



**FIRST-TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)**

Case Reference : CHI/24UP/HYI/2017/0002

Property : 46 Harrow Down, Badger Farm,
Winchester, Hampshire SO22 4LZ

Applicant : Winchester City Council

Representative : Kevin Reed, Team Leader Private Sector
Housing

Respondent : Mr Richard Warwick Tapper

Representative :

Type of Application : The approval of an Interim Empty
Dwelling Management Order

Tribunal Member(s) : Judge Tildesley OBE

**Date and venue of
Hearing** : 8 April 2019
Havant Justice Centre, The Law Courts,
Elmleigh Road, Havant, Hampshire PO9
2AL

Date of Decision : 8 April 2019

DECISION

1. The Tribunal received an application for authorisation to make an Interim Empty Dwelling Management Order (Interim EDMO) for the property in accordance with Section 133 of the Housing Act 2004.
2. The property has been continuously vacant since at least July 2009. The proceedings have been ongoing since 4 January 2018, and have been adjourned on various occasions to give Mr Tapper an opportunity to pursue a planning application in respect of the property. Mr Tapper has not been successful with his planning application.
3. The Tribunal convened a hearing on 8 April 2019 to determine the application. Mr Khalid Ishmael, Barrister, represented the Council and was accompanied by Mr Reed. Mr Tapper appeared in person.
4. At the hearing Mr Tapper agreed to the making of an Interim EDMO for the property. In return the Council undertook the following:
 - To use its best endeavours to obtain best value quotations for the renovation of the property.
 - To keep Mr Tapper informed of the quotations prior to the instruction of contractors to carry out the renovation.
 - Any council tax liability once the Interim EDMO is made will be borne by the Council

Decision

5. The Tribunal authorise Winchester City Council to make an interim EDMO in respect of 46 Harrow Down, Badger Farm, Winchester SO22 4LZ with effect from 8 April 2019 for the period of 12 months.
6. A copy of the Order is attached.
7. The Tribunal records the undertakings given by the Council.