



URBED/Empty Homes Press Release
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Communities could add ‘Rocket Fuel’ to new space transfer powers

Experts say an obscure piece of Thatcher-era legislation could unlock radical community asset transfer potential from the Government’s new Localism Bill, potentially bringing thousands of derelict houses and historic landmarks back into use.

Jonathan Brown, a director of Manchester based planning and environment co-operative URBED, said the new ‘Community Right to Buy’ powers could be given “rocket fuel” when combined with a little known legislative instrument called a Public Request to Order Disposal (PROD).

PROD, which dates from the 1980 Planning and Land Act, gives the Secretary of State the power to force public bodies to offer empty land and property for sale. It has been little used, in part because there has been no right to control in whose ownership the asset ends up.

“The new Localism rules will change that”, says Brown.

“When a registered community asset comes up for sale – perhaps stimulated by a well-aimed PROD – the new Community Right to Buy (CRtB) will kick in. CRtB reserves first refusal to local groups who have expressed an interest in taking on the property.

There will be a moratorium period forbidding sale until local people are given a chance to raise resources to take it on themselves.

Groups who feel ready can serve a PROD to force sale of derelict public assets, knowing they will have first bite.”

Together, the two legal instruments should make it harder to leave council-owned homes and public landmarks like mothballed libraries and post offices languishing empty.

With the Community Right to Challenge on service provision, it might also deter closure of valued services in the first place, if public buildings cannot simply be sold straight to developers.

Brown warns there are still dangers of asset-stripping through back-door privatisation, but says the combination of PROD and CRtB could be a powerful tool for genuine community groups battling to retain and renovate threatened buildings, homes and services.

“Take for example West Derby’s Carnegie Library in Liverpool. This listed Edwardian building was temporarily closed back in 2006 but has languished ever since, its book collection mouldering as the structure deteriorates. Local Authority cuts make it very unlikely the service will ever be reopened under council control.

Community Right to Buy alone will be toothless until an owner comes to sell. So, in the Liverpool case it would change nothing, unless and until the council moved to dispose of the library.

PROD on the other hand is very high-risk, as it wrests an asset from public ownership altogether. The Library could simply be sold off and lost forever as a public resource. It also does nothing to deter long term neglect by private owners or RSLs.

Together however it appears these two rights will sometimes catalyse each-other, adding rocket fuel to asset transfer powers.”

Brown suggests a community could force sale of a public asset with a PROD, and then take direct ownership using Right to Buy - provided of course it can find the wherewithal.

“There are still big questions, like finance, transparency and safeguards against speculation, but intriguing opportunities are opened up.”

David Ireland, Chief Executive of the charity Empty Homes, who unearthed the PROD powers five years ago, agreed. He said that housing left empty by the last Government’s Pathfinder quangos could be a prime target for asset transfer.

“Ministers have said they will actively consider PROD requests and are reviewing its application to ‘arms length’ public bodies such as social landlords. We have over a hundred thousand publicly owned homes in this country - a scandal given our housing crisis.

As URBED suggest, Localism powers combined with the PROD could shake down and unlock this seized-up land-bank, encouraging grass-roots groups to get hold of homes and other assets for renovation.”

In a related case, the Government appear to have reacted warmly to a request by SAVE Britain’s Heritage that Eric Pickles step in to force sale of 440 terraced homes in the ‘Welsh Streets’ area of Toxteth in Liverpool, acquired by the local council for bulldozing under the stalled Housing Market Renewal Pathfinder scheme.

Speaking to the Liverpool Echo on Friday, a spokesman for the Department for Communities and Local Government said:

“Ministers will actively consider this request and are keen to raise awareness of this little-known right to request intervention to safeguard empty buildings and get them back into productive use.”

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PRODS

- **Background Information**
<http://www.emptyhomes.com/usefulresources/prods.html>
- **Planning Resource Article 17th December**
<http://www.planningresource.co.uk/news/ByDiscipline/Housing/1047145/Heritage-group-calls-sale-abandoned-Liverpool-homes/>
- **Liverpool Echo Article 18th December**
<http://www.liverpoolecho.co.uk/liverpool-news/local-news/2010/12/18/eric-pickles-may-save-ringo-starr-s-birthplace-from-bulldozers-100252-27846688/>

Community Right to Buy

- **Financial Times Article 10th December**
<http://www.ft.com/cms/s/0/339bd7c0-048a-11e0-a99c-00144feabdc0.html#axzz18fswswnl>

West Derby Library, Lister Drive Liverpool

- **Liverpool Echo Article 6th March 2008**
<http://www.liverpoolecho.co.uk/liverpool-news/capital-of-culture/capital-of-culture-liverpool-news/2008/03/06/is-this-the-last-chapter-for-historic-lister-drive-library-100252-20565276/>
- **Urban Exploration Pictures 2010**
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