



Subject:	Department of the Environment Policy Consultation on Dilapidated/Dangerous Buildings and Neglected Sites
Date:	10th May, 2016
Reporting Officer:	Phil Williams, Director of Planning & Place
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Is this report restricted?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

1.0	Purpose of Report or Summary of main Issues
1.1	Members will be aware of a policy consultation document launched by the Department of the Environment (DOE) on 10 March 2016, relating to Dilapidated/Dangerous Structures and Neglected Sites. The Minister of the Environment, Mark H Durkan MLA has initiated a review of the legislation available to district councils to deal with the impact on local environmental quality by dilapidated/dangerous buildings and neglected sites. Much of the legislation relating to this area of environmental policy dates back to the 19th century and in many cases applies only to specific geographical areas.
1.2	At the meeting of People & Communities Committee 12 April it was agreed that officers would develop a draft response to this consultation document to be brought back for detailed consideration.
2.0	Recommendations
2.1	The Committee is asked to: <ul style="list-style-type: none">• Note the contents of this report; and• Consider the draft response provided at Appendix 1 and if content approve this as the Belfast City Council response to this consultation.
3.0	Main report
3.1	Members are advised that this review of legislation is to a large part due to concerted

	<p>lobbying by the Building Control Service on behalf of the Council over many years. Through experience gained by the Council in dealing with such issues under the current legislative framework the Service identified significant deficiencies which adversely impacted its ability to take effective action on dilapidated or dangerous buildings and neglected sites.</p>
3.2	<p>The policy consultation considers a range of options to enhance protection of the environment by ensuring that district councils have the appropriate powers to effectively tackle the most dilapidated and dangerous buildings and neglected sites. These options indicate general approaches rather than detailed legislative proposals, which will be formulated in light of responses received and further consulted upon in due course.</p>
3.3	<p>In the consultation the DOE has indicated its preference for a comprehensive revision of primary legislation to provide a completely new regime that would seek to encompass all of the relevant elements of the existing legislation alongside new provisions that would be appropriate for a wide range of scenarios.</p>
3.4	<p>In developing this draft response officers from Building Control engaged with colleagues from Environmental Health, Legal Services, Cleansing Services, Economic Development and Planning Service to discuss the various aspects of this consultation document and to garner input to this draft response.</p>
3.5	<p>The draft response will also be brought to the City Growth and Regeneration Committee for information given that the enhanced powers proposed will help to deal more effectively with matters which may have an impact on tourism, investment, property values and loss of amenity.</p>
3.6	<p>The issues associated with dilapidated and dangerous buildings are many and varied however some of the main proposals put forward in the consultation include:</p> <ul style="list-style-type: none">• support for a new legislative and policy regime with the rationalisation and modernisation of current legislation• greater powers for Council to recover costs expended in dealing with these issues• simplified systems for issuing notices on persons with an interest in property or land• ability to deal with wider issues of dangerous and neglected sites and also to compel property owners to take action to prevent such dilapidation occurring in the first place• the need for statutory guidance to be developed to underpin any new legislation.

3.7	<p>The proposals put forward by the Department in its consultation document are generally welcome and it is suggested that we endorse their preferred option for the introduction of a new legislative framework that seeks to address all issues of dangerous structures and places, emergency powers, dilapidated and ruinous buildings and structures, abandoned and incomplete sites as well as providing protection for heritage buildings.</p>
3.8	<p>It is envisaged that, with greater powers and better cost recovery procedures, district councils can pro-actively deal with environmental problems and, in doing so, bring greater benefit to the wider economy, public health, public safety, tourism regeneration and the reduction of anti-social behaviour.</p>
3.9	<p><u>Financial & Resource Implications</u></p> <p>As this policy consultation progresses consideration will be given to the resource implications attached to any new legislation proposed. This will be in the context of strengthening the ability of the Council to recover costs in respect of works carried out in default, which the Council undertakes to remedy and alleviate the issues caused by buildings which are dilapidated and/or dangerous.</p>
3.10	<p><u>Equality or Good Relations Implications</u></p> <p>The DOE has undertaken an Equality Impact Assessment of the proposals contained in this policy consultation. It concluded that there is no evidence to indicate that any of the proposals contained in this consultation will have any differential impact on the equality of opportunity or good relations for people within the equality and good relations categories.</p>
4.0	Appendices – Documents Attached
4.1	Appendix 1 – Belfast City Council draft response to DOE consultation on Dilapidated/Dangerous Buildings and Neglected Sites