



To: Executive Councillor for Housing (and Deputy Leader): Councillor Catherine Smart
Report by: Jas Lally- Head of Refuse & Environment
Relevant scrutiny committee: Community Services Scrutiny Committee 15/3/2012
Wards affected: All Wards

EMPTY HOMES POLICY 2012 Not a Key Decision

1. Executive summary

- 1.1 Making best use of existing homes is a key objective in the Council's Housing Strategy. The Council has a strong commitment to bringing long-term empty homes back into use. There is a shortage of residential accommodation available in the City in particular a shortage of family accommodation available to buy or rent. Each empty home denies a household somewhere to live and returning empty homes to use has social, environmental and financial benefits.
- 1.2 The existing Empty Homes Policy 2008 is a brief and informal document. It requires reviewing and formalising to ensure that it reflects the local and national perspective to enable the Council to explore all available options to promptly bring empty homes back into use where practical.
- 1.2 The aims of this Empty Homes Policy are to review existing options and introduce measures that will.
 - Return long-term empty homes back into use
 - Make positive improvements to housing conditions and to the environment.
- 1.3 The Council recognises that there are different options available to owners of empty homes to bring them back into use. The Council will initially work informally with owners to re-use homes however formal enforcement options are available when the informal approach fails.

2. Recommendations

- 2.1 The Executive Councillor for Housing approves the attached policy document as detailed in Annex A *Empty Homes Policy 2012*.

3. Background

- 3.1 Making best use of existing homes is a key objective in the Council's Housing Strategy. The Council has a strong commitment to bringing long-term empty homes back into use. There is a shortage of residential accommodation available in the city as housing demand outstrips housing supply quite significantly and in particular there is a shortage of family accommodation available to buy or occupy at a reasonable rent. Each empty home denies a household somewhere to live and returning an empty home to use has social, environmental and financial benefits.
- 3.2 The existing Empty Homes Policy 2008 is a brief and informal document. It has been reviewed and improved to ensure that all formal and informal options are fully considered to successfully bring empty homes back into use. It is important to engage positively with owners of empty homes and neighbours who are also affected by them to raise general awareness of the Council's commitment.
- 3.2 According to the Department of Communities and Local Government (DCLG) there were 279,000 long term empty homes around the country in December 2011. Tackling empty homes is a top priority for the coalition.
- 3.3 Locally there were 8,024 households on the Council's housing register in January 2012, having increased from just under 7,000 in April 2011.
- 3.4 In December 2011 there were 389 dwellings that had been vacant for over 6 months, which is the nationally recognised definition of a long-term empty home.
- 3.5 There are currently 80 long-term empty homes where the Council have made contact with the owner and active intervention is underway.
- 3.6 Homes lying empty not only deny individuals and families somewhere to live they can also impact on the environment and cause neighbourhood problems including attracting antisocial behaviour and other nuisances. There is also a financial burden associated with empty properties resulting in a loss of income for an owner, and loss of Council Tax for the Council.
- 3.7 Returning empty homes to use has a significant benefit for owners, neighbours and the local economy. Removing rundown eyesore properties can positively improve the neighbourhood and reverse a feeling of neglect by increasing investment in an areas including the use of local shops.
- 3.8 The New Homes Bonus commenced in April 2011 which included a financial incentive to the Council for returning empty homes to use. DCLG will match fund the additional Council Tax raised for empty homes brought back into use, for the following six years. Local authorities and the local community will have the freedom to spend New Homes Bonus revenues according to local wishes.

- 3.9 The Council recognises that there are different reasons why properties are left vacant and will explore these issues as part of the process to return empty homes into use.
- 3.10 The Council recognises that there are different options available to owners of empty homes to bring them back into use. The Council will initially work informally with owners to re-use homes however formal enforcement options are available when the informal approach fails.
- 3.11 The informal route will include giving advice and assistance to owners, offering to buy the home if deemed beneficial to the Council and also directing them to, and working with, the Councils Private Sector Leasing Scheme partner, Omega Lettings to encourage the re-use of empty homes as Affordable Housing. Financial assistance can also be offered in the form of loans to refurbish empty homes to bring them up to a habitable standard.
- 3.12 The current capital budget includes £20,000 to offer financial assistance to owners in the form of loans to refurbish empty homes and bring them back into use. This budget will be available for use according to the particular circumstances of the individual empty home and will be recycled through a loan condition for similar use in future.
- 3.13 By offering a selection of informal options to the owners of empty homes the Council hopes to avoid using compulsory purchase powers. The Council recognises that this power must be used only as a last resort when all other options have been exhausted.
- 3.14 Empty Dwelling Management Orders (EDMO's) are a power that is available under the Housing Act 2004. This is an option that is less likely to be used as homes have to have been empty for at least two years before the order can be issued. The administration of these orders is very time consuming and resource heavy. It is a tool that should be considered very carefully before use. Only a small number of these orders have been made nationally.
- 3.15 Where Empty homes are in such a condition that they are detrimental to the local community the Council can use its powers under the Town and Country Planning Act 1990 to clear the land. Planning Enforcement has the authority to serve the notices and take follow up default enforcement action. Failure to comply with this notice can result in works in default being undertaken by the Council, which in turn can lead to enforced sale of the home to repay the charge. This is an option that is available to the Council and has been used successfully to bring empty homes into use in other parts of the Country. If this power were to be used it would rely on close and effective liaison with Planning Enforcement.
- 3.16 Section 79 of the Building Act 1984 can be used if it appears that a building is in a ruinous or dilapidated condition and is seriously detrimental to the amenity of the neighbourhood. The Council can remedy this by serving notice requiring the owner to undertake repair,

restoration or demolition. The notice can be appealed to the magistrates' court

- 3.17 An annual target will continue to be set to return long term empty homes to use.

4. Implications

(a) **Financial Implications**

There is a financial incentive for returning empty homes to use, as this is now rewarded via the New Homes Bonus grant system, as well as the additional Council tax raised. The use of New Homes Bonus grant is considered in the Council's annual Budget Setting Report (BSR).

No additional resources are required to implement this policy.

(b) **Staffing Implications**

Returning a set target of long-term empty properties back into use is already part of the Housing Standards officer's workload so the duties can be managed within existing resources. This work is non statutory so it has to be prioritised against statutory duties.

(c) **Equal Opportunities Implications**

Returning long-term empty homes to use will impact on a small number of owners. Owners of empty homes come from across all strands and do not make up a specific group. This policy will not disadvantage any specific group.

As this policy will not impact directly on a particular group an EIA is not considered necessary.

(d) **Environmental Implications**

Returning empty homes to use will have a positive environmental impact as it will reverse a feeling of neglect in certain streets.

Refurbishing empty homes for use will often improve the existing energy efficiency a neglected property following installation of efficient boilers and improved loft and wall insulation. Damp and neglected properties will also be improved.

There could be a low positive or nil climate change impact as returning empty homes to use will increase energy use to heat and light the homes.

(e) **Consultation**

There has been internal consultation with officers from Housing Options, Strategy, and Planning Enforcement. The Executive Councillor for Housing has also been consulted.

Consultation with owners of empty homes is hard as the priority is to engage with them informally. Once the policy is implemented feedback can be monitored to understand whether there are other options and assistance which owners would find helpful.

(f) **Community Safety**

This policy will not impact on community safety as it refers directly to private housing

5. Background papers

These background papers were used in the preparation of this report:

Paragraph 3.2

CLG newsroom press notice 8th December 2011

Andrew Stunell welcomes largest year-on-year drop in number of empty homes

<http://www.communities.gov.uk/news/corporate/2047570>

Paragraph 3.7

<http://www.communities.gov.uk/documents/housing/pdf/1846530.pdf>

Paragraph 3.13

CLG newsroom press notice 7th January 2011

Pickles acts to protect the rights of homeowners

<http://www.communities.gov.uk/news/housing/1812642>

Paragraph 3.15

Town & Country Planning Act 1990 section 215: best practise guide.

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/319798.pdf>

6. Appendices

6.1 Appendix A- *Empty Homes Policy 2012*

7. Inspection of papers

To inspect the background papers or if you have a query on the report please contact:

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