

## Bath & North East Somerset Council

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| DECISION MAKER:   | <b>Cllr Vic Pritchard Cabinet Member for Adult Social Services and Housing</b> |                                   |             |
| DECISION DATE:  | <b>On or after 8<sup>st</sup> December 2010</b>                                | EXECUTIVE FORWARD PLAN REFERENCE: |             |
|   |  | <b>E</b>                          | <b>2197</b> |
| TITLE:  | <b>Empty Property Policy</b>   |                                   |             |
| WARD:   | All  |                                   |             |
| <b>AN OPEN PUBLIC ITEM</b>  |  |                                   |             |
| <b>List of attachments to this report:</b><br>Empty Property Policy |  |                                   |             |

### 1 THE ISSUE

- 1.1 The Housing and Wellbeing Strategy makes a commitment to bring empty residential properties back into use in accordance with an Empty Property Policy. An “empty property” for this purpose is a residential property that has been empty for longer than six months. Properties empty for less than six months and properties which have been empty for longer than six months and are substantially furnished are outside this policy.
- 1.2 Bringing empty properties back into use makes best use of the existing housing stock, helping to address housing need. Bringing empty properties back into use helps to create stronger safer communities by reducing anti-social behaviour and nuisance associated with empty properties.
- 1.3 The attached policy sets out how Housing Services will make best use of existing resources to bring empty properties back into use.

### 2 RECOMMENDATION

The Cabinet member is asked to agree that:

- 2.1 The proposed Empty Property Policy attached to this report is approved as Council Policy.

### 3 FINANCIAL IMPLICATIONS

- 3.1 The policy aims to make best use of existing resources and therefore Housing Services is not seeking additional funding as a result of this policy.

- 3.2 A permanent part time Property Partnership Officer (Empty Property Officer) is already in post dedicated solely to bringing empty properties back into use.
- 3.3 Enforcement action to bring the property back into use is likely to have financial implications ranging from legal costs to recoverable repair and management costs. However enforcement action would only be taken following a cost – benefit analysis of options available, including the option of doing nothing. The policy will prioritise empty properties for case action. Action will only be taken where the proposed action is financially viable. Where financially viable, the Policy allows for enforcement action to be taken following Single Member Decision approval.
- 3.4 The Homes Bonus scheme whereby the Government will match the Council Tax for 6 years from each additional new home includes homes created by bringing empty properties back into use. This Policy thereby contributes to increasing the Council's income providing the overall number of empty properties in the area reduces.

#### **4 CORPORATE PRIORITIES**

- *Building communities where people feel safe and secure*
- *Improving the availability of Affordable Housing*

#### **5 THE REPORT**

- 5.1 In Bath and North East Somerset there are approximately 500 properties that have been empty and substantially unfurnished for 6 months or more. This equates to around 0.7% of the total housing stock.
- 5.2 Properties empty less than 6 months are outside this policy as are properties which have been empty for longer than 6 months and are substantially furnished (this category includes second homes and properties owned by service personnel stationed abroad).
- 5.3 The Empty Property Policy states how Housing Services will work to bring empty properties back into use. Bringing empty properties back into use can help achieve a number of benefits including helping to meet local housing demand and reducing the crime and vandalism that empty properties may attract.
- 5.4 Evidence suggests that approximately half of empty properties will become re-occupied within 1 year without any intervention and within this time a similar number will become empty. For this reason there remain a steady number of empty properties in the area.
- 5.5 Approximately 250 properties currently empty in B&NES have been empty for over 1 year and approximately 20% of empty properties will remain empty for over 5 years.
- 5.6 The Empty Property Policy provides a clear framework and rationale for how Housing Services will use existing resources effectively to bring properties back into use. The policy proposes a twin track approach as detailed below.

- First, all owners will receive advice and assistance on bringing their properties back into use. This could include: advice on renting the selling including use of our existing Accreditation scheme or advertising the property on our Homeseach website; advertising the property for sale on our West of England Empty Property catalogue.
  - Second, properties which have been empty for over 1 year will be prioritised based on: length of time empty, property condition and effect on neighbours / local community. This will allow Housing Services to proactively focus on the small number of properties which remain persistently empty and cause problems to the community. Following prioritisation and where all avenues of persuasion to bring the property back into use have been exhausted, a case review and cost benefit analysis will be undertaken. This will determine if further enforcement action is appropriate and viable. Where the analysis has shown enforcement action is not viable then no further action will be taken. Where the analysis shows enforcement action is viable a single member decision will be required before action is taken. Enforcement action could include: an Empty Dwelling Management Order (EDMO), Compulsory Purchase or other action considered appropriate.
- 5.7 The policy also sets out a framework for investigating complaints about empty properties. Where a property is causing nuisance to neighbours and the local community Housing Services may also take action under the Housing Services Enforcement Policy. This is an existing policy.

## **6 RISK MANAGEMENT**

- 6.1 The report author and Cabinet member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.

## **7 EQUALITIES**

- 7.1 An equality impact assessment has been undertaken on this policy and no significant equalities issues arise.

## **8 RATIONALE**

- 8.1 A policy is required to detail how to make best use of existing resources and provide a framework for bringing empty properties back into use. This is stated within the Housing and Wellbeing Strategy.

## **9 OTHER OPTIONS CONSIDERED**

- 9.1 No other options have been considered.

## **10 CONSULTATION**

- 10.1 Consultation has been undertaken with: *Cabinet members; Ward Councillors, Overview & Scrutiny Panel; Local Residents; Stakeholders/Partners; Section 151 Finance Officer; Monitoring Officer*
- 10.2 Consultation with cabinet members and councillors was through Safer Stronger Communities Overview and Scrutiny Panel and all Councillors were invited to a

consultation session. Local residents were consulted via Voicebox 16. Consultation with Section 151 Officer and Monitoring Officer was by email.

## **11 ISSUES TO CONSIDER IN REACHING THE DECISION**

*11.1 Customer Focus; Sustainability;*

11.2 The empty property policy addresses customer concerns about safer communities by working to remove problems such as vandalism which empty properties may cause.

11.3 Bringing empty properties back into use makes best use of existing stock which contributes to the sustainability of the area.

## **12 ADVICE SOUGHT**

12.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

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| <b>Contact person</b>  | <i>Katherine Coney 01225 396736</i><br><i>Chris Mordaunt 01225 396282</i>           |
| <b>Background papers</b>   | <i>Housing and Wellbeing Strategy</i><br><i>Housing Services Enforcement Policy</i> |
| <b>Please contact the report author if you need to access this report in an alternative format</b> |   |