

NON EXEMPT

## HAVANT BOROUGH COUNCIL

---

Operations and Place Shaping Board

20<sup>th</sup> March 2019

Empty Homes Strategy outline  
Sam Ings

FOR INFORMATION

Portfolio: Portfolio Holder for Neighbourhood Support  
Cllr Narinder Bains

Head of Service: Sam Ings

Key Decision: No

---

### 1.0 Purpose of Report

1.1. This report is submitted to the Operations and Place Shaping Board for information.

### 2.0 Recommendation

2.1. For information only, no recommendation required.

### 3.0 Executive Summary

3.1. Empty homes are a wasted resource and can have a detrimental impact on neighbourhoods and the environment, as they can become an eyesore that may also cause problems for neighbours. Empty homes can quickly fall into disrepair and become magnets for antisocial behaviour and vandalism.

With housing and land in short supply in Havant it is necessary to ensure that empty homes do not remain empty unnecessarily and fall into misuse and dereliction.

There are numerous reasons that properties remain empty including:

- Financial implications.
- Reluctance to let/sell.
- Repossession or abandonment.
- Health issues, long term care or hospitalisation.
- Requires renovation and/or building work.

- Probate, estate or legal ownership issues.
- Inaction of owners or unable to let/sell.
- Lack of awareness of support options.

3.2. In line with the Enforcement Concordat, it is best practice for councils to work with responsible property owners to rectify issues relating to their properties without resorting to enforcement action, and indeed the vast majority of empty home cases are resolved by way of informal action.

However there are a wide a range of powers available and we should use the most appropriate and proportionate powers to resolve empty property issues. Multiple powers are usually required to resolve problem cases.

3.3. The responsibility and appropriate skill set for dealing with empty home enforcement sits with Environmental Health, however the vast range of enforcement powers means that many council teams could have some involvement with an empty home.

3.4. There are three main tools that can be used to bring a property back into use, they are as follows:

- Empty Dwelling Management Orders (EDMOs) under the Housing Act 2004 - EDMO's allow local authorities to take management control of an empty property for up to 7 years, carrying out any necessary repairs and arranging for the property to be rented out during this period. The owner retains ownership and the right to sell the property and receives any surplus income made during this time once management costs and refurbishment costs have been reclaimed from the rental income. An EDMO is only applicable for properties attracting anti-social behaviour and/or having a significantly adverse effect on the community, with owners unwilling to take action.
- Compulsory Purchase Order under the Housing Act 1985 (as amended) (CPO) - This is a tool of last resort whereby the Council apply to the Government to acquire a long term empty property that is causing a serious nuisance or blight to an area. This compulsory purchase is used for long term empty properties in order to return them to use for housing purposes or, to demolish them.
- Enforced Sale under the Law of Property Act 1925 - If there is a debt registered against a property, in favour of the Council, the Council can force the sale of the property in order to recoup the outstanding debt.

3.5. According to statistics from Council Tax there are over 1000 empty properties in Havant Borough. However not all of these properties would require an intervention by the council, this headline figure does not take into consideration important factors such as those properties

that are second homes, properties which are being marketed for sale or rent, and properties that are empty due to the occupant living in armed forces accommodation for job related purposes.

Additionally, it is important to note that to consider an intervention whether formal or informal a property must have been empty for at least 6 months. Therefore, once the properties described above are removed from the total the number is reduced to 267. However six months is not a very long time in this context and due to the many complex reasons that properties may remain empty it is prudent for local authorities to focus their efforts on those that have been unoccupied and substantially unfurnished for long periods of time, i.e. 2 years or more. The number of properties in Havant Borough that fall into this category is 104.

- 3.6. Empty home investigations can be extremely resource intensive, including those that are resolved informally, and often cases that do get to formal stages can take months or even years to resolve. In addition, the risk to health and safety of the public presented by an empty home is relatively low, resulting in the empty home workstream having a lower priority in favour of workstreams that do present a higher risk to public health and safety, i.e. disrepair complaints in private rented homes or home adaptations for disabled residents.
- 3.7. The Environmental Health Service have undergone a major review and subsequent restructure. This ought to result in there being some increased capacity that could be dedicated to empty home enforcement work in the future, however this will not be until the Private Sector Housing Team, within Environmental Health, is fully staffed. Serious or problematic cases are dealt with on a reactive basis at present, and as mentioned above with a fully staffed team we ought to be able to dedicate more resource to this workstream, however based on the figures in point 3.5 if we were to implement a proactive enforcement regime for empty homes then current resource levels may not be able to cover the workload. With an assumed average of two working days per investigation, if we were to have a dedicated resource for empty homes our current workload would present approximately one years worth of work for 1 FTE Grade F officer (£24,856 – £28,449), or two years for 0.5 FTE Grade F officer if they were to be shared with East Hants who have similar numbers of empty properties. However this only takes into consideration the current list of long term empty properties as it is currently, inevitably the list will be frequently added to as time passes.
- 3.8. Havant Borough Council's Empty Homes Policy is currently being drafted, and ought to be ready for scrutiny and review by end of April 2019.

#### **4.0 Additional Budgetary Implications**

- 4.1. None as no changes to be made currently. However if the empty homes workstream was to be made a priority and a proactive enforcement regime to be implemented then additional resource may be required in the Private Sector Housing Section of Environmental Health.

#### **5.0 Background and relationship to the Corporate Strategy and Directorate Business Plan/s**

- 5.1. HBC Corporate Strategy 2017-2022 provides that we will plan to provide “a substantial amount of new housing, including a range of choice in terms of affordability and meeting the needs of residents”. The Strategy also provides under our priority of Economic growth, that “we will develop a new strategy for delivering homes that are more affordable to local residents”.

#### **6.0 Resource Implications**

- 6.1. Financial Implications – None at present, although this may change depending on council priorities.
- 6.2. Human Resources Implications – None at present
- 6.3. Information Governance Implications – None at present

#### **7.0 Legal Implications**

- 7.1. Possible small impact on the legal team if levels of enforcement activity increase.

#### **8.0 Risks**

- 8.1. Some empty homes within the Borough may remain empty. However as previously stated problematic cases would be dealt with on a reactive case by case basis.

Agreed and signed off by:

Director: 12/03/2019

Portfolio Holder: 12/03/2019

**Contact Officer: Sam Ings**

**Job Title: Interim Head of Service (Environmental Health, Parking & Traffic Management)**

**Telephone: 01730 234334**

**E-Mail: [Sam.Ings@easthants.gov.uk](mailto:Sam.Ings@easthants.gov.uk)**