

Response to:  
FOI\_083  
August 2023

## Derelict & Vacant Property

### Request

Please can you provide details of the department's unused, vacant or derelict land and property.

In excel format, please can you provide a list detailing:

- Any land and property the department owns which are unused, vacant or derelict.
- For each asset please include:
  - A brief description of the land or property, including if available its area size (i.e. acreage, square footage or whatever units of measurement you have);
  - Its address;
  - Its current valuation; and
  - In each year from 2019 to present, all costs associated with owning the property (costs should include but not be limited to; security, maintenance and upkeep, insurance utilities, etc).
- For each asset please confirm if consideration has been given to the future of the asset, including but not limited to if:
  - There is an approved plan to bring the asset back into permanent operational use.
  - Consideration has been given to declaring the asset surplus and marketing it for sale.

### Response

#### Land

The Housing Executive currently maintains 1,670 hectares of land across its 3 Regions, Belfast, South and North. Some 1,550 hectares of this land is amenity open space lands within Housing Executive estates, forming an integral part of the structure of the estate for recreation purposes. Therefore, it is not unused, and as agreed in your clarification email of 31 July, falls outside the scope of your request.

111 hectares of Housing Executive land is managed within the Housing Executive's Undeveloped Land Schedule (ULS), as these sites have been assessed as having development potential. The attached ULS Sites pdf file provides a list of all sites on the Housing Executive's ULS, including size and site name/address (as undeveloped land, not all sites have a specific street address).

These lands are classified on the ULS as, Transfers to Housing Association; Retained for Future Use or Surplus for Disposal. Definitions of each classification are provided below:

**Programmed for Transfer to Housing Association** - These are sites which are included in the Social Housing Development Programme for development by a Housing Association to meet social housing need.

**Retain for Future Use** – These are sites which are retained pending further investigation into their development potential for social housing or suitability for any other function carried out by the Housing Executive or pending completion of an Economic Appraisal.

**Surplus for Disposal** - These are sites which have been subject to Economic Appraisals and declared surplus to requirements as they are no longer required for the purpose for which they were acquired or for any other function carried out by the Housing Executive.

## Valuation

The Housing Executive considers that the current valuation of each of its ULS sites is exempt from disclosure under Section 43(2) of the FOIA, as its disclosure would be likely to prejudice the commercial interests of the Housing Executive in future disposals of these sites, either in a transfer to a Housing Association or when disposing of them as surplus on the open market.

Section 43(2) is a qualified exemption and subject to the prejudice test and the public interest test. Under the prejudice test the Housing Executive has to consider if disclosure of this information would, or would be likely to, prejudice its commercial interests or the interests of another and under the public interest test it must determine if the public interest in disclosing this information outweighs the public interest in withholding it.

## Prejudice Test

Under Managing Public Money NI, the Housing Executive is required to achieve the best value obtainable in disposing of its land assets. It considers that revealing information on the valuation of its sites in the ULS would be likely to be detrimental to the Housing Executive's ability to conduct negotiations on the future sale of these sites, and so would prejudice its ability to obtain the best value that it can. Once in the public domain, the information could be exploited to seek to frustrate or influence the negotiation process on sales of individual sites. This may result in the sale of the land being lost or concluded on less than the best obtainable terms for the Housing Executive. The Housing Executive has therefore concluded that the release of the information would be likely to result in a harm to its commercial interests and so the exemption is engaged.

## Public Interest Test

Under FOIA the public interest means the public good, not what is of interest to the public, and not the private interests of an individual. In considering the public interest test on this information, the Housing Executive has identified the following points.

### In favour of disclosure:

- Disclosure of information held by public authorities is in the public interest in order to promote transparency and accountability.
- Disclosure of information held by public authorities can aid in understanding the reason why certain decisions were made, including the advice on which they were based.

### In favour of maintaining the exemption:

- There is a public interest in public authorities not being disadvantaged by their FOIA obligations when in commercial negotiations with the private sector or voluntary sector.
- The information on the valuation relates to live matters some of which are currently the subject of marketing or ongoing negotiations.
- There is a public interest in the Housing Executive, as a public body, obtaining the best consideration obtainable when disposing of its assets, as the income generated is returned to the public purse.

## Balance of the public interest arguments

The main drivers in relation to disclosing the information requested rest around transparency in decision making. However releasing the requested information would be likely to prejudice the commercial interests of the Housing Executive as it would be detrimental to its ability to conduct negotiations and, in turn, would impact on the ability to get best value for the public purse.

In this case, the greater public interest is, in the view of the Housing Executive, held in preserving the Housing Executive's commercial interests in its ability to negotiate on the disposal of sites on the ULS.

In respect of all costs associated with owning the ULS sites, the Housing Executive does not hold information meeting the description of your request.

ULS sites are not individually insured nor are they covered by individual security arrangements, therefore, it is not possible to apply these costs to individual sites.

## Property

- Any land and property the department owns which are unused, vacant or derelict.
- For each asset please include:
  - A brief description of the land or property, including if available its area size (i.e. acreage, square footage or whatever units of measurement you have);
  - Its address;

The Housing Executive is able to provide a list of its void domestic properties as of 3 August 2023, broken down by property type, bedroom count, and split in to 'actionable' and 'non-actionable' categories. This data is contained in the attached Void Dataset pdf file where an explanation of the actionable/non-actionable categories is also provided.

The Housing Executive considers that the addresses of these properties are not disclosable, as disclosure would be likely to prejudice the prevention or detection of crime. The relevant exemption is section 31(1)(a) of the FOIA (Prevention or detection of crime).

## Public Interest Test

Section 31 is a 'qualified' exemption and therefore the public interest test has been considered. On weighing the factors for and against disclosure we have concluded that the public interest lies in not disclosing the information. The factors taken into account are as follows.

### In favour of disclosure:

- There is public interest in transparency and accountability
- Disclosure may promote public understanding
- Public interest in bringing empty properties back into use

### In favour of maintaining the exemption:

- The disclosure of these addresses could likely lead to squatting and other criminal activity in and/or around these properties.
- In addition to the best use of stock, the Housing Executive has a public interest to protect its property and to avoid the considerable public expense that would be incurred dealing with crimes with empty or vacant properties.
- It is believed that the public interest lies in preventing the distress that is caused to victims of crimes of this nature. Residents who live in close proximity to such addresses would also be affected by crime committed within the vicinity and they would have a reasonable expectation of feeling secure in their homes.

## Balance of the public interest arguments

Although there is strong public interest in bringing properties back into use, the immediate concern is the protection of property and the well-being of residents.

We have reached the view that, on balance the public interest is better served by withholding the information relating to these addresses of vacant properties under Section 31(1)(a) of the Act at this time.

- Its current valuation; and

Information not held.

- In each year from 2019 to present, all costs associated with owning the property (costs should include but not be limited to; security, maintenance and upkeep, insurance utilities, etc).

The Housing Executive holds information within the scope of your request. However, it will not be possible to make this available to you without exceeding the 'appropriate limit' as defined by the FOIA.

To provide this would involve reviewing records for each of the properties on an individual basis and this would take beyond the 'appropriate limit'.

Section 12 of the Act makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit, which for the Housing Executive is set at £450. This represents the estimated cost of one or more individuals spending 18 hours in determining whether the Housing Executive holds the information, locating, retrieving and extracting it.

The Housing Executive may be able to provide some information if you reduce or narrow the scope of your request and be more specific about the information required so that it might bring it under the cost limit.

- For each asset please confirm if consideration has been given to the future of the asset, including but not limited to if:
  - There is an approved plan to bring the asset back into permanent operational use.
  - Consideration has been given to declaring the asset surplus and marketing it for sale.

The Housing Executive holds information within the scope of your request. However, it will not be possible to make this available to you without exceeding the 'appropriate limit' as defined by the FOIA.

To provide this would involve reviewing records for each of the properties on an individual basis and this would take beyond the 'appropriate limit'.

However, in the void property spreadsheet we have provided details of the total number of our current void stock for which approval has been granted to dispose via sale/demolition.

NIHE District	Location	Site Area (HA)	Classification
West Belfast	Hannahstown Hill Site 2	4.37	Programme for transfer to Housing Association
West Belfast	Glen Road, Serviced Site	2.17	Retain for future use
South Belfast	Posnett Street HA Land Transfer	0.60	Programme for transfer to Housing Association
South Belfast	Hope Street	0.92	Retain for future use
South Belfast	167-175 Broadway	0.04	Programme for transfer to Housing Association
North Belfast	Mountcollyer Close	0.50	Retain for future use
North Belfast	Mileriver Street	0.38	Retain for future use
North Belfast	208-212 Limestone Road	0.10	Retain for future use
Shankill	Ballygomartin Road, Somerdale Phase 2 - Residual Site	3.60	Retain for future use
Shankill	Hopewell Crescent	0.84	Programme for transfer to Housing Association
Shankill	166-194 Woodvale Road	0.21	Retain for future use
North Belfast	West Cliftonpark Avenue	0.08	Retain for future use
North Belfast	Sunningdale Gardens, Ballysillan Rd	0.10	Retain for future use
North Belfast	Opposite 24-28 Torrens Crescent, Belfast	0.03	Retain for future use
Bangor	Old Belfast Road	0.30	Retain for future use
Bangor	23 Seahill Road, Holywood	0.03	Retain for future use
Bangor	33 & 37 Seahill Road, Holywood	0.03	Retain for future use
Bangor	63 & 69 Seahill Road, Holywood	0.03	Retain for future use
Newtownards	29 Abbot Gardens	0.02	Retain for future use
Castlereagh	Millmount Retained B	6.67	Retain for future use
Dairyfarm	Glasvey Rise Site 1 Twinbrook	0.3	Retain for future use
Dairyfarm	Colin Glen Shops, Poleglass	0.13	Retain for future use
Downpatrick	Windmill View Drive Site 1	0.60	Retain for future use
Downpatrick	Ballyhoman Road	3.93	Retain for future use
Downpatrick	St Dymphnas Site 2	3.20	Retain for future use
Banbridge	Brookfield Road	0.40	Retain for future use
Armagh	Coolmillish Park - Remainder	1.22	Retain for future use
Armagh	Legarhill (Mullacreevie) Phases 2 & 3	1.70	Retain for future use
Armagh	Alexander Park	0.08	Retain for future use
Armagh	Dalton Road	0.38	Retain for future use
Armagh	Legarhill (Mullacreevie) Private Development Lands	4.80	Retain for future use
Lurgan	Drumellan	1.45	Retain for future use
Lurgan	Spelga Park, Lurgan	0.40	Retain for future use
Lurgan	Calvertstown Road	0.08	Retain for future use
Lurgan	Rosmoyle Site 2	0.22	Retain for future use
Lurgan	Brownlow Terrace	0.04	Retain for future use
Lurgan	Glipinstown Road	0.36	Retain for future use
Lurgan	729 Rosmoyle, Lurgan	0.09	Retain for future use
Lurgan	Moyravery Centre, Lurgan	0.24	Retain for future use
Fermanagh	Cavanaleck (C'dale Ph2)	0.54	Retain for future use
Fermanagh	Brownhill, Invinstown	1.8	Retain for future use
Ballymena	Garvaghy Avenue Residual Lands, Portglenone	1.06	Retain for future use
Ballymena	Ballee Drive Site A	1.92	Retain for future use
Ballymena	Sandown Park, Doury Road	0.87	Retain for future use
Ballymena	Coronation Crescent, Clough	0.65	Retain for future use
Antrim	Newpark	2.23	Retain for future use
N'abbey 1	Old Irish Highway, Rathcoole	0.33	Retain for future use
N'abbey 2	Grange Drive, Ballyclare	14.70	Surplus
N'abbey 2	Rashee Drive Site 2	1.36	Retain for future use
N'abbey 2	Rashee Road	0.36	Retain for future use
Carrickfergus	Dunluskin Site 1	5.04	Retain for future use
Carrickfergus	Oakwood Road	3.53	Retain for future use
Carrickfergus	Irish Quarter West	0.14	Retain for future use
Carrickfergus	McKeens Avenue Site 1	0.18	Programme for transfer to Housing Association
Carrickfergus	Lower Woodburn	1.40	Retain for future use
Carrickfergus	35-39 Taylors Avenue	0.02	Retain for future use
Larne	Blackcave North 2	8.55	Surplus
Larne	Blackcave North 1	4.99	Surplus
Larne	Craigyhill Bungalows	0.04	Retain for future use
Ballycastle	Broombeg	0.47	Programme for transfer to Housing Association
Ballycastle	Ramoan Drive / Mayo Drive	0.65	Programme for transfer to Housing Association
Ballymoney	Church Road, Rasharkin	0.84	Programme for transfer to Housing Association
Ballymoney	Station Road Residual Lands, Dunloy	0.54	Retain for future use
Ballymoney	West Gate	0.61	Retain for future use
Ballymoney	Fenton Park	0.57	Retain for future use
Ballymoney	Bellmount, Rasharkin	0.17	Programme for transfer to Housing Association
Ballymoney	Strand Park	0.03	Programme for transfer to Housing Association
Ballymoney	Bravallen Road, Lislagan	0.15	Programme for transfer to Housing Association
Ballymoney	Burnside Park, Balnamore	0.10	Programme for transfer to Housing Association
Coleraine	Dhu-Varren (Glenbush Drive), Portrush	0.21	Programme for transfer to Housing Association
Coleraine	Ramsey Pk, Macosquin	1.26	Programme for transfer to Housing Association
Coleraine	Coastguard Road	0.14	Programme for transfer to Housing Association

Coleraine	Oakfield Place, Kilrea	0.26	Retain for future use
Coleraine	Keely Gardens, Aghadowey	0.13	Programme for transfer to Housing Association
Coleraine	Church Row, Kilrea	0.04	Retain for future use
Coleraine	Glenarm Avenue, Portrush	0.92	Programme for transfer to Housing Association
Coleraine	Rochester Court, Ballysally	1.24	Surplus
Waterloo	Cedar Court	0.59	Retain for future use
Waterloo	Cedar Street	0.02	Retain for future use
Waterloo	Southway, Creggan	1.99	Programme for transfer to Housing Association
Limavady	Ard-Na-Smol, Dungiven	0.90	Programme for transfer to Housing Association
Limavady	Burnfoot, Dungiven	0.65	Retain for future use
Limavady	Beech Road, Drumsum	0.11	Programme for transfer to Housing Association
Limavady	Land Between 33 and 34 Ardgarnan Cottages	0.04	Programme for transfer to Housing Association
Magherafelt	McGurks Villas, Gulladuff - Remainder	0.20	Programme for transfer to Housing Association
Magherafelt	Hillmount Crescent, Tobermore Phase 2	0.15	Retain for future use
Magherafelt	Alexander Park, Upperlands	0.57	Retain for future use
Magherafelt	Port Gardens/Rock Villas Site 2	0.58	Retain for future use
Magherafelt	Killowen Drive Site 1	0.76	Programme for transfer to Housing Association
Magherafelt	Hunters Park, Bellaghy	0.22	Retain for future use
Magherafelt	Sunnyside Drive Site 1	0.49	Retain for future use
Magherafelt	Westland Drive	0.50	Retain for future use
Magherafelt	Ballyscullion Road, Magherafelt	0.17	Retain for future use
Magherafelt	Leckagh Cottages	0.31	Programme for transfer to Housing Association
Strabane	The Crescent, Clady	1.35	Retain for future use
Omagh	Gardrum Heights, Dromore	0.36	Retain for future use
Omagh	(Drumnaforbe) Loughrey Terrace, Drumquin	1.12	Retain for future use
Omagh	Rectory Avenue, Beragh	1.73	Retain for future use

The tables below provide details of the Housing Executive's void domestic stock as of 3<sup>rd</sup> August 2023. The Housing Executive has two categories of voids – actionable and non-actionable voids. Actionable voids are those which are vacant while in the process of being allocated or are awaiting change of tenancy repairs. These may also include properties deemed to be difficult to let. Details of our actionable void total are set out at Table 1. Non-Actionable voids are properties that are not immediately available for allocation and are held vacant for operational reasons i.e. decanting purposes (where they are being used to house a tenant on a temporary basis pending works to their home), planned maintenance schemes, and properties which have been identified for sale/transfer or have approval for demolition. Details of our non-actionable voids are set out at Table 2. Of these, 638 have been approved for demolition or sale.

TABLE 1							
Actionable voids	Bedroom total						
Property type	0	1	2	3	4	5	Grand Total
Bungalow		39	66	5			110
Cottage			2	3			5
Flat		79	113	4			197
House	4		67	92	14	1	178
Maisonette			7	5			12
<b>Grand Total</b>	5	118	255	109	14	1	502

TABLE 2								
Non-actionable voids	Bedroom total							
Property type	0	1	2	3	4	5	8	Grand Total
Bedsit		42						42
Bungalow	1	40	70	20	2			133
Cottage			14	14	1			29
Flat	1	178	551	41				771
House	9	2	93	152	30	4	1	291
Maisonette			27	24	1			52
Grand Total	11	262	755	251	34	4	1	1318