

## Empty Property Policy

### 1. Introduction

This policy sets out how Housing Services will work to bring empty properties back into use. This policy contributes to the Housing and Wellbeing Strategy.

Bringing Empty Properties back into use can achieve a number of benefits including:

- Helping to meet local housing demand;
- Reducing the need for new developments
- Reducing the crime & vandalism which empty properties often attract
- Reducing problems to neighbouring properties which poorly maintained empty properties can sometimes cause
- Improve & regenerate localities

Housing Services will

- Use the following twin track approach to bring empty properties back into use:
  1. Provide advice, assistance and incentives to all owners to help them bring empty properties back into use; and
  2. Prioritise properties which have been empty for over 1 year as for targeted action.
- Respond to complaints about empty properties in line with this twin track approach and as detailed in section 3.3

### 2. Empty Properties in Bath and North East Somerset

This policy defines an empty property is one which has been unoccupied for six months or more and is substantially unfurnished (Housing Services use the Council Tax definition of empty property). There are approximately 500 empty properties within the area. Properties empty less than six months fall outside this policy, as do second homes.

### 3. Action on Empty Properties

#### 3.1 Properties empty less than 1 year

Based on Council Tax data over half of empty properties will be reoccupied within one year. For this reason Housing Services will not take action on properties empty less than one year. However, we will include these owners in regular mailing lists to inform owners of their options to bring the property back into use and provide advice to owners if requested. More information on this is detailed below in the section – “Informal advice, assistance and incentives for owners”.

### 3.2 Properties empty over 1 year

All properties which have been empty for over 1 year will be prioritised using a points based system. Prioritisation allows resources to be used appropriately and effectively. The following criteria will be used to prioritise properties and can be seen in Appendix 1:

- Length of time empty – the longer a property is empty, the higher the priority
- Condition of property – the worse the condition, the higher the priority
- Impact of property on neighbours and local community – the bigger the impact on neighbours and community, the higher the priority

Once prioritised, Housing Services will concentrate case action on high priority properties. There are a range of options available to Housing Services to help bring the property back into use. These options fall into two broad categories.

- (1) Informal advice, assistance and incentives; and
- (2) Enforcement action to bring the property back into use.

#### Informal advice, assistance and incentives for owners

Housing Services will provide advice on a regular basis for all empty property owners to assist them to bring their property back into use. We will work with owners to provide them a tailored package of advice, assistance and incentives specific to their needs. The following list provide examples of the advice, assistance and incentives made available to owners (this list is not exhaustive)

- Information on selling the property
- Information on renting the property
- Contact list for architects, financial advisors etc who offer free consultations
- Access to free legal help scheme
- Financial incentives, where available, will be detailed in the Housing Renewal Policy.

#### Enforcement to bring the property back into use

For priority properties Housing Services will work to establish the owner of the property and then contact the owner to engage with them. Housing Services will initially offer to work with the owner to bring the property back into use.

Housing Services will then consider the use of enforcement action in the following circumstances:

- (1) The Council has made numerous attempts to engage with the owner, all reasonable offers of assistance have been made to the owner and these offers have not been acted upon; and
- (2) There is no prospect of the house being brought back into use by the owner within a reasonable time period; and

(3) There is a housing need and/or the property is causing a significant problem in the local neighbourhood: and

(4) A cost-benefit analysis demonstrates that enforcement action both financially viable and appropriate.

Enforcement action to bring the property back into use will only be taken when the above criteria is met. Enforcement action with significant financial implications will only be taken following a single member decision by the Executive Member for Adult Social Services & Housing. Should the case for enforcement action not be demonstrated then no enforcement action will be taken.

Enforcement action to bring the property back into use may include Empty Dwelling Management Orders, Compulsory Purchase Orders or other appropriate action.

### **3.3 Complaints about empty properties**

Housing Services will respond to complaints received about empty properties. Housing Services will:

- Investigate whether the property is an empty property.
- Inform the complainant whether the property is classified as empty or not.
- If the property is empty, visit the property to investigate the problem, prioritise and establish if the Council needs to take further action.
- In certain circumstances the case will be referred to another Council department such as Building Control, Planning Enforcement, or Environmental Health.
- Contact the owner to inform them a complaint has been made and to advise of any actions recommended to remedy the problem.
- Follow up actions recommended
- Contact the complainant and update as appropriate

It may be necessary for Housing Services to take action under the existing Housing Services Enforcement Policy to resolve problems associated with disrepair. These powers will only be used where Housing Services have tried to engage with the owner to persuade them to undertake works to remedy the problem and these efforts have failed.

## **5. Partnership Working**

Housing Services will work in partnership with other organisations to further the aims of this policy where appropriate and beneficial.

## Appendix 1 – Prioritisation System

Empty Property Prioritisation Sheet	
Address	Description of property

Date of assessment		Visited	Yes / No	Flat over shop	
Officer		Listed	Yes / No	Flat	
				Residential	

Property condition	tick		Description – factors to consider
Good condition/no disrepair		0	No visible signs of disrepair or neglect
Visibly neglected/minor disrepair		10	Overgrown garden/damaged fencing, blocked guttering, internal damp or condensation due to it being unheated & vacant. (i.e. individual empty flat)
Poor condition/major disrepair		20	Significant disrepair affecting neighbouring property, major refurbishment needed before habitable to amenities and/or structure
Very poor condition/derelict		40	Uninhabitable, major structural repairs required, demolition a possible option. No services (gas, water, electricity) connected. Devalued and removed from council tax register

Social impact on immediate neighbours and local neighbourhoods			
Factors to consider	tick		tick
Front and/or gardens overgrown	10	Incidents of fire/arson at property	10
Evidence/likelihood of vandalism	10	Reports of vermin (check uniform)	10
Evidence/likelihood of squatting	10	Complaints received (check uniform)	15
Rubbish or Fly tipping occurring	10	Other;	
Property Terraced/Semi-Detached	10		
Located on main road/ housing estate	10		
		<b>Total</b>	

To be completed in office – check council records

## No. Years Empty

Check CT records	Over 1 yr -	5	Over 3 yrs -	20	Over 5 yrs -	35	10 + yrs	50
tick	Under 3 yrs		Under 5 yrs		Under 10 yrs			

Empty Property Priority										Priority score				
P1		100 +	P2		80 - 99	P3		60 - 79	P4		40 - 59	P5		0 - 39
HIGH			MEDIUM					LOW						