

19 November 2015

Rural Affairs, Climate Change and Environment Committee
Scottish Parliament
Edinburgh
EH99 1SP

Dear Committee Member,

Compulsory Sale Order for long term empty properties

Shelter Scotland, Scottish Empty Homes Partnership, Scotland's Towns Partnership and Rural Housing Scotland support much of the Land Reform Bill and its aim to ensure Scotland's land is better used in the public interest. The Scottish Empty Homes Partnership is funded by the Scottish Government and hosted by Shelter Scotland. We work with councils and their partners to help them develop policies and processes to bring private sector empty homes back into use.

We believe the Land Reform Bill would be greatly strengthened with the inclusion of a new power to enable local authorities to bring more long term empty private properties back into use. We want to see a Compulsory Sale Order (CSO) power for long term empty properties and the mechanism for communities to compel local authorities to take action over long term empty properties¹.

Local authorities report that current compulsory purchase order legislation is inappropriate for this purpose and as a result they do not use it to bring long term empty properties back into use. Introducing a Compulsory Sale Order would help local authorities and

¹ This recommendation is an augmentation of a CSO proposal for vacant and derelict land that was in the Land Reform Review Group's Final Report. We see a value in using the principle of this proposal to develop a Compulsory Sale Order to tackle long term empty properties. Please see the attached Appendix for more details.

communities tackle the long term empty properties that blight communities which can currently be extremely difficult to remedy. It would do this by giving local authorities a legal right to force a long term empty property onto the open market for sale with the purpose of securing its reuse.

We would want such a power to have an emphasis on long term empty buildings in both urban and rural locations where the owner has demonstrated no realistic plans to reuse the property over a prolonged period of time. This power would only be used as a last resort where other mechanisms to bring the properties back into use have failed. The best practice process promoted by the Scottish Empty Homes Partnership has several interlinked steps, the last of which would be the use of this enforcement power.

There are over 27,000 long term private sector empty homes in Scotland. The challenge of meeting current and existing housing needs across Scotland is a significant one and bringing empty homes back into use can contribute in a very practical and effective way. A Compulsory Sale Order for Empty Buildings could help bring some of the worst of these empty homes back into use as well as having the potential to be applied to empty buildings with residential or commercial potential that could reinvigorate town centres and rural communities. While a CSO would only be required as a last resort, it would be an extremely effective tool for use by Empty Homes Officers in local authorities across Scotland who need a range of powers in order to tackle this problem.

We believe that local communities should be a key player in initiating the use of such an enforcement tool. The power to use such a tool should rest with local authorities, for use after all voluntary efforts have been made to help the owner to make the best use of their property, and with local communities who could petition their local authority to consider use of such a power.

We believe a Compulsory Sale Order for Empty Buildings is in line with the spirit of the Land Reform process, to enable Scotland's land and property to benefit the whole of society rather than just land and property owners. Failing to act on Empty Homes in this Bill would, we believe, be a missed opportunity. We ask that the committee recommend that such a power be included in the Land Reform Bill at Stage 2.²

² Shelter Scotland and the Scottish Towns Partnership are also part of a wider group of organisations including Community Land Scotland and the Development Trust Association Scotland who are in favour of the introduction of a full Compulsory Sale Order power as proposed by the Land Reform Review Group but expanded to include long term empty property as well as vacant and derelict land. These additional groups have not signed up to this letter as they are looking for a broader ranging Compulsory Sale Order power. The signatories of this letter are not opposed to these wider aims but see a Compulsory Sale Order Power for empty buildings as a useful starting point.



Shelter the National Campaign for Homeless People Limited

Registered address:
88 Old Street, London EC1 9HU
Registered in England & Wales
Company number 1088533
Registered charity number 263730
Registered VAT number G26 5456 24

Yours sincerely,



Graeme Brown, Director, Shelter Scotland



Phil Prentice, Chief Officer, Scotland's Towns Partnership



Derek Logie, Chief Executive, Rural Housing Scotland