

<b>REPORT TO:</b>	Resources O & S Committee		
<b>DATE:</b>	21 November 2025		
<b>PORTFOLIO:</b>	<b>Councillor Melissa Fisher - Deputy Leader of the Council (Housing and Regeneration)</b>		
<b>REPORT AUTHOR:</b>	Tom Birtwistle Environmental Health Manager (Housing Standards)		
<b>TITLE OF REPORT:</b>	Review of the number of Empty Homes in the Borough		
<b>EXEMPT REPORT (Local Government Act 1972, Schedule 12A)</b>	<b>No</b>	Not applicable	
<b>KEY DECISION:</b>	<b>No</b>	If yes, date of publication:	N/A

## 1. Purpose of Report

1.1 The purpose of this report is to provide an overview of the number of empty residential and commercial properties within the borough, outline current service demands which relate to these premises and challenges in returning these properties to use, including the limitations of the Councils legislative powers and work in default options.

## 2. Recommendations

2.1 It is recommended that Cabinet/Committee:

1. Notes the current position regarding numbers of empty properties in the borough.
2. Note that whilst numbers of recorded residential empty properties is falling there is an increase in service demand in relation to long term empty properties and the number of empty commercial properties remains static.
3. Note the challenges of returning empty properties to use for stock that is in private ownership.
4. Considers additional investment or external funding opportunities to enhance the Empty Homes function where possible.

### **3. Reasons for Recommendations and Background**

3.1 Empty homes represent a loss of valuable housing stock at a time of significant housing demand. Long-term empty properties (those vacant for more than six months) can also contribute to neighbourhood decline, attract anti-social behaviour, and reduce confidence in local areas. The recent trend for on-line shopping and banking for example has resulted in a significant impact on the high street in relation to a rise in vacant commercial premises. In a similar way to residential housing this has also contributed to neighbourhood decline and anti-social behaviour in the districts commercial centres.

3.2 Data obtained from the Councils Council Tax department and reported to Council on the 27<sup>th</sup> March 2025 shows the following numbers of empty residential properties see table 1 below. Since 2013, the number of properties in the Borough classified as empty and unfurnished for Council Tax purposes on 1st April each year has reduced. It should be noted that these figures represent those dwellings subject to former Class C empty and unfurnished discounts, not all empty dwellings in the Borough. Other empty properties include those undergoing major repairs and those subject to other exemptions.

**Table 1 – Council Tax Empty Properties from 2012/2013 to 2024/2025**

Financial Year	0-6 months	6-24 months	24+ months	Total
<b>2012/2013</b>	<b>746</b>	<b>1275</b>	<b>Data not recorded</b>	<b>2021</b>
<b>2013/2014</b>	<b>593</b>	<b>751</b>	<b>593</b>	<b>1937</b>
<b>2014/2015</b>	<b>596</b>	<b>609</b>	<b>368</b>	<b>1573</b>
<b>2015/2016</b>	<b>576</b>	<b>523</b>	<b>357</b>	<b>1456</b>
<b>2016/2017</b>	<b>585</b>	<b>399</b>	<b>278</b>	<b>1262</b>
<b>2017/2018</b>	<b>437</b>	<b>553</b>	<b>252</b>	<b>1242</b>
<b>2018/2019</b>	<b>432</b>	<b>486</b>	<b>276</b>	<b>1194</b>
<b>2019/2020</b>	<b>489</b>	<b>442</b>	<b>243</b>	<b>1174</b>
<b>2020/2021</b>	<b>459</b>	<b>458</b>	<b>207</b>	<b>1124</b>
<b>2021/2022</b>	<b>193</b>	<b>364</b>	<b>193</b>	<b>750</b>
<b>2022/2023</b>	<b>258</b>	<b>372</b>	<b>166</b>	<b>796</b>
<b>2023/2024</b>	<b>225</b>	<b>411</b>	<b>166</b>	<b>802</b>
<b>2024/2025</b>	<b>207</b>	<b>242</b>	<b>256*</b>	<b>705</b>

**\*Properties subject to council tax premium from 01 April 2024**

3.3 Data from Council tax in relation to Non Domestic Residential (NDR) properties over the past three years shows the extent of empty commercial properties in Hyndburn. The figures show a steady number of empty commercial properties. However it is likely these premises will be in close proximity to each other residing in the various Central business districts of the borough creating pockets of blight and affecting currently operating commercial businesses.

**Table Two- Number of empty non domestic properties April 2023- September 2025**

<b>Date</b>	<b>NDR properties</b>
<b>April 2023</b>	<b>466</b>
<b>April 2024</b>	<b>513</b>
<b>April 2025</b>	<b>438</b>
<b>September 2025</b>	<b>483</b>

3.4 The Council currently employ one empty property officer within the Housing Standards service. The primary remit of the officer is to resolve service requests which are received by the Council in relation to empty properties. Table three below shows the number of service requests that Housing Standards have received over the past three years in relation to empty properties. The table shows a year on year increase in the number of reported issues. Typical service requests include fly tipping of waste on empty sites and back yards, properties which are open to access or have been subject to criminal activity, properties which are affected by pests such as mice and rats, empty premises which are affecting neighbouring properties due to water ingress and damp, and empty properties which are unsightly and detrimental to the local amenity. The empty property officer also assists with identifying and providing evidence of empty properties to the Council Tax department to ensure properties are on the correct banding.

**Table Three- Number of Service Requests received in relation to Empty Properties April 23- November 2025**

<b>Financial Year</b>	<b>Number of Service Requests</b>
<b>2023/24</b>	<b>95</b>
<b>2024/25</b>	<b>114</b>
<b>2025/November 2025</b>	<b>125</b>

## **4.0 Challenges**

The Council currently faces several challenges in returning homes and commercial premises back into use, including:

### **4.1 Highstreet decline and larger former industrial sites**

The decline of the high street in recent years has contributed to a number of empty properties within the borough, particularly among retail and commercial premises. Structural changes in shopping habits, the growth of online retail, and reduced footfall in traditional town centres have significantly weakened demand for many types of retail units. As a result, even where owners are willing and motivated to let their premises, there is often little or no market interest. This mismatch between supply and demand leaves properties vacant for extended periods, despite proactive efforts by landlords.

For the Council, this presents a further challenge: although the properties are unoccupied the issue is not one of owner reluctance but a lack of viable commercial use. Bringing these units back into occupation may therefore require wider regeneration activity, diversification of high street uses, and other long-term economic interventions beyond the scope of empty property enforcement powers.

The Council are also receiving complaints in relation to former industrial premises which are typically large scale/contaminated and therefore costly for owners to remediate and unattractive or unviable sites for redevelopment.

### **4.2 Limited or outdated owner information and difficulties contacting property owners.**

Empty properties present challenges due to difficulties in establishing or contacting the owner. In some cases, owners have moved abroad or relocated without updating their details to the Council, making correspondence difficult. Other properties are owned by individuals who have died, with the dwelling remaining in probate for extended periods while legal processes are completed or family matters are resolved. Where a property owner dies without next of kin or a valid will, ownership may pass to the Duchy of Lancaster or the Crown Estate, which can lead to lengthy administrative processes before decisions regarding the property can be made. In some circumstances these properties can also be disclaimed by the Duchy due to a lack of value which can leave properties without a legal owner with liability for the premises. These circumstances severely limit the Council's ability to engage with responsible parties, obtain consent for works, or encourage voluntary action. As a result, properties with unclear or uncontactable ownership often remain empty for many years, despite repeated attempts by the Council to progress the case. Many commercial properties are in addition owned within limited companies often with business addresses which are outside the district or the United Kingdom. Establishing and communicating

with responsible persons through limited companies is time consuming and it is not always possible to track the responsible person.

#### **4.3 High renovation costs acting as a barrier for owners.**

A further challenge arises from the relatively low market value of many empty properties within the borough. In some cases, owners are able to retain ownership without feeling compelled to address the deterioration, nuisance, or ongoing vacancy of the dwelling. Where the financial return from selling or renovating the property is limited, owners may consider it easier to do nothing, even if the property remains in poor condition or contributes to neighbourhood decline. This lack of financial pressure means the Council faces prolonged periods of inactivity from owners, despite repeated attempts at engagement. Low property values also reduce the effectiveness of certain enforcement tools, such as enforced sale because the cost of works, legal action or existing charges on the property may exceed the value of the asset making recovery of expenses unlikely.

#### **4.4 Lack of financial assistance**

The Council currently has no ability to offer financial incentives to encourage owners to bring their properties back into occupation. Without such incentives, owners, particularly those facing high repair costs or low rental and resale values have little motivation to undertake the necessary works. The Council can provide advice and signposting, but it cannot offer direct financial assistance to offset renovation costs or make reoccupation more attractive. This restricts the Council's ability to influence owner behaviour and means that progress often relies solely on voluntary cooperation or additional financial pressures through empty property premiums or the use of enforcement powers, which are limited in scope and can be slow to achieve results.

#### **4.5 Stock ownership**

Addressing empty homes that are privately owned presents significant challenges for the Council due to the limits of its legal powers and the complexity of property ownership. Privately owned dwellings fall under the rights and protections afforded to property owners, meaning the Council cannot simply enter, repair, or reoccupy a property without meeting strict legal thresholds. Many long-term empty properties are subject to complicated ownership issues such as probate delays, unregistered titles, or disputes between family members. These situations can prevent owners from giving consent or engaging with the Council, thereby stalling any progress in returning the property to use.

Overall, the Council's ability to intervene is limited by legal protections of private ownership and the high cost and lengthy timescales associated with enforcement. These factors collectively mean that progress on privately owned empty homes can be slow, even where the Council recognises a strong public interest in bringing them back into use.

## **4.6 Lengthy enforcement processes and legislative limitations**

Although the Council has several legal powers available to address the condition of empty properties, many of these powers are limited to securing compliance or prosecuting owners rather than enabling the Council to directly return a property to occupation. The Service of statutory notices can require owners to remedy defects or prevent a property from causing nuisance, and prosecution may follow where owners fail to comply. However, even successful prosecution does not guarantee that the owner will carry out the necessary works or take steps to reoccupy the home. In practice, these powers ensure minimum standards and address safety or public health concerns typically requiring the Council to undertake this work in default of the notice, but they do not provide the Council with automatic authority to manage, let or sell the property. As a result, despite enforcement activity, the property may remain empty and unused for long periods unless the owner voluntarily chooses to bring it back into use or sell the property.

## **4.7 Works in Default**

In some cases it is necessary to undertake works in default in order to resolve issues which have an immediate effect on the community or public health, such cases can include where putrescible or food waste has been fly tipped onto an empty site or a building requires securing immediately due to it being accessed or a potential arson risk.

Works in default can only be undertaken through the service of a legal notice.

Significant legal and procedural hurdles can occur when undertaking works in default on empty properties. The legislative powers the Council enforce come with strict requirements for notices, evidence tests, and timescales, and owners often have rights of appeal that can potentially delay intervention. As outlined above establishing who legally owns a building can also make it harder to serve notices or enforce responsibilities.

Works in default require payment for the works to contractors before the funding is recovered from the owner. There is no guarantee of recovering this funding, especially when owners are insolvent or the property has low value. Even when charges are placed on the property, repayments can take years. Hyndburn council's current budget for works in default for all of Housing Standards services is £400 per year. Therefore works in default are only undertaken when it is absolutely necessary to protect public health. It typically costs the Council between £300-500 per case to undertake works in default excluding officer time to serve notices and conduct site inspections.

Operational and practical issues further complicate works in default. Specialised contractors may be required and can be difficult to secure quickly. Contractors are externally sourced and therefore it is not always possible to conduct emergency works on the ground, access challenges and health

and safety risks such as structural instability, hoarding, or hazardous materials can increase costs and delay intervention.

## **5. Consultations**

- 5.1 Housing Standards Private Sector Housing Enforcement Policy 2022
- 5.2 Council Tax report on Empty Properties submitted to Council on 27<sup>th</sup> March 2025
- 5.3 Consultation with Head of Revenues and Benefits
- 5.4 Consultation with Empty Property Officer
- 5.5 Consultation with Head of Environmental Health

## **6. Implications**

<b>Financial implications (including any future financial commitments for the Council)</b>	N/A
<b>Legal and human rights implications</b>	N/A
<b>Assessment of risk</b>	N/A
<b>Equality and diversity implications</b> <i>A <a href="#">Customer First Analysis</a> should be completed in relation to policy decisions and should be attached as an appendix to the report.</i>	N/A

## **7. Local Government (Access to Information) Act 1985: List of Background Papers**

- 7.1 Copies of documents included in this list must be open to inspection and, in the case of reports to Cabinet, must be published on the website.

***If the report is public, insert the following paragraph. If the report is exempt, contact Member Services for advice.***

## **8. Freedom of Information**

8.1 The report does not contain exempt information under the Local Government Act 1972, Schedule 12A and all information can be disclosed under the Freedom of Information Act 2000.