

REPORT TO: CABINET MEMBER FOR HOUSING 18th JULY 2008

REPORT BY: HEAD OF COMMUNITY HOUSING

SUBJECT: EMPTY HOMES CAMPAIGN

1. PURPOSE OF THE REPORT

1.1 The report describes the progress of the Empty Homes Campaign over the past eighteen months and suggests that, in the future, the city council should consider seeking the compulsory purchase of properties in appropriate cases.

2. RECOMMENDATIONS

2.1 Where the Cabinet Member for Housing considers that the only viable means of ensuring an empty home is brought back into use the Cabinet Member shall make that recommendation to Cabinet Member for PRED to enable a compulsory purchase of the property to be authorised.

3. BACKGROUND

3.1 Portsmouth was one of the first councils in the country to develop an Empty Homes Campaign and, during the 1990's this enjoyed a very high public profile. Since then, tackling long term empty homes has become a widely accepted part of all councils' strategic housing role. The benefits of this are obvious. Long term empty homes blight neighbourhoods and attract vandalism. Bringing such properties back into use provides a home for someone and an income to the owner. Neighbours also benefit. It really is a win-win situation.

3.2 There are approximately 1,000 privately owned homes in the city which have been empty for longer than 6 months. The majority of these properties do not constitute a problem because they are subject to an ongoing market process i.e. they are for sale, awaiting conversion or temporarily vacant while the occupier is absent. Such properties do not concern us. The purpose of the Empty Homes Campaign is to identify empty homes which owners appear either unwilling or unable to bring back into use without some external intervention.

3.3 Since January 2007 we have been working in partnership with Portsmouth Housing Association (PHA) to identify the most problematic long-term empty homes and to find solutions which result in these homes being brought back into use.

3.4 PHA have employed an officer who had led this work since then and she now has a caseload of some 60 'problem' empty homes which she is trying to find solutions for. Over the past twelve months she has already been successful in helping to bring some 50 long term empty homes back into use.

4. SOLUTIONS FOR LONG TERM EMPTY HOMES

- 4.1 Given the value of residential property in Portsmouth it is surprising that any landlord would choose to leave their property empty rather than letting or selling it. In the 'problem' properties are left empty by owners who, for one reason or another appear unable to take the necessary steps to bring their property back into use. There are a variety of reasons for this; in some cases the ownership of properties is in question, in others remedial work is required which the owner may not be able to afford. Quite often there are emotional or psychological barriers which inhibit owners from dealing with properties in a rational or pro-active way, particularly if the property they have inherited had been the home of a deceased family member.
- 4.2 Having identified long-term empties, the role of the Empty Homes Campaign is to encourage owners to consider different ways of bringing their property back into use. There is a range of assistance we can offer to owners to do this. Co-operative action with owners is clearly the best ways of bringing empty homes back into use but if no progress can be made the council has a number of enforcement powers which can be used.
- 4.3 In 2006 the government introduced Empty Dwelling Management Orders (EDMOs) to strengthen the role of councils in tackling empty homes. Thus far, however, very few EDMOs have been made. Because EDMOs can only run for a limited period of up to seven years they are often not an appropriate instrument to use where properties require many thousands of pounds of repairs. Such repairs would have to be carried under an EDMO and would need to be agreed with the landlord as part of a 'management scheme'. Many councils have taken the view that a more effective approach to take in cases like this is to pursue a Compulsory Purchase Order (CPO). This is something which officers would now like to consider in a handful of cases where no progress has been made by other means.

5. THE USE OF COMPULSORY PURCHASE ORDERS

- 5.1 In many cases a CPO is likely to be a more effective solution for a long term empty home than an EDMO. Both involve a long and circuitous process before an order can be made, but a CPO offers the advantage of providing a long-term solution for an empty home. Experience elsewhere suggests that, in practice it is likely that the threat of a CPO would provide sufficient incentive to persuade owners either to sell, or bring their property back into use.
- 5.2 Resorting to compulsory purchase is clearly a last resort which would only be considered where all other options had been exhausted. In most cases a property purchased under a CPO would be re-sold to a new landlord subject to a covenant to bring

the property back into use. There are risks to this since in some cases properties may be re-sold for less than the cost of the CPO plus compensation. As such any CPO would need to be informed by a robust financial appraisal.

- 5.3 In some cases consideration may be given to the property becoming part of the local authority housing stock; this would depend on the viability of funding repairs from rental income within a reasonable period.
- 5.4 The Housing Act 1985 s.578 authorises local authorities to promote Compulsory Orders and applies other legislation with variations that are appropriate to housing purposes. Each Compulsory Purchase Order requires consideration and a resolution of the City Council before the Order is formally made, duly served and advertised, and submitted for confirmation to the Secretary of State.

6. CITY SOLICITOR’S COMMENTS

The City Solicitor is satisfied that it is within the Council’s powers to approve the recommendations as set out.

An Equalities Impact Assessment was undertaken

7. SIGNING OFF THE REPORT

Signed.....
Alan Cufley, Head of Community Housing

Dated.....

8. APPROVAL TO THE RECOMMENDATIONS

The recommendations set out above were approved / approved as amended / deferred / rejected by the Cabinet Member for Housing on.....

Signed.....
Councillor Steve Wylie
Cabinet Member - Housing