000 - brilliant 100% Conservation scheme, CPO appeal reconciled. What could go wrong? GDA/HS rescinded grants, derailing the scheme and payoff for former owners.
- 2005 – Reapproval of Year 2000 scheme, held up before and for next 7 years by CPO Amendment's non-predicted consequences
- 2013-2018 - CPO Title issues reconciled by USP, 100% Conservation scheme approved, which was agreed to be funded pre-application. GCC/HES then failed to fund (on record).
- Jan 2026 USP and USI submit a Pre-App **26/00052/PRE**

SITE: Egyptian Halls 92 Union Street Glasgow PROPOSAL: Redevelopment of Egyptian Halls behind a retained and restored façade to deliver a mixed-use development comprising a range of office, residential, hotel, retail and leisure use.

6.2 and 6.3 As with point 6.1 above.

These outcomes create the rationale for the CDP's policies and proposals.

6.3 to 6.8 USP, USI and Standard Security Holders agree 100% and would bring GCC's attention to GCC's Bailie Cameron's correspondence to Culture Minister Hyslop in which the envisaged scheme being scoped would have delivered on these strategic objectives 15 years ago.

This was not achieved due to GCC failing to provide the gap funding it had agreed to contribute (all on record) or, indeed, the then Culture Minister failing to approve ***"extraordinary funding"***. Would this have been approved 15 years ago if GCC had in fact disclosed the actual true position and took ownership of the consequences of its unilaterally implemented Feb 1998 CPO Amendment founded upon a materially flawed and inaccurate structural assessment by a non-conservation accredited structural engineer

6.9 to 6.12 USP and USI would remind and reinforce GCC that early in 2023 we approached the NCP Mitchell Street owners to look to develop and the create Mackintosh-Thomson Mews (a plan dating back to April 2000). This led to the development of the concept, which was presented to a Senior GCC Officer, and a Feasibility study was to be developed early 2023 ***http://www.egyptianhalls.co.uk/page4.html***

However, post mid-2023, and with Ediston resiling from a joint feasibility study option, GCC had another Senior Officer, and it took a year to facilitate a meeting to look to discuss (non-viable) scheme options. GCC then cancelled this due to taking court action, and then their representative left. However the GCC agenda for this cancelled meeting was as follows:

- *GCC would welcome constructive dialogue on the future of the building*
- *GCC may be interested in acquiring the building and allowing all parties to move on*
- *GCC would like to have an in-person meeting to discuss potential routes forward.*
- ***GCC are currently of the opinion that the scaffolding can be removed without creating a safety issue. (Contradicts expert advice from the GCC-specified Conservation Burden architect and 18 months before GCC's Dec "Tour" to assess Defective Notice)***

It took until April 2024 to schedule the next meeting. Derek Souter did attend as an observer a meeting on Nov 2023 between GCC and Primevest (owners of the NCP Mitchell Street Car Park). After that meeting, USP and USI again pushed the potential for Mackintosh-Thomson Mews.

7.1 CPO Powers and GCC CPO Framework

7.2 The Council has powers under the Town and Country Planning (S) Act 1997 (the 1997 Act) to make a compulsory purchase order.

7.12 In particular, the evaluation criterion within the CPO Framework relating to ownership/attempts to negotiate purchase may be modified or disapplied.

The evaluation criteria will be approved by the Director of NRS in consultation with the Director of Legal and Administration to achieve the best terms in accordance with s.191 of the 1997 Act.

It's now proven beyond doubt the GCC DRS and Legal did not disclose the actual true position regarding the Dec 1999 CPO delays in June 2002 and thereafter, with the Economic Committee Report failing to disclose the contract breach and the financial and legal implications of this. The essence of any wrongdoing and impropriety is denied on record by GCC, despite in July 2018 admitting to a known but undisclosed contract breach that had not been disclosed to Scotland's FM 2004 and prior to that GCC's own Econ Dev Committee, and therefore "Souter" had a point, but it's just dismissed. And it was passed to be a complaint by the SLCC. Then mysteriously after GCC lobbying, the SLCC dismissed this summarily and, in essence, said to USP, "If you're not happy, sue us!!"

7.3 Section 189 states: - 3 Section 189 (2) further provides that: -

7.4 Land which is acquired using the powers in the 1997 Act can be transferred to a third party for development (in terms of s.191), subject to various tests being satisfied.

Very challenging to be satisfied 100%; proven non-viability, separate ownership, legally distinct repair obligations, public sector errors, mistakes and misrepresentation – as reflected, for example, in 1998 when a predicted few months' delay became a 12-year delay and now a 27-year delay (all on record and will be founded upon when and if needed).

7.5 *The Council developed a CPO Framework for what are known as 'agency' or 'back to back' CPOs in response to the court cases arising out of the redevelopment of Buchanan Street in the late 1990s/early 2000s. (Report to Development and Regeneration Services Committee 26.10.2000*

Firstly, this of course relates to relatively simple and significantly less complex potential transactions**.** The Egyptian Halls differs massively due to the scale and timescale of the combined public sector incompetence (all on record), but which GCC appears to have significant gaps in their understanding of), including 100% proven non-viability, separate ownership, legally distinct repair obligations, public sector errors, mistakes, and misrepresentation at the core, which will be founded upon when and if needed.

7.6 That CPO Framework sets out circumstances in which the Council would consider using CPO powers under the 1997 Act. In accordance with the CPO Framework, officers have considered the current condition and use of the property, its planning history, and the approach made by an interested party.

To repeat, we surmise this to be materially flawed, as it takes no cognisance of the embryonic commercial dialogue, the on-file evidence of GDA/HS and GCC's respective roles in the failure of the 1996 CPO, four failed planning applications, the fact GCC have confirmed the LBRN discharge is non-viable and support from studies, planning applications and Development Appraisals, GCC internal reports, the actual legally separate ownership, legally binding Deed of Conditions, and apportionment of repairs and Statutory Notices. Furthermore, we know there was no proper or competent approach, and GCC have now been briefed accordingly. Whether GCC knew there was not, by any definition, an offer made, some form of future, conditional profit share will be founded upon going forward, if required.

GCC had been given on a P&C basis 2008-2019 updated Development Appraisals, which it appears to have overlooked the provision of, despite being on record praising this. And if GCC NRS had looked at the 2008-2019 Development Appraisals, they'd have known the Upper Floors had a significant development surplus and the Ground Floor properties a combined massive deficit. Then again, this report could not have been written due to it being overwhelmingly biased, misinformed and inaccurate.

Let's not ever forget GCC had also praised USP in July 2010 for this: ***"The developer has committed very significant expenditure on bringing the building into a single ownership, on preparing a range of technical and conservation studies, and on completing both option and development appraisals for a variety of potential end uses."***

So, if GCC are assessing all factors and inputs and outputs, where is the cognisance of the aforementioned? Where, too then, is the fairness and balance towards USP and USI that GCC states underpin this Review process? Why is the *"interested party"* receiving preferential treatment? GCC should now clarify this voluntarily or via relevant disclosure, given that the following will be applied should it be required.

https://www.bailii.org/uk/cases/UKHL/2006/50.html.

To repeat, Point 6 is highly relevant and gives rise to the two questions that lie at the very heart of this

- ***Whether the terms on which GCC proposes to make the assembled site available to the developer are within the scope of that power?***

- ***Whether GCC took all relevant considerations into account when they decided to exercise the power in this way?***

and are of the view that, in broad terms, the acquisition of the land is reasonably necessary for planning purposes and compelling benefits are likely to be delivered as a result of the repair, repurposing and reuse of the building, such that the use of CPO powers should be investigated.

The failure to highlight how the 1996 CPO failed, ably assisted by GDA and HS and GCC, is not referenced – nor is the fact GCC acknowledged USP reconciled the 12-year title impasse.

7.7 *There are 4 phases set out in the CPO Framework.*
No comment apart from asking: Will fairness and transparency be afforded, practised and disclosed? To **date it's completely absent with USP and USI or via agents**

7.8 In the typical situation, the Council will have been approached by a developer who is trying to assemble a site. USP and USI achieved this by 2008 (9 years later than it should have as per the Dec 1999 CPO Agreement) but then found the LBRN discharge project was non-viable due to GDA/HS and GCC (all on record; see 7.6 above). *The developer will usually either own part of the site or will have options to acquire it. They will have been unable to conclude voluntary negotiations to buy the rest of the site*

(as yet, no proof has been provided this is the actual case, and this will be asked to be confirmed)

and will be requesting that the Council exercise CPO powers on their behalf to complete the site assembly. 100% untenable, as no offer was ever made. The List won't have access to the significant capital required to even purchase the Upper Floors unless GCC are leveraging investment entities –

e.g., Are Ediston expected to commit scarce pension and/or investment funds to achieve this? And (as per 7.6 above) there was no proper, competent approach that would bear independent scrutiny. Note again Ediston exercised a commercial right **TO NOT ENGAGE TWICE**, in 2019 and 2023. Also, are GCC denying USP and separately USI the same relevant commercial rights they're affording both The List and also Ediston? Surely another example of GCC bias if you don't conform to its non-commercial approach.

7.9 Phase 2 of the CPO Framework process would involve the Council asking for all owners and occupiers of the site to submit proposals to the council.

There have been four failed approved planning applications to date in 1997, 2000, 2005 and 2013. A concept for development has been with GCC since early 2022 that has been praised. It was agreed this was to be assessed via a Feasibility Study, but this was cancelled and, since then. GCC have been unwilling to accept the structural condition of the building to allow a fifth application that can be funded to be applied for and delivered. And If GCC do remove forcibly the scaffolding against the recommendations of both TMP and WRD then it's very likely would precipitate the demolition of this world-renowned *"architectural masterpiece"*.

Removal of Scaffolding before the 1991 LBRN is fully discharged is NOT recommended by experts! And GCC 2000-2009 agreed similarly based on Feb 2002 assessment; GCC 2025 is unaware of this?

GCC is on record decades before as follows which casts doubts; likely very significant doubts on this, which is not founded upon any detailed expert study that including specialist testing.

- **The 1991 LBRN** has a key requirement as follows ***repair or otherwise stabilise all elements of the supporting structure, where necessary, leave in a wind and watertight condition; all works urgently required for the preservation of a listed building and to be carried out to the satisfaction of the Director of Planning"***

- **24 August 1995**: Also the Buildings at Risk Register states as follows The Scotsman reports that consent has been granted for restoration. The building currently suffers from ***weakened concrete floors*** **and rotten windows and** ***the external walls require stabilisation***. Proposed works include stone-cleaning, re-roofing and rot eradication This is 30 years ago not FIVE YEARS AGO!!! And certainly not December 2024 onwards.

- **FEB 2002 GCC advise "*You may be aware that there was a potentially fatal building collapse in the City Centre in October 2001 "The general condition of the building overall is much deteriorated and an immediate cause of concern. This situation will only worsen if the full repairs package as per the terms of the extant Listed Building Repairs Notice, are not effected before the onset of the next winter* the legally non variable LBRN states "*stabilise all elements of the supporting* (whole) *structure"***

- **GCC March 2008-** *I recall that the original investigation found this material to be very weak to the extent that some of the attempted cores could not be obtained because they fell through when they started to core the concrete.* ***The addition of any loading onto the existing foundations would have to be very carefully considered*** *and independent foundations for new elements may be a less risky option*

- **GCC DRS - Dec 09:** ***In terms of the "floors" i.e. the concrete infill, in my opinion, that has never been entirely safe to walk on anyway****. If you recall when they tested the material, some years ago (****circa 2000****), some of it was unable to be cored and fell through onto the floor below. It is clear from the original construction that it was never intended for that purpose anyway;* ***however, its continuing security/stability is indeed an issue.***

- GCC Feb 2016 **https://www.glasgowtimes.co.uk/news/14285327.warning-over-calls-for-egyptian-halls-facade-to-come-down/** ***The proposed works on the Egyptian Halls will both preserve this building and promote public safety – always our greatest priority*** *- by making the building weather tight and arresting the rate of its deterioration. "These works are considered urgent for the building's preservation, and entirely unrelated to future work on Union Street* **GCC later confirmed no actual Risk Assessment had been carried out.**

Given the following has been explained, proven, and viscerally disliked by GCC DRS Feb 2016-Dec 2019, one would have thought Risk Analysis would have been provided for the GCC Councillors to assess as part of the CPO Review Process; again one has to surmise this is another example of a knowledge gap. So, for the benefit of GCC 2025 and its Councillors.

1) *March 2016, the legal consequences of GCC stepping in (attempted Jan-April 2016) and ignoring expert advice from GCC's specified Conservation Bond Architect. Will be updated for 2025.*

2) *Sept 2019, if GCC do step in, carry out works and recharge accordingly, GCC ranks behind the existing Standard Security holders who have primacy over USP's assets.*

3) *Nov 2019 repairs split clarification whether it be legally non-variable 1991 LBRN or a Defective Notice was provided to GCC; the Ground Floor has 100% Liability and Upper Floors ZERO liability.*

4) *Legally separate primacy over Upper Floor assets is held by various Standard Security holders.*

5) *All incremental value is in the separately owned Upper Floors.*

So, what's an example of this? GCC can step in and spend circa **£5M** (see Temp Works link and comparable to Defective Notice spec) and look to remove Scaffolding and recharge USP and then levy a property charge and then look to implement that charge and then look to take title (if the CPO Review process fails, and it will?).

However, any recharge ranks behind the existing Standard Security holders of the USP-owned properties. And of course we now have GCC's Feb 2002 full LBRN discharge is required to reconcile identified public safety risks to reduce risk of a potential fatal building collapse.

USP is mystified as to how 24 years on from 2002 the 1991 LBRN (defined by GCC as being legally non variable) can be put on hold by GCC as they pursue a much more restricted Defective Building Notice, which has no up to date formal risk assessment due to not referencing public safety.

USP has now uncovered prior assessments combined with TMP/ Add Cons and WRD on record with this since 2009- 15 years ago! And in October GCC in response to USP's August submission, which raised the requirement for additional parallel and interconnected works via additional Defective Notices. Therefore these should be scoped, served and if to be appealed would be done so immediately.

GCC is then liable for all Public Safety, and it would cost an estimated **£25M** to discharge to repeat the legally non-variable LBRN or equivalent. And the real kicker is the Ground Floor is only worth **£2M but pays the £25M**. But the Upper Floors are then worth circa **£3M- £4M!!! and pay ZERO of the £25M** as bizarre as it is perplexing.

Hence why, several times, all on record, USI's Upper Floors surplus has been offered to be "loaned" to reduce the Ground Floor deficit. However, no one at GCC 2025 can **a)** recall this or **b)** wish to recall this, given its focus on performative actions and opinion as opposed to **FACTS** and the **LEGAL** position.

And a decade on, the Ground Floor properties could be worth **£12M+** certainly if Mackintosh-Thomson Mews comes to fruition and would be proven or otherwise by the envisaged since early 2023 Feasibility Study (then agreed with Savills-GCC and Ediston – yes, more than two years ago and somehow despite this GCC state an offer involving Ediston was turned down).

Hence the crucial importance of the pre-app process we believe can now be expedited via Savills, Shepherds, WRD, TMP-P&P

And to repeat, **given the dire/parlous state of finances at Scot Govt/GCC the last thing anyone wants is public money to be spent and not recouped at all. I'm sure Councillors Kelly and Millar and now Councillor/Treasurer Bell will echo this. Especially as GCC would still have no ownership locus.**

7.10 The present situation differs from that scenario in that the property is co-owned by two linked companies. USP and USI have separate Deed of Conditions obligations that GCC mid-2008 agreed to, as well as separate development end uses and hence separate valuations (which were combined for the overall benefit of the scheme, the conservation of this Grade A architectural masterpiece and the wider regeneration of Union Street). Consistent bad faith from GCC and also HES caused that to be rescinded.

In relation to Egyptian Halls, the Council has been approached by an interested party who is neither an owner nor an occupier. To repeat and reinforce, the alleged "interested party" has not made any offer to purchase, informal or otherwise, nor was any "40-word proposal" rejected, nor did the "interested party" take up the offer to continue discussions. To repeat, did GCC really believe this was the case, as it suits their own narrative?

7.11 To ensure that there is a fair, open and transparent procedure before a decision is made to exercise CPO powers To date, markedly since 2013 and certainly since 2019 onwards, GCC has treated USP and USI very badly, rescinding income for public safety works and promoting falsehoods and misinformed opinions underpinned by the historic but known by some non-disclosure of contract breach that, if disclosed much earlier, could have seen the years 2000 and 2013 schemes funded.

and that in due course, there is full consideration of and compliance with the statutory tests for the disposal of land acquired by means of the exercise of CPO powers (s.191), The Publication of Intention (phase 2 of the CPO Framework) will take the form of an open call for proposals from any interested parties, including, but not limited to, the two owners of the property, who has approached the Council. All proposals received will be considered as part of the evaluation process (phase 3 of the CPO Framework).

Just one of the myriad legacy flaws in GCC's report is that it fails to reference that the two owners have separate valuations, based on very different end uses, and separate repair obligations (USP 100% and USI zero). Neither of the now acknowledged two separate owners will accept this not being recognised and will take legal action, if required, starting with this report as the mainspring for this activity. It is believed the "interested party" is now debarred from participating due to signal misrepresentation.

7.12 Other consequential amendments or amendments to the proposed back-to-back arrangements may be necessary or expedient to reflect the particular circumstances, and these would be reported to the committee as part of phase 4 of the CPO Framework process.

8.1 Should this report be approved, the Council will seek proposals for the repair, repurposing and future active reuse of the property. This will be appealed, given that GCC presented this to happen on Tuesday, 28th, yet did not provide a copy of the CPO report to their one-time "partners", the co-owners, or their Planning Agent, Savills, that had already been briefed out to, unquestioning media.

8.2 A fair, open and transparent process (to date, it has certainly not been open and transparent but certainly misinformed, inaccurate and biased, and in effect, **GCC is again being allowed to mark its own homework**) *which will allow full consideration of and compliance with the relevant statutory tests is proposed, seeking proposals which will then be evaluated using pre-approved evaluation criteria.*

Aspects for Clarification

- How can "in principle planning be "approved" Feb 2025 CPO Review but this won't discharge the ***1991 LBRN to the satisfaction of the Director of Planning?***
- Apparently GCC 2019 onwards is confused by its legal obligations as it states it won't ask for the 1991 LBRN to be implemented by any "preferred bidder" apart from USP.
-

- However the LBRN from 1991-2019 according to GCC is non variable-has to be discharged (by USP) reinforced by the overarching requirement to protect public safety and further ring fenced by the legally binding 2008 Conservation Burden that GCC is on record 2014 stating the LBRN was enshrined into.
- No legal clarification before the CPO Review or before the Evaluation Report or since has been provided by GCC. GCC cannot surely just decide after the process that the LBRN/Cons Burden are now rescinded?
- Given according to GCC 2005 and 2009 an LBRN is a pre-cursor to a CPO. So how does GCC secure a 2nd CPO without an LBRN?
- Does this then mean there are probable significant CPO Review flaws? Including the Evaluation Process? Has USP been discriminated against because it's been reinforced 1998-2016 the LBRN has to be discharged but others told to ignore it?
- Surely this calls into question the whole CPO Review? Given you cannot surely retrospectively rescind an extant LBRN. And causal Conservation Burden and just say "***you should have known we would"?***

That is surely not what a claimed to be open fair and transparent process should be?

Again, as stated originally (March 2025 onwards), this was not being practised fairly and evenly. However, since then and as of July-Sept 2025, we've been made aware of the following: "*DVS previously provided valuation advice to GCC with regard to the subjects in 2016 and 2019. An additional valuation, prepared for the Glasgow Building Preservation Trust (GBPT) in 2024, was facilitated by and shared with GCC.*

And given this very relevant information has now been disclosed, this claim that this *pre-approved evaluation criteria* is accurate, objective, fair, and transparent is now even more incredibly challenged. Whether it's been fabricated to underpin the narrative GCC had to develop to seek and gain approval from the relevant GCC Committee is now openly called to be reviewed and justified as follows:

District Valuers Reports 2016-2025 Aide Memoire

	2016	2019	2024	2025
Did the report use the relevant registered Deed of Conditions?	**Partially**	**No**	**No (99%)**	**No**
Did the report use the correct RVs?	**Yes**	**No**	**No**	**No**
Did the Report reference legally binding Conservation Burden	**No**	**No**	**No (99%)**	**No**
Was the aforementioned wrong, misformed, inaccurate?	**Yes**	**Yes**	**Yes (99%**	**Yes**
Was approval to merge the values of the Ground and Upper Floors agreed by SS holders prior to this being assumed	**No**	**No**	**No**	**No**
The requirement for Grant funding is reinforced Defined as integral by GCC/GCBPT/SCT	**Yes**	**Yes**	**Yes**	**Yes**

Note USP and USI are denied all and any access to any funding despite the stated fact by GCC that the investors have "*invested significant expenditure on site development/acquisition/studies/reports".* A prime example of institutional bias, discrimination, unfair treatment. **Surely also undemocratic!**

Evidence of proven commercial non-viability is reinforced in all four of these reports. And for all four reports, it would also appear there's been a consistency of assessment, but key fundamentals have not been updated, e.g., Point 3.3 relevant to Deed of Conditions usage. And the following details the failure to adhere to the applicable Deed of Conditions .

(Again, it ignores 29 years of non-viability, accelerating deterioration, GCC's CPO-defined Maintenance Failures, etc.) *The aim is to have the building repaired and brought back into use in a way that is consistent with planning policy and guidance and strategic objectives.* (Again, we must note GCC and GDA/HS have caused four approved applications to founder.

Also expert advice details the irreversible structural decline from Year 2000 to 2025. Yet GCC appears unable or unwilling to comprehend the reality of this. Also various heritage groups like Scottish Civic Trust think similarly. So in a nutshell, if the following fundamental is stated to be accurate, then it's about much, much more than repairing the façade? And if not, then 27 years of Reports and Studies are flawed; the impending Conditions Survey will begin to provide context to allow further objective assessment by conservation-accredited experts.

It is considered that a back-to-back agreement with a suitable party is the best way to achieve the desired aim. (Again, massively challenging to the nth degree, a back-to-back buyer will have to fund a **£25M+** deficit to discharge the legally non-variable 1991 LBRN, plus fund compensation for both Ground Floor and separately owned/valued Upper Floors and have a deliverable end use. And it won't be a hotel; that opportunity was spurned by GCC/Scot Govt 2010-2013. In addition the Upper Floors full commercial value requires to be paid separately)

subject to the case for use of CPO powers being fully assessed and authorised in due course. Again, to repeat, a CPO of the Ground Floor properties would be appealed. A CPO of the Upper Floor property would also be appealed.

8.3 A development brief will be prepared and issued by the Council, or the Council's agents. Information relating to the condition of the building will be made available to interested parties. (If it is as inaccurate and misrepresentative as this CPO Review Report, it will be unworkable and undeliverable.) *The brief will seek interest in the* (co-owned) building, and

the proposals received will be evaluated within a framework which will include but not be limited to the following criteria: Again, the co-owners to site assembly activities required to develop the project that GCC are also on record complimenting USP for this were not taken any cognisance of; Open, Fair, Transparent; certainly not as per this response details **GCC- Preferred Bidder Report; critical analysis** http://www.egyptianhalls.co.uk/0806-2026-GCC EH Report Preferred Bidder-Response.pdf

8.4 Following the conclusion of the proposal submission and evaluation process, and having identified a preferred development proposal, further committee authority will be sought to approve the preferred bidder and enter into a back-to-back agreement with them and to promote the CPO.

The expected outcome? There will not be a deliverable back-to-back buyer due to the scale of the 1991 LBRN discharge (or indeed DBN with additional Notices or indeed a replacement LBRN; who knows?), which has to be funded by the Ground Floor properties. Plus significant Upper Floors valuation to be funded. In parallel, New Build Development options will be pursued by the Standard Security Holders for all separately owned and valued Ground and Upper Floor properties unless a funding package can be developed for a Conservation-centric scheme.

8.5 Should this process not identify a suitable development proposal the Council will review the situation.

This is the expected outcome, given there was no contractual congruence; therefore, there could not be an informal offer or otherwise, and it is very doubtful there has been an independent (and credible) valuation and there is incontrovertible proof the (sic) offer or otherwise **was not refused**. In parallel, New Build Development options may/will have to be pursued by the Standard Security Holders for the separately owned and values Ground and Upper Floor properties unless a funding package can be developed for a conservation-centric scheme.

Note that GCC even banned Derek Souter from contacting GCC despite many similar statements, e.g., ***"and it may be better – rather than returning to issues from the late 1990s – that the building owners join with us in a co-operative manner to ensure the preservation and regeneration of this historic building"*** *(GCC March 2018*). So how can GCC accuse USP and USI of non-engagement given the aforementioned?

And FEB 2020 HES stated, "*There are some complex issues around Egyptian Halls. Solving those issues will need some creative solutions.* ***It needs creative approaches to design and engineering, but also creative approaches to funding.*** *It also needs a commitment from all involved to continue to discuss and test a wide range of options."* "Greek" Thomson Symposium.

In marked contrast, this has always been on offer, as stated here: "***USP and USI offer GCC and HES private and confidential, without liability discussions to ensure the Egyptian Halls are preserved , returned to long-term commercial sustainability at the least cost to the public purse whilst delivering for long-term investors a commensurate return."***

9.0 *Next Steps – Develop evaluation criteria and a development brief and agree on a process for inviting parties to submit proposals.* For the record, USP and USI will be raising a complaint via GCC's internal review processes, SPSO and the Scottish Government, claiming abuse of powers and the shifting of blame for a 27-year delay from GCC (GDA-HS). In effect, GCC are marking their own homework.

Added now will be the significant challenges regarding the integrity of an alleged "informal offer", which was in fact an embryonic, non-guaranteed profit share in return for full ownership of all Ground and Upper Floor titles.

Carry out a building survey (using statutory powers if necessary). USP and USI require sight of the brief for this to ensure proper processes will be in place. Also that a comprehensive

GCC believe the legally binding 2008 Conservation Bond can be ignored/discounted because the specified architect refuses to accede to GCC's entreaties/demands since 2013 to approve removal of the scaffolding if it's only the façade that's repaired.

And GCC also can't rescind the Conservation Bond until it wins the CPO approval and appeal and gets title to the a) Ground Floor b) both Ground and Upper Floors. And it also needs in place all scheme funding and also for the two separate compensation claims?

USP and USI believe the potential for a Dangerous Building confirmation is required (http://www.egyptianhalls.co.uk/assets/files/The-EgyptianHallsPublicSafetyClarificationRequest.pdf)

So is GCC potentially acting in a negligent manner by refusing to accept what the actual structural condition is? And it's 2nd Conditions Survey does not include comparable specialist testing similar to the recent WRD studies. So is at an obvious disadvantage should GCC begin to insist its 2025 Condition Survey is fundamentally correct. (But of course we now know as of June 2026 (99% due to USP's submissions) relating to on record but overlooked (somehow) by GCC stability/structural- public safety issues that GCC is to instruct another Structural Survey. The FACT USP stated this was an integral DBN assessment requirement Aug 2025 submission but this was rejected by GCC now has to be reviewed)

Access was granted, and all risks reconciled. GCC is also reminded that the 1991 LBRN is non variable and GCC recommended Repair Works have to be congruent with the LBRN primacy. And of course any GCC works would require to be assessed for efficacy (NB GCC's 1997 on-record structural assessment errors) . GCC still apparently cannot comprehend fully the interconnected elements combined and cannot be repaired in stages, e.g., façade repair would **NOT** see the Scaffolding removed. Again, this will involve TMP/WRD expert analysis/assessment. And if it's changed and this can be achieved, then the Scaffolding could be removed subject to specific Public Liability indemnities being in place.

GCC's Conditions Survey would also not owe USP or indeed USI a Duty of Care for any recommendations, e.g., that were then found to be impractical or cause permanent damage. WRD and TMP to repeat are on record stating the scaffolding cannot be removed until the LBRN works are discharged.

Issue a development brief and supporting documents (these will need to be checked very carefully as currently it would appear GCC are unaware of a raft of germane issues including the legally non-variable obligations that have to be discharged as well as the actual reality of separate ownership) *with a timescale for submission and assessment of proposals.* Access to the building is allowed for GCC but will not be approved unilaterally for others and will be done so on a case-by-case basis.

Evaluate submitted proposals via agreed evaluation criteria. Prepare a report for the committee on the outcome of the process; assuming suitable proposals are received, this report would seek authority to approve (I) the selection of a preferred developer who would enter into a back-to-back agreement.

Again USP and USI reject unequivocally GCC's belief this process was "***OPEN"***, ***"FAIR"*** and "***TRANSPARENT"***

GCC- Preferred Bidder Report; critical analysis
http://www.egyptianhalls.co.uk/0806-2026-GCC EH Report Preferred Bidder-Response.pdf

(To repeat, the LBRN discharge scheme was to cost **£3M** in 1997; it is now nearer **£25M**-**£30M**, unless it's New Build) *and (ii) the promotion of a CPO.*

10.0 *Policy and Resource Implications*

Financial – There may be financial implications, but these will be considered at a later stage

A fundamentally most surprising non-assessment given the following! Estimated CPO Compensation before any Lands Tribunal hearing should be a Contingent Liability?

- A significant compensation **£??M**+ claim would be lodged for USP' Ground Floor properties, founded upon GCC's confirming USP had made a very significant expenditure and also admitting its CPO process could cause considerable delay, and it understood USP's frustration.

- A parallel compensation **£??M** claim for USI's Upper Floors founded upon on record significant surpluses as defined since 2008 by leading, independent Chartered Surveyors. Including the significant projected future development uplift

- Timescale-wise for 3 years, maybe 4 years; note it took from 1996 to 2010 for the original CPO! And GCC failed to deliver on this; instead, USP reconciled this, which GCC then acknowledged

What if GCC ignores expert advice or has no expert advice to found upon? And then carries out repairs, e.g., Defective Notice? This should be a Contingent Liability?

GCC would require to reconcile financially the legal consequences of stepping in (attempted Jan-April 2016) and ignoring expert advice from GCC's specified Conservation Bond Architect. How does it reconcile this before it secures approval for, let's be clear, two separate CPOs, both of which would be appealed separately to a) SPSO b) Scottish Govt Reporter c) the Court of Session?

GCC also cannot summarily rescind the 2008 Conservation Bond without justification. GCC believes it can, and it currently ignores the binding legal obligations and also moral obligations underpinning this legal document that GCC insisted was needed to be put in place.

GCC's Conditions Report is advisory, owes USP and USI no Duty of Care as neither commissioned it. USP and USI have onerous fiduciary duty obligations and have to adhere to expert advice. GCC's 2025 Conditions Report will, of course provide a form of "peer review" but it won't to the level of the detailed, rigorous reports by on file from Conservation-accredited structural engineers 2000 to 2024.
http://www.egyptianhalls.co.uk/Egyptian Halls Structural Survey Glossary Year 2000-2023.pdf

Can GCC afford £Millions and potentially not recover this sum? Potential, impending use of scarce Capital Resources should be carefully reviewed.

Now USP and USI have managed to get a proposal submitted, can I suggest GCC and the Standard Security holders for the separate Ground Floor and Upper Floor properties should combine and assess the following objectively given GCC is on record as follows from the CPO Review report *4.1 Glasgow City Council has no intended use for the building and is not in a financial position to make a voluntary acquisition at this time.*

And GCC, for the record, does not own any part of the Ground Floor, or the separate Upper Floors and has not invested any £££ in the project. And as you know, USP and USI would welcome the removal of the Scaffold in a heartbeat but cannot be due to causal public safety/non-viability – apart from New Build despite this costing circa £800k last 15 years and is close to being unable to fund the Scaffolding, which if removed would make it a Dangerous Building, which GCC has been asked to assess since Nov 2024.

GCC may or may not be assessing whether it should step in and implement the March 2025 Defective Notice, which USP and, if required, USI would appeal this based on a very strong, stateable case founded upon structural unknowns/known issues and causal public safety issues, given GCC has confirmed it's to step in and implement the March 2025 Defective Notice.

10 Policy and Resource Implications:	
Financial:	***There may be financial implications, but these will be considered at a later stage.***

Can I suggest it's time to assess all Scenarios? Given GCC's 2025 DV Report estimates this at **£250k**? For comparison the attached from Aug 2022 has this at **£4.2M** – perhaps now **£6M** (which GCC was provided with Sept 2022 but appears to have not been passed to Mr Barlow?) Given GCC as above "***is not in a financial position to make a voluntary acquisition at this time***."

Given GCC Building Control has indicated it is preparing to step in and implement the March 2025 Defective Notice and is to cost/scope this for what one assumes is approval before end of 2025 and delivery by July 2026. Ands hence why I've copied in the key Regeneration biased Councillors; Kelly and Millar but also GCC's Treasurer Councillor Bell to make them aware of the potential for non-recovery of what are very scarce GCC resources indeed.

And we do understand and agree whatever can be done, should be done prior to the 2026 Summer Commonwealth Games. However back to Recharging Scenarios, which were referenced earlier this year Ms MacDonald/ Mr Gillespie have been provided the financials that prove the scale of the investment by the core investors 1998 onwards, hence the following safeguards are in place.

Core Investors Safeguards

- **The core investors are protected by the separate Standard Securities held for the Ground Floor Properties and also separate Upper Floor properties.**
- USP has granted primary Standard Securities x 3 x **£6M** = **£18M** since Oct 2018 and when 8 years is factored in at 10% interest = **£38M**
- USP has also granted USI a second Standard security and at 13 years at 10% interest = **£6M**
- USI has granted joint and several primary Standard Securities to the three investors and associated business since 2012 and at 10% interest = **£9M**

GCC raise a Joint and Several Claim against USP and USI

- So, on a joint and several basis meaning USP and USI combined it's circa **£54M** plus circa **£1.5M** of WIP/ Creditors = **£55.5M**

- However, As GCC has been informed since 2019 as per 2003 Legislation (it would rank behind the existing Standard Security holders if it stepped in and spent **£1M**, **£5M, £10M** or even **£15M**

- How does GCC recoup sums expended? Conjecture its **£2.5M**, **£5M**, **£10M**, **£15M,** which when added to the **£55.5M,** would see GCC holds **3.5%, 7 %, 14%** or **21% of creditor votes = £70.5M**.

- **Now GCC could look to wind up USP and/or USI? But the debt split £ for £** then affords the SS holders/debtors **79%+** of voting rights and the flexibility to implement or agree a phased sale/lease/ JV.

GCC raise a claim against USP, which is 100% liable for Repairs USI has a ZERO % liability!

- USP Standard Security cover is then circa **£46.5M** and if GCC stepped in and spent **£2.5M (6%) £5M (12 %)** or **£10M (18%)** or **£15M (24%)** it still leaves the combined SS holders and debtors with in excess of 75%+ and can then all things being equal recommend a CVA

- Also the core investors can facilitate transfer the USP assets to another company) or EHBPT Ltd

- And as you know we're on record as stating this should not happen and cannot happen given the unrelenting and increasing budget pressures on GCC.

- However, on the other hand the core investors have the right to a commensurate return for their now 27-year investment, which of course GCC has acknowledged as per ***"committed a significant expenditure"***

- We all agree something needs to be done. And surely, we can all combine to achieve something tangible for the 2026 Commonwealth Games

- If Scaffolding could be removed without any public safety risks, then Ground Floor Rents would double; this income would become available for project development working capital!

Summary

- **We believe key Councillors should be cognisant of this. And the reality is scarce funding would not be put to the best use.**

- **And the fact there's more than one measured way for this to be reconciled well before the 2026 Commonwealth Games given the willingness by the core investors to agree this?**

- **And of course, this would negate the need for a 2nd CPO reconciling what Councillor Kelly has defined as *a complex process and there's no timeline for when it might be concluded***

- **But if GCC is not interested, then events will develop and take their course.**

Post Feb 2025 CPO Review Material Omissions/Clarification collated

MAR 2026 Material Omissions from CPO Review Process document
http://www.egyptianhalls.co.uk/2003-2026 Material Omissions from CPO Review Process.pdf

Context - According to GCC's own correspondence the 1991 LBRN Discharge was required ASAP 24 years ago (Feb 2002) to avoid "*potential fatal building collapse*" and is also legally non variable, is needed for the CPO. And GCC created the 2008 Conservation Burden to enshrine this requirement, confirmed this in 2010 and also 2014 yet appears 2019 onwards to have ignored/forgot as its advised all its external professionals it won't be implemented or another LBRN won't be served despite GCC stating an LBRN is needed for a CPO. And of course GCC has provided no confirmation that it's rescinded the 1991 LBRN or is attempting to rescind. Is this a material error. And why was USP and USI not advised similarly to the District Valuer (5 Reports), Narro Associates (2 Studies 2018 and 2025), Ryden (2025 Marketing), Ediston (approved preferred bidder 2023-2026).

- **Feb 2002 GCC advise "*You may be aware that there was a potentially fatal building collapse in the City Centre in October 2001 "The general condition of the building overall is much deteriorated and an immediate cause of concern. This situation will only worsen if the full repairs package as per the terms of the extant Listed Building Repairs Notice, are not effected before the onset of the next winter* FYI the legally non variable LBRN states "*stabilise all elements of the supporting* (whole) *structure*"**

- **2005** GCC's on record advice states an **LBRN is a pre-cursor to the submission of and potential approval of a Listed Building CPO. And that it's non variable once served**

- **2009** GCC's on record advice to USP re-states an **LBRN is a pre-cursor to the submission of and potential approval of a Listed Building CPO. And that it's non variable once served.**

- **2010 GCC state *that we acknowledge and accept that Union Street Properties("USP") acquired title on a voluntary basis to the whole subjects of the CO by direct negotiation with and payment of agreed price to the owners of said subjects, and have granted a deed of conservation burdens in our favour***

- **2014 GCC states to Herald *The conditions of the Listed Building Repair Notice were enshrined in the Deed of Conditions ;* this would be via the 2008 Conservation Burden, which has the objective of is to discharge the incumbent, extant LBRN.**

Without doubt these are all consequences that had led to major Structural Report 2008 and all further detailed chronological studies/reports (but GCC appear not to have on file?)
http://www.egyptianhalls.co.uk/assets/files/Egyptian-HallsStructuralSurveyGlossaryYear2000-2023.pdf , which once assessed it was agreed with GCC the Scaffolding was the only cost effective method to protect public safety until the extant 1991 LBRN was scoped, funded and discharged.
Or New Build was approved and implemented? As we know GCC failed to provide its agreed limited gap funding or approve an extra two storey to increase valuation of Upper Floors. So the Scaffolding since then till now is still the safest way to Protect Public Safety; no matter how many times various DRS/NRS and Building Control opine different; based on ignoring expert evidence from TMP/Add Cons - TMP/WRD

GCC's confirms the LBRN discharge is still required and would be satisfied if the 2013 approval is delivered? And of course we know what caused this non-delivery. Lack of promised grant funding.

GCC DV Report 2016 - *3.8 "The Council have confirmed that implementation of the planning permission granted would satisfy the LBRN mentioned above"* (see 2012 GCC letter-P10) For the record the Year 2000 and 2005 schemes were also approved on the premise that the incumbent LBRN would be discharged.

CPO Review Report Key Failures to consider:

- Failure to disclose HES advice "*There are some complex issues around Egyptian Halls. Solving those issues will need some creative solutions It needs creative approaches to design and engineering, but also creative approaches to funding. It needs a commitment from all involved to continue to discuss and test a wide range of options"* Feb 2020 "Greek" Thomson Symposium

- Failure to disclose USP offered to re-profile it is acknowledged by GCC "very significant expenditure" so as to reduce significantly the Ground Floor deficit in return for a long-term lease/JV option.

- Failure to disclose USI offered 2010-2014 to loan it's significant valuation and development potential (£3M+) to reduce the Ground Floor deficit in return for a long-term lease/JV option.

- Failure to disclose these USP and USI offers were with the approval of the Standard Security holders, and there were then no obstacles to serious negotiations/mediation to reconcile this.

- Failure to admit/disclose that GCC has not got on record anything like the information held by USP and USI. And if it did, then this CPO Review would not have been needed.

- Failure to disclose GCC-commissioned District Valuers Reports 2016, 2019 and 2024, which would have allowed fundamental inaccuracies to be reconciled. And therefore improving the probability of some certain assumptions, therefore making them more meaningful, and also in parallel ruling out any assumptions that were not founded upon reference to and use of the relevant Deed of Conditions.

- Failed to disclose the single letter from April 2014 from GCC's then Legal Director it believes still reconciles all outstanding issues fails materially to do so. Given it ignores signed statements to the contrary from USP's legal advisors 2015, 2016 and 2017.

- Failure to disclose the independent valuation report by the District Valuer for GCBPT was both funded and facilitated by GCC and also shared with GCC based upon earlier GCC-commissioned reports 2016 and 2019 which contained material, unchecked inaccuracies. The definition that it's "independent" requires re-assessment.

- Non-disclosure of highly relevant facts meant Councillors were not briefed effectively, e.g., potential significant Contingent Liabilities circa **£25M** if GCC decided to step in and carry out Urgent Repairs

- Failure to disclose GCC used the binding Deed of Conditions when apportioning LBRN costs for the 1996 CPO and also at the 2006 Lands Tribunal hearing

- Failure to disclose GCC are well aware that when LBRN costs are apportioned, the Ground Floor has a massive deficit and the Upper Floors a decent surplus

- Failure to disclose any back-to-back buyer of either the GF or UF will have to compensate, as per separate compensation claims

- Failure to disclose GCC does the legal case to CPO a property that has no Repairs/LBRN Liability

- Failure to disclose: "*The building is now in an unsafe condition and structurally unpredictable, which has primarily been caused by the deterioration of the roof and upper floors from continued water ingress over a prolonged period and the fundamental lack of robustness in the structure."*

- Failure to disclose there is *"the potential for a trigger event to cause a structural failure which could have serious consequences, with the risk to public safety and damage to surrounding buildings"*.

- Failure to disclose the “early planning” review ignores the dire structural condition as provided since 2009 and recently WRD 1, 2 and 1 & 2 combined from 2019 to 2024

- Failure to disclose it banned USP from contacting GCC after USP revealed GCC had been “economical with the truth” to the “nth degree”

- Failure to clarify GCC and the Scottish Government have defined this as a commercial project but then deny the commercial solution: new Build in 2010 and 2016, 2017, 2018 and 2019.

- Failure to disclose strenuous and sincere attempts to engage since 1998, all on record (via **5000**+ emails and **100s** of letters to GCC, Councillors, MSPs, MPs and Scottish Government Ministers)

- Failure to disclose massive attempts by USP to engage re the City Avenues Project since 2017

- Failure to disclose if GCC step in and fund **£1M** or **£5M,** or **£25M** of repairs, it would recharge USP and take a secondary security over the Ground Floor properties but would rank behind the current primary standard security holder

- Failure to disclose determined attempts by USP and USI to engage re Golden Z and how Mackintosh-Thomson Mews could enhance this, if all collaborate as per HES advice

- Failure to confirm USP has spent circa **£700k-£800k** protecting Public Safety since 2008 via the scaffolding, which was upgraded in Dec 2019 by the design/installation of protective platform

- Failure to confirm 75+ parapet feature stones were removed temporarily to protect public safety.

- Failure to disclose there has been a canon of studies, reports, valuations, development appraisals and initiatives which GCC has praised USP for and on record, as well as TMP/Addison Conservation)

- Failure to disclose GCC specified legally TMP as scheme architects to discharge the LBRN via the 2008 Conservation Bond.

- Failure to disclose GCC now wish to ignore expert advice from TMP due to GCC being unwilling/unable to accept this.

- Failure to disclose GCC cannot summarily rescind the 2008 Conservation Bond without justification

- Failure to confirm that, if the scaffolding cannot continue to be funded, it will be removed, and the Egyptian Halls will likely immediately become a Dangerous Building

- Failure to confirm expert conservation accredited structural studies (2014, 2015, 2016, 2017, 2018, 2019, 2021 and 2024) state the Scaffolding cannot be removed until the 1991 LBRN is discharged

- Failure to clarify Nobody from USP or USI has ever met anyone from Ediston to discuss the Egyptian Halls; in fact, an Ediston via Shepherd Surveyors was approached mid-2019 via email but declined.

- Failure to confirm advice since 2009 that the unpredictable structure is prone to a trigger event, which could cause to progressive collapse.

- Failure to disclose that the scaffolding requires to be upgraded to allow access and potential repairs. This would have been funded from the now rescinded Ad Hoarding income

- Failure to confirm all Ad Hoarding income has been spent on scheme costs. And no dividends have ever been paid to the investors 1998-2024

- Failure to assess on file Development Appraisals from 2008-2019 (2012 example is very prescient) showing then significant and always increasing Ground Floors deficits

- Failure to assess on file Development Appraisals from 2008-2019 (the 2012 example is very prescient) showing positive Upper Floors surpluses.

- Failure to disclose the independent valuation report was "facilitated" by GCC based upon earlier GCC-commissioned reports 2016 and 2019 which contained material, unchecked inaccuracies

- Failure to use/reference applicable Rateable Values as defined by GCC NDR/Scottish Assessors.

GCC and Public Sector Non-Disclosed Facts circa Dec 1999-2007

- Failure to disclose 1996 CPO was of the Upper Floors with GCC in collaboration with the Ground Floor consortium founded upon Repairs Apportionment based on Deed of Conditions

- No acknowledgement of Non-Viability stretching back to 1997 when a £1.335M grant was awarded

- Failure to reference the fact four approved schemes had failed due to public sector errors and mistakes

- No reference to the fact GCC's CPO Amendment caused a 12-year delay when it was predicted to delay the 1997 scheme by a "few months"

- No reference to the CPO Amendment then meant GCC lost direct control of the CPO process

- No reference to the fact the CPO Amendment was actioned based on an inaccurate structural assessment and therefore was never needed.

- No reference to GCC left behind a massive Repairs negative legacy 2010 that it noted way back in 2002 required to be undertaken immediately.

- No reference to GCC being liable for all Repairs 1996-2010 under the CPO T&C's.

- No reference to GCC admitting that it was liable for all repairs/maintenance in their Jan 2003 Eco Dev Report. Yet claimed in 2019 it's exempt from these due to never taking title to the Upper Floors.

- No reference to the 1991 Listed Building Repairs Notice, which is legally non-variable

- No reference to the unilaterally imposed Jan 1998 CPO Amendment, which was predicted to delay the then scheme by only a few months (now 27 years)

- No reference to the CPO Appeal by the former owners in 1997 that stalled the scheme

- No reference to the Dec 1999 CPO Agreement where USD (USP) became GCC's CPO "partners" and set a 30-month timescale to start/complete the brilliant 100% Conservation scheme.

- No reference to GDA and HS grant rescindments Dec 2000: ***"scheme will very likely not progress"***, as per Buildings at Risk Register

- No reference to the fact that GCC DRS/Legal knew it had breached the Dec 1999 Agreement between the parties and June 2002 but decided not to disclose.

- No reference to GCC's CPO Amendment, causing GCC to lose direct control of the 1996 CPO conveyance after USP securing the dropping of the CPO Appeal

- No reference to the fact GCC knew June 2002 the approved Year 2000 scheme could not progress as GCC could not convey the Upper Floors as its CPO Amendment now prevented this

- No reference to the fact this was not disclosed in 2002 to GCC Councillors by DRS/Legal nor any analysis provided to assess the options. given the predicted few-month delay was now 10 times that

- No reference to the fact this committee was not advised of potential financial consequences, if this known contract breach was disclosed to USP

- No reference to the fact that non-disclosure to Councillors and USP was an egregious ethical breach, and that in July 2018 GCC conceded USP did have a point regarding this contract breach

- No reference to GCC admitting April 2003 its CPO Amendment would delay any scheme and there was no timescale for resolution and GCC agreed this was "very frustrating" for USP

- No reference to GCC's DRS's non-disclosure in April 2004 to its then Lord Provost of the reasons for scheme delays when asked by the then First Minister McConnell

- No reference to USP/Derek Souter GCC Econ Dev Report June 2004 "driving force" behind the CPO Appeal, HS grant rescindment being overturned, the dropping of the 1997 CPO Appeal, etc.

- No reference to GCC's CPO Amendment causing GCC to lose direct control of the 1996 CPO conveyance post USP securing the dropping of the CPO Appeal

- No reference to the fact all proposed CPO Amendments have now to be agreed with the Scottish Government

- No reference to the fact a £10k Compensation claim became £2M as direct consequence of GCC's CPO Amendment

- No reference to in 2005 USP negotiating and funding payment to purchase 50% of the seven separate Upper Floors properties

GCC and Public Sector Non-Disclosed Facts, circa Dec 2008-2016

- Failure to disclose GCC have been aware since 2008 that the Upper Floors have a significant development surplus. Any new CPO will require legally to respect this

- Failure to disclose GCC have been aware since 2008 that the Upper Floors has been prevented from developing its commercial assets due to a Ground Floor LBRN discharge deficit

- No reference to USP in 2008, after the Lands Tribunal decision, reconciling and funding the payment to see the 50% balance of the Upper Floors title transferred to it

- No reference to the existence of the 2008 legally binding Conservation Burden, which specifies TMP as scheme architect and commits to the discharge of the LBRN

- No reference to GCC's Jan 2010 on record acknowledgment that USP had reconciled the title conveyance/availability impasse that predicted to cause a few months' delay Jan 1998 (12 years)

- Failure to confirm USP and USI asked GCC and the Scottish Government to consider the potential for TIF finance 2010 in an attempt to bridge the Ground Floor deficit

- No reference to GCC's July 2010 praise of USP for considerable investment on scheme activities, site acquisition, studies, reports, and CPO compensation in correspondence to the Scottish Government

- No reference to June 2010 GCC Econ Dev Report, which states, "There *is therefore no prospect of the project proceeding without external funding support."*

- Failure to reference GCC also stated: "*We have now reached a very critical stage in these discussions whereby there is a clear, but very time-limited, opportunity to secure the development. The challenges to do so remain formidable."*

- Failure to explain why 15 years later all these ***formidable challenges*** are the responsibility of USP

- Failure to reference that the Scot Government refused the *"extraordinary funding"* request in 2010

- Failure to reference four Culture Ministers have refused site tours. One went to Abbotsford House in mid 2010, which got **£8.5M** for a massively inferior heritage/conservation/regeneration/job creation scheme, and stated Abbotsford House was decidedly different; hence, it deserved this funding

- No reference to Aug 2010 HS Head of Grants Martin Fairley stating, *"However, I have made my position clear: the project as it stands is non-viable."*

- No reference to GCC firstly supporting strongly in 2014 a £5M HLF application and then with HES torpedoing this mid-2015, achieved when both met the HLF separately without informing USP

- No reference to the fact USI Upper Floor owners were to combine to fund the Ground Floor deficit (circa £3M) with BPRA funding and an HES grant to see the approved 2013 scheme be implemented

- No reference to the fact GCC then failed to part-fund their agreed gap funding contribution Feb 2013 when they had to (this was "agreed" pre-application mid-2011)

- Failure to disclose a four-storey extension would have reconciled the deficit in 2013 when only two storeys were approved because four storeys affected the Lighthouse viewing tower

- Failure to disclose two storeys were approved despite GCC knowing this increased the gap funding GCC had committed to and would also hold up Union Street's then long-delayed regeneration

GCC and Public Sector Non-Disclosed Facts, Dec 2017-2024

- No use of the actual title deeds for the constituent GF properties No 84, 88, 96, 100 and No. 92-U.Floors has been made by the DV. Is that their error, or did GCC fail to brief this accurately?

- Therefore no reference to the change in 2018 – the Upper Floors Rateable Values Jan to zero means the GF properties are due 100% of LBRN Repairs, yet 2019, 2024 and 2025 reports don't factor this in.

- No reference to the fact this was caused by GCC asking for the LBRN repairs apportionment formula using fixed rateable %. It should be amended to allow for current Rateable %.

- No reference to the fact this was communicated by legal letter to GCC Nov 2019

- No reference to GCC's failure to disclose a Dec 1999 CPO contract breach from then until July 2018
- No reference to GCC conceding July 2018. USP ***did have a point*** relating this inadvertently disclosed (weak on error) Contract breach. And it was weak back in Dec 1999 but then accelerated furiously.
- No reference to GCC, then threatening to sue USP for disclosing publicly the now admitted fact GCC had known of a contract breach but had not disclosed this to a host of connected stakeholders
- No reference to GCC failing to discharge a duty of accountability regarding its catalogue of errors, mistakes and misrepresentations.

- Failure to disclose The Scottish Government has been recommending Business Plans 2017-2025, not another CPO!
- Failure to disclose Scot Government has insisted the legacy issues would be counterproductive to revisit/review 2009, 2010, 2013, 2014, 2015, 2017, 2019, 2022, 2023, 2024 and 2025 (all on record).
- Failure to disclose, despite expert advice since 2015 from GCC's Conservation Bond architect, that Repairing the Façade in isolation will not see scaffolding removed due public safety risk
- No reference to Feb 2016 and April 2019. GCC (and HES) were submitted New Build options citing non-viability, accelerating deterioration, zero grant funding; Zero Engagement from GCC (and HES)
- No reference to the fact USP and USI has been offering GCC and HES private and confidential, without liability discussions to deliver a mutually agreed solution
- No reference to the fact GCC and Ediston were to work with USP and USI early 2023 on feasibility study for Mackintosh-Thomson Mews then resiled from this.
- GCC decides unilaterally the extant, legally non variable 1991 LBRN does not need to be discharged.
- GCC in parallel decides a much lesser spec Defective Notice can replace the 1991 LBRN and achieve similar; incredibly misformed and very Dangerous for Public Safety.

CPO Review Relevant Points on record Not Considered by GCC:

FEB 1998- GCC implements unilaterally a legally irreversible CPO Amendment (changing title transfer from a General Vesting Declaration (GVD) to a Notarial Instrument (NI) citing it will "*only cause a few months delay"*- currently a 258 month delay and projected to be **a 300 month-yes 25 year delay!!**

DEC 1999- GCC signs a legally binding CPO Agreement on the premise USD and USP will deliver the soon to be approved Year 2000 TMP scheme, which all GCC has to do is deliver its contractual obligation of transferring the Upper Floors title to USD via a GVD as per the 1996 CPO Missives. This was legally impossible as GCC had changed from a GVD to an NI but GCC Legal was unaware of this when the Dec 1999 contract was signed.

March 2000-Mid 2002 Project derailed due to massively unexpected problems caused by Historic Scotland (£1M grant reduction) and GDA (£245K grant rescindment)- complete absence of joined up govt allows GCC's contract breach to be non-disclosed as scheme can't progress until grant funding restored.

Mid 2002 – HS restores its £1M grant. GCC informs Kidstons of the change from GVD to NI some 30 months later but do not disclose the pre-existence of the 1998 CPO Amendment. GCC Legal also detailed the issues this change will bring including referral to the Lands Tribunal and a significant cost and will take 6 months. Kidstons to repeat are unaware of CPO Amendment. USP and USD begin to lobby for a CPO Review, no one at GCC or Historic Scotland (HS) take any real action or discuss this.

Dec 2002 Kidstons recommend signing amended CPO Missives to reflect this and to repeat unaware totally of CPO Amendment- Breach of contract. A "few months delay" is now circa 42 months.

Mid 2004 – GCC DRS claim to all stakeholders including GCC's Lord Provost and Scotland's First Minister that the *full circumstances surrounding the CPO process have now been explained to Union Street and their lawyers*. And in summary all will strive to find a way forward. However GCC DRS and also Legal neglected to disclose the existence of the 1998 CPO Amendment. By now the "few months delay" is at circa 76 months.

2004-2008- Lands Tribunal (estimated to take 6 months mid 2002) is reconciled by USP. GCC still do not disclose the existence of the CPO Amendment. *A few months delay* is now circa 125 months

Jan 2010 - GCC has to concede USP has reconciled the CPO and in effect GCC has failed. A "*few months delay*" has become 144 months. GCC has also been legally liable for Maintenance works from May 1996 to Jan 2010

2008-2014- mega cost increases, valuation impairments and accelerating structural deterioration all begin to imperil the future preservation of this Grade A architectural masterpiece. Then after massive lobbying GCC Legal Dept disclose the pre-existence of the Feb 1998 CPO Amendment, which by then has caused a 194 month scheme delay. GCC Legal justifies the change from a GVD to an NI, refuses to discuss any aspect and basically tells USP to like it or lump it.

2014-2018- GCC DRS debate with scheme/deed of conservation burden appointed architects on a raft of structural issues and maintenance. USP has to legally take the advice of the experts. GCC want Scaffolding removed, which is not recommended strongly is actioned. USP states GCC can do this if GCC indemnifies USP.

March 2018 GCC stated in Scotland on Sunday *"These allegations in respect of misrepresentation and impropriety by the council are entirely refuted. The true position has been set out in detail on many occasions by the council".*

3rd July 2018 – 8.29am GCC *"As stated the Council's position is a final we have no intention in engaging in any further correspondence on this matter. I trust you will note the above".* Ken Clark GCC DRS.
5 HOURS LATER- 19 YEARS OF UNTRUTHS AND FALSEHOODS WERE REVEALED

3rd July 2018 15.20pm GCC admits after 18 Years 8 Months the following "*The only point he has was that in December 1999 we entered into missives with Union Street Developments Ltd (not USP Ltd) (renewing the terms of the 1996 missives with the previous consortium). These missives contained the provision that GCC would obtain title using the GVD procedure.* ***Accordingly, we were in breach of the missives entered into (subject to a weak argument on error).*** *"We could answer Soutar's questions on the basis of the above, but I would strongly advise against doing so. To concede now that we were indeed in breach of the 1999 missives will just renew his conviction, he is right and will perpetuate further diatribes*.

Therefore, it is now **FACT** GCC knew of hugely inadvertent contract breach admittance dating back to mid 1999 and the advice is to still not disclose the true position, which is fundamentally different from the position stated from May 2004 right up to 8.29am on the morning of the 3rd of July. "*A few months delay*" is now 234 months of 78 times a "*few months"*.

11 July 2018- GCC Legal then threaten USP and Derek Souter with unspecified "legal consequences" for in fact being a "whistle-blower" as the contract breach admittance email had been circulated to relevant Councillors, Directors, MSP's etc.

July 2018-July 2019 All the aforementioned lobbying has been to no avail as the net result was GCC DRS and Legal embarked upon from then till now a campaign of attrition, aggression, threats, denigration, briefing of falsehoods to the media.

September 2018-April 2019- GCC issues an Enforcement Order against the Ad Hoarding/Scaffolding stating no approved works have been carried out for a decade and ignores expert advice/proof to the extreme contrary. Scottish Reporter agrees with GCC without also allegedly assessing expert advice, which also very importantly states it would be structurally dangerous and unsafe to remove the Scaffolding even after repairs to the façade GCC states if done would allow this. This is now at the Court of Session. In parallel GCC LES refuse to issue a Scaffolding permit citing similar reasons.

June 2019-July 2019 GCC issues a 28-day letter demanding specific works to be carried out based upon a Structural report it had commissioned April 2018. In fact this report does not recommend the works GCC states it wants carried out. Also this report cannot be relied upon by USP, as the authors David Narro Associates do not owe USP any Duty of Care. None other than David Narro Associates Managing Director has confirmed both these points as accurate.

July 2019-Sept 2019 Due to the very untimely death of John Addison of Addison Conservation March 2019 there was a very understandable hiatus relating to assessing the issued Feb 2019 David Narro Report. As of July 2019 Will Rudd Davidson were appointed as replacement Structural Engineers and who embarked upon a comprehensive structural survey/development options/development appraisals report. And within 2 weeks of beginning WRD have opined as follows ***We would note that the remedial works which are potentially required to make the parapet structurally stable will be integral to the overall remedial works to the building as the front façade also supports the floors of the building. We would therefore advise that the scaffolding would likely need to remain in place until the future plans for the overall regeneration of the Egyptian Halls has been agreed accordingly and appropriate works are developed in a holistic fashion as appropriate to address these issues.*** *Now compare this crucial and 2nd opinion from another conservation accredited Structural expert with the following"*

DRS does not agree with your view that the scaffold cannot be removed, providing appropriate measures (i.e. maintenance works) are undertaken to ensure the façade is secure. ***I'm sure the ward councilors are aware of your arguments for the retention of the scaffold from your correspondence***. August 2018 GCC's Susan Connolly

"It's not just my unqualified opinion but the opinion of the Service with appropriate repairs to the façade the scaffolding can be removed safely- October 2018 GCC's Susan Connolly
Yet GCC we have to now conclude have forgotten/overlooked/misfiled key public safety assessments e.g

- **The 1991 LBRN** has a key requirement as follows ***repair or otherwise stabilise all elements of the supporting structure, where necessary, leave in a wind and watertight condition; all works urgently required for the preservation of a listed building and to be carried out to the satisfaction of the Director of Planning"***

- **FEB 2002 GCC advise "*You may be aware that there was a potentially fatal building collapse in the City Centre in October 2001 "The general condition of the building overall is much deteriorated and an immediate cause of concern. This situation will only worsen if the full repairs package as per the terms of the extant Listed Building Repairs Notice, are not effected before the onset of the next winter* the legally non variable LBRN states "*stabilise all elements of the supporting* (whole) *structure"*.**

Can GCC be trusted? marking ones or each other's homework is not BEST PRACTICE!

- Failed to disclose GCC had refused to assess the proven new issues of materiality it requested were needed to re-assess the failed 1st 1996 CPO. That were disclosed July 2018 when GCC inadvertently communicated it had not disclosed a known contract breach dating back to Dec 1999 to a) Councillors 2002 b) First Minister 2004 d) USP and its lawyers 1999-2018.

- Failed to disclose GCC and USP have legal obligations to adhere to the 2008 Conservation Burden. It's only USP that can rescind this given it's applicable to USP and not the relevant title deeds.

- So we ask can the Scottish Government be trusted to ask GCC why it failed to tell the truth to the then First Minister May -July 2004 onwards?

- And also that this non-disclosure should be assessed against the following Opinion "*but all the judges concurred in holding that where a representation had been made there was an obligation to disclose any subsequent fact which affected its truthfulness. It is conceived that the obligation, in such cases, is to disclose all new developments which would affect the mind of a reasonable man, and that non-disclosure will render the contract voidable even although the party may have honestly thought the new developments immaterial."* (House of Lords Carlyle v RBOS)

Legal Aspects for Clarification

Apparently GCC 2019 onwards is confused by its legal obligations as it states it won't ask for the 1991 LBRN to be implemented by any "preferred bidder" apart from USP.

However the LBRN from 1991-2017 according to GCC is non variable-has to be discharged (by USP) reinforced by the overarching requirement to protect public safety.

Q? How can "in principle planning be "approved" Feb 2025 CPO Review but this won't discharge the ***1991 LBRN to the satisfaction of the Director of Planning?***

Q? What if CPO Review is flawed? Or biased against USP because it's been told the LBRN has to be discharged but others told to ignore it? That is not what an a

Q? Was GCC non-disclosure of a known contract breach relevant? Given GCC conceded "USP had a point" when admitting GCC did breach the Dec 1999 contract but by this time it's July 2018.

Q? Is GCC is manipulating statutory powers in an effort to circumvent the consequences of its and Scot Govt errors.

Q? What has occurred to see a scheme costing **£3-£4M** Year 2000 now cost **£21M-£24M** TWENTY SIX YEARS LATER?

Q? And based on what evidence can GCC blame co-owners USP and USI for this?

Q? Is GCC abusing statutory powers?

GCC VOLTE FACE 1991-2019 and 2019-2025

- **Given the LBRN is legally non variable, is needed for a 2nd CPO and has to be discharged fully to protect public safety against a *"potential fatal building collapse"* And GCC *enshrined it into the Deed of Conditions* via the GCC created Conservation Burden.**

- **So on what legal advice is the following predicated on. And can that legal advice be provided for assessment**

- **DV March 2019 1 Report -Point 3.3 Tenure** *For the purposes of this valuation,* ***I am to assume that GCC will not act upon the existing LBRN and is unlikely to serve an LBRN in the future.***

- **DV March 2019 2 Report -Point 3.3 Tenure** *For the purposes of this valuation,* ***I am to assume that GCC will not act upon the existing LBRN and is unlikely to serve an LBRN in the future.***

- **DV July 2024 Report-** we assumes this is the same, casts massive doubt on independent valuation that an offer in excess of was refused by USP and USI

- **DV July 2025 Report- Point 3.3 Tenure** *For the purposes of this valuation,* ***I am instructed to assume that GCC will not enforce the Listed Building Repair Notice.***

- **If what GCC stated 2002 -2019 is legally binding and COMPETENT. Then what it stated 2019-2025 maybe not COMPETENT.**

- GCC has not we believe legally rescinded or attempted to rescind the extant, legally non variable 1991 LBRN.

- GCC has not as we are led to believe legally rescinded or attempted to rescind the extant, legally binding Conservation Burden into which it enshrined the LBRN.

- Given USP or USI were then not briefed as per the DV, Ediston, Narro is this bias, discrimination against the legal owners and in parallel preferential treatment being awarded to Ediston

- How can GCC secure a 2nd CPO without an incumbent LBRN or new LBRN?

- How can a legally non variable LBRN be replaced by a similar specified LBRN?

Archive proof of GCC mis briefing 2002-2019

21 EXAMPLES OF WHEN GCC FAILED TO ACT APPROPRIATELY AT EVERY STAGE

- **Contract Breach admitted July 2018, non- disclosed since Dec 1999.**

Below is an email extract from Jan 2016 sent to GCC DRS, which lists the other 20! GCC's assertion as stated in the Herald Jan 2016 of "**acting *appropriately at every stage"*** in relation to the Egyptian Halls is now tested by listing **20 examples** of what USP and USI would define as GCC **NOT** **"acting *appropriately at every stage"!***

1 GCC did not disclose the fundamentally germane CPO Amendment at any time between 1998 and 2014 and the legality and ethicality of GCC's alleged contractual behaviour should be investigated and then discussed with USP and USI as well as relevant GCC Councillors Also does GCC believe it showed Good Faith given relationships between any Local Council or Government agency should certainly not be founded on the principle of Caveat Emptor?

2, How and Why has it taken GCC 36 years + to implement repairs as prescribed under the 1991 LBRN, which of course had to be re-served I think in 1995? And also the 1996 CPO had to both re-issued and re-advertised as well.

3, Why does GCC continue to claim both that the CPO was a success and that it assisted USP and USI achieve 100% controlling ownership in both correspondence and in the media when GCC has also via correspondence conceded to USP Ltd that it had on its own volition, the CPO had failed.

4, Therefore how and why did the relevant LBRN and CPO legislation fail? I'm 100% sure HES, Scottish Government, RIAS, AHSS, SCT and the Greek Thomson Society like USP and USI are more than interested in knowing the reasons!

5, Why should the private sector co-owners be expected to fund the costs that have accrued as a direct consequence of the CPO Amendment. Scheme costs have increased from £3M to circa £15M and the grant funding of £1.35M, which was in place in 1998 has since disappeared.

6, USP and USI have asked GCC to discuss the following in relation to the CPO Amendment consequences *"When specific LBRN and CPO legislation has been implemented to assist an approved project's delivery then that legislation should then not impact negatively on or discriminate financially against the relevant owners who are co-operating and collaborating fully with the public sectors agencies.* Surely USP and USI are entitled to ask GCC for a satisfactory explanation?

7, Why did GCC offer a time limited grant of £1M for a 3 storey extension and then only approve a 2 storey extension, which reduced the overall valuation by £1.5M+ and of course negated the £1M grant award. And of course the £1M was offered for 12 months when GCC knew full well Planning and LBC had to be applied for too and was therefore unable to be achieved during this very short timescale further handicapped by the GCC stated fact the then identified financial deficit could not be bridged.

8, When assessing USP's (Ground Floor owner) Application to Demolish due to the impossibility of bridging the CPO caused Ground Floor financial deficit. GCC commissioned an independent report from Ryden, which was chock full of misformed and inaccurate statements, assumptions and calculations e.g. Ryden valued the entire building despite USP not owning the legally separate USI owned Upper Floors Hotel site, apparently Ryden chose to also ignore the legally binding Deed of Conditions as well. USI of course opposed Demolition as it had then a Commercially fundable scheme. Despite being made aware of these errors GCC again did not reply or respond. Instead it sought to denigrate the co-owners via the indiscreet comments by former Director Gormal, which appeared on Facebook of all places.

9, Why did GCC promise USP and USI and their independent scheme professionals; The Morrison Partnership, Addison Conservation and The Planning Consultancy that an Application for Planning and LBC was an absolute pre-requisite to unlocking the sources of funding that were known to all as being available courtesy of GCC's 5 Year City Centre strategy? And when Planning and LBC was achieved GCC went back on its word 100% despite TMP and TPS as well as USP and USI raising this issue with GCC in writing again no response was received.

10, Why did then Head of Planning Alistair MacDonald and then City Property MD Richard Rae then threaten the Egyptian Halls with Demolition if USI did not agree unconditionally to assume full responsibility for the Ground Floor Deficit at a meeting February 2013, which was witnessed by an independent and objective consultant? Again a complaint was made and again GCC did not respond.

11, Why does GCC continue to insist the now protective Scaffolding is removed despite the unequivocal proof that the façade is crumbling and we have no idea of where and when the next chunk of masonry will fall? However we do know it will fall onto the Scaffolding whilst it's in place (see attached) and that has saved very likely pedestrians from serious, serious injury and probably also **LIVES!**

Or does GCC believe this **NOT** to be the case? And if so please state this unequivocally? Or even consider taking over Insuring the building given its presently uninsurable for **SAFETY REASONS?**

12, Mothballing and the use of Netting have been discounted several times notably in 2008, 2010, 2012, 2014 and now is 2016 these are raised again; one cannot fathom why? And on the subject of Urgent Repairs given GCC's June 2010 statement ***"The Development Appraisal, which has been completed at the Council's request, will show a loss of £5M based on the estimated returns. There is therefore no prospect of the project proceeding without external funding support".*** And given in 2016 with even less funding available and accelerating costs at circa £700k per year then the scale of the problem is every growing. Therefore these Urgent Repairs are also Uneconomic Repairs as the building will never be restored until a new approach is adopted by all stakeholders.

13, Why is GCC being apparently allowed to blame the co-owners for this scheme delay? Whilst also according it "commercial project" status. As surely no truly commercial project has ever been a) wholly dependent on grant funding (since 1996) b) been delayed by consequences of the ineffective use of legislation for 18 years+ and counting!

14, Given the CPO Amendment was imposed unilaterally by GCC on the original consortium does GCC still consider it did act appropriately? The stated objective was to gain 30 days to carry out emergency works, which were then not carried out as far as USP has been able to ascertain and also GCC has no record of these works either? And the then causal delay in being able to convey the title by a GVD way back in 1999 immediately caused a then significant £245k SE Glasgow grant to be withdrawn.

So was a then 30 day window of opportunity that was not used worth £245k in 1998-1999? And now it's caused an 18 year/ £15M delay and is now also endangering significantly the future of a Grade A world renowned architectural masterpiece it certainly was not worth it.

15, Why did GCC fail to even acknowledge let alone respond to the requests to discuss the EHBPT led HLF £5M Grant application? See attached email to Asst Director Tom Turley from almost 3 years ago. And to repeat despite several telephone calls no response was ever forthcoming.

16, Why did GCC fail to even acknowledge let alone respond to the requests to discuss Gourmet Food Market concept for the USP owned Ground Floors 18-24 months ago given it was also an integral component of the first two HLF Grant fund applications, which to repeat GCC did not meet at all to discuss with EHBPT-USP-USI.

17, Given the type of CPO Amendment used by GCC in Feb 1998 now cannot be implemented without specific Scottish Government approval. Does GCC not consider that the reasons this can't now be implemented are precisely due to the still unreconciled consequences 18 years later of its CPO Amendment? And there is still an inherent and increasingly toxic combined heritage and financial legacy to be reconciled?

18, , Why does GCC believe it can apparently deny all responsibility for the financial and heritage consequences of the 1998 CPO Amendment? However it is also accepted by USP and USI that this is a toxic combined financial and heritage legacy stretching back to February 1998 and that the current officers and councillors did not create this..

19, Why does continue to GCC brief Ward Councillors without the presence of the co-owners? Surely their presence would add to the understanding of these acknowledged and complex issues and one would surmise allow the parameters to achieve a solution to be scoped for detailed assessment and discussion?

20, Why is GCC unwilling to discuss these issues and others with the co-owners of the Egyptian Halls? Further USP and USI have suggested since October 2014 that GCC adopt for the Egyptian Halls Project a similar ***"Lessons Learned"*** approach used for the then aborted George Square Redevelopment.
In summary this would then allow objective assessment of whether GCC has delivered?

- *Joined Up Government*
- *Public Sector/Private Sector Collaboration*
- *Best Practice*
- *Continuous Improvement*
- *Effective Corporate Governance and acted always with Good Faith*

So, in a nutshell what turned out to be a legally irreversible non-disclosed for 16 years CPO Amendment and a known but non-disclosed causal contract breach has caused this. And instead of admitting its errors and culpability GCC DRS and Legal have sought to blame USP, USI and primarily Derek Souter for the now parlous state of the architectural masterpiece that is the Egyptian Halls.

All of which GCC could have avoided by in fact stating the true position as opposed to stating it had when in fact it had no idea of what the actual true position was. Therefore, it is claimed GCC is guilty of at least MALADMINISTRATION as detailed to Sept 2019

Preferred Bidder Process ; Fundamental Flaws or Assumptions to be amended?

LBRN Discharge (or equivalent) Cost not considered by Ediston – is its proposal" materially flawed?

- How can Ediston be awarded preferred bidder status if it's proposal does not discharge the extant LBRN- GCC "enshrined" Conservation Burden? (or equivalent to reconcile known Public Safety issues)

- How can Ediston get planning if it's proposal does not discharge the extant LBRN- GCC "enshrined" Conservation Burden? or equivalent to reconcile known Public Safety issues).

- How can Ediston get planning if it's proposal does not discharge the extant LBRN- GCC "enshrined" Conservation Burden? or equivalent to reconcile known Public Safety issues).

- How can get Ediston secure grant funding without lifting LBRN-Conservation Burden- GCC "enshrined" Conservation Burden? or equivalent to reconcile known Public Safety issues)

How can Ediston get "preferred bidder" approval without costing all of the following?

Given the objective of both preserving the Listed Building and returning it to commercial sustainability then one assumes the scheme works are undertaken in phases. The works can be split in three sections as follows: -

A. Works required to comply with Planning and Listed Building Consent and LBRN or equivalent.
B. Additional works required by Building Control and the Fire Safety Department.
C. Works required to return the building to an acceptable commercial standard.

Given no one can accurately cost Phase A, then by logical conclusion it's impossible to specify/estimate Phase B and C; again refer to a recent GCC Planning application the cost implications of replicating similar for the Egyptian Halls have not been factored in.
https://www.heraldscotland.com/news/26005126.14-storey-office-block-glasgow-turned-259-student-flats/?ref=glasgowbell.co.uk *Planners at Glasgow City Council have approved an application which will include the partial demolition of a building on Cadogan Street. Over 250 student beds will be made available across the 14-storey block. Plans stated the owners believe the existing seven-storey building* ***"underutilises an important city centre site".*** *The application added that the building, constructed in 1989, would need "****considerable investment to improve the energy performance of both the external envelope and mechanical/electrical plant in line with modern occupier sustainability requirements".*** *It stated the "****cost of such upgrades are not balanced by prevailing market conditions and rental values in Glasgow". A 14-storey development, retaining the "substructure and perimeter walls" of the existing building, was proposed.***

For an overall appraisal log to **June 2026 GCC- Preferred Bidder Report; critical analysis**
http://www.egyptianhalls.co.uk/0806-2026-GCC EH Report Preferred Bidder-Response.pdf

2011 PETITION FUNDED BY USP AND USI DELIVERED BY A BRILLIANT CLUTCH OF VOLUNTEERS

3. ADDITIONAL INFORMATION – DOWNLOADS

Scheme Development Options

The Big Game Changer- Mackintosh-Thomson Mews Concept:
http://www.egyptianhalls.co.uk/page4.html Mackintosh-Thomson Mews + Golden Z + Avenues + Frasers = the equal of or better than St Christopher. ***https://www.stchristophersplace.com/*** which takes one from Marylebone to Regent Street and back. Glasgow can deliver better than this.

Oct 2025 - http://www.egyptianhalls.co.uk/E-Halls Development Proposal 2025.pdf

CPO Review Response Key Evidence

(previous versions March, June, Sept 2025, Jan 2026)

http://www.egyptianhalls.co.uk/assets/files/3001-2026CPOReviewResponseDoc.pdf

MAR 2026 Material Omissions from CPO Review Process document
http://www.egyptianhalls.co.uk/2003-2026 Material Omissions from CPO Review Process.pdf

June 2026 GCC – DV Valuation Report; critical analysis
http://www.egyptianhalls.co.uk/0806-2026-Updated Response E-Halls DV Valuation Report-9th July 2025.pdf

June 2026 GCC- Preferred Bidder Report; critical analysis
http://www.egyptianhalls.co.uk/0806-2026-GCC EH Report Preferred Bidder-Response.pdf

Reports submitted but ignored by GCC, HES, Culture Ministers, PARD, Scot Govt FM's

MARCH 2024 Spine line of key documents detailing errors, mistakes, misrepresentation and
http://www.egyptianhalls.co.uk/Key Documents-Deed of Conditions Summary.pdf

FEB 2024 - GCC's misrepresentation to Provost, Scotland's FM, USP, key stakeholders 1999- 2024
http://www.egyptianhalls.co.uk/CPO Title Transfer Delay-Inadvertent Misrepresentation Document.pdf

JAN 2024 – Detailed evidence of attempted engagement and avoidance of difficult decisions
http://www.egyptianhalls.co.uk/ProductiveProblematicNowHopefullyProductiveDiscussions.pdf

JAN 2024- Correspondence proving attempted engagement and avoidance of difficult decisions
http://www.egyptianhalls.co.uk/EgyptianHallsSpineTimelineofCorrespondence.pdf

JAN 2024- Expert studies by Conservation accredited Structural Engineers/specified architect
http://www.egyptianhalls.co.uk/Egyptian Halls Structural Survey Glossary Year 2019-2023.pdf

AUG 2023 - Egyptian Halls Slicing the Gordian Knot
http://www.egyptianhalls.co.uk/SlicingTheGordianKnot.pdf

JUNE 2023 What caused the Year 2000 Scheme to Founder?
http://www.egyptianhalls.co.uk/What Caused The Brilliant Feasible Year 2000 Scheme To Founder.pdf

MARCH 2023 - How a barrier to regeneration was created inadvertently
http://www.egyptianhalls.co.uk/How A Barrier Was Created Inadvertently.pdf

AUG 2022 - HES Request for Accountability
http://www.egyptianhalls.co.uk/HES-Accountability-Appendices.pdf

JULY 2001 How Defeat was snatched from the Jaws of Victory ***http://www.egyptianhalls.co.uk/page13.html***

SEPT 2019 - Why did the 1996 Egyptian Halls CPO fail? Briefing to SPICE- Scottish Parliament
http://www.egyptianhalls.co.uk/assets/files/1609-2019-UPDATEDEgyptianHallsCPOBriefingNote.pdf

SEPT 2019 - Why has GCC's CPO Amendment Claim "it will only delay your scheme by a few months" become 312+ months and MANY times the original £3M cost?
http://www.egyptianhalls.co.uk/assets/files/2409-2019-GCCsFeb1998CPOAmendmentwillcausea300monthdelay-WHY.pdf

NOV 2018 - Non-Viability timeline caused by GDA, HS, GCC, assisted by Scot Govt.
http://www.egyptianhalls.co.uk/assets/files/0811-2018-TheEgyptianHallsNonViabilityConfirmation1996-2018.pdf

NOV 2018 - Missed Opportunities caused by GDA, HS, GCC assisted by Scot Govt
http://www.egyptianhalls.co.uk/assets/files/0511-2018-HistoricMarketingandMissedOpportunitiesSummary1996-2018.pdf

Defective Buildings Notice (DBN) Submissions 2025-2026

DBN Discussion Proposal 27th Aug 2025 (but ZERO GCC engagement)
http://www.egyptianhalls.co.uk/2908-2025 Defective Notice Response.pdf

Gold Standard Conservation 29th Dec 2025
http://www.egyptianhalls.co.uk/assets/files/TMP-ExpertStatementAppendices-GCCMarch2025DefectiveNotice.pdf

Jan 2026 -June 2026 - Public Safety is Paramount- Why is GCC ignoring this?
http://www.egyptianhalls.co.uk/0806-2026-GCC-Defective Building Notice Updated Clarification.pdf

Year 2000-2024 Structural Reports Chronology

http://www.egyptianhalls.co.uk/Egyptian Halls Structural Survey Glossary Year 2000-2023.pdf

Buildings at Risk Register:

https://www.buildingsatrisk.org.uk/search/keyword/Egyptian%20Halls,%20Glasgow/event_id/892661/building_name/egyptian-halls-84-100-union-street-glasgow

Prior Structural Updates Ignored by GCC/HES:

Aug 2011 ***How This Unique Structure has Worked for 150 Years. "The façade can't stand without the support of the floors, walls and stairs - not today's modern orthodoxy but it works."***
http://www.egyptianhalls.co.uk/page17.html

Deterioration Timeline 1980-2022
http://www.egyptianhalls.co.uk/assets/files/Deterioration-Timeline1980-Oct2022.pdf

Requested Public Safety Clarification Nov 2023? **http://www.egyptianhalls.co.uk/assets/files/The-EgyptianHallsPublicSafetyClarificationRequest.pdf**

LBRN Discharge Visual Aide Memoire July 2021
http://www.egyptianhalls.co.uk/E-Halls LBRN Repairs Aide Memoire-June2023.pdf

Egyptian Halls Potential Progressive Collapse Scenario Feb 2020
http://www.egyptianhalls.co.uk/StructuralMovie.html

Conservation Bond specified architect's expert advice-ignored by GCC
http://www.egyptianhalls.co.uk/assets/files/Approved-BuildingBuildingWork1998-2019.pdf

Media Coverage:

Extensive Media Coverage 1998-2023
http://www.egyptianhalls.co.uk/Extensive-Media-Coverage-1998-2023.pdf

Nineveh on the Clyde 1999 ***http://www.egyptianhalls.co.uk/page12.html***

Thomson – Glasgow's Master Builder-BBC 2017 ***http://www.egyptianhalls.co.uk/page11.html***

Professor Gavin Stamp's Piloti Files
http://www.egyptianhalls.co.uk/assets/files/The-EgyptianHalls-HeritageLobbying.pdf

Save The Egyptian Halls Petition:
http://www.egyptianhalls.co.uk/assets/files/E-HALLS 8000+ Petition SUMMARY 2011.pdf

4. GCC CPO Review Report

Item 3

6th February 2025

Glasgow City Council

Contracts & Property Committee

Report by George Gillespie, Executive Director of Neighbourhoods, Regeneration and Sustainability

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AUTHORITY TO INVESTIGATE THE USE OF COMPULSORY PURCHASE POWERS (CPO) AND TO SEEK A DEVELOPMENT PROPOSAL FOR EGYPTIAN HALLS

Purpose of Report:

To seek committee authority to investigate the use of CPO powers in respect of the property at 84-100 Union Street (Egyptian Halls), including approval to seek proposals for the repair, repurposing and future active reuse of the property, and devise an appropriate bid process including selection and evaluation criteria to assess proposals.

Recommendations:

It is recommended that Members:

(i) Consider the contents of the report.
(ii) Approve the investigation of the use of CPO powers in respect of the property at 84-100 Union Street (Egyptian Halls) including approval to seek proposals for the repair, repurposing and future active reuse of the property.
(iii) Authorizes the Executive Director of Neighborhoods, Regeneration and Sustainability in consultation with the Director of Legal and Administration to approve a development brief and selection and evaluation criteria for the development proposals, including departures from the relevant CPO Framework where necessary or expedient, with the recommended proposal being reported to a further committee for approval.
(iv) Authorise officers to appoint agents to act on the Council's behalf, if required.

Ward No(s): 10 Anderston/City/Yorkhill Citywide:

Local member(s)advised: Yes ☐ consulted: Yes ☐ No ☐

1.0 Introduction

1.1 This report seeks committee authority to investigate the requirement for the use of CPO powers in respect of the property at 84-100 Union Street (Egyptian Halls). This will include the development of an open, fair and transparent process, aligned with statutory tests, with which to seek proposals for the repair, repurposing and future active reuse of the property.

1.2 The Council has a Framework for the Use of Compulsory Purchase Powers under the Town and Country Planning (S) Act (CPO Framework) which sets out the process for making CPOs and entering into back to back agreements with developers. Back to back agreements regulate the transfer of the acquired land to the developer. This process is typically triggered by an approach from a developer. That situation has arisen in relation to Egyptian Halls. The report sets out the Council's intended response, and the changes to the process set out in the CPO Framework proposed to be adopted on this occasion to reflect the differences in the current circumstances from those envisaged in the CPO Framework.

1.3 This report does not seek authority to promote a CPO at the current time.

2.0 Background

2.1 Egyptian Halls is a category A-listed building located at a key arrival gateway to the city centre from Central Station on Union Street, within Glasgow Central Conservation Area. The building is in private ownership. The building has been vacant and derelict (at upper floors) for over 30 years and has featured on the national Buildings at Risk Register since its inception in 1990. Scaffolding has been in place for 15 years, but is not being used to facilitate repairs, conversion or maintenance. There has been widespread concern from neighbouring proprietors, heritage bodies and the wider public regarding the deterioration of the building over many years, the presence of the scaffolding and the consequent adverse impact on the environment of Union Street. (Steps are being considered separately to facilitate the removal of the scaffolding – see section 3.4.4 and 3.5 below).

2.2 The condition of the property has deteriorated in recent years and there does not appear to be a viable scheme being developed or proposed by the current owners, and without intervention, there is an increased risk of significant failure in the fabric of the building.

2.3 It is important to take steps to secure the future of this A-listed building as it is widely regarded as the masterpiece of Alexander Thomson's architectural legacy within the city. Thomson was an extremely important and influential architect whose pioneering approach to design and structural innovation has been praised and celebrated internationally since he began designing buildings in the mid-19th century. Thomson's designs were largely confined to Glasgow and many of those properties have now been demolished, damaged or lost to bombing in the Second World War. Egyptian Halls is one of the very few large-scale, commercial buildings that he designed which survives. It is a unique

architectural and historic asset within Glasgow and repair, repurposing and future active reuse of the building is a priority for the Council.

2.4 The City Development Plan and the City Centre Strategic Development Framework both prioritise and encourage retention of historic assets. The Central District Regeneration Framework and its Action Plan identify the Egyptian Halls as a 'high profile, architecturally significant Building at Risk that must be prioritised to find a sustainable long-term use that respects (these) important buildings'. The Action Plan supports early focus on the Egyptian Halls as a building at risk as an "Immediate Action". Proposed action identified within the Action Plan includes approaching owners to evaluate potential to support and advise. As discussed below at 3.3 prolonged engagement by officers with the current owners, in line with the Action Plan, has not resolved the issues or brought about meaningful progress.

3.0 Current situation

3.1 Ownership

3.1.1. The property address is 84 – 100 Union Street.

3.1.2. The ground and basement floors, known as 84, 88, 96 and 100 Union Street are owned by UNION STREET PROPERTIES LIMITED (SC186601) Registered Office Whitehall House, 33 Yeaman Shore, Dundee, DD1 4BJ.

3.1.3. The upper floors are entered from the close numbered 92 Union Street and are owned by UNION STREET INVESTMENTS LTD (SC353348) Registered Office – Whitehall House, 33 Yeaman Shore, Dundee.

3.1.4. Both companies are owned by the same parties.

3.1.5. The ground floor shops are partly occupied by tenants which include a phone shop, a motorbike shop and a vape shop. The upper floors are not occupied. The Council will investigate ways to support the relocation of the current tenants if the use of compulsory purchase powers is authorised in due course.

3.2 Previous CPO

3.2.1. The property has been the subject of a previous back to back CPO. The City of Glasgow District Council made a CPO in March 1996 at the request of a consortium of owners in the building, The CPO was confirmed by the Secretary of State for Scotland on 23rd May 1996.

3.2.2. Notice of Confirmation and then Notices to Treat and Notices of Entry were served in January 1998 at the request of the consortium. However, title was not taken at that time.

3.2.3. In late 1999 the consortium of owners invited the Council to begin discussions with Union Street Properties Limited (USP) and a connected

company, Union Street Developments Limited (USD). This resulted in a back to back agreement with USD in 2002 which restated and amended the original agreement with the consortium.

3.2.4. During 1998, and 1999 USP purchased 84, 88 and 98 Union Street, and completed their purchase of the remaining interests in the property in 2004. The upper floors of the property were transferred to Union Street Investments Limited in 2009.

3.2.5. The whole of the property has been in the ownership of one or other of the linked 'Union Street' companies since 2004.

3.3 Planning History

3.3.1. The current owners gained consent for repair schemes during the early to mid-2000s, had a demolition application refused in 2011 and thereafter gained planning permission and listed building consent for a hotel scheme in 2012. None of the consented schemes have been delivered and there are no extant permissions in place.

3.3.2. The Planning Service and Building Standards Service have been engaged in discussions regarding the condition of the building and its potential re-use for over three decades (including discussions with previous owners). As stated, the current owners have had control of the entire property for approximately twenty years, and based on that history it would appear they are unable to progress with any scheme for bringing the whole of the building back into use.

3.3.3. No applications for planning permission for reuse have been submitted by the current owners since the 2012 consented scheme. Correspondence received from the owners over the last five years repeatedly indicates that scheme proposals will be submitted for discussion, but no deliverable or realistic proposals have been received.

3.4 Building condition

3.4.1. A report by the structural engineers employed by the building owners (July 2024), notes the continuing decline in the condition of the building. It notes that since the engineers' involvement from 2019, although there have not been any drastic changes, there has been an ongoing incremental decline, and the risk of a significant failure will only increase without appropriate intervention.

3.4.2. A recent inspection of the property by Building Standards in December 2024 concurs with that position. Whilst the roof covering appears to be preventing water ingress, the building remains open to environmental conditions. The upper storeys remain in an entirely unoccupiable state and it is clear that the continued decline in the overall building fabric will continue through a prolonged lack of occupation and ongoing maintenance.

3.4.3. There is notable ongoing concern for areas of the front façade, in particular the front parapet wall and cornice. This has significant historic movement with an uncapped wallhead and stone joints exposed to continual water ingress. Without intervention it will lead to the type of significant failure noted in the engineer's report. Timber packing to historical temporary supports installed on the rear wall are also showing signs of significant rot.

3.4.4. In order to prevent a significant deterioration occurring which would result in an immediate public safety issue, a defective building notice using Building Standards powers is being served on the owners to address the condition of the façade and parapet wall. Once repairs are actioned by the owners, or the Council, if necessary, further action will be considered and taken as appropriate to secure the removal of the scaffolding. However, a sustainable long term solution is required for the building and if this report is approved, officers will seek proposals and investigate the use of CPO powers to facilitate this.

3.5 Advertisement on the scaffolding

3.5.1. Advertising Consent was initially granted on a temporary basis for one year in 2000 which expired without being implemented. A later Advertising Consent was granted on 22 July 2008 (reference 08/1320/DC). However, scaffolding was not erected until 2009. The consent allowed for the erection of a shroud/banner image of the Egyptian Halls on the scaffolding and for an advertisement hoarding facing Union Street while approved works to the building were being carried out. No approved works were ever carried out.

3.5.2. Despite this, unauthorised large-scale advertisements continued to be displayed on the scaffolding structure, prompting a series of enforcement actions by the Council's Planning Enforcement team. Action included the Council seeking an interdict at the Court of Session to prevent further unauthorised advertising on the scaffolding surrounding the listed building. An out-of-court agreement was reached, leading to the cessation of further banner advertisements on the scaffolding.

3.5.3. As part of the resolution, the owners of the Egyptian Halls gave a formal undertaking to the court not to cause, undertake, or permit any advertisements on the scaffolding without prior consent from the Council. The court's formalisation of the undertaking ensures compliance. This long-running process has ultimately achieved the Council's aim of prohibiting inappropriate large-scale advertising that detracts from the visual amenity of the conservation area. Since the agreement, no further banner advertisements have been displayed on the scaffolding.

4.0 Voluntary Acquisition by Council

4.1 Glasgow City Council has no intended use for the building and is not in a financial position to make a voluntary acquisition at this time.

5.0 Current Proposal

5.1 The Council has been approached by an interested party which wishes to acquire the Egyptian Halls building with the intention of delivering a mixed-use repurposing proposal. At this point, this proposal is at an early stage and is considered to be commercially sensitive. However, plans would comprise a new food/restaurant market development on lower floors with a hotel on upper floors. The proposed scheme would retain the existing building and would include a modest extension to the roof to create additional floor space. Early review suggests that this proposal could be acceptable in principle in Planning terms.

5.2 The proposal would also require to be assessed against the evaluation criteria to be developed in accordance with section 8 below.

5.3 The Council understands an informal offer to purchase the building was made by this interested party at a figure in excess of an independent valuation, but this was not progressed by the owners.

6.0 Planning Policy

6.1 It is considered necessary for the proper planning of the area that the property is returned to active use and repurposed to align with the City Development Plan's aspirations to repair, restore and enhance historic assets, improve the amenity of the Central Conservation Area and boost the vibrancy and economic competitiveness of the City Centre. The overall aim is to regenerate the building and by doing so, improve and enhance the area surrounding it and the Union Street entrance at Central Station.

6.2 Bringing this deteriorating building at risk back into productive economic and sustainable re-use aligns further with key policy objectives in National Planning Framework 4 (Policy 1 and 2) for tackling the climate and nature crises, climate mitigation and adaptation and (Policy 7) the re-use of existing buildings and historic assets.

6.3 The Glasgow City Development Plan 2017 (CDP) contains a suite of policies that will be used in the assessment of development proposals and identifies two overarching key aims for the City: creating and maintaining a high quality, healthy place, and developing a compact city form that supports sustainable development. To help deliver these aims, the CDP sets out a strategy that seeks to deliver on four strategic outcomes:

- a vibrant place with a growing economy
- a thriving and sustainable place to live and work
- a connected place to move around and do business in, and
- a green place

These outcomes create the rationale for the CDP's policies and proposals.

6.4 An overarching policy, Policy CDP 1: The Placemaking Principle, will be applied to all development proposals throughout the City and is underpinned by a design-led approach to planning.

6.5 The Council will continue to focus on the regeneration and redevelopment of the existing urban area to create a sustainable City. Experience has shown that efforts to address the City's physical legacy and improve the environment have been successful where they have sought to address, not only appearance and context, but the full range of benefits and opportunities that new development can generate in terms of how people interact with and benefit from their environment. Of particular relevance, good placemaking can have a major influence upon the sustainable economic growth of an area.

6.6 Policy CDP2: Sustainable Spatial Strategy aims to influence the location and form of development to create a 'compact city' form which supports sustainable development. This policy provides a spatial representation of the CDP's strategy through Spatial Supplementary Guidance which includes Strategic Development Frameworks (SDF's).

6.7 Of relevance is the City Centre Strategic Development Framework (CCSDF). This supports a vibrant, attractive centre driving a growing economy which includes repopulating the centre, ensuring a mix of uses and round the clock activity, whilst improving the quality of the urban environment to help attract more residents, businesses and visitors.

6.8 The CCSDF provides a framework for strategic interventions for the city centre and was adopted as Supplementary Guidance to the CDP in May 2021. Priority 1 of the CCSDF prioritises actions which accelerate transformation of the urban environment to ensure climate resilience, improved liveability and place quality. Priority 2 of the CCSDF prioritises actions to increase activity and diversity in the city centre to support its continued prosperity at the heart of the city-region and as a key contributor to the national economy. Re-use of this important asset would transform the urban environment by creating a vibrant asset where currently there is dereliction, improve climate resilience by reusing an existing asset, and improve liveability and place quality by enhancing the amenity of the Glasgow Central Conservation Area. The reuse of the building would also bring activity and vibrancy to this part of the city centre and therefore improve the prosperity of the city.

6.9 The Council's recent *Vision and Plan for the Golden Z* (approved 2023), identifies the current state of Egyptian Halls building as being a contributing factor in the degradation of the surrounding street.

6.10 In addition, the City Centre Strategy and Central District Regeneration Framework both promote the repair and repurposing of heritage assets and seek to reinforce the distinctive character and identity of the Central District of the city centre. The Central District Regeneration Framework's key objectives include to retain and improve the competitive edge of Glasgow city centre, repopulate the centre and increase city density and function mix, create more attractive and remarkable spaces, create a seamless transition from a daytime

to night-time economy – vibrant, safe, family friendly. The repair and reuse of Egyptian Halls will create vibrancy, improve safety and provide a more attractive place within Union Street and the city centre.

6.11 Proposals for the repair, repurposing and future active reuse of the property will be assessed against the above policies and guidance, along with the other relevant policies of the CDP, having regard to the aforementioned strategies and frameworks.

6.12 As discussed at 6.10 above, the Central District Regeneration Framework and its Action Plan identify the Egyptian Halls as requiring action as a priority.

6.13 Links to a selection of plans and strategies are available in Appendix 1

7.0 CPO Powers and GCC CPO Framework

7.1 The Council has powers under the Town and Country Planning (S) Act 1997 (the 1997 Act) to make a compulsory purchase order.

7.2 Section 189 states*: -*
(1) A local authority shall, on being authorised to do so by the Scottish Ministers, have power to acquire compulsorily any land in their area which:
(a) is suitable for and is required in order to secure the carrying out of development, redevelopment or improvement;
(b) is required for a purpose which it is necessary to achieve in the interests of the proper planning of an area in which the land is situated.

7.3 Section 189 (2) further provides that:-
A local authority and the Scottish Ministers in considering for the purposes of subsection (1)(a) whether land is suitable for development, redevelopment or improvement shall have regard to: -
(a) the provisions of the development plan, so far as material,
(b) whether planning permission for any development on the land is in force, and
(c) any other considerations which would be material for the purpose of determining an application for planning permission for development on the land.

7.4 Land which is acquired using the powers in the 1997 Act can be transferred to a third party for development (in terms of s.191), subject to various tests being satisfied.

7.5 The Council developed a CPO Framework for what are known as 'agency' or ‘back to back’ CPOs in response to the court cases arising out of the redevelopment of Buchanan Street in the late 1990s/early 2000s. (Report to Development and Regeneration Services Committee 26.10.2000)

7.6 That CPO Framework sets out the circumstances in which the Council would consider using CPO powers under the 1997 Act. In accordance with the CPO Framework, officers have considered the current condition and use of the property, its planning history, and the approach made by an interested party,

and are of the view that, in broad terms, the acquisition of the land is reasonably necessary for planning purposes and compelling benefits are likely to be delivered as a result of the repair, repurposing and re-use of the building, such that the use of CPO powers should be investigated.

7.7 There are 4 phases set out in the CPO Framework.

Consideration – as to whether the acquisition of the land using CPO powers is reasonably necessary for planning purposes; this is usually triggered by an approach from a developer.

Publication of Intention – following committee authority for officers to investigate the use of CPO powers, to issue an invitation to all owners and occupiers of the site to submit proposals for consideration.

Evaluation of Proposals Submitted

Conclusion – following detailed evaluation of proposals, a further report is submitted to committee recommending which, if any, of the proposals submitted should be supported. The report will seek authority to enter into a back to back agreement with the preferred developer which will include obligations to have planning permission in place; to demonstrate reasonable attempts at voluntary acquisition; and an undertaking to meet all of the Council's costs including compensation payable as a consequence of the CPO.

7.8 In the typical situation, the Council will have been approached by a developer who is trying to assemble a site. The developer will usually either own part of the site or will have options to acquire it. They will have been unable to conclude voluntary negotiations to buy the rest of the site and will be requesting that the Council exercise CPO powers on their behalf to complete the site assembly.

7.9 Phase 2 of the CPO Framework process would involve the Council asking for all owners and occupiers of the site to submit proposals to the council.

7.10 The present situation differs from that scenario in that the property is owned by two linked companies. In relation to Egyptian Halls, the Council has been approached by an interested party who is neither an owner nor an occupier.

7.11 To ensure that there is a fair, open and transparent procedure before a decision is made to exercise CPO powers and that, in due course, there is full consideration of and compliance with the statutory tests for the disposal of land acquired by means of the exercise of CPO powers (s.191), the procedure in the CPO Framework will be amended on this occasion, as follows: -

7.11.1. The Publication of Intention (phase 2 of the CPO Framework) will take the form of an open call for proposals from any interested parties, including, but not limited to, the two owners of the property, the tenants and the interested party who has approached the Council. All proposals received will be considered as part of the evaluation process (phase 3 of the CPO Framework).

It may be necessary to amend or expand the broad evaluation criteria set out in the CPO Framework to include other appropriate criteria reflecting the nature of the building. In particular, the evaluation criterion within the CPO Framework relating to ownership/attempts to negotiate purchase, may be modified or disapplied. The evaluation criteria will be approved by the Director of NRS in consultation with the Director of Legal and Administration to achieve best terms in accordance with s.191 of the 1997 Act.

7.12 Other consequential amendments or amendments to the proposed back to back arrangements may be necessary or expedient to reflect the particular circumstances, and these would be reported to committee as part of phase 4 of the CPO Framework process.

8.0 Seeking and Evaluating Proposals

8.1 Should this report be approved, the Council will seek proposals for the repair, repurposing and future active reuse of the property.

8.2 A fair, open and transparent process, which will allow full consideration of and compliance with the relevant statutory tests, is proposed seeking proposals which will then be evaluated using pre-approved evaluation criteria. The aim is to have the building repaired and brought back into use in a way that is consistent with planning policy and guidance and strategic objectives. It is considered that a back-to-back agreement with a suitable party is the best way to achieve the desired aim, subject to the case for use of CPO powers being fully assessed and authorised in due course.

8.3 A development brief will be prepared and issued by the Council, or the Council's agents. Information relating to the condition of the building will be made available to interested parties. The brief will seek interest in the building and the proposals received will be evaluated within a framework which will include but not be limited to the following criteria:

- Retention and use of the building, including alignment with heritage status and design parameters
- Previous experience of developments of this type
- Timeframe and deliverability for development
- Funding

8.4 Following conclusion of the proposal submission and evaluation process, and having identified a preferred development proposal, a further committee authority will be sought to approve the preferred bidder and enter into a back-to-back agreement with them and to promote the CPO.

8.5 Should this process not identify a suitable development proposal the Council will review the situation.

9.0 Next Steps

(i) Develop evaluation criteria and a development brief, and agree a process for inviting parties to submit proposals.
(ii) Carry out a building survey (using statutory powers if necessary).
(iii) Issue a development brief and supporting documents with timescale for submission and assessment of proposals.
(iv) Evaluate submitted proposals via agreed evaluation criteria.
(v) Prepare a report for committee on the outcome of the process; assuming suitable proposals are received, this report would seek authority to approve (i) the selection of a preferred developer who would enter into a back-to-back agreement, and (ii) the promotion of a CPO.

10 Policy and Resource Implications

Resource Implications:

Financial:	There may be financial implications, but these will be considered at a later stage.
Legal:	All transactions will be subject to review and conclusion by Glasgow City Council's Corporate and Property Law section and any external resources they may require.
Personnel:	No anticipated impact on personnel
Procurement:	The proposals as currently anticipated would not give rise to relevant procurement issues. This will be kept under review at later stages.

Equality and Socio-Economic Impacts:

Does the proposal support the Council's Equality Outcomes 2021-25? Please specify.	In preparing any future report for committee, the proposals will be assessed against the Council's Equality Outcomes and its statutory obligations
What are the potential equality impacts as a result of this report?	No significant impact at this stage but to be re-considered and assessed as appropriate in due course including by reference to specific proposals once developed.
Please highlight if the policy/proposal will help address socio-	N/A at this stage but to be re-considered and assessed as appropriate in due course including by reference to specific proposals once developed.

economic disadvantage.

Climate Impacts:

Does the proposal support any Climate Plan actions? Please specify:	An assessment will be carried out once proposals for the repair, repurposing and future active reuse of the property have been received
What are the potential climate impacts as a result of this proposal?	An assessment will be carried out once proposals for the repair, repurposing and future active reuse of the property have been received
Will the proposal contribute to Glasgow's net zero carbon target?	To be assessed and reported on at a later stage.

Privacy and Data Protection Impacts: None

11.0 Recommendations

11.1 It is recommended that Members:

(i) Consider the contents of the report;
(ii) Approve the investigation of the use of CPO powers in respect of the property at 84-100 Union Street (Egyptian Halls) including approval to seek proposals for the repair, repurposing and future active reuse of the property.
(iii) Authorises the Executive Director of Neighbourhoods, Regeneration and Sustainability in consultation with the Director of Legal and Administration to approve a development brief and selection and evaluation criteria for the development proposals including departures from the relevant CPO Framework where necessary or expedient: with the recommended proposal being reported to a further committee for approval.
(iv) Authorise officers to appoint agents to act on the Council's behalf, if required.

Appendix 1

Document links:

Acronym	Document Link	Date Published
CCS 24-30	City Centre Strategy	Apr 2024
CDRF	Central District Regeneration Framework	May 2019
Golden Z	*Vision and Plan for the Golden Z*	2023
NPF4	National Planning Framework 4	Feb 2023
CDP	City Development Plan	Mar 2017
CCSDF	City Centre Strategic Development Framework	Adopted May 2021
SG1	Supplementary Guidance 1: Placemaking Part 1 Placemaking Part 2	June 2018
CCAMP	Central Conservation Area Management Plan	Mar 2012
CPO Framework	GCC Framework for the Use of Compulsory Purchase Powers under the Town and County Planning (S) Act	2000 (no link available pre-digitisation)
TCP	Town and Country Planning (S) Act 1997	1997