

The Empty Homes Agency

PRODS

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**Bringing public
buildings back into use**

2006



PRODS – Public Request To Order Disposal

PRODS are a very useful but little used legal power that anybody can use to force the sale of publicly owned empty homes or abandoned land in England and Wales. The power dates from the 1980 Local Government Planning & Land Act. It enables anybody to request that the Secretary of State investigate why publicly owned properties or land have been left empty. The Secretary of State can order public authorities to dispose of empty homes or land. Where this happens, the land or homes are usually sold to the open market.

This legal power covers most but not all publicly owned property in England and Wales but does not operate in Scotland or Northern Ireland but the Government will investigate any vacant public property brought to its attention that is covered by the legislation and may investigate in cases where the legislation does not apply.

What does this legislation cover?

The main public landowners covered by this legislation include the following:

- Government Departments and most government Agencies, Local and Regional Authorities, and other departments owning Crown land.
- The Housing Corporation.
- The Civil Aviation Authority
- The Post Office.
- British Broadcasting Corporation (BBC).
- British Waterways
- National Rail (formerly British Rail), Transport for London, and Passenger Transport Executives.
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How many empty homes are there in the public sector?

The most recent Government figures show that there are 104,106 empty properties in the public sector, including housing association stock. This is a snap shot figure as of 1st April 2005. This sum represents 15% of the total number of empty homes in England (680,412).

Unlike with private sector properties, the Government does not report the number of Long term empty properties (properties empty for more than six months) owned by the public sector. Estimates put this figure at around 50,000

What should I do?

The Secretary of State will only investigate when a request has been made by a member of the public. To make a request you need to write to the *Director of Planning* at the appropriate English Regional Government Office, or Minister for Finance, Local Government and Public Services for properties in Wales. You don't need to contact the owner of the property first.

What happens next?

- The Government Office will contact the owner. They will find out as much as possible about the property and the owner's reasons for keeping it empty.
- The Secretary of State will decide whether there are satisfactory plans in place for making proper use of the land or property, or whether an Order of Disposal should be made.

- If disposal is decided on, the owner will be given 42 days in which to make representations before a decision is made.
- Sale is usually on the open market - by auction, tender, or private treaty.
- You will be kept informed of the outcome.

Sample PROD Letter (public Buildings)

To: Director of Planning
Government Office for the [] Region
[Insert address]

Dear Sir/Madam

RE: Public Request To Order Disposal

I would like to make a Request to order a disposal under the Local Government Planning and Land Act, 1980 for the property/land located at (Address of property or land) I attach the details, including a map [if available], of the property. I request that an order should be made to enforce disposal of this building to an organisation prepared to make better use of it.

The building is owned by [if known, write in as much detail and history as possible. How long has this property been empty? How big is it? Do you know how many rooms are in it?]

[You should write a paragraph on why you have chosen to write. Some reasons may be:

- It has been a cause of frustration for many people in an area that this building has remained empty for so long.
- It is causing blight to the surrounding area
- It attracts crime and antisocial behaviour

- Why should a building such as this, in reasonable condition and in an area of acute housing need, be left empty for over [] years?
- It is a disgraceful waste, and an affront to homeless people.]

I do hope something can be done to get this building back into use as quickly as possible.

Yours sincerely

Government Offices For The Regions

In England the Government offices for the Regions (GOs) handle land use planning, housing and countryside work, road scheme decisions, local transport priorities, transport's interaction with land use planning and statutory casework. In Wales this role is carried out by the Welsh Assembly

Contact details for PROD letters:

GO-EAST

Government Office for the East of England, Eastbrook,
Shaftesbury Road, Cambridge, CB2 8DF

T: 01223 372500

E: Enquiries.GOEast@goeast.gsi.gov.uk

GO-EAST MIDLANDS

The Belgrave Centre, Stanley Place, Talbot Street, Nottingham
NG1 5GG

T: 0115 971 9971

E: enquiries@goem.gsi.gov.uk

GO-LONDON

Riverwalk House, 157-161 Millbank, London, SW1P 4RR

T: 020 7217 3328

E: enquiries@gol.gsi.gov.uk

GO-NORTH EAST

Citygate, Gallowgate, Newcastle upon Tyne, NE1 4WH

T: 0191 201 3300

E: general.enquiries@gone.gsi.gov.uk

GO-NORTH WEST

City Tower, Piccadilly Plaza, Manchester, M1 4BE

T: 0161 952 4000

E: gonwmailbox@gonw.gsi.gov.uk

GO-SOUTH EAST

Bridge House, 1 Walnut Tree Close, Guildford, Surrey, GU1 4GA

T: 01483 882 255

E: info@gose.gi.gov.uk

GO-WEST MIDLANDS

5 St Philip's Place, Colmore Row, Birmingham, B3 2PW

T: 0121 212 5050

E: enquiries.team@gowm.gsi.gov.uk

GO-YORKSHIRE AND THE HUMBER

PO Box 213, City House, New Station Street, Leeds, LS1 4US

T: 0113 280 0600

E: yhenquiries@goyh.gsi.gov.uk

GO-SOUTH WEST

2 Rivergate, Temple Quay, Bristol, BS1 6EH

T: 0117 900 1700

E: swcontactus@gosw.gsi.gov.uk

WALES

Minister for Finance, Local Government and Public Services.

National Assembly for Wales
Cardiff Bay
Cardiff CF99 1NA
T: 029 2089 8391
E: PSSueEssex@Wales.gsi.gov.uk

November 2006

The Empty Homes Agency was set up in 1992 in response to the high number of empty properties and the crisis with homelessness - something had to be done! In the early days the Agency worked on bringing individual properties back into use and encouraged local authorities to implement empty property strategies.

The Agency as an independent campaigning charity, aims to:

Raise awareness about empty properties in England, devise and promote sustainable solutions to bring empty properties back into use

We do this through campaigning and providing advice and support.

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The Empty Homes Agency is a charitable Industrial & Provident Society No 27697R
England