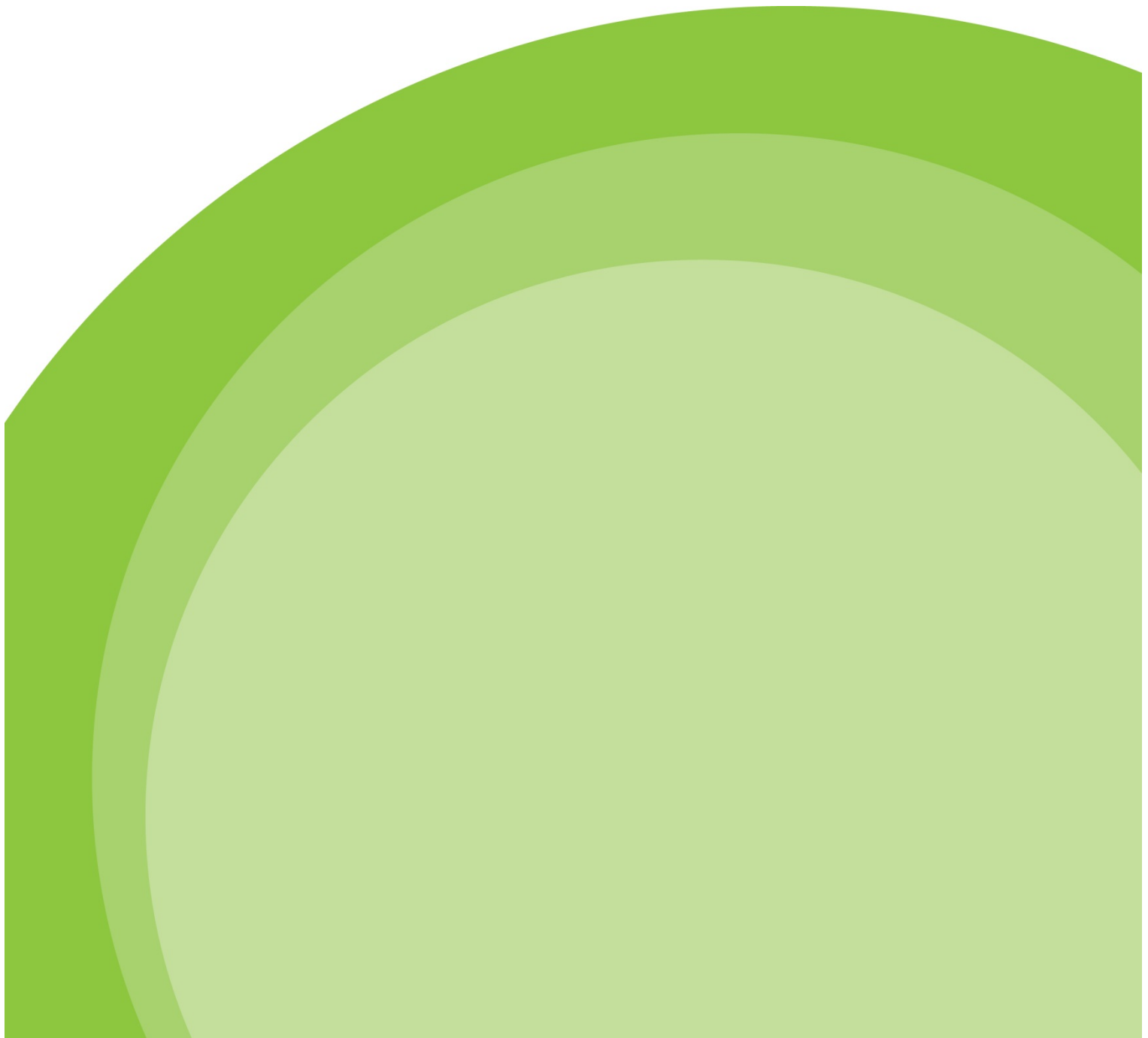




# Empty Homes Strategy

2017-2022



# Empty Homes Strategy

2017-2022

|                      |                                |                    |      |
|----------------------|--------------------------------|--------------------|------|
| <b>Directorate</b>   | Social Care Health and Housing |                    |      |
| <b>Service</b>       | Housing Solutions              |                    |      |
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## Contents

|   |    |
|---|----|
| .....   | 1  |
| Contents .....  | 3  |
| 1. Foreword.....  | 5  |
| 2. Executive Summary.....   | 6  |
| 3. Introduction .....   | 7  |
| 4. Current situation .....  | 8  |
| 4.1 Extent of the empty homes problem .....   | 8  |
| 4.2 Success of the Empty Homes Strategy 2010-2015 .....   | 10 |
| 5. Background .....   | 12 |
| 5.1 Legislative framework.....  | 12 |
| 5.2 National drivers.....   | 12 |
| 5.3 Corporate context .....   | 13 |
| 5.4 Local context .....   | 14 |
| 5.4.1 Geography of Central Bedfordshire .....   | 14 |
| 5.4.2 The Housing Market.....   | 14 |
| 5.4.3 Town centre regeneration .....  | 15 |
| 5.4.4 Geography of empty homes.....   | 16 |
| 5.4.5 Benchmarking empty homes performance .....  | 17 |
| 6. Empty Homes Strategy aim and objectives .....  | 18 |
| Objective 1: To promote the Council's Empty Homes service and raise awareness of empty homes issues .....         | 18 |
| Objective 2: To maintain partnerships both within and outside the Council to deliver the empty homes agenda ..... | 19 |
| Objective 3: To increase the supply of decent housing .....   | 19 |
| 7. Strategy Delivery .....  | 21 |
| 7.1 Policy and procedures .....   | 21 |
| 7.2 Action Plan .....   | 21 |
| 7.3 Resourcing the strategy.....  | 21 |
| 7.4 Monitoring and review .....   | 22 |
| 8. Conclusion .....   | 22 |
| Appendix A – Action Plan .....  | 23 |
| Appendix B - Legal framework.....   | 24 |
| Appendix C - Empty Homes Register – location of homes .....   | 27 |
| Appendix D – Benchmarking Performance.....  | 29 |
| Appendix E – Internal and external stakeholders .....   | 33 |
| Appendix F – Support and enforcement options .....  | 36 |



## 1. Foreword

Empty homes are a wasted asset for the owner and the community. In times where the demand for affordable housing significantly outstrips supply, bringing empty homes back in to use is even more pertinent. The benefits of reducing the number of empty homes can also be felt by the local community and local economy through the removal of eyesores and the reduction in crime and anti-social behaviour that dilapidated buildings can often attract.

This Empty Homes Strategy builds on the success of the 2010 strategy which set the foundations for a well-refined empty homes service that balances support and advice with a range of enforcement options.

We intend to deliver a strategy that continues to focus on partnership working, using the tools available effectively and appropriately, whilst having regard to the wider agenda – making Central Bedfordshire a great place to live and work.



**Cllr Mrs Carole Hegley**

**Executive Member for Social Care and Housing**

## 2. Executive Summary

The overall aim of the Empty Homes Strategy is to bring long-term empty homes back into use. Together with our partners we will seek innovative solutions to the problem and hence contribute towards creating a sustainable environment. This strategy provides a framework for tackling the various issues associated with long-term empty homes in the private sector, in a cost-effective manner.

Central Bedfordshire Council's Empty Homes Strategy will be focused on residential properties in the local authority area that have been unoccupied for six months or more, or where they are causing significant problems to the local community or economy. However action will be targeted towards residential properties that have been unoccupied for two years or more. Homes that have been empty for five years or more, are blighting neighbourhoods or impeding the regeneration of a town centre will be prioritised.

The Government recognises that empty homes could contribute significantly to meeting projections of housing need. The Council also recognises the role empty homes activity has in supporting community and regeneration agendas.

As of October 2016 the total number of long term empty homes (6 months+) in Central Bedfordshire was 686, this has nearly halved over the period of the Councils' first Empty Homes Strategy which was published in 2010 where the figure was 1,237. This is due in part to the Empty Homes Council Tax premium that could be applied from April 2013 which is a disincentive to a property being left empty and improvements to the empty homes service.

This strategy sets out three objectives that will help build on the success of the last strategy so that empty homes will continue to be brought back in to use via a structured and fair approach. These three objectives are:

1. To promote the Empty Homes service and raise awareness of empty homes issues,
2. To maintain partnerships both within and outside the Council to deliver the empty homes agenda,
3. To increase the availability of decent housing.

The strategy includes an action plan that sets out the milestones for the delivery of these key objectives.

### 3. Introduction

Access to affordable housing is becoming increasingly difficult with the lack of homes to meet demand and the impact this has had on house prices and the cost of rent. Increasing the availability and access to affordable housing will enable more households to live in appropriate accommodation and bringing empty homes back in to use can play a role in this.

Empty homes are defined as properties that are unoccupied and substantially unfurnished. In order to function effectively, the housing market needs vacant homes to allow for residential mobility and redevelopment. Therefore, transactional or short-term vacant homes are outside the scope of this strategy, as are holiday and second homes. Empty homes for the purposes of this strategy are homes that have been vacant for over 6 months, but the Council's activity is primarily focussed on those that have been empty for more than two years. Homes that have been empty for five years or more or are blighting neighbourhoods will be prioritised.

Central Bedfordshire Council's first Empty Homes Strategy was published in 2010 and brought about improvements to how the then new unitary authority dealt with empty homes. This established the Council's consistent approach which balanced advice and support with enforcement options to bring properties back in to use. A dedicated Empty Homes Officer is now in post and takes a case work approach to each property that has been empty for more than two years; exhausting support options before taking enforcement action which could ultimately end in an Empty Dwelling Management Order (EDMO) or Compulsory Purchase Order (CPO).

#### **Problems associated with empty homes**

Homes empty for a long time are a wasted resource and can have a negative impact on the local community. These negatives impacts include:

1. Attract crime such as vandalism, arson, squatting and dumping of rubbish,
2. The accumulation of rubbish can lead to vermin,
3. Potential for increased Council Tax fraud as empty home owners try to avoid the 150% Council Tax charge,
4. Cause damage to neighbouring properties,
5. Be an eyesore,
6. Be costly to the Council and other agencies (e.g. The Police),
7. Reduce the value of surrounding properties,
8. Be a waste of a scarce resource – land that could be used for to relieve housing need, and
9. Impede the growth of a local economy by damaging the high street offer.

#### **Benefits of bringing Empty Homes back into occupation**

The benefits of returning empty homes to occupation are many and varied. They include:

1. Enhancing the local residential environment,
2. Reducing the risk of crime and anti-social behaviour,
3. Increasing the provision of housing,
4. Contributing towards a balanced housing market,
5. Reducing the need for new build properties,

6. Modernisation and increasing the value of older properties,
7. Regenerating run down areas,
8. Enhancing the vitality of town centres,
9. Improving housing stock,
10. Helping to tackle homelessness,
11. Aid community cohesion by removing a potential magnet for anti-social behaviour problems, and
12. Provides work for local builders and incentivises local employment and training opportunities.

## 4. Current situation

### 4.1 Extent of the empty homes problem

#### Empty homes measures

For the purposes of this strategy, empty homes data is presented in two ways. Firstly, the Department for Local Government and Communities live data table 615: *All long-term vacant dwellings by local authority district, England, from 2004*<sup>1</sup> is used to allow a comparison with other local authorities. These figures are based on local authorities' Council Tax records that are reported to Central Government in October each year via the Council Tax Base statistical release.

From 2004 to 2012, these long-term vacant dwellings were defined as dwellings which have been unoccupied and substantially unfurnished for over six months. Up until April 2013 local authorities could use their discretion to award these dwellings a discount of between 0% and 50%. Since April 2013 local authorities can set that level of discount anywhere between 0% and 100% and can also charge a premium of up to 50% on those properties which have been empty for more than 2 years. The definition of a long-term vacant dwelling is now chargeable dwellings which are unoccupied and substantially unfurnished (and not subject to exemption), and which have been empty for a period of six months or more. This includes properties that are subject to Council Tax Relief and are subject to the Council Tax Premium.

The second empty homes data source is the Empty Homes Register maintained by the Housing Solutions team. The criteria (as of January 2017) for properties on this register are:

- Homes which have been empty for more than two years, or
- Empty homes which are a nuisance or the cause of complaints from neighbours,
- Empty homes which are in a state of significant disrepair.

This empty homes figure represents those properties having the most significant social, economic and environmental impact on neighbourhoods and is an indication of the work load and priorities of the empty homes team.

#### The national picture

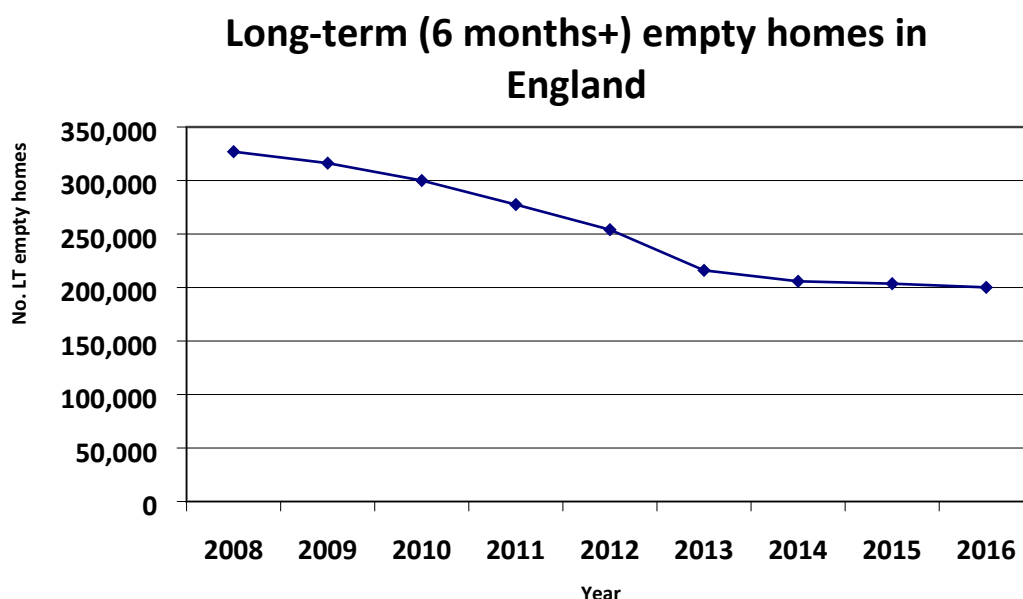
The problem of empty homes was at the forefront of the national and local government agenda during the development of the 2010 strategy and in October 2010, the total

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<sup>1</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/609298/LT\\_615.xls](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/609298/LT_615.xls)



number of long term empty homes in England was 299,999<sup>2</sup>. The action taken on empty homes nationally has reduced this to 200,145 as of October 2016. This shows a significant decrease of 33%. There has been a steady decline nationally in long term empty homes since 2008 as shown in the chart below.



3

The chart above shows that the rate of empty homes being brought back in to use slows in 2013. Empty homes data is extracted from local authority Council Tax records and the slower rate of reduction in empty homes begins at the same time that Councils were given flexibility as to how they applied Council Tax to empty homes. It is therefore likely that in anticipation of the Council Tax changes, empty home owners took action to avoid the extra Council Tax they would have to pay.

### The local picture

The figures reported to Central Government show that as of October 2016 the total number of long term empty homes (six months+) in Central Bedfordshire was 686<sup>4</sup>. This is 0.6% of the total number of properties in Central Bedfordshire in 2016<sup>5</sup>. 1,237 properties were empty for more than six months in 2010, which was 1.2 % of the number of properties in Central Bedfordshire at that time. Between 2010 and 2016 there has been a 45% reduction in homes empty for more than six months.

185 (27%) of the 686 empty homes were subject to the Empty Homes Premium in October 2016 (150% Council Tax) which is applied to properties that have been empty for more than 2 years.<sup>6</sup>

<sup>2</sup> Table 615 All long-term vacant dwellings by local authority district, England, from 2004  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/609298/LT\\_615.xls](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/609298/LT_615.xls) accessed 16/05/17

<sup>3</sup> Ibid.

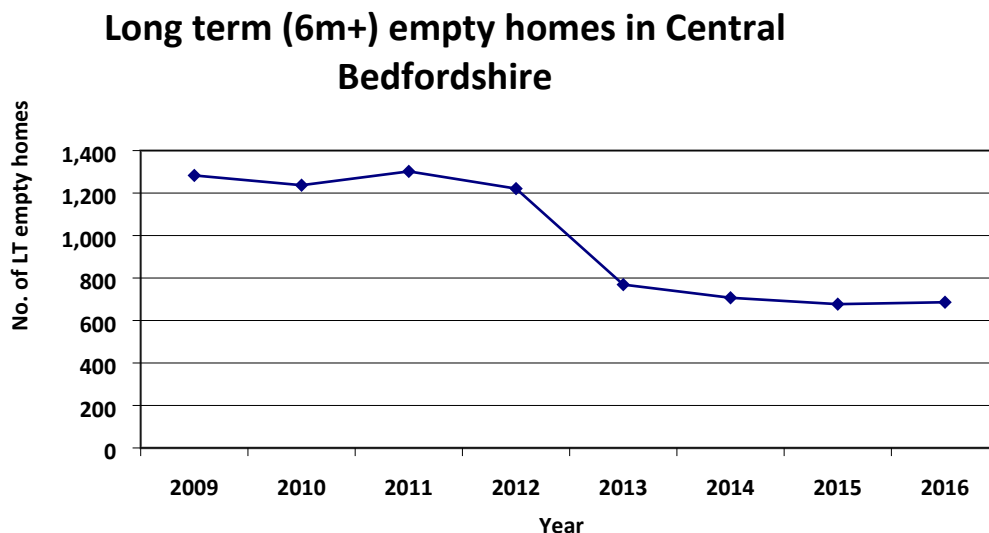
<sup>4</sup> Ibid.

<sup>5</sup> Table 100 Dwelling stock: Number of Dwellings by Tenure and district: England; 2016  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/609285/LT\\_100.xls](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/609285/LT_100.xls) accessed 16/05/17

<sup>6</sup> Council Tax base local authority level data 2016  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/587691/LA\\_Drop\\_down\\_-\\_revised\\_Jan.xlsx](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/587691/LA_Drop_down_-_revised_Jan.xlsx) accessed 16/05/17

The Empty Homes Register, maintained by the Housing Solutions team, indicated that there were 215 properties in January 2017 that had been empty for more than two years, were a cause for complaint by neighbour or in a state of significant disrepair.

The Empty Homes service (within the Housing Solutions team) was therefore actively involved with 31% of long term empty homes (six months+) in early 2017.



7

The chart above shows that the rate at which empty homes were being brought back in to use in Central Bedfordshire also slowed after 2013. This follows a sharp decline in 2012. This again can be explained by the Council Tax changes. In 2010 owners of empty homes in Central Bedfordshire were entitled to a 50% reduction in their council tax charges and in certain cases were eligible for 100% exemption. In 2017 empty home owners must pay 100% Council Tax, bar a number of exemptions, and homes that are empty for more than two years must pay 150% Council Tax. The anticipation of this change can therefore explain the sudden sharper decline in empty homes in 2012.

## 4.2 Success of the Empty Homes Strategy 2010-2015

The 2010 Empty Homes Strategy was developed soon after the formation of Central Bedfordshire Council. The strategy sought to bring together the various teams across two of the legacy authorities to harmonise the approach to Empty Homes.

The last strategy was therefore influenced by the need to gain a shared understanding of the empty homes picture across the unitary authority area and to set out the enforcement/support balance of the approach.

The 2010 strategy identified five key objectives to help achieve the overall aim to bring empty homes back in to use:

1. To raise awareness of empty home issues in Central Bedfordshire,

<sup>7</sup> Table 615 All long-term vacant dwellings by local authority district, England, from 2004 [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/609298/LT\\_615.xls](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/609298/LT_615.xls) accessed 16/05/17

2. To improve understanding of the local empty homes problems, which will help determine appropriate policy tools,
3. To establish better partnership working both within and outside the Council but particularly with owners of empty homes
4. To take appropriate actions to return empty homes into occupation
5. To monitor and review the effectiveness of those actions, and consequently the success of this strategy.

The intentions of the strategy were achieved with 298 empty homes being brought back in to use over the six year period (2011/12 to 2016/17) as a result of the Housing Solutions team's intervention<sup>8</sup>. This is on average 50 properties per year. 65 properties were brought back in to use in 2016/17, achieving the annual target of 40. 2013/14 saw a step change in performance with the number of empty homes being brought back in to use doubling. This corresponds to the time in which the 50% Council Tax premium for empty homes was introduced, thereby incentivising home owners to take action and when improvements to the empty homes offer was delivered by Housing Solutions.

### Empty homes performance

| Balanced Scorecard Performance Indicator <sup>9</sup>         | 2010/11 baseline | 2011/12 | 2012/13 | 2013/14 | 2014/15 | 2015/16 | 2016/17 |
|---|------------------|---------|---------|---------|---------|---------|---------|
| Number of empty properties brought back into residential use. | 20               | 23      | 28      | 61      | 57      | 64      | 65      |

Successes of this strategy include:

- A dedicated Empty Homes Officer is now in post which has helped to develop consistency, manage expectations of stakeholders and handle case work more effectively. This officer belongs to the Empty Homes Network, ensuring the Council is aware of the latest good practice and issues affecting the empty homes agenda. The table above showing the properties brought back in to use since 2010/11 shows an increase in 2013/14 when the Empty Homes Officer post was created. This shows the impact this dedicated resource has had on empty homes performance.
- The empty homes offer is now well refined. There is efficient and effective use of the tools available. This is shown in the confidence and willingness to take enforcement action to achieve the strategy's aims. Since April 2011 CBC has arranged for five Interim EDMOs and five final EDMOs. Compulsory Purchase Orders (CPO) have been sought for one property with plans for an additional CPO in late 2017.
- The Council's Revenues and Benefits and Housing Solutions services have formed an investigatory partnership so that data can be shared more easily to identify undeclared empty homes and locate owners of empty homes.

<sup>8</sup> Housing Balanced Scorecard PI populated from data recorded in Housing Solution's Empty Homes Register

<sup>9</sup> Ibid.

- The Council has a better appreciation and understanding of the complex circumstances that often leads an owner to leave a property in a dilapidated state. Council activity is sensitive to these circumstances. Knowledge and networks with partners have been developed to signpost or support clients who require encouragement to progress the action required to bring the property back in to use.
- The Council is maximising the benefits of bringing empty homes back in to use by securing nomination rights where possible to increase the supply of affordable housing or promoting the Let's Rent Scheme to empty home owners so that these properties can be let to those in housing need.

## 5. Background

### 5.1 Legislative framework

There are a range of legislative tools to support empty properties being brought back in to use. These are outlined in Appendix B. The Council will use these powers appropriately where circumstances require and will work with the necessary services and partners to ensure that the legal powers are administered correctly.

### 5.2 National drivers

#### **Planning Policy Statement 3**

Government advice in Planning Policy Statement 3 sets out the Government's policy on how to provide affordable housing through the planning system. Paragraph 41 indicates that local planning authorities should:

*Develop proactive policies to identify and bring into residential use empty housing... in line with empty homes strategies and where appropriate acquire properties under compulsory purchase powers.*

#### ***Laying the foundations: A housing strategy for England***

The Government published *Laying the foundations: A housing strategy for England* in 2011. The national strategy aimed to address concerns across the housing market and identify a package of reforms that could get the housing market moving. Amongst the proposals specifically relevant to empty homes were:

- awarding the New Homes Bonus to empty homes brought back into use,
- investing £100 million funding to bring problematic empty homes back into use,
- introducing an 'empty homes premium' on the Council Tax payable in April 2013 so that local authorities can charge long term empty homes up to 150% of the normal Council Tax.
- making changes to Empty Dwelling Management Orders introduced in the Housing Act 2004 so that local authorities can only take over the management of certain residential premises that had been empty for two years (originally six months). Regulations came in to force in November 2012.

#### **Affordable Homes Programme**

The 2011-15 Affordable Homes Programme (AHP) awarded funding to increase the supply of affordable housing and this included separate funding for empty homes. The 2015-18

AHP removed the separate funding for empty homes but bringing empty homes back into use was accepted as a legitimate form of Affordable Rent provision that could be included in bids.

### ***Fixing our Broken Housing Market***

The Government acknowledged that “great progress has been made in recent years and the number of empty homes stands at its lowest since records began” in its 2017 Housing White Paper *Fixing our Broken Housing Market*.

This Housing White Paper set out the Government’s commitment “to support local authorities to encourage efficient use of our existing stock, making best use of homes that are long-term empty”. This commitment referred to existing measures and funding to support empty homes activity.

### **VAT discounts for renovations**

The Government is also supporting bringing empty homes back in to use through VAT discounts on renovations and alterations of residential properties that have been empty for at least two years. There is also a DIY Builders Refund Scheme and reduced VAT rates for a number of types of building works, such as installing energy saving measures, adapting a building for a disabled person or works to convert a non residential building into a home. These discounts may apply to works to bring an empty home into use.

## **5.3 Corporate context**

### **Council’s Five Year Plan 2015-20**

The Council’s vision is for Central Bedfordshire to be *a great place to live and work*.

The Five Year Plan sets out six priorities for 2015-2020, all of which the Empty Homes Strategy and its activities will contribute towards:

1. Enhancing Central Bedfordshire – by removing the blight that a dilapidated empty home can have on the local residential environment.
2. Delivering great residents’ services – by using a variety of approaches that best fit the clients’ circumstances.
3. Improving education and skills – by providing work for local builders and supporting local employment and training opportunities.
4. Protecting the vulnerable and promoting well-being – by using empty homes to tackle homelessness.
5. Creating stronger communities - aid community cohesion by removing a potential magnet for anti-social behaviour problems.
6. An efficient and responsive Council – by making empty homes activity cost neutral and recycling loans.

### **CBC Housing Strategy 2016-2021**

The Council’s Housing Strategy 2016-2021 recognised the importance of reducing empty homes to optimise existing housing. “In order to meet some of the demand within Central

Bedfordshire and improve the housing offer for people, it is important to work with the housing that we have, making sure that our current resource is optimised and that we are working towards increasing standards”.

### **Private Sector Housing Assistance Policy**

The Empty Homes Strategy is directly linked to the Private Sector Housing Assistance Policy, adopted by Executive in 2016. This policy sets the private sector housing priorities that impact upon on the health of vulnerable households and includes tackling empty homes. The policy sets out how empty homes could be tackled though the targeting of financial resources, primarily loan assistance, for owners of long term empty homes, where certain conditions are met. The issue of resources is mentioned below.

## **5.4 Local context**

### **5.4.1 Geography of Central Bedfordshire**

Central Bedfordshire is home to approximately 274,000<sup>10</sup> people living in a number of large and small towns and villages set within attractive countryside. It is a successful and prosperous area where people want to live and work. The two largest towns are Leighton-Linslade and Dunstable. Central Bedfordshire is classified as ‘largely rural’, with 58% of residents living in rural areas. This includes ‘hub towns’, which are towns with populations of 10,000 to 30,000 (such as Houghton Regis, Biggleswade, Flitwick and Sandy) that play an important role in providing services, employment and businesses to the rural areas around them<sup>11</sup>.

There are estimated to be 115,370 homes in the area<sup>12</sup>, 86% of which are owner occupied or privately rented.

### **5.4.2 The Housing Market**

Central Bedfordshire is influenced by the London-Stansted-Cambridge and in particular the Milton Keynes - South Midlands growth areas. The average house price in Central Bedfordshire in December 2016 was £293,956, which is slightly higher than the regional average of £281,513<sup>13</sup>.

In the last six years since the last strategy was published, the average house price in Central Bedfordshire have increased by 35% from £190,404<sup>14</sup>. The ratio of earnings to house prices is an indicator of affordability. In 2015, the ratio of lower quartile house price to lower quartile earnings in Central Bedfordshire was 9.92<sup>15</sup>. A person earning a lower quartile wage would therefore need to borrow at least 9.92 times their salary as a mortgage (if no deposit); the recognised affordable ratio is 3.5. It should be noted though that a significant proportion of households contain more than one earner and consequently ratios based solely on individual earnings may overstate the extent of affordability difficulties.

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<sup>10</sup> 2015 mid year estimate, Office of National Statistics (ONS)

<sup>11</sup> Department for the Environment Food and Rural Affairs, 2011 Rural-Urban Classification of Local Authority Districts.

<sup>12</sup> .

<sup>13</sup> UK House Price Index, Land Registry, December 2016

<sup>14</sup> UK House Price Index, Land Registry, December 2010

<sup>15</sup> Table 577: Ratio of lower quartile house price to lower quartile earnings by Local Authority, 2013 to 2015, DCLG, 2015

An analysis of average earnings and average private sector rent levels in Central Bedfordshire indicates that private sector rents are approximately 35% of average earnings<sup>16</sup>, making much of this sector unaffordable to those on lower incomes.

Consequently, considerable pressure is placed on the availability of affordable housing for local people. Bedfordshire and Luton Strategic Housing Market Assessment Update 2015 estimates a growth of an additional 42,365 households over the 20 year period from 2011 – 2031. Taking in to account other factors beyond demographic projections such as job growth and concealed families, this equates to a housing need of 47,237 dwellings over the 20-year Plan period 2011-31, equivalent to an average of 2,361 dwellings per year.<sup>17</sup>

Trend based projections also suggest that there will be a requirement of the social rented stock to increase by 7,278 units during the 20 year period 2001 – 2021, a growth of 27%.<sup>18</sup> In this context, empty homes could represent an opportunity to help meet overall needs.

### **5.4.3 Town centre regeneration**

The Council's Empty Homes service has a role to play in enabling our Market Towns to thrive and prosper, with improved town centres that maintain and retain the character of Central Bedfordshire. Bringing homes back in to use in town centres contributes to making Central Bedfordshire a great place to live and work through the Council's corporate priorities of "Enhancing Central Bedfordshire" and delivering "Great Resident Services" by improving the appearance of our Market Towns.

Helping the area's market towns is central to the Council's ambition to improve the lives of our residents and the area's economy. Central Bedfordshire has developed a Market Towns Programme that aims to support market towns to underpin their economic viability and unlock future growth potential through enhancing the town's vibrancy, character, accessibility and cultural energy.

Improving market towns requires a collaborative approach that draws in the energies, expertise and investment of our partners such as town councils, developers, residents, businesses and local organisations. The Housing Solutions team plays a role in this by using its powers and resources to support empty home owners to bring properties in town centres back in to use, chiefly above shop flats. Not only can this increase the supply of decent housing in town centres to support the local economy, the removal of eyesores supports the aim of improving the character of town centres.

At the centre of the Market Towns Programme is funding of £4million (with match funding) over two years, supported by the offer of advice that can be targeted at improving the character, quality and economic vitality of selected market towns.

The Market Town Regeneration Fund is a capital fund available to town councils wishing to make a difference to their market town. It is directed to market towns that have potential for growth and where there is the commitment and capacity for real long-term change.

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<sup>16</sup> Median month gross salary is £2,217 and median month rent is £783. Sources: Table 8.7a Annual pay - Gross (£) - For all employee jobs: United Kingdom, 2016 and Private Rental Market Statistics - Table 2.7: Summary of monthly rents recorded between 1 April 2015 and 31 March 2016 by administrative area for England, Valuation Office Agency.

<sup>17</sup> Bedfordshire and Luton Strategic Housing Market Assessment Update 2015. [http://www.centralbedfordshire.gov.uk/Images/shma-update-2015\\_tcm3-5559.pdf](http://www.centralbedfordshire.gov.uk/Images/shma-update-2015_tcm3-5559.pdf) accessed February 2017.

<sup>18</sup> Ibid.

Funding was allocated to the following eight town councils in 2016, with completion due in February 2018:

1. Ampthill
2. Dunstable
3. Flitwick
4. Houghton Regis
5. Leighton Linlade
6. Pottton
7. Sandy
8. Shefford

Successful bids included those that enabled growth, improved shop fronts and living over the shop schemes, adjusted places to improve the public realm and included collaborative partnership approaches that coordinate and enhance the market town offer.

The Housing Solutions team is in a strong position to support partners seeking to regenerate town centres through its raft of support and enforcement options. The team's approach to empty homes is to prioritise case work on properties that are likely to have the most negative impact on the local neighbourhood or local economy by remaining empty. The criteria for prioritising case work have therefore been updated to include empty homes in town centre locations, where intervention will assist existing regeneration initiatives. This is set out in Objective 3 of the strategy - *To increase the supply of decent housing*.

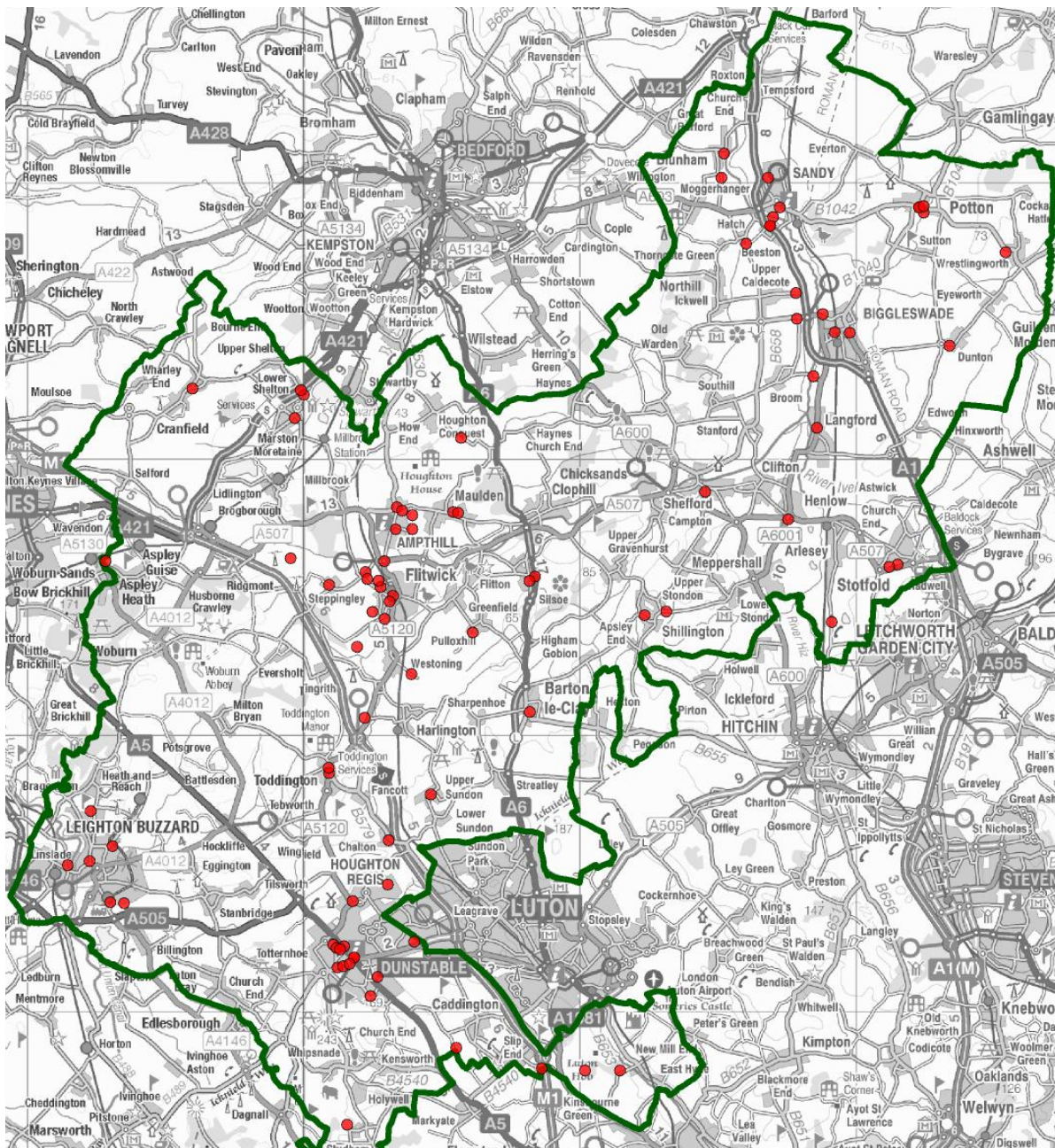
#### **5.4.4 Geography of empty homes**

Some areas in England have a cluster of empty homes, such as a whole street with homes boarded up. This is not an issue in Central Bedfordshire but most concentrations of empty homes are in towns such as Ampthill, Flitwick and Dunstable. Empty homes are not just an urban issue though; there are a number of individual properties dotted around the more rural areas such as Upper Sundon and Moggerhanger.

The map below shows the geographical spread of empty homes as of January 2017, using properties listed in Housing Solution's Empty Homes Register. Each red dot below represents one property. The criteria for registered properties are outlined in 4.1 above.

#### **Geographical spread of empty homes in Central Bedfordshire**





Central Bedfordshire Council GIS, January 2017.

## Empty homes by parish

The parish of Dunstable had the highest number of homes empty for more than 2 years (as of January 2017); this represents 0.08% of all households (2011 data) in the parish. Seven of the top ten parishes with the most empty homes are in the north of the local authority area. The parishes with the highest proportion of empty homes per total households were Steppingley (2 empty homes out of 85 total households) and Hyde (2 out of 150). A full list is found in Appendix C.

### 5.4.5 Benchmarking empty homes performance

Central Bedfordshire's empty homes performance can be compared with that of our CIPFA (Chartered Institute of Public Finance and Accountancy) nearest neighbours. Benchmarking indicates an improved performance amongst all eight CIPFA related

authorities. Central Bedfordshire Council are not the weakest performers for any of the indicators but this strategy aims to improve what is generally a “mid table” position. The full details can be found in Appendix D.

## 6. Empty Homes Strategy aim and objectives

The overall aim of the Empty Homes Strategy is to bring long-term empty homes back into use.

The Council has identified three objectives to achieve the overall aim of the Empty Homes Strategy:

1. To promote the Empty Homes service and raise awareness of empty homes issues,
2. To maintain partnerships both within and outside the Council to deliver the empty homes agenda, and
3. To increase the supply of decent housing.

### **Objective 1: To promote the Council’s Empty Homes service and raise awareness of empty homes issues**

Bringing empty homes back in to use has a range of benefits to the community and can be a remedy to problems primarily dealt with by other services and agencies. For example an empty home attracting anti-social behaviour will primarily be dealt with by the Police and Community Safety colleagues but the empty homes service has a role in removing the magnet for this behaviour.

Key stakeholders of the Empty Homes service therefore include the empty home owners, the neighbours of the empty home, internal colleagues and partners as detailed in Appendix E.

Raising awareness of the service and empty homes issues is vital to:

1. Educate neighbourhoods on how they can flag up empty homes blighting a neighbourhood,
2. Advise empty home owners about the support available and the enforcement action available to the Council to encourage a pro-active response,
3. Manage residents’ and other stakeholders’ expectations on the,
4. Discover properties that are fraudulently being claimed as occupied or a second home to Council Tax colleagues,
5. Obtain a clearer picture of the circumstances of the owner and the property to enable a more tailored and effective response,
6. Realising the wider social value of bringing a property back in to use.

The 2010 Empty Homes Strategy has given stakeholders a better understanding of the Empty Homes service available to neighbourhoods and partners through a variety of methods including:

- Newspaper adverts
- Promotional events
- Factsheets
- Empty Homes National Week of Action.

- Joint marketing through existing services such as Let's Rent and Private Sector Housing Assistance.

The 2017 strategy will build on this success through more interactive and targeted methods to encourage residents and partners to engage in bringing homes back in to use. This will include You Tube videos on the service available via the website and reports to provide a better understanding of the added social value empty homes action brings to the community.

## **Objective 2: To maintain partnerships both within and outside the Council to deliver the empty homes agenda**

The period of the last strategy saw improvements in the way Council departments work together as the unitary authority became more established. This has led to better information sharing and joint working to achieve shared aims of various services.

To make this strategy a success, the Council needs to continue to build on the existing working relationships within and outside the Council to raise the profile of the empty homes issue in Central Bedfordshire. The key internal and external stakeholders are listed in Appendix E with details on how each service or partner plays a part in bringing empty homes back in to use. The Housing Solutions team aims to build on all of these partnerships and create new ones, for example, the potential for empty homes to contribute to the accommodation needs of Care Leavers.

## **Objective 3: To increase the supply of decent housing**

### **Prioritising Action**

There is always a necessity to prioritise case work on properties that are likely to have the most negative impact on the local neighbourhood and local economy by remaining empty. The council therefore focusses on:

- Homes which have been empty for more than two years, or
- Empty homes which are a nuisance or the cause of complaints from neighbours,
- Empty homes in town centre locations, where intervention will assist existing regeneration initiatives, or
- Empty homes which are in a state of significant disrepair.

Housing Solutions team keeps track of these priority properties with an Empty Homes Register which is updated quarterly. Each property on the Empty Homes Register is scored against the criteria above, using a simple scoring matrix (this is set out in more detail in the Empty Homes Enforcement Policy). The empty homes can then be placed into a priority order to help identify which properties may require the highest level of enforcement action. However, sometimes there are opportunities to work with owners of long term empty homes that are not on the Register. This may be where the owners are looking to help the Council meet affordable housing need. The Empty Homes service will respond appropriately to these opportunities, which are normally of benefit to the Council and community.

### **Support options available**

The Council's approach to tackling the issue of empty homes is one of positive intervention and involves, in the first instance, finding and contacting owners to understand the reasons why the property is empty. Initially owners are offered information and advice on all the options available to them, determining whether the owner would be eligible for financial assistance to bring a property up to a reasonable standard, and only resorting to enforcement action where absolutely necessary.

One of the key support tools available to the Council is the empty home loan. The number of properties supported with empty home loans between 2010/11 and 2015/16 was 21.

### Empty Homes Loans

| Year    | No. empty home loans | Total value of empty home loans |
|---------|----------------------|---------------------------------|
| 2010/11 | 1                    | £9,020                          |
| 2011/12 | 0                    | £0                              |
| 2012/13 | 2                    | £14,905                         |
| 2013/14 | 5                    | £42,920                         |
| 2014/15 | 3                    | £21,749                         |
| 2015/16 | 10                   | £120,418                        |

All the current policy tools that are used to deliver the empty homes service are listed below with further detail available in Appendix F.

- Information and Advice
- Property inspections
- Loan Assistance
- Let's Rent
- Tenancy Management Service

### Enforcement Options

Where owners of empty homes decline all offers of help and advice on how to bring their property back into effective use the Council will consider the use of enforcement powers to remedy the situation. It should be noted that the use of enforcement powers alone may not result in the re-occupation of the property, but may help to address any immediate risks posed by the property.

Between 2010/11 and 2016/17, CBC applied for five interim Empty Dwelling Management Orders (EDMOs). The average cost of renovations required to bring an EDMO property back in use is £57,000. However EDMOs are cost neutral as renovation costs can be recouped through rent that the property generates when brought back in to use. Compared to other local authorities Central Bedfordshire is more active in its use of EDMOs. In 2015/16, Central Bedfordshire Council was one of nine local authorities that applied for an interim EDMO in England<sup>19</sup>.

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<sup>19</sup> Tribunals Judiciary, accessed December 2016, [http://www.residential-property.judiciary.gov.uk/search/decision\\_search.jsp?edit=true](http://www.residential-property.judiciary.gov.uk/search/decision_search.jsp?edit=true)



No Compulsory Purchase Orders (CPO) have been carried out as of March 2017 but Executive have approved the use of CPOs to bring homes back in to use when EDMOs are not appropriate.

The enforcement options include the following (further details are available in Appendix F):

- Nuisance abatement orders,
- Prohibition Order, which requires the property to remain empty until the serious hazards are remedied,
- Building Control enforcement to take action on property that is structurally unsound and dangerous,
- Undertake works necessary to prevent unauthorised entry or to prevent the building from becoming a danger to public health,
- Require an owner to take steps to clear the land of vermin,
- Require an owner to take steps to remedy the unsightly land or external appearance of the property,
- Empty Dwelling Management Orders
- Compulsory Purchase Order
- Enforced Sale.

## **7. Strategy Delivery**

### **7.1 Policy and procedures**

This strategy is supported by an Empty Homes Enforcement protocol setting out in more detail the various enforcement options for dealing with empty homes and the issues for officers to consider when making a decision on the appropriate action for the individual circumstances.

The enforcement protocol guidelines set out how to execute the enforcement options.

### **7.2 Action Plan**

The Empty Homes Strategy action plan to deliver the strategy's objectives is set out in Appendix A. The action plan will be reviewed annually.

### **7.3 Resourcing the strategy**

The government is providing incentives to local authorities to increase housing supply through the New Homes Bonus scheme. For each long term empty home brought back into use councils receive a financial reward. The bonus is based on achieving a net reduction in the number of long term empty homes each year. An additional bonus is paid if the dwellings are returned to use as affordable homes.

The Council has a capital budget of £0.21M for implementation of Empty Homes capital works including Loan Assistance, Empty Dwelling Management Orders, and CPOs. This is subject to annual review and might be increased or reduced.

## **7.4 Monitoring and review**

This Empty Homes Strategy is supported by a five year action plan to deliver the strategy's objectives. The action plan will be reviewed annually by the Head of Housing Solutions with team managers to ensure that the Council is responsive to any changes required.

The number of homes brought back in to use is reported to the Directorate Performance Board quarterly. The annual target for 2017/18 is 40 properties and the target is reviewed and set annually through the directorate's performance management process. The percentage of empty homes on the Empty Homes Register that have been subject to some intervention by Council officers is also reported to Performance Board quarterly and the target is 100%.

Every two years the Housing Solutions team will prepare an Empty Homes report for the Social Care, Health and Housing Overview and Scrutiny Committee to explain the extent to which properties are being brought back in to use and the positive impact this is having on local neighbourhoods once blighted by dilapidated properties. This report will be shared widely with internal services and external partners. To support objective 1 (promote the Empty Homes service offer and raise awareness of empty homes issues), the report will also include the wider social benefits of bringing homes back in to use such as regeneration, community safety and energy efficiency improvements.

This strategy is due for review in 2022/23.

## **8. Conclusion**

A fair and balanced approach to dealing with empty homes in the private sector will be maintained through the delivery of this Empty Homes Strategy. There will be a co-ordinated incentive and enforcement approach, where advice, information and assistance is typically offered before using enforcement as a last resort. Some enforcement tools will be used to remedy a statutory nuisance, dangerous structure or hazard and may not themselves directly bring the property back into use but will be required for public protection or for the benefit of community.

The Empty Homes Strategy is part of the Council's strategic approach towards sustainable communities. It will be essential to maintain strong working relationships with our internal and external partners, and forge new partnerships where appropriate.

This strategy and the Housing Assistance Policy gives Central Bedfordshire Council a strong foundation for positive action to bring empty homes back into use and improve the unique character of our communities.

## Appendix A – Action Plan

| Key actions  | Lead                | Measurable outcome   | Timescales  |
|--|---------------------|--|---|
| <b>Objective 1: To promote the Empty Homes service offer and raise awareness of empty homes issues</b>   |                     |  |   |
| Develop and deliver a marketing plan to promote the services available from Housing Solutions to empty home owners and neighbours of the empty homes.                              | Empty Homes Officer | Increase in the number of approaches by empty home owners and neighbours year on year.       | Develop marketing plan by April 2018.                   |
| Produce a bi-annual report for Social Care, Health and Housing Overview and Scrutiny to evidence the direct and indirect benefits of bring empty homes back in to use.             | Empty Homes Officer | Members, partners and colleagues have increased awareness of problems caused by empty homes. | Reports published by September 2019 and September 2021. |
| <b>Objective 2: To maintain partnerships both within and outside the Council to deliver the empty homes agenda</b>   |                     |  |   |
| Host an Empty Homes event  | Empty Homes Officer | Maintain the network of colleagues and partners dealing with empty homes.                    | By April 2020.  |
| <b>Objective 3: To increase the availability of decent housing</b>   |                     |  |   |
| Design and implement a template “business plan” detailing the amount of grant available for each case and potential rental income to evidence the most appropriate action to take. | Empty Homes Officer | Design and implement template by April 2018.   | By April 2018   |
| Carry out an annual street survey of priority empty properties to validate the empty homes register.   | Empty Homes Officer | 100% of empty homes on the register seen within 12 months.                                   | Annually  |

## **Appendix B - Legal framework**

### **The Housing Act 1985**

This Act empowers local authorities to acquire land, houses or other properties from private individuals, for the provision of housing accommodation. The acquisition must be shown to have a quantitative or qualitative housing gain. This power can be used to compulsory purchase empty homes.

A raft of legislation supports this power including:

- Compulsory Purchase Act 1965 – to serve a Notice to Treat to acquire the property and post confirmation procedure,
- The Compulsory Purchase (vesting declarations) Act 1981 – to make a General vesting Declaration under to acquire all necessary interests in the land and property included in the confirmed Compulsory Purchase order,
- Acquisition of Land Act 1981 - compulsory purchase procedure,
- Land Compensation Act 1961 - amount and assessment of compensation.

### **The Housing Act 2004**

The Housing Act (HA) 2004 provides a number of options for a local authority to take action to bring an empty home back in to use. This includes:

- Improvement Notice (s11)
- Prohibition Order (s20)
- Hazard Awareness Notice (s28)
- Emergency Remedial Action (s40)
- Emergency Prohibition Order (s43)
- Demolition Order (s265 1985 Act as amended)
- Clearance Area (s289 1985 Act as amended)

The HA 2004 also granted local authorities a powerful tool for returning empty homes into occupation - Empty Dwelling Management Orders (EDMOs). EDMOs can enable local authorities to let out empty homes for up to 7 years, without the consent of the owner. The local authority will be able to carry out repair works on the property and recover their costs from the rental income. If however, the repair works are significant, the costs may not be able to be recovered during the maximum 7 year rental period. In this case, an EDMO would not be feasible. Consequently, analysis of all costs has to be undertaken before an EDMO should be applied for.

### **Building Act 1984**

Sections 77 to 79 can be used to require the owner of a dilapidated and/or dangerous building to undertake remedial work for and sites or in emergency situations the local authority can carry out the works and later recover the costs of the works from the owner.

### **Town & Country Planning Act 1990**

This legislation can be used to gain entry to or dispose of a property.



**Environmental Protection Act 1990**

Section 79 to 81 applies where a premises causes a health risk or nuisance and repair work is required to make it safe.

**Prevention of Damage by Pest Act 1949**

Section 4 might be used to serve a notice on the owner or occupier requiring reasonable steps to be taken to destroy rats and mice on the land.

**Local Government (Miscellaneous Provisions) Act 1982**

Section 29 is used where a property is not effectively secured against unauthorised entry or is likely to become a danger to public health. The local authority may undertake works to prevent unauthorised entry to the building or prevent it becoming a danger to public health.

This legislation may also be used to request information from the owners of properties and anyone (including companies) who have an interest in the property.

**Anti-social Behaviour, Crime and Policing Act 2014**

Local authorities can serve notices on owners of empty properties that are in a poor condition.

**Public Health Act 1961**

Section 34 allows local authorities to serve notice on an owner to remove a nuisance or gives local authority power to do so in the default of the owner.

**The Local Government Act 2003**

The Local Government Act 2003 has introduced the ability for local authorities to limit the reduction of council tax on holiday / second homes to 10%, reduce other empty property discounts and vary the discount exemption classes. The Act also enables councils to share council tax data between departments to make empty homes strategies more effective.

**Local Land Charges Act 1975 (as amended by subsequent legislation )**

Where an Owner has not complied with certain Statutory Notices, the local authority may undertake works in default of a Notice and recharge the cost of the works to the Owner.

This debt may be registered as a Local Land Charge.

**Law of Property Act 1925**

Where there is a financial Charge registered in Part 2 of the Local Land Charges Register, a Local Authority has the power to enforce that as if it had been created as a legal mortgage within the Law of Property Act 1925 (section 101). This is essentially a method of debt recovery and a measure of last resort; however it can be used as a tool for regeneration in certain circumstances. Section 20 of the Limitations Act 1980 sets out that enforced sales action must be taken within 12 years of the right to receive the money arising.

**Human Rights Act 1998**

When deciding whether to go forward with an Enforced Sale Procedure or Compulsory Purchase Order, consideration must be given to the Human Rights Act 1998. In particular, selling property belonging to a third party engages Article 8 of the Act, namely 'the right to respect for .... private and family life ...., home and ..... correspondence.' Also, Article 1 of Protocol 1 is also engaged, namely ' .... the peaceful enjoyment of possessions ....' Therefore, interference is only permitted if such action is considered proportionate. The individual's property rights have to be balanced against the general benefits to the community if the property were to be brought back into use.

### **Data Protection Act 1989**

The Data Protection Act 1989 seeks to strike a balance between the rights of the individual and the competing interests of others with legitimate reasons for using personal data.

## Appendix C - Empty Homes Register – location of homes

| Parish            | Homes included on the Empty Homes Register <sup>20</sup> | Empty homes as a % of all households <sup>21</sup> |
|-------------------|--|--|
| Dunstable         | 12   | 0.08%  |
| Flitwick          | 9  | 0.17%  |
| Leighton-Linslade | 6  | 0.04%  |
| Sandy             | 5  | 0.10%  |
| Amphill           | 5  | 0.17%  |
| Biggleswade       | 4  | 0.06%  |
| Potton            | 4  | 0.19%  |
| Toddington        | 3  | 0.16%  |
| Marston Moretaine | 3  | 0.17%  |
| Stotfold          | 2  | 0.05%  |
| Silsoe            | 2  | 0.27%  |
| Shillington       | 2  | 0.25%  |
| Houghton Regis    | 2  | 0.03%  |
| Steppingley       | 2  | 2.35%  |
| Hyde              | 2  | 1.33%  |
| Maulden           | 2  | 0.16%  |
| Northill          | 2  | 0.22%  |
| Langford          | 1  | 0.08%  |
| Houghton Conquest | 1  | 0.16%  |
| Chalton           | 1  | 0.49%  |
| Blunham           | 1  | 0.25%  |
| Slip End          | 1  | 0.12%  |
| Henlow            | 1  | 0.07%  |
| Sundon            | 1  | 0.48%  |
| Moggerhanger      | 1  | 0.37%  |
| Shefford          | 1  | 0.04%  |
| Cranfield         | 1  | 0.05%  |
| Dunton            | 1  | 0.37%  |
| Westoning         | 1  | 0.12%  |
| Barton-Le-Clay    | 1  | 0.05%  |
| Aspley Guise      | 1  | 0.11%  |
| Studham           | 1  | 0.22%  |
| Pulloxhill        | 1  | 0.26%  |
| Arlesey           | 1  | 0.04%  |

<sup>20</sup> As of January 2017. Register is maintained by Housing Solutions and is made up of empty properties that have been empty for more than two years, or the cause of complaints from neighbours, or in a state of significant disrepair.

<sup>21</sup> All households based on 2011 Census figures.

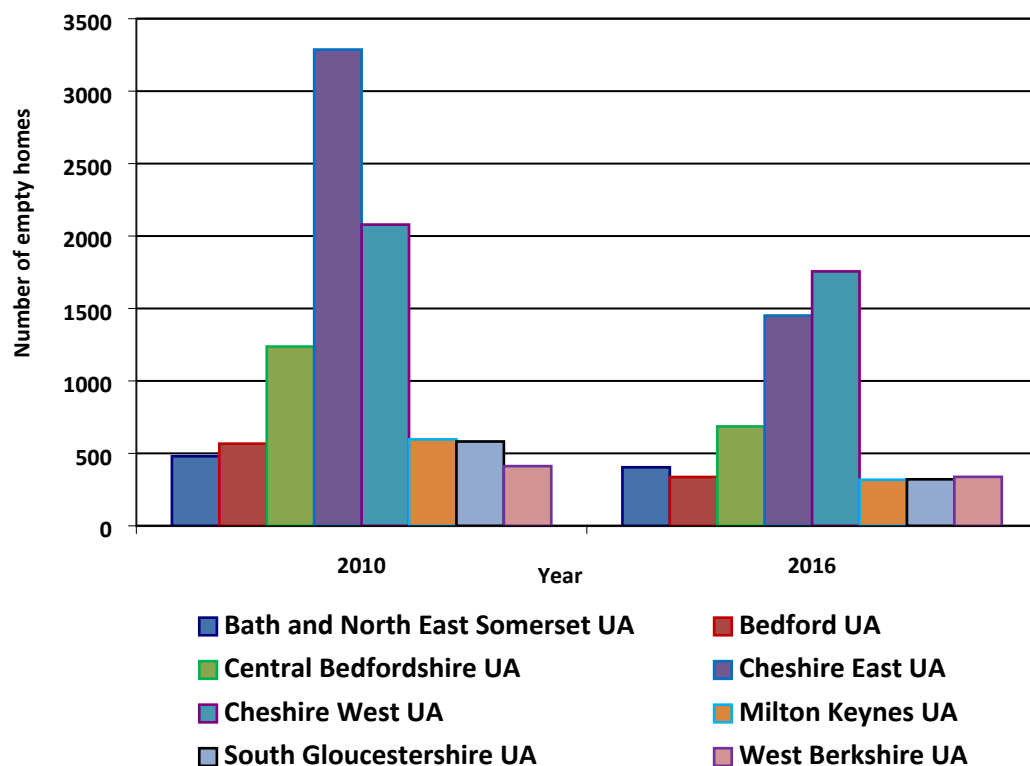
|                                  |   |       |
|----------------------------------|---|-------|
| Ridgmont                         | 1 | 0.58% |
| Wrestlingworth & Cockayne Hatley | 1 | 0.32% |
| Old Warden                       | 1 | 0.84% |
| Caddington                       | 1 | 0.06% |

## Appendix D – Benchmarking Performance

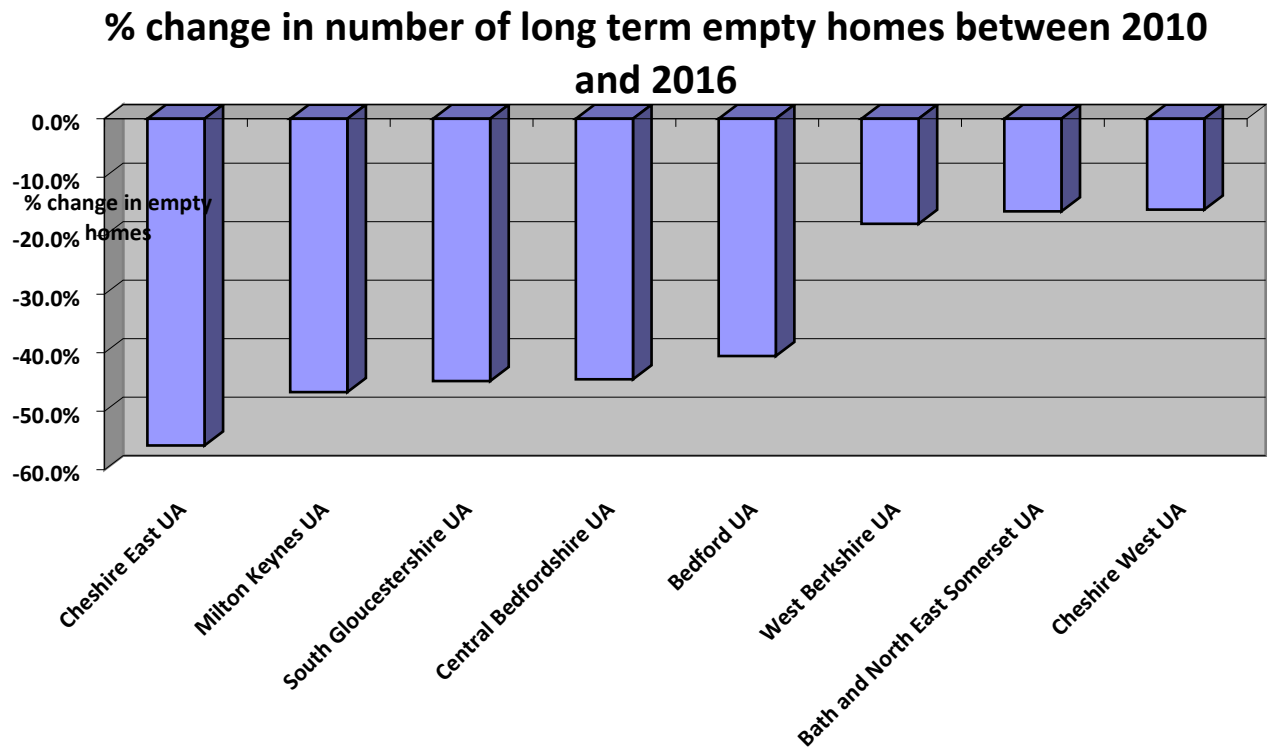
Central Bedfordshire's empty homes performance can be compared with that of our CIPFA (Chartered Institute of Public Finance and Accountancy) nearest neighbours.

This shows that Cheshire East had the highest number of empty homes in 2010 and have significantly reduced this number (by 56%) as have Central Bedfordshire (45%).

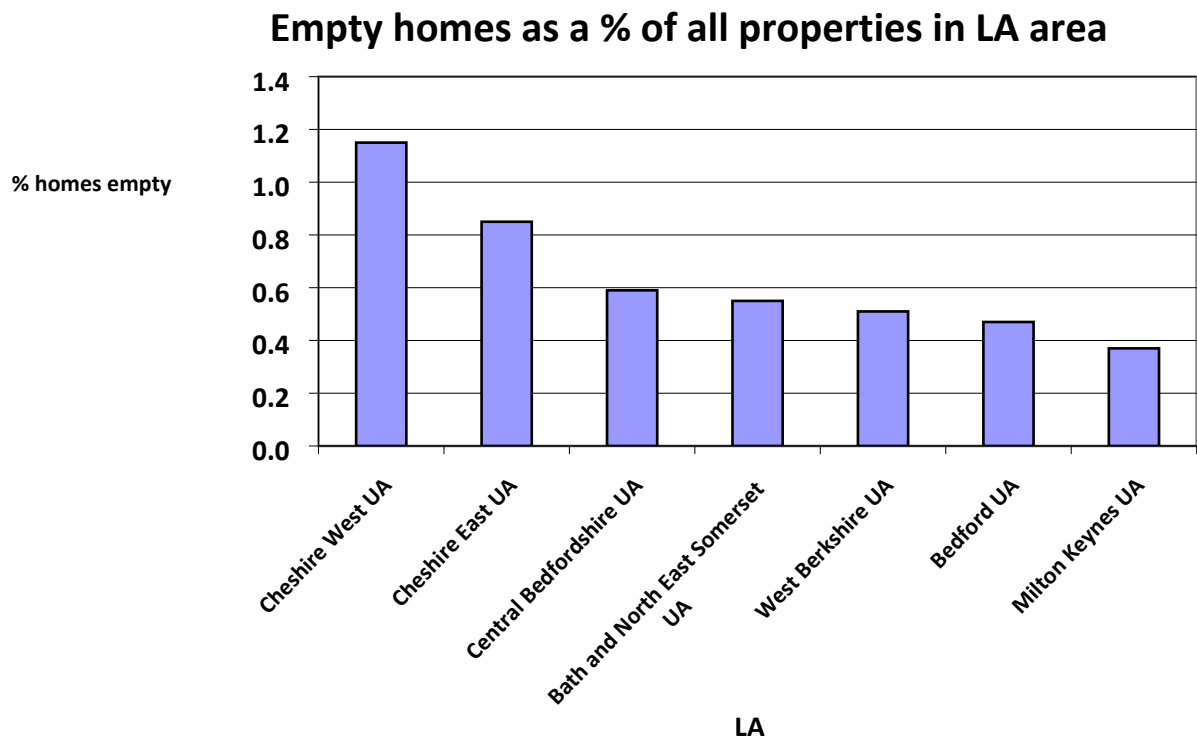
**Empty homes in CBC and CIPFA nearest neighbouring authorities**



The chart below shows that out of the eight comparison authorities, Central Bedfordshire was fourth for the most substantial reduction in long term empty homes.



The chart below shows how many properties were empty (6 months +) in 2016 as a proportion of all properties within the local authority area. This shows that the 686 properties in Central Bedfordshire represent 0.59% of the total number of properties (based on the ONS 2016 estimate of 115,370<sup>22</sup>). Central Bedfordshire has the third highest proportion of empty properties compared to our nearest statistical neighbours.



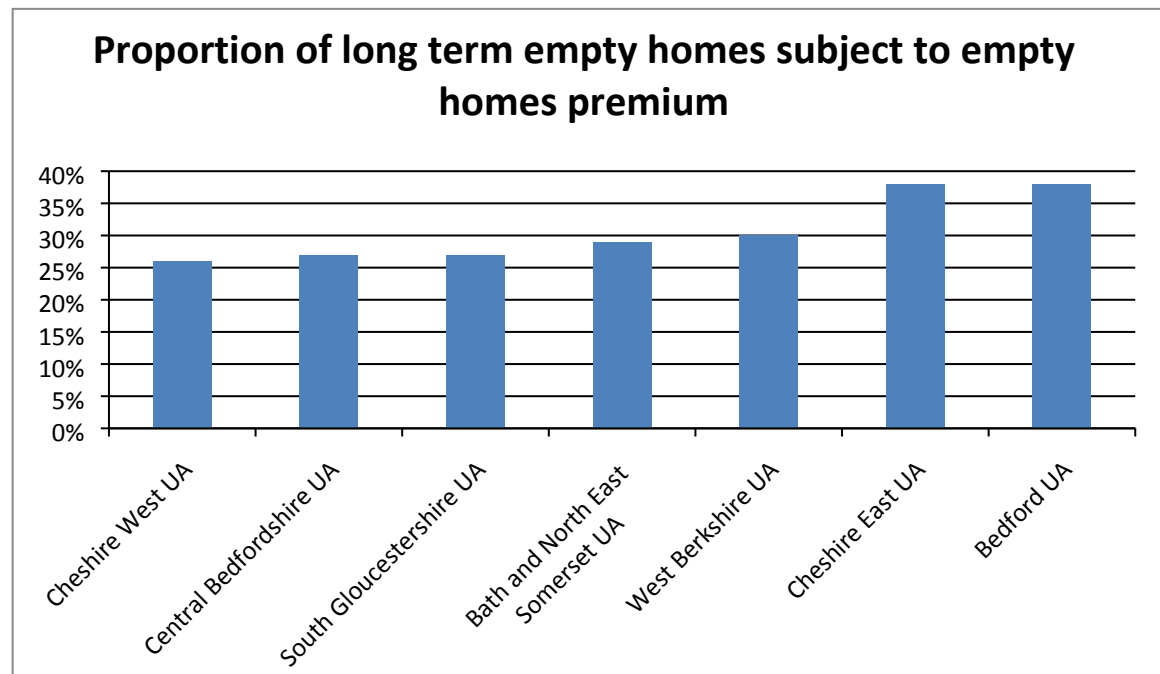
23

All of the benchmarked local authorities applied the Empty Homes Premium in October 2016, bar Milton Keynes Council (which introduced the premium in 2017/18). The premium applies to properties that have been empty for more than 2 years. Bath and North East Somerset charged a 10% premium but all other authorities that charged the premium charged the maximum of 50%.

<sup>22</sup> Table 100 Dwelling stock: Number of Dwellings by Tenure and district: England; 2015

<sup>23</sup> Table 100 Dwelling stock: Number of Dwellings by Tenure and district: England; 2015 and Table 615 All long-term vacant dwellings by local authority district, England, from 2004

The chart below shows the proportion of long term (6 month+) empty properties that were subject to the empty homes premium (2 years+).in October 2016. Central Bedfordshire has the second lowest proportion of empty homes subject to the premium. This could indicate that Central Bedfordshire's approach of prioritising activity with owners of properties empty for more than two years is proving a success.



24



## Appendix E – Internal and external stakeholders

| CBC stakeholders      | Details  |
|-----------------------|--|
| Customer services     | Customer Service Advisors are able to provide information to customers and take details of potentially empty homes. Customer's enquiries can be put to the dedicated Empty Homes Officer.  |
| Revenues and Benefits | <p>Owners of empty homes must pay 100% Council Tax, or 150% if the property has been empty for more than two years. However, some types of empty dwelling are eligible for Council Tax exemption, for example where major renovation works are in progress. Empty homes are registered by the Council Tax Officer and the list is used for Government statistical returns annually and internal partners, including the Housing Solutions service. It is important that this information is timely and accurate.</p> <p>Officers involved in providing council tax information to owners of empty homes also invite them to approach Housing Solutions to discuss the options available to return homes to occupation.</p> |
| Public Protection     | Environmental Health Officers in the Community Services Directorate are well placed to identify empty private sector homes and those properties that are likely to become vacant due to issues with owners not being able to maintain their homes. They also have an overview of local housing standards and have traditionally worked closely with colleagues in Housing Solutions.   |
| Development Control   | Planning Officers can readily identify empty residential buildings that may be blighted by redevelopment or transport proposals. Planners may also be contacted by people looking to enquire about empty dwellings.  |
| Building Control      | If an empty dwelling was reported as a Dangerous Structure, the Building Control team has the responsibility to investigate and statutory powers to remedy the issue where appropriate. Such properties would be referred to Housing Solutions for subsequent informal or enforcement action.  |
| Legal Services        | Support from LGSS, a shared service providing legal services for the Council, is required when tracing the   |

|                        |  |
|------------------------|--|
|                        | owners of land and properties where normal routes have not been successful. LGSS have to take the lead in the Compulsory Purchase Order process and will be involved with the Empty Dwelling Management Orders.  |
| Community Safety       | The existence of empty homes in an area may lead to anti-social behaviour, squatting, arson and other types of crime. Therefore, joint working with Community Safety Officers is essential where such problems exist.  |
| Members of the Council | Elected Members play a role in promoting an effective Empty Homes Strategy and making residents aware of the role of the Council in returning empty homes into occupation. Members are often approached by concerned residents in their ward so may be the contact point with Housing Solutions. |
| Housing Options Team   | The Council has a number of Housing Options services to support and advise those in housing need. One of those services is the Let's Rent scheme, which works with local lettings agents to make empty rental properties attractive to tenants not able to access social housing.                |
| Children's Services    | The Council has a need to find more cost effective accommodation for Children in Care and Care Leavers. The potential for empty homes being brought back into use as a solution to this particular housing need is something to explore further  |

| External Partners                       | Details  |
|---|--|
| Herts, Beds and Bucks Empty Homes Forum | <p>The CBC Empty Homes Officer chairs the Herts, Beds and Bucks Empty Homes Forum. This forum has the aim of learning best practice and procedures for dealing with empty homes, and keeping up to date on new legislation. The work of the forum encourages consistency across the counties.</p> <p>To raise awareness of empty homes, the Forum takes part in the National Empty Homes Week. With other local authorities in the region the forum organises road shows and travel the three counties to meet the general public and raise awareness of empty homes issues.</p> |
| Private Estate Agents                   | The Council has developed a relationship with local estate agents who provide the Council with valuable  |

|                                    |   |
|------------------------------------|---|
|                                    | information on the trends of the private rented market, and can manage properties on the owner's behalf. We involve estate agents in the dialogue with the owners of empty homes to help them find an acceptable solution.  |
| Landlord's Forum                   | Local landlords are an important partner in bringing the empty homes back into use. One way in which we are able to build these relationships and provide information and advice to landlord is through Landlord Forums.  |
| Town & Parish Councils             | The role of Town and Parish Councils in relation to empty homes should not be understated. Town and Parish Councils are a pool of local knowledge and can provide valuable information relating to the reasons why homes become and remain empty, and inform officers of any obvious additional empty homes in their parishes.  |
| Empty Homes Agency                 | The Empty Homes Agency is an independent charity offering practical advice and assistance in bringing Empty Homes back into use. They work closely with Central Government offering advice in all aspects relating to empty homes, they provide best practice guidance to council officers and provide good, low cost training events. The Council's Empty Homes Officer is a member of the Empty Homes Agency. |
| Local Dunstable Conservation Group | The Empty Homes Officer is working with the conservation group to help bring empty homes back in to use to support the regeneration of commercial areas in Dunstable. This includes bringing flats above shops back in to use and regenerating empty commercial buildings for residential use. This might be replicated in other areas.   |

## Appendix F – Support and enforcement options

| Support options        | Details   |
|------------------------|---|
| Information and Advice | Once the owner of an empty home has been identified, we encourage them to bring the property back into use voluntarily. Assistance is offered such as advice and information on the range of options available to the owner of an empty home. Once the initial support has been provided we will remain in touch with the owner and ensure that the property is successfully brought back into use. |
| Inspections            | All empty homes targeted for action are inspected to establish what condition they are in and whether they cause a nuisance to adjoining properties and neighbours. Further action is considered based upon the outcome of the inspection.  |
| Loan Assistance        | The Council's Housing Assistance Policy sets out the details of the Empty Homes Loan Assistance, a discretionary form of assistance, available subject to funding. It is a loan of up to £15,000 for owners of long-term empty homes that require works to be made habitable. The loan assistance is up to 75% of the cost of the works.  |
| Let's Rent             | The Let's Rent scheme is part of the Council's housing option approach that aims to increase the availability of good quality affordable homes within the private rented sector to assist in preventing homelessness. This will be an attractive option for some empty property owners, as the scheme's incentives, such as a rent guarantee, can mitigate many tenancy related issues.             |
| Management Service     | There is the potential to develop a tenancy management service using the expertise and resources within the Housing Management service or through an in-house lettings agency, when one is developed as planned. This is a future development that will be provided as an additional incentive to landlords once developed and approved.  |

| Enforcement options               | Details  |
|-----------------------------------|--|
| Environmental Protection Act 1990 | If the property is a "nuisance" as defined under statute, abatement notices can be served. A statutory nuisance must affect another party, for example can include leaking drainage from an empty property causing dampness to an adjoining occupied property. Where a statutory nuisance is proved, the Council can |

|  |   |
|--|---|
|  | serve a notice and where this is ignored; the Council can do the works in default and remedy the nuisance.  |
| Housing Act 2004                                     | <p>The Council has powers to deal with properties where health and safety hazards have been identified. If serious hazards are assessed, the Council has a duty to take appropriate action. In most circumstances, the assessment is directly related to risks to the occupants, so may not be applicable where the property is empty. In some instances, hazards in the property may be so serious that the Council could serve a Prohibition Order, which will require the property to remain empty until the serious hazards are remedied.</p> <p>More minor hazards will be brought to the attention of owners, who may be required to remedy them before the property is occupied again. This helps the owner understand what works are required for the property to be occupied safely.</p> |
| Planning or Building Control powers                  | <p>Building Control enforcement officers can take action under the Building Acts where the property is structurally unsound and dangerous.</p> <p>Planning Enforcement Officers have a role where a property is compulsory purchased for clearance, road widening etc, or where it is obstructive to development within the area development plan. In these cases, the empty property may not be brought back into use but be part of a regeneration or re-development scheme.</p>  |
| Local Government (Miscellaneous Provisions) Act 1982 | Section 29 allows a local authority to undertake any works necessary to prevent unauthorised entry or to prevent the building from becoming a danger to public health.  |
| Prevention of Damage by Pests Act 1949               | Sections 2-7 allows the local authority to serve notice to require an owner to take steps to clear the land of vermin and/or requires the owner to remove waste likely to attract vermin or gives the local authority power to do so in the default of the owner.   |
| Public Health Act 1961                               | Section 34 allow local authority to serve notice on an owner to remove a nuisance or gives local authority power to do so in the default of the owner.  |
| The Town and Country Planning Act 1990               | Section 215 allows the local authority to serve notice to require an owner to take steps to remedy the unsightly land or external appearance of the property within a   |

|                                  |  |
|----------------------------------|--|
|                                  | <p>specified time period. Where the owner fails to comply with such a notice, the local authority can undertake the works in their default and place a charge on the property.</p>   |
| Empty Dwelling Management Orders | <p>This is a relative new power, under the Housing Act 2004 and is designed specifically for bringing empty homes back into use. This power enables local authorities to take management control of the empty property, taking away the management (not ownership) rights of the owner. Where a Final EDMO has to be progressed, the property could be let for a period of up to 7 years.</p> <p>This power will only be exercised when/if the owner rejects all voluntary options available to return the property to occupation, and there are lots of exemptions. It is important for the local authority to identify that these exemptions do not exist and to ensure that rental income for the maximum 7 year period will be sufficient to cover all associated costs.</p>   |
| Compulsory Purchase Order        | <p>This is the strongest power available to tackle empty homes. The Council may apply to the Secretary of State for an order to be made to acquire buildings and land through compulsory purchase with the aim of providing additional accommodation. The Council is committed to the use of its compulsory purchase powers as the last resort only. However, in order to use them there must be strong evidence concerning the circumstances of an unoccupied house, including the length of time it has been empty and the reluctance of the owner to take any steps to bring the property back into use.</p> <p>This can be a very expensive option and takes an average of 18 months from initiation to completion, subject to appeals, public enquiries and dependant upon the final approval of the Secretary of State should the owner be reluctant to sell or refuse to co-operate.</p> <p>Any proposals around the use of CPO action will firstly be reported to the Executive Committee.</p> |
| Enforced Sale                    | <p>Where an empty home has a legal charge against it, in the Council's favour, the sale of the property can be forced so that the charges can be recovered. Legal charges are placed on a property where 'works in default' have been carried out when a legal notice has not been complied with. This is an option available as</p>   |

a last resort for bringing an empty home back into use and will be carefully considered by the Council when appropriate.



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