

BRECKLAND COUNCIL

At a Meeting of the

POLICY DEVELOPMENT AND REVIEW PANEL 2

**Held on Wednesday, 3 September 2008 at 10.00 am in
The Bowls Room, Watton Sports Centre**

PRESENT

| | |
|----------------------------------|-----------------------------------|
| Mr M.A. Kiddle-Morris (Chairman) | Mrs S.M. Matthews |
| Mrs J. Ball | Mrs L.H. Monument (Vice-Chairman) |
| Mr S.G. Bambridge | Mr D.G. Mortimer |
| Councillor Claire Bowes | Mrs P. Quadling |
| Mr C.R. Jordan | |

Also Present

Mrs D.K.R. Irving

In Attendance

| | |
|------------------|--|
| Mark Broughton | - Member Development and Scrutiny Officer |
| Gordon Partridge | - Principal Environmental Health Officer |
| Pam Sayle | - Corporate Consultation and Communications Officer |
| Elaine Wilkes | - Senior Member Services Officer |

30/08 MINUTES

(a) HM Revenue & Customs Change Programme (Minute No. 26/08)

The Chairman announced that he had no update to give about the Dereham office situation but confirmed that he would keep Panel Members informed by email.

(b) Adoption

The Minutes of the meeting held on 24 July 2008 were confirmed as a correct record and signed by the Chairman.

31/08 APOLOGIES

Apologies for absence were received from Mr M Griffin.

32/08 EMPTY DWELLINGS POLICY (AGENDA ITEM 6)

The Principal Environmental Health Officer presented the report on the Council's Private Empty Dwellings Policy, which explained that the current policy needed updating to reflect changes in legislation. The Panel's views were sought prior to consideration of the report at the Cabinet meeting on 9 September 2008.

Whilst a certain number of empty dwellings would always be part of the normal housing market process, there were some which remained empty for longer periods and which therefore potentially posed problems in terms of safety, targets for anti-social behaviour etc. Such dwellings were essentially a wasted resource and it was considered

Action By

Action By

practical for them to be brought back into use as accommodation as soon as possible, either through renovation or via demolition with some form of rebuild.

The Principal Environmental Health Officer explained the processes followed in dealing with empty dwellings, and the range of options open to the Council, including enforcement. The Housing Act 2004 brought into effect a fundamental change with the introduction of Empty Dwellings Management Orders (EDMOs).

EDMOs enabled an authority to take over control (but not ownership) of a property for an initial period of twelve months, in order to bring it back into use as a dwelling in one form or another. The Council would pay for the refurbishment of the dwelling and then either hand it back to the owner or, if the work had not been completed within the year, or if the Council felt that the owner would let it revert to a neglected and empty state, then the Council could apply for a longer term Empty Dwellings Management Order, allowing it to have control for up to seven years (longer in extreme cases). At any time the Council could hand the property back to the owner – for example if the latter wanted to sell the property.

A specialist agency was employed to deal with such cases (i.e. responsibility for the work as well as the collection of rent). The Council would regain any costs through the rent or by submitting a bill to the owner if they took back possession of the dwelling.

Members raised the following points in general discussion, most of which were countered with the arguments that the Council has a power, but not a duty, to intervene; that it does so only as a last resort or in extreme cases where public safety etc had become, or was likely to become, an issue; and that all cases were dealt with sensibly and in terms of relative priority. The Principal Environmental Health Officer also stressed that any action would only be taken after following a transparent and very specific process through the Residential Property Tribunal, and that any extreme cases (e.g. demolition in the absence of an owner) would only be taken forward after careful consultation with the Council's legal team.

- There was concern that any tendency to knock down one property and replace it with several dwellings went against the Council's basic planning policies. In response, it was explained that 'one for one' was the normal presumption where possible. There were, however, instances where it was practical to replace one dwelling with several – for example large pieces of land attached to one demolished property, where several dwellings could then be built to help with the Council's wider planning targets over the next 10-15 years.
- Members were seriously concerned about the Council being seen to take over property owned by other people, thereby overriding individual rights. Absent/untraced owners might be particularly vulnerable: possibly returning at some point to find their property changed beyond recognition. The Principal Environmental Health Officer reiterated that the Council would not take action unless the condition of the property merited it.

Action By

He also pointed out that such interventions could occasionally prove positive, for example by drawing attention to a property suitable for Listing. On rare occasions an “enforced sale” might be approved during the absence of the owner. However in this event if the owner (or an heir) eventually became known, they would find that the whole process had followed a very specific legal course and that any money made from the sale would be reimbursed to them (minus any legitimate Council costs).

- Another Member queried the position with regard to properties for Registered Social Landlords, which might quite legitimately stand empty for lengthy periods, or, additionally, be under-occupied. It was pointed out that the Council’s Empty Dwellings policy was only relevant to private sector landlords.
- Members raised concerns about the position of private developments which were begun but not completed for economic reasons, or where dwellings were not released for habitation until the whole project was completed. The Principal Environmental Health Officer explained that the circumstances of each case needed to be examined carefully but that any such matter could be referred to the Residential Property Tribunal. There were opportunities for temporary or short term lets in such cases.
- It was felt that the proposed Empty Dwellings Policy could result in some owners shirking their responsibilities. However, again it was stressed that each case was considered on its merits and decisions made as appropriate.

RECOMMEND to the Overview and Scrutiny Commission to recommend to Cabinet to adopt the replacement Empty Dwellings Policy subject to the following amendments:-

- (1) To require that the Ward Member is informed of any instances where an Empty Dwellings Management Order is to be pursued in their Ward; and
- (2) To require that in extreme cases where the owner cannot be traced and it is proposed that a property is required to be demolished and/or redeveloped, such action to be subject to the approval of full Council.

It was agreed that, in order to meet the timescale for consideration of the matter at the following week’s Cabinet meeting on 9 September 2008, the Panel’s recommendation be submitted as an ‘Urgent’ item at the Overview and Scrutiny Commission meeting to be held on 4 September.

33/08 BRECKLAND VOICE - REVIEW OF DISTRIBUTION (AGENDA ITEM 7)

The Corporate Consultation and Communications Officer presented the report on distribution options for ‘*Breckland Voice*’.

As background, a survey earlier this year had revealed that Breckland

Action By

residents valued 'Voice' as a highly informative publication. It was their preferred method of receiving information about Council services and benefits.

As it had become apparent that the current method (left with bins as part of the Serco contract) sometimes failed to deliver 'Voice' to every Breckland resident - for example when bins were not left out for collection or where blocks of flats were involved - the Panel had commissioned a report to look into alternative methods of distribution, together with the costs involved.

In compiling the report, past and current delivery arrangements had been compared, as well as delivery arrangements used by other Councils. The results, giving clear advantages and disadvantages in each case, were summarised in Appendix 1. From this it could clearly be seen that, bearing in mind the need for optimum flexibility (for example concerning deadlines, occasional extra copies, as well as the desire to retain the ability to add inserts etc), the current arrangements were generally satisfactory and certainly the cheapest option. However, it was apparent that adjustment needed to be made to accommodate those residents living in flats.

If, on the other hand, Members wished to pursue one of the more expensive options illustrated, then further careful research and solid evidence would need to be gathered in order to justify such increases.

In general discussion, Members agreed on the importance of 'Voice' and the need to ensure that it reached every resident. The latter point was particularly important since 'Voice' was the one publication over which the Council had ultimate control in terms of style and content. Additionally 'Voice' reached a far wider audience than other forms of media.

It was also felt that if the existing contract was to be amended to provide for delivery of copies through letterboxes in certain cases, then not only would this incur additional expense but there could be practical difficulties of access to flats and some rural properties.

It was suggested that it might be worthwhile for the Council to leave some copies of 'Voice' in village post offices/shops/pubs etc. However, it was noted that this would incur further costs.

A Member also pointed out that although each edition of 'Voice' was available to view on the website, it was not easily apparent or with the latest copy at the top. The Corporate Consultation and Communications Officer agreed to look into this.

There was some discussion about the revenue received from advertising. This was a relatively new feature in *Voice* and an agency was used to handle this. It was felt that income generated from advertising could be used to offset any increased costs incurred through using postal delivery options. However it was also generally agreed that too much advertising could deter residents from reading their copies. A careful balance needed to be achieved on this.

There was general consent that polywrapping of 'Voice' should

continue: it ensured that copies were kept clean and enabled the Council to add inserts securely.

The number of issues per year was also discussed. At Members' request this had been increased from four to ten editions per year and it was felt that this enabled better coverage of matters affecting individual towns and villages, as well as having a better overall impact on readers.

RECOMMEND to Overview and Scrutiny Commission to recommend to Cabinet that,

- (1) The Council continue to deliver Breckland Voice with the wheelie bins, but pay an additional £650 per edition to provide postal delivery to properties sharing a bin. This cost could be met from within the existing budgets for the remainder of 2008/09; subsequently additional funding would be required. This would have to be met by either a virements from another existing budget, or a growth bid put forward into this year's budget process.
- (2) A suitable budget be allocated for distribution costs in future years.

Action By

Pam Sayle

34/08 WORK PROGRAMME (AGENDA ITEM 8)

Future items were considered and agreed as follows:-

| <u>Item</u> | <u>Meeting</u> |
|--|-----------------------|
| Feedback on the Breckfest event, to review outcome and any lessons to be learned for the future. | 16 October |
| Progress report on Sports and Arts Development activities. | 16 October |
| Update report on Member Development and Training. | 27 November |

35/08 DATE OF NEXT MEETING

Arrangements for the next meeting on Thursday, 16 October 2008 were noted.

The meeting closed at 11.25 am

CHAIRMAN