

**Agenda Item No: 5**

**Report to:** Overview and Scrutiny (Services)

**Date of Meeting:** 3rd June 2013

**Report Title:** Update on Long Term Empty Properties in the Gillsmans Hill Area

**Report By:** Andrew Palmer  
Head of Housing and Development

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### **Purpose of Report**

To advise members of the Committee of progress made in relation to bringing back into use the long term vacant properties at Gillsmans Hill/The Green as requested at the last Overview & Scrutiny Services meeting.

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### **Recommendation(s)**

- 1. Chair of the Overview and Scrutiny Services Committee formally write to the Leader/ Chief Executive of ESCC requesting that they make use of appropriate covenants of sale to help ensure that the remaining properties in their ownership are brought back into use.**
- 2. That the Chair of Overview and Scrutiny Services Committee, whilst writing, takes the opportunity to remind ESCC of the objectives of HBC's Empty Homes Strategy including our commitment to consider the use of enforcement powers where necessary.**

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### **Reasons for Recommendations**

The properties have remained vacant for a number of years and are considered both a blight on the local neighbourhood and a wasted housing resource.

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## Background

1. In 1979 a number of properties were either compulsory purchased or purchased by East Sussex County Council (ESCC) following a blight notice in connection with the Hastings Spur Road Phase 2 highway scheme. Several of the properties have remained in continuous use; however others have been empty since the Order was enforced.
2. The Council has a corporate aim of bringing empty homes back into use, applying encouragement where required through a range of assistance and where necessary enforcement. This has included the successful application of Compulsory Purchase powers. The general approach is set out in the Councils Empty Homes Strategy.

## Introduction

3. The ESCC owned empty properties are in poor condition. The Highway Scheme was rescinded and a number of these properties have now been disposed of. ESCC are in the process of disposing of the remaining two properties. Appendix one shows a map of the properties. The current position with each of the properties is as follows:

## Properties disposed of by ESCC

4. 46 The Green, St Leonards-on-sea, East Sussex, TN38 0SY.



A detached derelict house. This was sold by auction in early 2012. The property is currently vacant. A full planning application was received in January 2013 and is being considered. The proposal is to convert and modify the existing three storey building into three cottages.

5. Rose Cottage, Gillsmans Hill, TN38 0SP.



A Grade 2 listed, two storey cottage. This was sold by auction in February 2013. The property is currently vacant.

6. 66 Sedlescombe Road South TN38 0TJ



A derelict two storey house with attic space. This was previously used as language school. This was sold by auction in February 2013. The property is currently vacant.

## Properties awaiting disposal by ESCC

7. 68 Sedlescombe Road South TN38 0TJ (right hand side of the picture)



This is a two storey building with a shop on the ground floor. Part of ground floor is let on a licence with the remainder uninhabitable. ESCC intend to sell by private treaty or auction following consultation with the current licence holder.

8. 70 Sedlescombe Road South TN38 0TJ (left hand side of the picture)



A two storey building with shop on the ground floor and living accommodation on the first floor. The property is let on commercial lease to a photographer. ESCC intend to regularise the tenancy arrangements and then sell to the current tenant or sell on the open market.

## HBC's Involvement and Actions

9. HBC has requested on several occasions that ESCC dispose of the Gillsman properties at the earliest opportunity. The Council has formally written to ESCC on this matter. The Council has also requested that ESCC consider the inclusion of a covenant of sale requiring the any purchaser to use reasonable endeavours to secure and re-use/reoccupy the property within a reasonable timescale. Regrettably ESCC has so far declined to do so. We understand they are of the view that a restrictive covenant might negatively affect sales interest and the value of the properties. Our own view, based upon expert opinion, is that a covenant of this

nature need not have such an impact. ESCC have been advised of this. Indeed we recently sold a property ourselves with such a covenant attached, and there is no evidence that it affected purchaser interest or the value of the sale.

10. The Council's Planning Enforcement Service has recently written to ESCC reminding them of their responsibilities to maintain these properties and informing them of our powers to require works to improve the appearance of these properties.
11. Council Officers are making contact with the new owners of the recently sold properties to establish their intentions for their properties. We will be informing the owners of our objectives in relation to empty homes, offering guidance and informing them of our enforcement powers.

## Conclusions and Recommendations

12. ESCC have made progress in disposing of some of these empty properties and their stated intention is to sell the remaining buildings, which is to be welcomed.
13. However, ESCC are reluctant to include covenants that would require future owners to bring these properties back into use within a reasonable timeframe. It is possible therefore that HBC may find itself in the unenviable position of having to pursue new owners in the event that they do not implement plans to return properties to use after acquiring them from ESCC. This will be the case with those properties already sold by ESCC.
14. It is therefore recommended that the Chair of the Overview and Scrutiny Services Committee formally write to the Leader/ Chief Executive of ESCC requesting that they make use of appropriate covenants of sale to help ensure that the remaining properties in their ownership are brought back into use. It also recommended that the Chair, whilst writing, takes the opportunity to remind ESCC of the objectives of HBC's Empty Homes Strategy including our commitment to consider the use of enforcement powers where necessary.

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### Wards Affected

Maze Hill, Wishing Tree

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### Area(s) Affected

North St. Leonards

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### Policy Implications

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	No
Crime and Fear of Crime (Section 17)	Yes
Risk Management	No
Environmental Issues	Yes
Economic/Financial Implications	No
Human Rights Act	No

Organisational Consequences  
Local People's Views

No  
Yes

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**Background Information**

None

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**Officer to Contact**

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