

<b>Subject:</b>	Derelict Properties Sale Policy and Procedure	<b>Status:</b>	For Publication
<b>Report to:</b>	Cabinet	<b>Date:</b>	1 <sup>st</sup> December 2011
<b>Report of:</b>	Head of Health, Housing and Regeneration	<b>Portfolio Holder:</b>	Regeneration
<b>Key Decision:</b>	<input type="checkbox"/> Forward Plan <input checked="" type="checkbox"/>	General Exception <input type="checkbox"/>	Special Urgency <input type="checkbox"/>
<b>Community Impact Assessment:</b>	Required:	Yes	Attached: Yes
<b>Biodiversity Impact Assessment</b>	Required:	No	Attached: No
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1.	<b>RECOMMENDATION(S)</b>
1.1	That Cabinet adopts the Derelict Properties Sale Policy and Procedure for dealing with long-term, problematic vacant properties.
1.2	That any minor amendments to the Policy and Procedure be delegated to the Director of Business in consultation with the Portfolio Holder.

## 2. PURPOSE OF REPORT

- 2.1 To provide Cabinet with an overview of the proposed Derelict Properties Sale Policy and Procedures for bringing, long-term, problematic, vacant properties back into use.

## 3. CORPORATE PRIORITIES

- 3.1 The matters discussed in this report impact directly on the following corporate priorities:
- **A clean and green Rossendale** – creating a better environment for all.
  - **Responsive and value for money local services** – responding to and meeting the different needs of customers and improving the cost effectiveness of services.

## 4. RISK ASSESSMENT IMPLICATIONS

- 4.1 All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:
- While the Council has the ability to undertake derelict properties sales through the Law of Property Act 1925. This policy and associated procedure provides a clear and concise statement of the role of the Council when dealing with these circumstances.

## 5. BACKGROUND AND OPTIONS

- 5.1 Rossendale Borough Council's Land Charges Department show that there are over 500 charges lodged against properties for action taken by Council Officers. With a further 130 potential charges registered against properties where Notices requiring outstanding action have been served. Of these charges, 97 are related to empty properties and land.
- 5.2 Derelict Properties Sales policies have been used effectively by neighbouring Councils such as Manchester and Salford as an alternative option to Compulsory Purchases and Empty Dwelling Management Orders. They allow authorities to deal with difficult long-term properties through acquiring ownership to sell the property or land at market value; discharging the debt to the Council; with the remainder of the cost paid to the

owner/descendants; and ultimately bringing the property back into use. In a best case scenario the debt is repaid back to the Council and the owner engages with the Council and this process allows the owner a substantial period of time to engage with Council before the sale is enacted.

- 5.3 The Council has the ability to place charges on properties where works have been undertaken in default by officers. This policy is to be used as an alternative option to Compulsory Purchase Orders and Empty Dwelling Management Orders on vacant properties and land; where a debt has been incurred by a the Council in remediating a defect on the property to enforce the sale, thus bringing the property back into use and discharging the Council’s debt.
- 5.4 This policy forms part of a suite of tools that officers will use to deal with long-term problematic vacant. It will not be used where the property is occupied; where the owner is working with the Council or alternative options can be used.
- 5.5 This policy will provide a clear, open, defined statement of the Council’s role in dealing with such properties which would be better suited for derelict properties sale as well as providing clarity to Council departments around the process.

**COMMENTS FROM STATUTORY OFFICERS:**

**6. SECTION 151 OFFICER**

- 6.1 The report notes that there are potential financial benefits to Council in regard to existing property charges.

**7. MONITORING OFFICER**

- 7.1 No additional comments.

**8. HEAD OF PEOPLE AND POLICY (ON BEHALF OF THE HEAD OF PAID SERVICE)**

- 8.1 No Human Resources Implications arising from the Report.

**9. CONSULTATION CARRIED OUT**

- 9.1 Direct consultation with:-
  - Portfolio Holder for Regeneration
  - Internal Council Departments
  - Corporate Policy
  - Policy Overview and Scrutiny

**10. CONCLUSION**

- 10.1 This policy provides a clear statement and process for dealing with long-term empty properties where charges have been levied against the property and all other options have been considered.
- 10.2 The operating procedure will provide definitive guidance for Council officers when considering derelict properties sale.

Appendices

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