

Unoccupied Premises

Introduction

Unoccupied premises are inevitable features of an ever-fluid property market. Evidence shows that the prospect of damage or injury arising from empty buildings is high, even if they are only temporarily vacant, prior to sale or refurbishment for instance.

Hazards

Each year there are numerous fires in empty buildings to which fire departments are called. Theft of contents or fixtures, wilful damage, vandalism and intrusion by squatters is also prevalent. Neglect of empty premises attracts homeless people. Unattended buildings, if not managed, can suffer fire or water damage due to non-maintained services. Missing keys, or those unaccounted for, can lead to trespassers gaining entry. Added to this, there is the possibility of injury from people entering unfamiliar premises, whether they are invited persons such as surveyors, local government personnel, contractors, real estate agents, buyers, or uninvited persons - including children who may simply use the area as a playground.

The Occupiers Liability Act requires a duty of care to third parties, including trespassers, as well as invited visitors.

Assessing the Risks

In broad terms, there are three types of premises:

- Town Centre and Retail Premises
- Empty Industrial Buildings
- Empty Dwellings

Not all unoccupied premises are equally vulnerable. It may be assumed that industrial buildings pose the highest risk and empty dwellings the lowest. However, this may not always hold true. Squatters may more readily occupy a house than an industrial unit. The likelihood of arson in a town-centre shop piled high with rubbish may be greater than in a void industrial unit. To assess your own exposure, you need to consider:

Locality

- Check what crime is like in the area.
- Find out who it attracts (e.g., youths, squatters).

- Consider if it is a remote site.
- Find out if there is anything to deter access or entry (e.g., lighting, fencing, nearby occupancy, CCTV).

Management

Find out who is responsible for the management of the premises and if that appointed person ensures that:

- routine inspections are carried out.
- the issue of keys is controlled.
- services are turned off.
- police and planning authorities are informed as necessary.
- security is appropriate.
- insurance arrangements are in place.

Premises – Security

- Consider whether the following are adequate:
 - perimeter fences/gates
 - windows and doors
- Find out if there are any other accessible openings (e.g., rooflights, hatches, gaps in walls/roofs, mail boxes).
- Consider using existing or new intruder alarm.
- Should you have manned or mobile guarding?

Premises – Fire

- Rubbish and combustible items should be removed.
- Ensure operation of the existing fire alarm.
- Is electrical installation safe? Switched off?
- Ensure operation of the existing sprinkler system.
- Is there an explosion risk? Gas cylinders?

Premises – Health and Safety and Public Liability

- Find out if the site is safe and how easily someone could be injured. Consider:
 - Broken, weak or loose walls.
 - Piles of rubble, rubbish, glass.
 - Protruding nails, jagged edges.
 - Risk of falling objects from roofs or other overhead structures.
 - Ease of access onto roofs.
 - Are the roofs made of light sheeting through which people could fall?
- Inspect the inside of the building:
 - Do visitors need torches?
 - Should they enter alone?

- Are there missing/damaged stairs, rails, or floors?
- Is there exposed or damaged electrical wiring? Is it live?
- Determine whether manned guards or other authorized users are provided with basic welfare facilities such as water, toilets, lighting and heating.

How to Protect Premises

Perimeter Fencing and Lighting

Consider fencing and barbed wire if the yard is hazardous or the building cannot effectively be secured. Security lighting should be considered an essential component in such cases. However, do not rely on fencing without adequate security to doors and windows. Retain exterior lighting: it generally creates a degree of vulnerability for the criminal or trespasser.

CCTV

CCTV is usually only as good as the monitoring and response. Generally, it is only required for high-risk premises, but be aware of the benefits of existing systems installed in town-centres.

Intruder Alarms

Alarms systems should be considered for large premises but the benefit of alarm depends largely on its capacity to deter intruders, attract attention from locals, and gain response from police, contract security company or authorized keyholders. This varies greatly from locality to locality. Generally, audible alarms should only be used for low risks, in built-up areas where a noise is likely to deter trespassers. A remote signalling alarm is preferable, but who responds, and how quickly, needs to be carefully established and their safety taken into account. A remote signalling alarm may provide little benefit in isolated or rural situations whereas the same system in a town-centre or retail location could be beneficial even without full security boarding in place. It is best to talk to the alarm company and insurer first.

Windows and Boarding

Best practice generally suggests boarding for all vacant buildings. This is essential for industrial premises or property in isolated areas. Boarding may be unnecessary in shopping malls under sound management (and good lighting); it could be avoided in low risk retail/office/home where adjacent occupancy lends to the overall impression of legitimate occupancy. Use minimum 18mm thick exterior-grade ply secured firmly to wood frames by 50mm exterior non-return screws or ribbed nails. Where PVC or hardwood frames exist, to avoid damage, secure 75mm square batten to wall, then secure board to batten. Alternatively, use close gauge wire mesh, shutters or proprietary security systems of appropriate strength. Vulnerable upper floor fire doors and windows should also be boarded, as well as glazed doors. Bars, grilles and laminated glass may sometimes be suitable alternatives.

Doors

Minimum security recommended: solid wood doors with a single cylinder deadbolt:

- Provide good quality padlocks to other doors.
- Leave internal doors/shutters secured where possible.
- Ensure doorframes are anchored well to masonry.

Manned Guarding

Often, this is the only solution in isolated premises, especially for large buildings. Guards should be trained in emergency action, carry out regular patrols, keep strict records and have predetermined regular radio/telephone contact for response. Special legal requirements apply to guard dogs. Mobile patrols have limited benefit, unless supported.

Fire Alarm

If already in place, it is useful to retain and maintain.

Denial of Fuel

Remove all rubbish, combustible material from outside and inside. Purge all fuel tanks.

Services

Water should be drained down, gas and electricity turned off unless essential for fire systems or alarms.

Insurance of Unoccupied Premises

It is important that you:

- notify your insurer when the premises become unoccupied.
- are aware of any restrictions in insurance cover.
- comply with any requirements or warranties (e.g., inspections, services, security).

Key Action Steps

- Assess the risks.
- Review fully your arrangements for Security, Fire Safety, Health and Safety and Liability to Public.
- Implement and control measures to limit the risks.
- Maintain 'cared for' appearance.
- Comply with any legal or insurance requirements.

References:

The Occupiers Liability Act