

BABERGH DISTRICT COUNCIL

FROM: Head of Natural and Built Environment
TO: OVERVIEW AND SCRUTINY (COMMUNITY SERVICES) COMMITTEE

REPORT NUMBER: K80
DATE OF MEETING: 17 August 2010

RETURNING LONG TERM EMPTY PROPERTIES BACK INTO USE

1. **PURPOSE OF THE REPORT**

1.1 On 21 June 2010, Overview and Scrutiny (Stewardship) Committee reviewed the Council's quarterly performance. The Committee requested that a more detailed report be prepared for Overview and Scrutiny (Community Services) Committee to inform Members of the actions being taken to improve performance on BVPI 64 by returning long term empty properties back into use.

2. **RECOMMENDATION**

2.1 That the action being taken to increase the number of long term empty properties being brought back into use be noted.

The Committee is able to resolve this matter.

3. **FINANCIAL IMPLICATIONS**

3.1 Capital investment to encourage the improvement of derelict empty properties can be extremely expensive. Funding of £125,000 has been secured for the current year from the East of England Local Government Association (formerly the Regional Assembly) through a joint bid with other Suffolk Councils.

3.2 Any grants provided will be from existing allocated capital budgets for Private Sector Housing Renewal.

4. **RISK MANAGEMENT**

4.1 This report links to Corporate Business Risk No.7 – Finance, Performance and Risk Management. Key risks are set out below:

Risk Description	Likelihood	Seriousness or Impact	Mitigation Measures
NI, BVPI and LPI performance does not improve compared to previous years and LAs nationally.	Low	Marginal	Regular monitoring to identify key variations and poor performance.

5. **EQUALITY AND DIVERSITY IMPACT**

5.1 There are no equality and diversity issues associated with the actions currently being taken to return empty properties back into use.

6. **KEY INFORMATION**

6.1 Empty properties are a wasted asset that could be used to address housing shortages and reduce the demand for new developments. In some cases empty properties can be a focus for anti social behaviour and lead to an air of gradual decline in the local area.

6.2 Homes can become vacant for a variety of reasons particularly in the current housing market and the reduced availability of mortgages and loans. The traditional government criterion of classifying a property as long term vacant after six months is no longer a good indicator of the extent of the problem. This observation is highlighted by the return to occupation of 64 dwellings that were classified as long term vacant in a list of 316 provided by the Council Tax section in March 2010.

6.3 Cross referencing the database provided in March 2010 with a similar database provided in Autumn 2007, identified approximately 75 hard core long term empty dwellings in the Babergh area.

6.4 In an attempt to return these properties to use, Councils can adopt a number of actions to persuade an owner to take positive action. Such actions include:

- (a) Informal advice regarding sale, letting, renovation and development;
- (b) Providing grants to assist with repair and improvement work to bring the property up to a Decent Homes Standard;
- (c) Directing owners to a Private Sector Leasing Scheme or agents to manage a property on their behalf;
- (d) Formal enforcement action such as Empty Dwelling Management Orders (EDMOs) and Compulsory Purchase Orders (CPOs).

6.5 If enforcement action is undertaken it must be shown to be the very last resort after a well catalogued history of persuasion. The burden of proof must be on the Council to show every opportunity was given to an owner to address the problem and no realistic plans were provided to ensure a property is to be brought back into use. The few councils that have served an EDMO have found it to be a very bureaucratic and officer time intensive process. A CPO is a similarly draconian measure, but can be a useful option when ownership cannot be established.

6.6 By the end of July 2010, with the limited resources available, we sent out an informative letter and simple survey form (Appendix A) to all the owners of properties that were empty for more than six months in March 2010. The purpose of the survey is to determine the owner's intentions for bringing the property back into occupation. Comments or non return of the forms will be recorded in our own database to enable progress to be monitored at a future date. These letters and those sent out in 2007 will be used as part of the history of persuasion referred to in 6.5.

6.7 Progress in securing the return of the hard core empty properties is dependant in the first instance upon the willingness of owners to take action themselves, with or without some financial incentive from the Council. We do not have the resources to initiate the EDMO process but we will determine criteria that will dictate whether we pursue CPO action for some long term hard core empty dwellings in the District.

7. **APPENDICES**

Appendix A - Letter and survey form templates

CONTACT: John Kilgannon

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2004-2005
Supporting People
2006-2007
Waste and Recycling
2006-2007
Culture and Sport for
Hard to Reach Groups

Appendix A

Malcolm Firth B.Sc. MCIEH
Head of Natural and Built Environment
Babergh District Council
Corks Lane, Hadleigh, Ipswich IP7 6SJ

DX NO: 85055 Exchange: Babergh
Website: www.babergh.gov.uk

[C/Tax account holder name]
[Billing address]

Your Ref:
My Ref: WK

Please ask for: Sandra Lee Amies
Phone Direct Line: **01473 825889** ☎
Fax: 01473 825738
Email Sandra.Lee-Amies@babergh.gov.uk

[DATE] 2010

— Dear [name of owner]

Empty Homes Survey **[Address of empty property]**

Our Council Tax records indicate that you are the owner of the above property which has been classified as unoccupied. Vacant dwellings are a wasted asset and can result in:

- Disrepair and neglect
- Deterioration in the local area
- Vandalism & antisocial behaviour
- Squatters
- Loss of revenue from potential rental income

As you may be aware, the Council is required by Central Government to keep records of long term empty properties (empty for more than six months) and to make targeted interventions to bring these properties back into residential use.

We periodically contact the owners of such properties to confirm whether or not the properties are still empty. Previous surveys have revealed that a number of the properties previously recorded as empty have subsequently been reoccupied without the Council's knowledge. Improving the accuracy of our empty homes database helps us to target resources most effectively.

Where properties are not occupied we need to understand the reasons why such homes remain empty so that we can tailor our assistance to the particular circumstances on a case by case basis. Our interventions include:

- Informal advice regarding sale, letting, renovation and redevelopment.
- Provision of financial grants to assist with the cost of renovation work.
- Introduction of private sector leasing scheme.
- Formal enforcement action (Empty Dwelling Management Orders and Compulsory Purchase Orders). This option is only used in exceptional circumstances where there is no valid reason for the property to remain empty and the owner has no realistic plans to bring it back into use independently.

Where there is a legitimate reason why a property needs to be left empty for an extended period (for example if it is subject to a wider redevelopment scheme) we just monitor the situation and do not intervene directly.

Babergh is part of a consortium of local authorities that have made a successful bid to the East England Regional Assembly for additional capital funding to help bring empty homes back into use. Babergh has been allocated a capital budget for 2010/11 of £125K to fund a renovation grants programme. Two principle eligibility criteria apply:

1. The property must have been empty for more than six months.
2. On completion of the works the property must be occupied as a private tenancy at a reasonable rent.

Funding can not be made available for renovation projects where they will be owner occupied or sold on completion of works.

We are currently seeking expressions of interest from owners of eligible properties. At this stage we have not yet determined the details of how this money will be distributed (nor the amount available per property) and this will depend in part on how many people wish to apply. As a general aim we are looking to support renovation projects that repair or improve properties to enable them to be brought back into permanent residential use, and deliver high standards of energy efficiency through the use of retrofit insulation and renewable technologies. It is likely that grants will be made available on a match funded basis so owners will need to demonstrate that they can secure independent finance for a significant proportion of the project costs incurred.

I would be grateful if you could complete the attached form to advise us of the current status of your property.

Yours sincerely

Tom Ost
Senior Environmental Health Officer

Empty Homes Survey 2010/11

Empty Property Details	
Address:	[insert property address]
Reference	[insert WK/ reference]
Is the property currently empty?	Yes/No
Date first became empty:	[Date field]
Reason why the property remains empty:	[free text field]
Owners details	
Name	[free text field]
Address	[free text field]
Telephone numbers:	
Home	[free text field]
Work	[free text field]
Mobile	[free text field]
E-mail address:	[free text field]
Future Plans	
Do you anticipate that the property will still be empty in a year's time?	Yes/No comments
Please describe what steps you intend to take in the next twelve months to bring the property back into residential use.	[free text field]
Do you need any assistance from the Council to meet this objective?	Yes/NO Comments
Do you have a renovation project planned that you would like to be considered for grant funding?	Yes/No Comments