



The Royal Society  
of Ulster Architects

## **The Response of the Royal Society of Ulster Architects (RSUA) to the Committee for Agriculture, Environment and Rural Affairs' (AERA) public consultation on the Dilapidation Bill**

10 October 2025

### **RSUA's role**

The Royal Society of Ulster Architects (RSUA) strives to enhance Northern Ireland's built environment for the benefit of all through the promotion of architecture. We are the professional body for chartered architects in the region. We have around 850 chartered members who provide expert services to clients across Northern Ireland and further afield, in addition to over 400 student members.

Thank you for the opportunity to respond to this consultation on the Dilapidation Bill.

### **Introduction**

RSUA views this Bill as a positive step towards the regeneration of our built environment. We hope that the imposition of notices and fines for owners of dilapidated buildings marks the beginning of a broader cultural shift in Northern Ireland, one that makes clear that owners are responsible for the revitalisation and upkeep of their properties and that failure to uphold this responsibility will result in decisive action by local government.

In this response, RSUA highlights areas where the Bill could be clarified, enforced more effectively, coordinated with government initiatives and linked to funding to support timely and sustainable building improvements.

#### **1. Clarifying the Bill's definitions and scope**

##### **1.1. On Clauses 1–11 and 24–25**

We note that terms in the Bill's clauses relating to the varying levels of dilapidation are not explicitly defined in the legislation, unlike other terms which are defined in Clauses 24–25.

These include:

- Clause 1. Maintenance notice: "detriment to local amenity"
- Clause 4. Dilapidation notice: "serious detriment to local amenity"
- Clause 7. Dangerous structure notice: "dangerous structure"
- Clause 11. Defective premises notice: "prejudicial to health or a nuisance"

RSUA would encourage policymakers to include these definitions in the legislation to ensure that the distinctions between the levels of remedial work required are clear to both the local councils issuing the notices and the building owners responsible for carrying them out.

Each of these clauses also refers to “necessary” remedial action based on the severity of the notice. However, the legislation currently provides no detail, whether specific or broad, on what each level of dilapidation might entail in terms of the works required.

While each notice will require different works on a case-by-case basis, a more detailed categorisation of remedial repairs that may be required depending on the notice they are connected to could be useful. These could be included in Clauses 1 to 11 or set out clearly in a separate technical document accompanying the final legislation.

## **2. Mitigating judicial delays**

### **2.1. On Clauses 1–15**

RSUA is satisfied with the proposed role of the courts under the Bill to hear appeals against council-issued notices, issue compliance orders, determine liability for costs and adjudicate disputes concerning compensation and obstruction. We hope that this framework will help give council building notices the necessary authority to encourage timely action.

We would also suggest that the final legislation, or its accompanying regulations, be designed to anticipate and minimise the likelihood of owners served with notices regularly pursuing legal challenges to the enforcement process, as this could place considerable demands on government time and resource and delay the delivery of remedial works.

An initial consideration might be to shorten the 28-day window for appeals relating to maintenance notices (Clause 2) and dilapidation notices (Clause 5). This could encourage owners to engage with the process faster and allow councils to enforce compliance quicker.

## **3. Enhancing government coordination**

### **3.1. On Clause 17**

RSUA supports the Bill’s intention under Clause 17 that local councils, when issuing a notice relating to a heritage site, should be required to consult with representatives from the Department for Communities (DfC).

We suggest that further coordination with DfC could be achieved through a potential expansion of the existing Heritage at Risk Register (HARNI), which identifies properties of architectural or historic significance across the region that are at risk or under threat.

Having this legislation accompanied by an expansion of HARNI to include an online record of all derelict and dilapidated buildings in Northern Ireland would provide local councils with a fuller understanding of the extent of decline in their areas. This would help to ensure that notices under the Act are issued consistently and appropriately wherever they are required.

More broadly, RSUA believes addressing the significant challenge of arresting decline in our built environment would be best coordinated through the introduction of City and Council Architects to Northern Ireland.

These experts could help to bring together areas such as rating policy, planning policy, regeneration funding, listed building regulations, climate change commitments and the work of local councils.

A joined-up approach of this kind is likely to represent a major step towards revitalising our buildings, attracting greater community investment and supporting vital job creation.

#### **4. Strengthening fixed penalties**

##### **4.1. On Clause 19**

Clause 19 currently allows local councils to issue a discretionary fixed penalty of £500 as an alternative to prosecution for breaching a maintenance notice or failing, without reasonable excuse, to provide requested information.

As the clause also provides that the amount of the fixed penalty may be amended through regulations, RSUA suggests that the penalty might be made more substantial. We believe this could help encourage local councils to act promptly in recovering the charge, while also incentivising building owners to complete the remedial works specified in the notice more swiftly and to a sufficiently high standard as to avoid incurring further significant penalties.

#### **5. Notices backed by funding**

RSUA believes that the robust approach in this Bill to discourage dilapidation is both positive and necessary for regeneration. At the same time, we consider it important that, once a building notice is served requiring remedial works, local councils could helpfully highlight internal and external funding streams that may support their delivery.

A recent example of a local council facilitating its own grants to stimulate revitalisation is the “Empty to Occupied” scheme launched by Armagh City, Banbridge and Craigavon Borough Council in 2021. This scheme is available to owners of long-term vacant commercial properties who wish to carry out improvements to enhance the property’s appearance, improve its structural quality and make it suitable for long-term rental.

In addition, several governmental grant schemes for Northern Ireland that RSUA has been made aware of recently could be relevant and highlighted to building owners, including but not limited to:

- Urban Development Grant Scheme
- Shaping Sustainable Places
- Village Catalyst programme
- Heritage Impact Fund
- Community Ownership Fund
- Historic Environment Funding & Grants
  - The Roof and Window Repair stream
  - The Regeneration stream
  - The Historic Monument Regeneration stream
  - The Research and Revival streams

By linking building notices to available funding, local councils may not only be able to enforce compliance more effectively but also actively support property owners in delivering necessary improvements.

#### **Further engagement**

If you have any queries about this consultation response, please contact Curtis Large, RSUA Policy and Public Affairs Officer, at [curtis@rsua.org.uk](mailto:curtis@rsua.org.uk) or on +4474 4956 5367.