

Report to	On
Cabinet	16 th June 2021



Title	Portfolio Holder	Report of
Empty Property Policy	Cllr Mick Titherington Deputy Leader and Cabinet Member (Health and Wellbeing)	Jennifer Mullin Director of Communities

Is this report a KEY DECISION (i.e. more than £100,000 or impacting on more than 2 Borough wards?)	Yes
Is this report on the Statutory Cabinet Forward Plan?	Yes
Is this report confidential?	No

Purpose of the Report

1. The Council's Empty Property Policy was last reviewed in June 2013. To ensure that the policy continues to deliver its objectives, reflects current best practice and is in line with legislation and national policy the policy has been reviewed again.
2. It was considered that the existing policy meets these objectives and only minor amendments were required to the policy to take account of the fact that delivery of parts of the strategy were previously undertaken by Methodist Action NW – that charity having gone into administration and no longer being active.
3. This report therefore seeks approval of a new Empty Properties Policy.

Recommendations

4. Cabinet approves the updated Empty Property Policy 2021.

Reasons for recommendations

5. To enable the Council to maintain a robust Empty Property Policy which reflects the current market conditions.

Other options considered and rejected

6. The options considered -

Only use enforcement action - This would not provide any alternative for owners of empty properties to enable them to bring them back into use and many may not be able to afford the work required, this would cost the council a considerable amount in funding and resources to bring any enforcement action to fruition. To date the council has completed only 1 Compulsory Purchase order which has taken in excess of 5 years and cost a considerable amount.

Provide assistance only - This would require the council to entice owners into renovating their properties and then bringing them back into use. The council would need to have a robust system to monitor this has taken place and other than bringing the property back into use the council would not gain any further benefit.

Do Nothing - This option would require no action from the council on Empty Properties, which would not be a viable option given the increases in empty properties in the borough.

Corporate outcomes

7. The report relates to the following corporate priorities:

An exemplary council		Thriving communities	x
A fair local economy that works for everyone		Good homes, green spaces, healthy places	x

Background to the report

8. The Current Approach

9. The Council has always undertaken empty homes work, the function sits within the Strategic Housing Team. The Council has a strong track record of effective empty property intervention, good joint working, and a successful history of using enforcement powers including the use of Compulsory Purchase Orders (CPO), as a last resort to bring empty homes back into use.
10. The current approach is to target those empty homes which are not being brought back into use voluntarily and or which are blighting the local community, causing a nuisance to local residents, linked to criminal activity or which pose a risk to the public in general.
11. In partnership with Methodist Action NW, the council brought back the following into use.

Year	No of Properties back into use	Year	No of Properties back into use
2013	7	2017	3
2014	6	2018	8
2015	4	2019	4

2016	2	2020	0
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12. The Strategic Housing Team is provided with a monthly empty property report from the Revenue and Benefits team for all properties which have been unoccupied for over 6 months. The number of empty properties on the report changes every month and over the last year has varied between 641 and 761 distributed throughout the Borough.
13. Each property owner is then contacted in line with the Empty Properties Policy to understand why the property is empty and to take action if necessary, according to the policy.
14. Council tax records identified that 45 properties have been left empty for 5 years, of these 29 have been empty for longer than 10 years. These properties will be subject to immediate scrutiny and engagement with those owners and formal action considered for all on a case by case basis.

Revised Approach

15. The refreshed Empty Properties Policy (attached at Appendix 1) builds on the work already carried out to manage empty homes which is based on impact, risk, and the public interest test but strengthens the current approach to address the demise of Methodist Action NW and details the Council's approach to providing informal advice and guidance before proceeding to formal enforcement.
16. The revised approach offers the use of renovation grants that may be available where substantial works are required to the dwelling to make a dwelling fit to live in. To be eligible, the property:
 - Must be within Council Tax bands A – D.
 - currently not meeting the fitness standard for a habitable dwelling.
17. The grant assistance proposed is £4500 per bedroom for any empty property which meet the above criteria and the type of property is identified as a need by our housing options team.

Grant conditions

18. In return for the financial assistance provided the following conditions must be met:
 - The property must be let for five years from the completion of the grant.
 - The landlord must accept nominations of suitable tenants from the Council.
 - The properties must be improved to a standard where an EPC certificate rating C or above can be provided.
 - For each dwelling the details of three tenants from The Council's waiting list would be provided. The landlord would then choose the most appropriate.
 - The rent level will be set in line with the local housing allowance rates for the area, to make it affordable to households in receipt of housing benefit.
 - The landlord must accept a written bond or a cash deposit bond from the council, where a cash deposit bond is paid this must be held in an approved tenancy deposit scheme.
 - All tenants must be issued with an Assured Shorthold tenancy (AST)

Risk

19. Dealing with empty homes can be problematic and time consuming the following are risks that can arise within the process of pursuing empty homes owners.
20. Owners cannot be found – locating owners can be notoriously difficult and adds to the timescale and costs of the process.
21. The reasons that homes are left empty can sometimes be complex and personal. In these cases, any investigation would have to be done sensitively and often without any short-term resolution.
22. The Council will have to incur upfront costs of any enforcement work. These costs will be listed as a charge on the property and only recouped once sold.
23. Owners have the right to appeal or judicial review which will elongate any enforcement process or CPO.

Equality and diversity

24. The Equality Impact Assessment (EIA) and Equality Act implications have been fully reviewed and no direct implications have been identified.

Air quality implications

25. The report and policy have no direct impacts on the air quality. However in line with the Council's wider air quality and Climate Emergency plans any financial assistance should only be provided where the properties are brought up to a suitable energy efficient standard.

Comments of the Statutory Finance Officer

26. There is a remaining budget within the capital programme of £39k. Should this policy result in an increase in demand for funding then further funding would need to be sought to top up this budget. It should be noted there has been no spend against this budget in 19/20 and 20/21 financial years.

Comments of the Monitoring Officer

27. The taking of formal action (i.e. Compulsory Purchase) to deal with issues centred on empty properties can be very costly and time consuming. Working with owners through financial assistance as outlined in this report can be a more effective way of resolving the problem.

Background documents

There are no background papers to this report

Appendices

Appendix A – Draft Empty Properties Policy

Jennifer Mullin
Director of Communities

Report Author:	Email:	Telephone:	Date:
Pradip Patel (Senior Housing Technical Officer)	ppatel@southribble.gov.uk		18/05/21