

WELLBEING POLICY DEVELOPMENT PANEL

Minutes of a meeting of the Wellbeing Policy Development Panel of Broadland District Council, held on Wednesday 12 May 2021 at 6pm at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich.

Committee Members Present: Councillors: M Murrell (Chairman), A Crotch, J Neesam, S Prutton, L Starling

Other Members present: Councillor F Whymark (ex officio)

Officers in Attendance: The Assistant Director of Individuals and Families (M Pursehouse), the Policy and Partnerships Officer (V Parsons), the Housing Standards Senior Manager (K Philcox) and the Committee Officers (DM and LA)

39 DECLARATIONS OF INTEREST UNDER PROCEDURAL RULE NO 8

No declarations of interest were made.

40 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R Foulger and N Shaw.

41 MINUTES

The minutes of the Wellbeing Panel meeting held on 3 February 2021 were confirmed as a correct record.

42 EMPTY HOMES ENFORCEMENT POLICY

Members considered the report of the Policy and Partnerships Officer setting out options for the Council's position and prioritisation in relation to discretionary enforcement activity for empty homes within the housing standards team. This included a proposed direction for members to consider and recommend to Cabinet which would inform a draft Empty Homes and Houses in Multiple Occupation Discretionary Activity and Enforcement Policy to be presented to Cabinet for approval.

The Assistant Director of Individuals and Families reminded members that the proposals had been considered by the Panel at its informal meeting on 14 April 2021 and the comments made at that meeting were now reflected in the updated report now being considered. The issue of the enforcement approach relating to empty homes was a challenging one and there was a need to ensure the approach adopted had regard to public expectations/member expectations and the complexities of enforcement activity. Going forward with a Policy would require a clear set of criteria to enable expectations to be managed.

The Policy and Partnerships Officer drew attention to the key areas for members' consideration: the proposed model to tackle empty homes, the changes to best practice guidance, the criteria for action assessment and the approval process to commence Compulsory Purchase Orders (CPO) or Empty Dwelling Management Orders (EDMO). With regard to the number of empty homes, Broadland currently had one of the lowest number of empty homes in the County and was well below the England average with 0.6% of all properties empty putting it in the top 15% in the Country. Most empty properties in the district tended to be detached, rural 3 / 4 bed properties. The Policy and Partnerships Officer outlined the main reasons properties became empty including financial difficulties associated with the upkeep of a property, poor market price, difficulties identifying owners, planning restrictions and an unwillingness to sell/let or inhabit a property. She then went on to outline the options for tackling empty homes which included engagement with owners, utilising other legislation, EDMOs and CPOs. With regard to the use of CPOs, she drew attention to the changes in best practice guidance which recommended that Council's should make at least one voluntary offer of purchase before resorting to a CPO.

The Housing Standards Senior Manager gave examples of two empty home case studies involving a successful outcome and an unsuccessful outcome to demonstrate the complexities of the process. There was no "typical" empty house and each property had a unique set of complex circumstances. It was noted that even in the unsuccessful case study referred to, the property had eventually been brought back into use and this was the case with most properties; intervention by the Council sought to speed up this process and avoid a property being empty and causing a nuisance for a number of years pending it being dealt with privately.

The Policy and Partnerships Officer then outlined the proposed approach to responding to reports of empty homes and to the proposal to adopt an enforcement approach based on exploring approximately 2 cases per year with a 0.65 fte staff resource (24 hours per week across both districts) dedicated to the work. These included offering an online facility to report empty properties and carry out a high level assessment, offering advice, guidance and support to owners, provision of financial assistance and council tax banding checks, followed by use of a comprehensive criteria for action assessment to prioritise properties for enforcement, a financial assessment for those properties with a score in excess of 700 points and delegated

authority to approve the commencement of enforcement work and costs up to a set value. There was also a proposal to provide ward members with quarterly data on properties empty for longer than 2 years.

The Housing Standards Senior Manager then took members through the propose criteria for action assessment form which used a number of factors to “score” a property. A score of over 700 points would culminate in the initiation of action to seek delegated authority to move forward with a financial assessment of enforcement action. The whole process was accountable, complied with Policy and could be used in response to any appeals to demonstrate a considered approach to enforcement action. Two levels of delegated authority were being proposed, one for properties valued up to £350k with costs up to £25k to bring the property back into use and one for those valued over £350k and with costs likely to be over £25k.

In summary, officers were seeking to ensure there was a robust process in place for tackling empty properties in the district which was clear and transparent and embedded within was a supportive approach for owners. It also needed to provide for a muscular approach to enforcement when required and provide clear approval mechanisms and consistency when exploring CPO and EDMO processes including costs. It needed to form an evidence base for formal enforcement and needed to link to the wider strategic ambitions of the Council.

Officers then answered questions from members. With regard to the EDMOs, it was noted that properties were often not in a fit state for rent. The option was available to owners to apply for a £4k interest free loan to improve the property which would remain as a charge on the property until its sale. It was noted that the best practice example introduced by Breckland Council in 2019 had seen approximately 4/5 restore grants of £10k taken up and the scheme was due for review. Members noted that, typically, approximately 2/3 enforcement cases were progressed each year with each case taking on average 12 months from start to conclusion. It was noted that, where possible, support was given to owners, including signposting to other services if needed.

There was general support for the proposals and an acknowledgement that, whilst there were risks associated with the enforcement process and the costs involved, ultimately these risks were mitigated by the acquisition of an asset. Members felt there was sufficient justification to proceed with an enforcement policy as proposed but they were of the view that the property values referred to in the delegated authority sought would better reflect current average property values if they were reduced from £350k to £250k. Members also sought confirmation that the sums referred to were in accordance with the constitution and officers undertook to ensure this was the case.

It was then agreed to support the recommendations contained in the report subject to the property values referred to being reduced from £350k to £250K.

RESOLVED that

1. The Panel notes the options contained within the report;
2. The Panel endorses and **recommends to Cabinet** adoption of the suggested resource and activity model for the Council's approach to discretionary enforcement activity in relation to empty homes to inform a draft Empty Homes and Houses in Multiple Occupation Discretionary Activity and Enforcement Policy;
3. The Panel endorses and **recommends to Cabinet** the proposal that delegated authority is approved for the Assistant Director for Individuals and Families in consultation with the Portfolio Holder for Housing and Wellbeing to authorise costs for Compulsory Purchase Order(CPO) and Empty Dwelling Management Orders(EDMO) where assessment indicates, for:
 - Commencement of a CPO process, including a voluntary offer of purchase for properties valued up to £250,000
 - A total capital budget of up to £25,000 per property to bring back into use (a maximum of £50,000 per year for the Council).
4. The Panel endorses and **recommends to Cabinet** the proposal that where assessment indicates that:
 - Evaluation of property price exceeds £250,000 and/or
 - Capital budget to bring a property back into use exceeds £25,000,delegated authority is approved for the Assistant Director for Individuals and Families in consultation with the Portfolio Holder for Housing and Wellbeing and the Portfolio Holder for Finance to assess and authorise a Compulsory Purchase Order or Empty Dwelling Management Order process.

(The meeting concluded at 7:05pm)

Chairman