
Meeting: Executive
Date: 2 November 2010
Subject: Empty Homes Strategy
Report of: Cllr Rita Drinkwater - Portfolio Holder for Housing
Summary: The report proposes that the draft Empty Homes Strategy for Central Bedfordshire is approved by Executive Committee

Advising Officer: Julie Ogle, Director of Social Care, Health and Housing
Contact Officer: Nick Costin, Head of Private Sector Housing
Public/Exempt: Public
Wards Affected: All
Function of: Executive
Key Decision Yes
**Reason for urgency/
exemption from call-in
(if appropriate)** N/A

CORPORATE IMPLICATIONS

Council Priorities:

The Empty Homes Strategy will contribute towards the successful achievement of the Council's vision in terms of improving the quality of life of those affected by empty homes. Bringing empty homes back into use will enhance the immediate residential environment and contribute to the Council priority, Managing Growth Effectively.

Financial:

There are financial implications associated with the Empty Homes Strategy, in particular, the provision of capital and revenue funding required to progress enforcement action. A proposed capital programme of £160,000 (net) is being presented to Executive on 2 November 2010 for approval. However, harmonisation of Council Tax discount could generate income of between £400K and £650K (see appendix C)

Legal:

There are no direct legal implications arising from this report. There are legal implications within the draft strategy in terms of the proposed use of high level enforcement action for the worst empty homes. Legal Services resources would be required for Compulsory Purchase or Empty Dwelling Management Order action.

Risk Management:

There are no risks arising from this report. There are risks for local authorities that do not develop empty homes strategies as there could be challenge for operating unclear or inconsistent policies on empty homes. In addition, Government expects local authorities to adopt clear and evidence based strategies to tackle empty homes, and have developed criteria to judge such strategies, which are used during Housing Inspections.

Staffing (including Trades Unions):

There are no direct staff implications. The adoption of the strategy and its proposed action plan would be undertaken within existing staff resources.

Equalities/Human Rights:

Central Bedfordshire Council has a statutory duty to promote race, gender and disability equality and to tackle discrimination experienced by other vulnerable groups. The Council must ensure that decisions minimise unfairness and do not have a disproportionately negative effect on people from different ethnic groups, disabled people, and men and women.

The Empty Homes Strategy is designed to help meet the needs of people needing accommodation in Central Bedfordshire. It is designed to increase availability of housing resources that are currently wasted through being empty and to tackle those homes that are blighting neighbourhoods as a priority. An Equality Impact Assessment has been undertaken as part of the development of the strategy and has found that there is no current evidence that vulnerable groups are more likely to be affected by problem empty homes. Current research indicates that many empty homes are in relatively well off rural areas of Central Bedfordshire.

The strategy proposes work to obtain a greater understanding of the reasons why long term empty properties remain empty and part of this research will aim to look at any relevant equality and diversity issues, such as whether any particular members of the community are more likely to be owners of long term empty homes.

Much of the proposed enforcement activity within the strategy is set down by statute, the implementation and comprehension of statute is supported by case law which is interpreted by officers. All officers are trained to ensure compliance with the law to recognise the different needs of communities and apply the law in a fair and consistent manner so as to not discriminate.

Bringing problematic empty homes back into use should have a positive impact for all members of the community.

Community Safety:

The adoption of the strategy will have positive impacts upon community safety. Empty homes can attract anti social behaviour and are at greater risk from arson. Proposals to prioritise action should ensure that the worst condition empty homes are made safer for the local community.

Sustainability:

The Empty Homes Strategy should have positive impact on the sustainability of the existing housing stock. Empty homes are a wasted resource and bringing empty homes back into occupation is a more sustainable option than building new homes.

Summary of Overview and Scrutiny Comments:

- At its meeting on 18 October 2010 the Social Care, Health and Housing OSC considered the issues and options being considered and the feedback from the consultation activities. The Committee approved the recommended Empty Homes Strategy (contained as Appendix A to the Executive Report) but made two specific recommendations for Executive.
- Full details are set out in Appendix D.

RECOMMENDATION(S):

That the Executive:

- (a) Note the comments and recommendations of Overview and Scrutiny Committee, and responses of the consultation: and**
- (b) Approve the Empty Homes Strategy for Central Bedfordshire.**

Reason for Recommendation(s): So that the proposals within the strategy can be fully implemented in order to reduce the number of long term empty homes within Central Bedfordshire.

Executive Summary

This report outlines the consultation process undertaken for the draft Empty Homes Strategy and summarises the consultation responses. The report highlights the main issues that have arisen during preparation of the strategy and recommends that Executive approve the strategy for Central Bedfordshire.

Introduction and current situation

1. The draft Empty Homes Strategy sets out the Council's approach to addressing the large number of empty homes in the area. At 1st April 2010 there were 1,160 homes that had been empty for more than 6 months. The strategy is not a statutory requirement but is regarded as a key document to reinforce the Council's emerging Housing Strategy and was a key focus for the Audit Commission during the recent inspection of Strategic Housing Services.

2. In September 2009, Executive approved the use of high level enforcement action in respect of five identified long term empty homes, and the agreement to form a partnership agreement with Pathmeads Housing Association, who provide specialist services for management of private empty homes. Empty Dwelling Management Orders (EDMO's) have been progressed in respect of four of the properties but will not progress further without the commitment of capital resources.
3. The draft strategy suggests a balanced approach consisting of five key actions to help meet the overall aim of bringing long term empty homes back into occupation. The strategy proposes that the Council does not focus on homes empty for less than six months unless they are in a very poor condition. The draft strategy is included as appendix A.

Issues and options arising from the strategy

4. The strategy action plan sets out proposed activity with desired outcomes. All activity will however, be within available staff and capital resources.
5. The strategy highlights the difference in Council Tax discount from legacy Council policies. It is intended that the Council introduce a harmonised policy of charging 90% Council Tax for empty homes from the beginning of 2011/12. Whilst such a harmonised policy is desirable, there is a risk that fewer properties will be categorised as "empty", as owners may claim that the property is occupied by a single person, which results in a 75% charge in Council Tax. Consequently, a more pro-active approach will be required to identify long term empty homes. The impact of harmonising discount policies could result in increased revenue of between approximately £400K and £650K. Appendix C clarifies the assumptions used to assess the potential impact.

Consultation feedback and Audit Commission response

6. A twelve week consultation period ran to mid October 2010. All Council Members were advised of the draft strategy at the end of July 2010 (through Members Newsletter) and all parish councils were notified about the strategy and given opportunity to respond to the proposals. Landlords from the Private Sector Landlord's forum have been sent the draft strategy and members of the Strategic Housing Delivery Partnership have been consulted. Neighbouring local authorities have been consulted and the draft strategy is available on the website for all residents and staff to view and comment upon.
7. The draft strategy was subject to significant feedback from the Audit Commission during their inspection in August 2010. The main weakness identified was the absence of a good action plan for the strategy. The draft strategy has since been amended to incorporate the Audit Commission's comments.
8. The responses received from Parish Council's have broadly agreed with the focus on longer term empty homes and have generally agreed that the five key delivery actions are correct. Most Parish Councils agree that we need to undertake local research into the reasons for homes remaining empty and some requested that this must be cost effective. There was general agreement to the scoring criteria used to prioritise action.

9. Parish Councils were asked to state their preferred Council Tax charge for empty homes. There were a range of views provided from a full 100% charge (where there was “no good reason” for the property being empty) to no charge where there are “good reasons” for the property remaining empty. Most Parish Council’s suggested a 50% or 75% charge (to provide incentive to owners to declare homes as being empty).
10. A summary of all consultation feedback received is attached at appendix B. This includes the Audit Commission’s specific comments about the strategy. Aspley Guise Parish Council provided a detailed response to the draft strategy and they challenged many of the proposals.

Conclusion and recommendations

11. The Empty Homes Strategy being presented to Executive provides a balanced and structured approach to dealing with long term empty homes. Proposals within the strategy were generally agreed by respondents to the consultation, and will be implemented within the resources available. The strategy has also been shaped by the Audit Commission’s inspection findings.
12. Based upon the conclusions above, it is recommended that Executive approve the attached Empty Homes Strategy 2010 – 2015.

Appendices:

Appendix A – Draft Empty Homes Strategy

Appendix B – Consultation feedback and response

Appendix C - Impact of harmonisation of Council Tax discount

Appendix D - Summary of Overview and Scrutiny Comments

Background Papers: (open to public inspection)

Executive report – September 2009

Social Care health and Housing Overview and Scrutiny Committee report – 18 October 2010

Location of papers: Priory House, Chicksands