

'Right to Regenerate' to turn derelict buildings into homes and community assets

- New Right to Regenerate will enable public to require councils and public sector to sell unused land and assets
- Proposals for public to have first right of refusal to purchase underused land in England
- Land to be sold by default, unless compelling reason not to
- Making it simpler, quicker and easier for public to transform vacant land and derelict buildings into homes, businesses or community spaces

The public will be able to convert vacant plots of land and derelict buildings into new homes or community spaces, under plans announced today (16 January 2021) by the Housing Secretary, Robert Jenrick MP.

The 'Right to Regenerate' proposals would make it easier to challenge councils and other public organisations to release land for redevelopment – helping communities make better use of public land and give a new lease of life to unloved buildings.

Underused public land could be sold to individuals or communities by default, unless there is a compelling reason the owner should hold onto it.

Under the proposals, public bodies would need to have clear plans for land in the near future, even if only a temporary use before later development – if the land is kept for too long without being used, they would be required to sell it.

These measures provide an opportunity for the public and local communities to redevelop and transform eyesores, taking control of unused local land or buildings and transforming them into something they want in their area.

This builds on the government's drive to encourage development on brownfield land and more beautiful buildings that are in line with local preferences.

The strengthened rights would also apply to unused publicly owned social housing and garages providing opportunities to transform the local housing stock.

The latest figures show there were over 25,000 vacant council owned homes and according to recent FOI data over 100,000 empty council-owned garages last year.

The new process will be fast and simple, and the Secretary of State will act as an arbiter to ensure fairness and speedy outcomes in all cases.

Housing Secretary Rt Hon Robert Jenrick MP said:

Right to Regenerate is the simple way to turn public land into public good, with land sold by default, unless there is a very compelling reason not to do so.

We are cutting through red tape so that communities can make better use of available land and derelict buildings, which means more new homes, businesses and community assets.

Millions of people will now be able to buy that empty property, unused garage or parcel of land and turn it into something good for them and their community.

Tom Chance, Chief Executive of the National Community Land Trust Network, said:

We welcome these plans that could help communities to turn abandoned and neglected land and buildings into fantastic community assets.

There are hundreds of community land trusts across the country wanting to build much needed affordable housing, but getting hold of land at an affordable price is a huge barrier.

The potential for communities to be given first right of refusal could be a gamechanger. We encourage everyone to read through the proposals and respond to the consultation.

Ian Harvey, Executive Director of Civic Voice said:

Across the country, communities see land that remains empty and wonder why. They imagine how it could be used for communities – from green space, to housing, but when they enquire about enhancing the space it's never clear who owns it.

If a community has a viable use for this land, they must be given the opportunity to take these ideas forward.

The 'Right to Regenerate' is a great-step forward to build on previous attempts at doing this and we believe it will increase the chance for communities to come together to bring vacant land into the heart of the community. We look forward to working with communities on this latest community right.

In practice this could mean if a member of the public had an unused plot of land at the back of their house owned by the council, they could use the new Right to Regenerate.

If the land was determined to be underused with no plans to bring it into use, it would be sold and the person making the request could have first

right of refusal to purchase – enabling them to extend their garden, or for the community to come together to use the land in a beneficial way.

In 1980, Michael Heseltine introduced powers that form part of the current 'Right to Contest' – giving the public the power to request the sale of underused land owned by public bodies in England, and these were extended through the Community Right to Reclaim Land, in 2011.

However, since the 2014 creation of the Right to Contest, only 192 requests have been made under this power and only one has been granted, having usually been refused because the owner had future plans for the land, which meant some sites were left unused for years. Today's proposals will revitalise and strengthen the right to encourage more successful requests.

Today's announcement also builds on measures the government is taking to regenerate urban areas across England, including encouraging councils in urban areas to plan for more homes and make the most of brownfield land.

The [consultation](#) opens today and closes on 13 March.

Further proposals in the new Right to Regenerate consultation also include:

- Publishing a definition of unused or underused land, helping to guide and encourage the public to make requests.
- Extending the range of public bodies whose land is covered by the right to include town and parish councils.
- Giving the requester the exclusive right to buy the land at market value for a period of time (a 'right of first refusal'). Under the current Right to Contest, there is no expectation that a requester would have a right of first refusal rather than the land being placed on the open market, giving people less incentive to make a request.
- The consultation on the Right to Regenerate applies to land owned by public bodies in England.
- The Local Government, Planning and Land Act 1980 empowers the Secretary of State to direct a body within a specific list of bodies, set out in Schedule 16 to that Act, to take steps to dispose of their interest in that land where that land is not being used or not being sufficiently used. This policy has two strands. Strand 1 covers central government bodies on a voluntary, non-statutory basis, and is administered by the Cabinet Office. Strand 2 covers those public bodies set out in Schedule 16 of the 1980 Act and is administered by the Ministry of Housing, Communities and Local Government. This consultation relates to Strand 2.
- In addition to making it easier to make a request for land to be sold,

the consultation proposes measures to improve transparency and assisting with record-keeping by requiring councils to follow publicity measures including:

- submitting quarterly reports on the number of preliminary enquiries made
- physical and electronic notices to be displayed where a request has been made to release a site
- all requests, together with their reasoning and outcomes, to be published on councils' websites