

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Rob Walker, Executive Director - Place

To: Performance Monitoring Panel Wednesday, 29 January 2020

(Author: Dee Bedford Community Safety & Enforcement Manager)

Subject Untidy Sites

Purpose: To provide an update on untidy sites within the district

Recommendation(s):

- 1) That the content of the report be noted.
- 2) That work continues to ensure an agreed process is in place across departments when responding to reports relating to derelict buildings.

1.0 BACKGROUND

1.1 The Performance Monitoring Panel on 12 November 2019 requested a report on derelict commercial buildings within the district.

1.2 Derelict buildings are generally abandoned or neglected by the owner or occupier and, as a result, can attract crime, anti-social behaviour and rough sleepers. They are often a source of frustration for local communities and can impact on their quality of life.

1.3 Appendix A details derelict buildings where the council holds records where reports have been received from residents. It outlines the types of reports that have been received, the legislation that could be used if appropriate and proportionate and what action is currently being taken where recent reports have been received.

1.4 Derelict Building guidance

1.5 Officers currently have a cross departmental approach when dealing with derelict buildings. When a report is received, officers check with other departments to ensure they have the wider picture. Joint visits may also occur across departments where appropriate to share knowledge of legislation and to assist with decision making.

1.6 Work is currently underway to ensure officers have a clear process when dealing with reports relating to derelict buildings.

1.7 To ensure a clear process is in place the guidance will include;

- Education – Contact to be made with the owner as soon as the Council are aware that a commercial property is empty to ensure they understand their legal responsibilities to prevent issues arising;

- Enforcement – toolkit being developed detailing all legislation that can be used;
- Compulsory Purchase Order (CPO) – a referral process to ensure that a CPO has been considered;
- Works in default – Works that can be carried out and recharged to the owner and the legal standings for this;
- Database – E-CINS will be used as the cross departmental system to record all contact in relation to a derelict building. All reports received will be entered onto the database to ensure a co-ordinated response can be given to the victim when updating them on progress with the case;
- Communication – there are 2 areas being reviewed; communicating the reporting channels to residents so that reports can be recorded and investigated as quickly as possible and an improved feedback method to the victim and to ward members.

2.0 **OPTIONS**

2.1 Do nothing

2.2 Note the content of the report

2.3 That work continues to ensure an agreed process is in place across departments when responding to reports relating to derelict buildings

3.0 **REASONS FOR RECOMMENDATION(S)**

3.1 It is recommended that the contents of the report are noted and that work continues to ensure an agreed process is in place across departments when responding to reports relating to derelict buildings.

4.0 **EXPECTED BENEFITS**

4.1 The report provides members with an update on the reports received in relation to derelict commercial buildings and the current action being taken.

4.2 Members will have assurance that enforcement action is being taken appropriately and that resident and community concerns are being addressed.

4.3 It updates members on work in progress to help ensure a consistent approach.

5.0 **IMPLICATIONS**

In preparing this report, the report author has considered the likely implications of the decision - particularly in terms of Carbon Footprint / Environmental Issues; Constitutional & Legal; Contracts; Corporate Priorities; Crime & Disorder; Data Protection; Equality & Diversity/Human Rights; Financial; Health & Wellbeing; Reputation; Risk Management; Safeguarding; Staffing; Stakeholders/Consultation/Timescales; Transformation Programme; Other. Where the report author considers that there may be implications under one or more of these headings, these are identified below.

5.1 **Constitutional & Legal**

5.1.1 There are many pieces of legislation that span across Planning, Building Control, Housing, Environmental, Anti-Social Behaviour, Crime and Disorder and Public Protection functions. The most appropriate tool or power will be used for each case to resolve the issue.

5.2 Corporate Priorities

5.2.1 The work around derelict buildings supports the following council priorities:

- Your Place
- Your Health and Wellbeing
- Your Council

5.3 Crime and Disorder

5.3.1 Working with the owners and taking proportionate enforcement action is a key part of community safety and addressing crime and disorder concerns

5.4 Equality and Diversity/ Human Rights

5.5.1 It should be noted that surveillance techniques and investigations need to consider Article 8 of the Human Rights Act which covers right to privacy. Judicial and quasi-judicial action is also subject to Article 6 – right to a fair trial.

5.5 Health & Wellbeing

5.5.1 Ensuring appropriate action is taken with regards to derelict buildings impacts on the health and well-being of local communities.

5.6 Financial

5.6.1 There are no direct implications for this report however enforcement action can result in financial penalties alongside proportionate legal costs.

6.0 WARDS/COMMUNITIES AFFECTED

6.1 Services are provided for all those living, working or visiting the district

7.0 ACRONYMS

7.1 CPO – Compulsory Purchase Order

Background papers:-	None
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Lead Contact Officer

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Key Decision:	N
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Exempt Decision: N

This report refers to both a Mandatory and Discretionary Services

Confidential Appendix A attached to this report:

(Please note that the following appendix is not for publication by virtue of Paragraph 6 (Information which reveals that the authority proposes: a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or b) to make an order or direction under any enactment))

Appendices attached to this report:

Appendix A Derelict Buildings