

Overview and Scrutiny Committee

The Council's approach to Empty Homes

31 January 2012

Report of Head of Regeneration and Housing

PURPOSE OF REPORT

To provide an update on the steps being taken to bring empty homes into use, outline the strategic approach to empty homes that it is intended should form part of the new Housing Strategy now in preparation, and set enforcement powers in this wider context.

This report is public

Recommendations

The meeting is recommended to:

- (1) Note the actions being undertaken to address empty homes issues.
- (2) Support the principles set out in this report as the basis for the Council's approach to empty homes.
- (3) Support the proposal that Head of Regeneration and Housing, in consultation with the Lead Member for Housing, should be responsible for considering the business case for intervention to return specific empty properties to use.

Details

Introduction

- 1.1 At its meeting on 15 November 2011 the Committee considered a report on empty homes in the district and proposals for an Empty Homes Policy setting out the Council's approach to enforcement. The views of the Committee on the use of Compulsory Purchase powers and of Empty Dwelling Management Orders were also sought.
- 1.2 The Committee concluded that it wished to consider the Council's approach to empty homes more widely before expressing its views on the use of enforcement powers to bring empty homes back into use. In particular, Members asked to be provided with information on the extent and cost of

using temporary accommodation to discharge the Council's homelessness duties, so that they could consider the use of enforcement powers as a means of securing the accommodation required.

- 1.3 As a result, this report provides the additional data on temporary accommodation requested, but it also sets out both the range of actions currently being undertaken to bring empty homes into use and those future actions being considered for inclusion in the new Housing Strategy.

Definition of empty home

- 1.4 Empty homes are those domestic properties which have been disused for 6 months or more. Second homes (ie those used periodically by their owners) are not empty homes.

Empty homes in Cherwell District Council

- 1.5 The most recent data analysed (September 2011) shows that 567 homes had been empty for 6 months or more. The number empty for longer periods drops quite sharply with 393 empty for at least 12 months (a 30% drop) and 230 empty for 2 years or more (a 60% drop overall). 53 properties (9% of the total) had been empty for 5 years or more.
- 1.6 In terms of location, 39% of the empty homes are in Banbury, 65% in Banbury, Bicester and Kidlington combined, and 35% in rural areas. However, the balance shifts as the length of time empty increases: 45% of properties empty for at least 2 years are in rural areas and this proportion increases to 48% at 4 years or longer empty.

The problems with empty homes

- 1.7 There are 2 principle issues raised by empty homes. The first is that they are empty at all when people need homes and the second is that they can cause specific problems or concerns to others (typically neighbours) as a result of remaining unused. (Although empty homes can give rise a number of problems most relate to unsightliness and the concerns of neighbours about what might happen to them.)

The Council's involvement with empty homes

- 1.8 Historically, the Council's main involvement has been to respond to complaints, most of which concern the condition of empty properties. In the calendar year 2011, the Council's Private Sector Housing Team received 11 complaints about empty homes. All were investigated but their condition did not warrant enforcement action to address physical issues; this emphasises an important point: that relatively few empty homes, whether as a result of their location, or their general state of repair, present a significant physical problem to their neighbours which the Council is able to address. There are however exceptions and some cases do require intervention.
- 1.9 More recently however, the Council has been exploring strategic interventions and a number of projects based on government funding are being developed. Opportunities for strategic interventions, subject to funding being available, present a new means of bringing empty premises back into use and an alternative to enforcement. (These opportunities and the projects which are being developed will be discussed and presented as case studies during the meeting on 31 January.)

Demand for homes

- 1.10 There are over 3960 households (December 2011) on the Council's Housing Register seeking alternative accommodation. On average, about 150 new social-housing units are delivered each year and a total of 350 tenancies granted. There has been a steady rise in applications to the Council's Housing Register for help with housing over the past year.
- 1.11 The Council has a statutory duty to provide accommodation for households who meet the statutory definition of homelessness and uses a variety of accommodation to meet that need. In 2011 the average number of households in Temporary Accommodation was 30 (with a maximum of 40 and a minimum of 27). These relatively low numbers reflect the success of the Council's Temporary Accommodation Strategy and its Homelessness Strategy, which have also had the effect of reining in costs: In the first 3 quarters of 2011-12 (i.e. April - December) the total net cost to the Council of providing temporary accommodation was £27,092. Temporary Accommodation is being delivered on budget and at a fraction of the cost of 5 years ago. (More detail is provided in Appendix 1).

Proposals

2.1 Proposed Principles for the Council's approach to empty homes

- 2.1.1 The Council wants empty homes to be used.
- 2.1.2 The Council will encourage and facilitate their re-use (e.g. by providing advice, grants and loans).
- 2.1.3 The Council will take action to resolve specific issues caused by empty homes (where powers permit).
- 2.1.4 The Council will take action to secure re-use of empty homes where a business case exists.

2.2 Explanation of Principles

The Principles (see preceding paragraph) and a number of case studies will be the subject of a Power-point presentation at the meeting intended to aid discussion of the issues

- 2.2.1 Encouragement and facilitation: The Council provides advice and information on request and always makes this available as part of our response to complaints. We also routinely make owners aware of our Empty Homes Loan and Landlords Home Improvement Grant (which can be used for empty homes).
- 2.2.2 Action to address physical problems: A range of enforcement powers exist to deal with specific problems. Their use is relatively straightforward and, since the majority apply to residential premises generally and not just empty dwellings, they are already in regular use by the Council's Private Sector Housing Team.
- 2.2.3 Action to secure re-use: Dealing with physical problems (see preceding paragraph) does not, in itself, bring about the re-use of empty property, even though that may be a positive consequence. The only statutory provision specifically enacted to bring about re-use of empty dwellings is the Empty Dwelling Management Order (EDMO) procedure (details of which were included in the Committee's November report). Properties purchased using Compulsory Purchase powers (CPOs) can also be returned to residential use although that

is not their specific or only purpose. The Council has not previously considered use of EDMO or CPO powers as a means of restoring empty dwellings to use because of the potentially significant cost and uncertainty of outcomes. Application of the Principles outlined in this report will however include consideration of their use when a suitable business case can be established.

Enforcement is not however the only or best means of bring problem property back into use and negotiated sale, leasing and redevelopment are proving to be effective tools; they do however depend upon funding being available and sometimes quite complex schemes being put-together.

The need to take account of quite substantial costs and the value of the likely outcomes does therefore need careful evaluation when the possible re-use of a building is being evaluated. It is proposed that the Head of Regeneration & Housing, in consultation with the Portfolio Holder, will be responsible for considering whether or not a viable business case exists.

Conclusion

- 3.1 The application of the principles proposed in this report will provide a balanced approach to the issue of empty homes; delivering a measured and effective response that takes careful account of the particular issues, the potential benefits of re-use and the resource implications for the Council.

Implications

Financial:	Approval of the principles in this report will have no financial implications. The consideration of each specific business case will allow proper account to be taken of the financial issues. Comments checked by Karen Curtin, Head of Finance and Procurement 01295 221634
Legal:	Approval of the principles in this report will have no legal implications. The consideration of each specific business case will allow proper account to be taken of any legal issues. Comments checked by Nigel Bell, Team Leader – Planning and litigation 01295 221687

Wards Affected

All

Corporate Plan Themes

Cherwell: A district of opportunity
Cherwell: An accessible, value for money Council

Executive Portfolio

Councillor Debbie Pickford
Portfolio Holder for Housing

Document Information

Appendix No	Title
Appendix 1	Temporary Accommodation
Background Papers	
Report on Empty Homes presented to Overview & Scrutiny Committee on 15/11/11	
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