



# Empty Property Strategy

## 2015 – 2020

*We speak your language*

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Polish

*Mówimy Twoim językiem*

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French

*Nous parlons votre langue*

---

Spanish

*Hablamos su idioma*

---

Slovak

*Rozprávame Vaším jazykom*

---

Chinese

我们会说你的语言

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**CONTROL SHEET FOR BOLSOVER AND NORTH EAST DERBYSHIRE  
DISTRICT COUNCILS EMPTY PROPERTY STRATEGY 2015 – 2020**

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## Executive Summary

Returning empty properties to use has been identified as a government priority. This has been reinforced by the introduction of the New Homes Bonus (NHB) scheme in 2010 which provides a financial reward, equivalent to the council tax income for each new build or empty property returned to use for six years.

NHB rewards local authorities for an increase in the net number of occupied properties on their council tax database and can be earned through either returning empty properties to use or building new properties.

If the number of empty properties were to rise in any annual period, this would cancel out any bonus payment for the equivalent number of new build properties, resulting in a lower NHB payment to the authority.

However, empty properties work deals with more than NHB payments. Empty homes are recognised as a wasted resource, particularly at the current time when there is a shortage of affordable housing. Bringing empty properties back into use reduces the pressures on affordable and social housing and aligns with the Government's desire to bring empty properties back into use through the Homes and Communities Agency's (HCA) Affordable Housing Programme.

Empty properties can also attract crime and anti –social behaviour in addition to having a negative impact on the amenity of the local community.

As at March 2015, there were 1234 long term empty properties in the Bolsover and North-East Derbyshire Districts. A long term empty property (LTE) is a property that has been empty for over six months. 45% of these properties have been empty for over 2 years. The longer the properties remain empty the more complaints the councils receive as the properties and associated land deteriorates resulting in an increasing workload for Environmental Health/ Planning Enforcement and Building Control teams.

This strategy outlines the measures available in the “Empty Property Toolkit” to help return these properties to use in a sustainable manner so that they remain occupied for the long term.

Empty Property work ties in with the Councils' objectives to improve housing standards, provide additional affordable housing and reducing crime and anti-social behaviour detailed in corporate plans, policies and strategies including:

- North East Derbyshire District Council Corporate Plan 2015–19
- Bolsover District Council Corporate Plan 2015-19
- North East Derbyshire District Council Housing and Economic Development Strategy
- North Derbyshire & Bassetlaw Strategic Housing Market Assessment
- Bolsover District Council Economic Development and Housing Strategy
- The National Planning Policy Framework
- Joint Growth Strategy

The Empty Property Strategy will build on the work being carried out by the councils' enforcement officers by developing robust procedures to implement further measures such as Enforced Sale, Compulsory Purchase and Empty Dwelling Management Orders.

However, it is not only enforcement measures that reduce the number of empty properties. The role of the Empty Property Officer is first and foremost to offer guidance and assistance to owners of empty properties to help return them to use. It is through this "encouragement over enforcement" approach that we expect to achieve the majority of our successes.

The strategy will make use of best practice that is currently being utilised successfully on a national scale whilst taking the opportunity to develop innovative schemes and projects and to work in partnerships at a local and community level.

Having a well embedded Empty Property Strategy will leave the authorities much better placed when submitting formal bids for funding opportunities, as and when they arise, with much of the groundwork already being in place.

Finally, the strategy concludes with a comprehensive action plan which details the specific objectives and targets relating to empty property work, the timeline for when they will be implemented and the lead officer in each case.

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## Joint Foreword

Cllr Ritchie, Cllr Dooley and Cllr Hill

Welcome to Bolsover and North East Derbyshire District Councils' first joint Empty Property Strategy which outlines the councils' priorities for reducing the number of long term empty properties located in both districts.

The Councils recognises the impact that empty properties can have, particularly in a time when there is a shortage of affordable housing for residents across the district. Financially and practically empty properties are a wasted resource and can have a disproportionate effect on the amenity of the locality.

The Strategy has been written to coordinate the joint approach that both Councils will take to address the empty property problem in the area and includes a comprehensive suite of initiatives including many based on national good practice aimed at reducing empty property numbers.

This strategy links in to the Housing and Economic Development Strategies and as such reinforces the need for a joint approach to economic development and housing delivery locally – it provides a vision for the districts as to how we will work with partners to develop and deliver more affordable housing, enable and encourage the development of additional housing choice and reduce the impact and numbers of empty properties in the area.

Insert photos and signatures



# 1. Introduction

Both Councils have identified a reduction in the number of long term empty properties as key objectives in their respective Corporate Plans, the Councils' Joint Growth Strategy and Housing and Economic Development Strategies.

This Empty Property Strategy has been developed to set out how the Councils intend to meet these corporate targets to reduce the number of empty properties by implementing a balanced suite of measures that will be incorporated in an "Empty Property toolkit" to return properties to use.

At the time of writing (June 2015) there are 1234 long term empty properties in the Bolsover and North East Derbyshire Districts. 45% of these properties have been empty for over 2 years.

Empty properties become, and remain, empty for a variety of reasons and in order to direct the work of the empty property team it is crucial to understand the barriers that currently exist for owners of Long Term Empties (LTE) that are preventing them being returned to use. Some of the most common are:

- Inheritance issues/delays with probate
- Lack of finance to carry out essential repairs
- Problems with achieving a sale
- Perceived problems with letting
- The owner may be in residential care
- The owner may lack the personal ability/skills to deal with the property
- The ownership of the property may be unclear
- Unwillingness to bring the property back into use.

Understanding these barriers, often on an individual basis, will direct the approach that the Empty Property Officer will use to engage with the owners and which tools will be most appropriate to achieve a successful outcome.

In all cases, it is the Councils' preference to actively engage with owners to proactively bring LTE's into use by offering advice and assistance on an informal basis. The Council will however, where appropriate, consider the use of more formal enforcement measures to achieve results.

It is also the Councils' intention to actively continue to work in partnership with appropriate partners to return empty properties to use as and when the opportunities arise. This

includes liaising with regeneration teams to convert non-domestic units to domestic units as and where appropriate.

The Councils will proactively engage with local residents and Members where appropriate, particularly in areas where empty properties have had significant impacts on the community and where wider impacts of returning the empty properties to use need to be considered.

The Councils have previously had some success working with partners to deliver empty properties back into use:

- BDC had the benefit of empty property funding from the HCA Capacity Building Programme in 2010/11. This project undertaken in partnership with Meden Valley Making Places featured in the HCA report and is considered as a good practice example.
- More recently both Councils have worked in partnership with Groundwork Creswell and Action Housing to bring further properties back into use utilising funding through the HCA's Affordable Homes Programme and the Empty Homes Community Grant Programme delivered by Tribal.

The Councils will also seek to utilise instances of good practice that have been implemented successfully by other local authorities, some examples of which are:

- Kent County Council's nationally recognised "No Use Empty" scheme
- Wales' Houses into Homes scheme
- Manchester City Council's Enforced Sale Procedure
- Exeter City Council's Private Sector Leasing Scheme

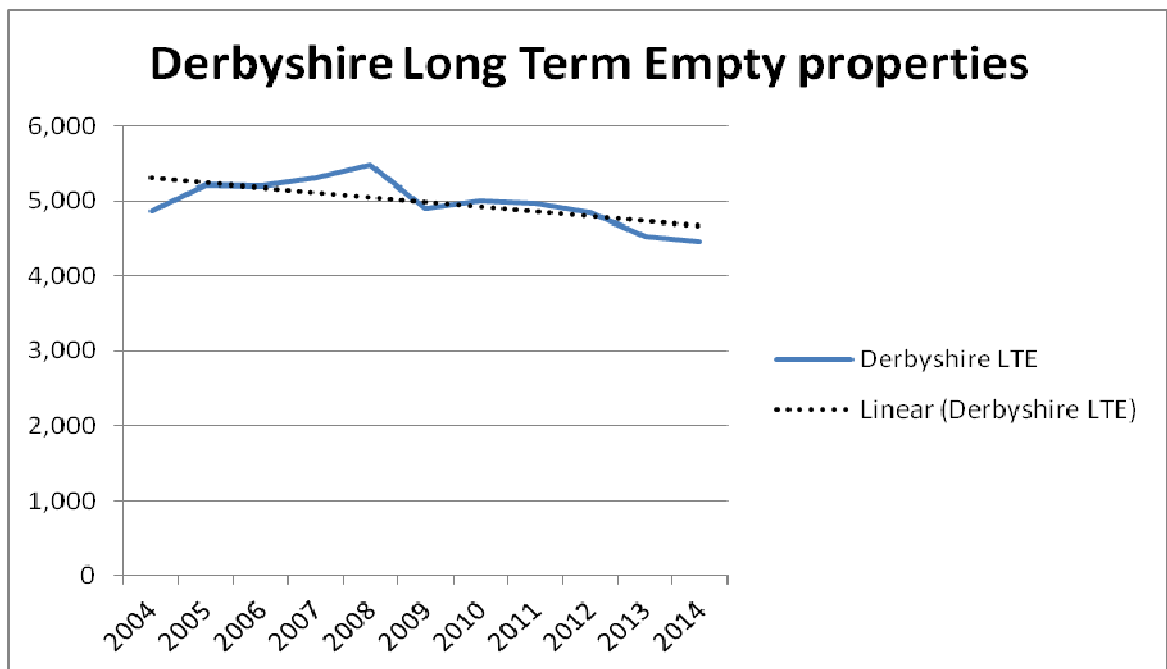
This strategy will tie together the separate strands of empty property work that have been undertaken by a number of teams within the Councils, and bring them together in a single action plan (Appendix A) with clearly defined objectives and targets, resulting in a more efficient and effective empty property service.

## 2. Background

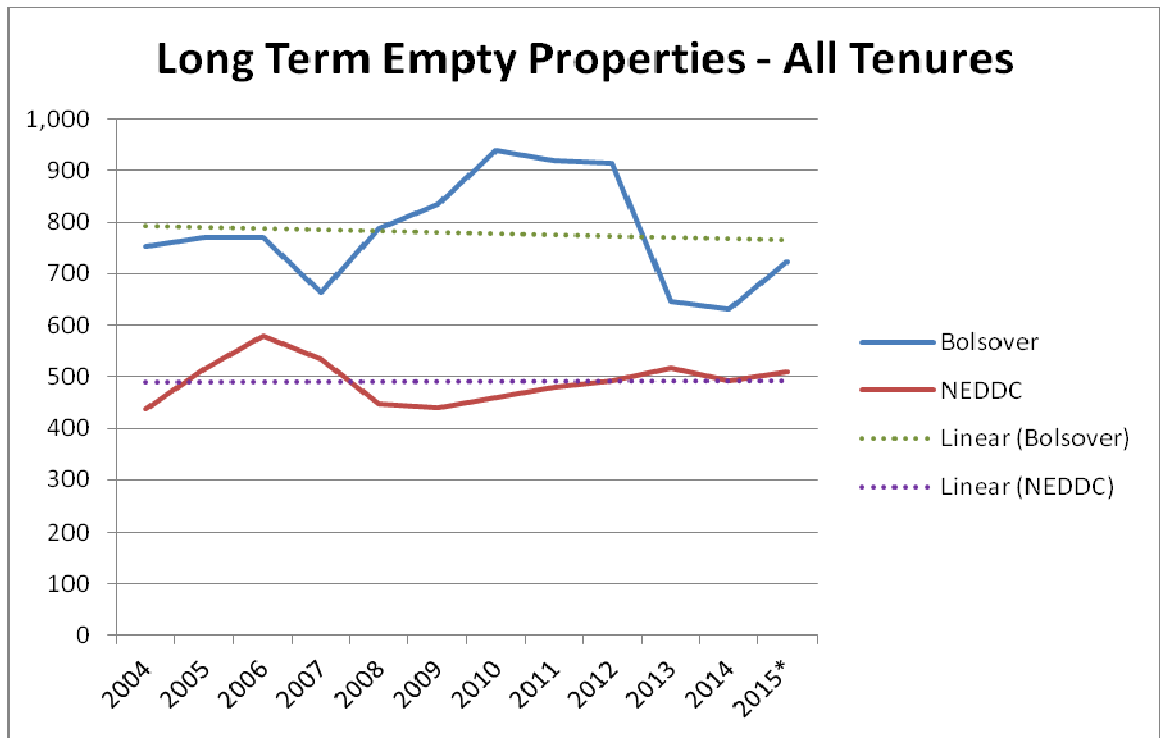
### 2.1 National and Local Context

In 2014 there were 610,000 empty homes in England with 206,000 of these being long term empties.

In Derbyshire there were approximately 4,500 LTEs in 2014 and the trend is towards a small reduction in LTE's over the period 2004 – 2014.



More locally, in recent history, at any given point there are between 1000 and 1500 long term empty properties in BDC & NEDDC, with their currently being 1234 LTEs.



\* All figures are from October of the corresponding year with the exception of 2015 which are from March

(All figures from the Empty Homes Agency)

The number of LTEs fluctuate annually but the long term trend in BDC is around 800 properties and in NEDDC around 500.

Certain amounts of fluctuation in annual figures is to be expected due to transactional empties occurring as a result of market forces in the sale and purchase of properties but in Bolsover in particular, there appears to be pronounced change in LTEs on a cyclical basis. The reason for this appears to be that there is a pronounced delay in the sale of new properties once they have been completed and added to the council tax base.

## 2.2 New Homes Bonus

The key financial driver for empty property work is the New Homes Bonus (NHB). The government introduced the NHB in April 2011 and it was designed to ensure that the economic benefits of housing growth are returned to the councils and communities where that growth takes place.

For every new home built and occupied and every long-term empty home brought back into use, the government gives Councils a non-ring fenced New Homes Bonus grant each year for six years.

Over the first 5 years of the scheme North East Derbyshire has received £2,250,827 in NHB which was awarded on the basis of 664 new additions to the housing stock and an *increase* of 53 empty properties.

Bolsover has received £2,730,134 in NHB awarded on the basis of 856 new additions and a *reduction* of 203 empty properties.

NHB is allocated based on the council tax valuation banding of the new stock and/or empty property. The amount of NHB received is reduced accordingly if the number of empty properties increases. Therefore the increase of 53 empty properties in North East Derbyshire over the period of the scheme has resulted in a reduction of the NHB that was potentially available. Increases in numbers of empty properties has the effect of negating the equivalent numbers of NHB awarded for the provision of each new unit built.

From this it can be seen that reducing the number of empty properties is vital to maintaining the amount of NHB each Council receives.

It is acknowledged that there will always be a certain level of empty properties within each district. This is a normal function of the sale and letting process and is an indicator of a healthy housing market. It is difficult for a local authority to influence these transient empty properties.

This makes it even more important for the Councils to act where it can have an influence and having an effective empty property service is vital to minimise the number of empty properties and therefore maximise the amount of NHB for the Councils.

## **2.3 Affordable Housing**

The North Derbyshire and Bassetlaw Strategic Housing Market Assessment 2013 calculated that the region needs an additional 482 new affordable homes each year to 2031 to meet identified need.

The North East Derbyshire District Council's new Housing and Economic Development Strategy 2015-2020 contains a key strategic objective to maximise affordable housing to rent and buy through new build and making use of existing stock. This strategic objective contains two key actions related to empty property work:

*Action 6.3:- Making best use of existing stock including empty properties and non traditional social stock:*

*The HCA's 2011 – 2015 Affordable Homes Programme also included grant funding for empty properties. Through this funding the Council worked in partnership with Groundwork Creswell, Mansfield and Ashfield and Action Housing and Support to enable the delivery of 11 affordable housing units by bringing both empty residential and commercial units back into use.*

*We will continue to build on this work by identifying further residential and commercial empty properties which would be suitable to convert into residential units.*

*To enable and enhance the delivery of this priority the Council has joined with its Strategic Partner Bolsover District Council to employ a Joint Empty Properties Officer. In addition to identifying empty properties to bring back into use they will be working with colleagues internally and externally to develop an Empty Properties Strategy for both councils by the end of 2015.*

*This will not only make additional housing units available, bring local employment opportunities and enhance local communities by removing LTE properties but it will also increase the amount of New Homes Bonus available to the Council to further its growth agenda.*

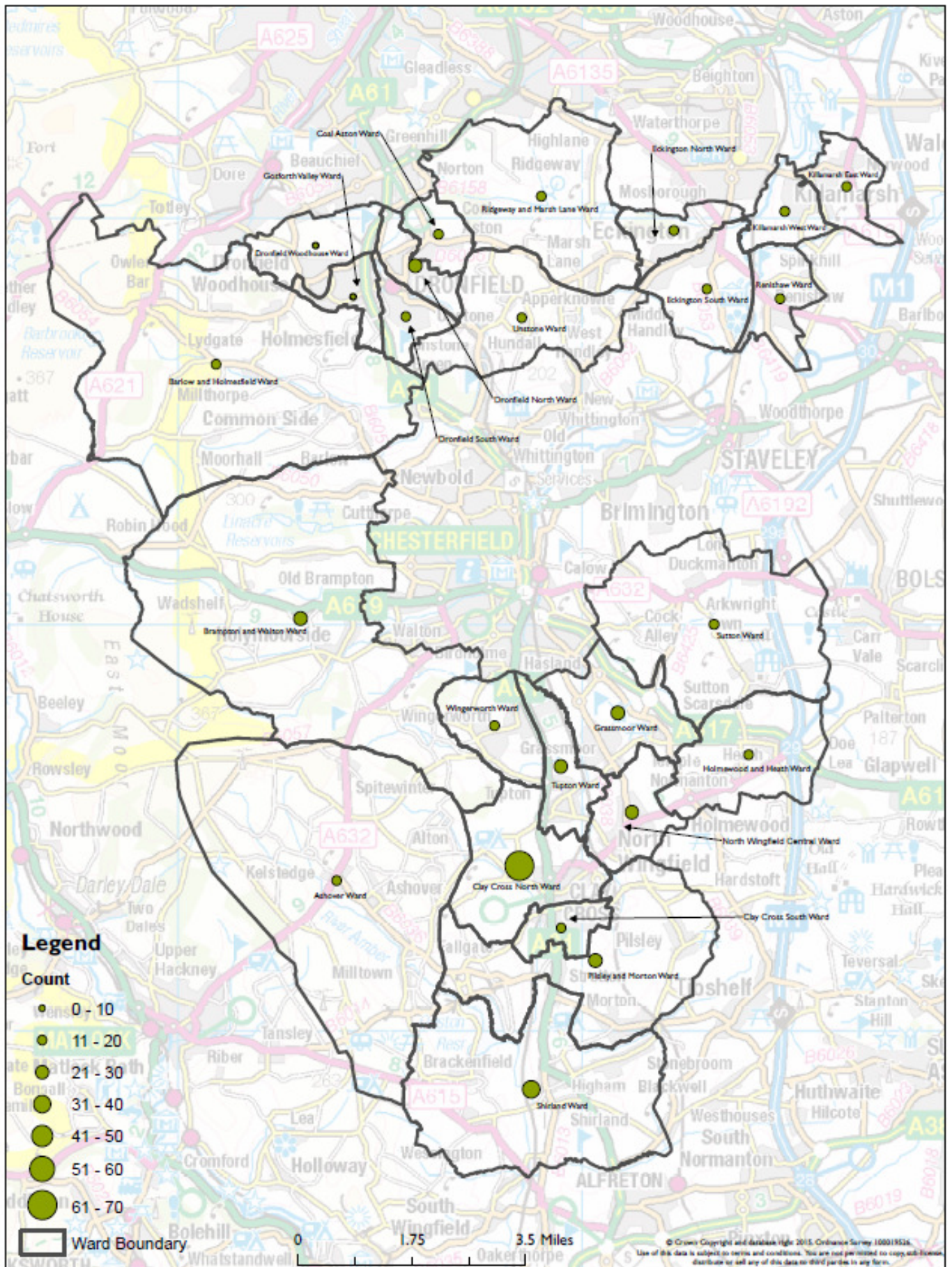
*Action 6.4:- Maximise the Use of The Private Rented Sector:*

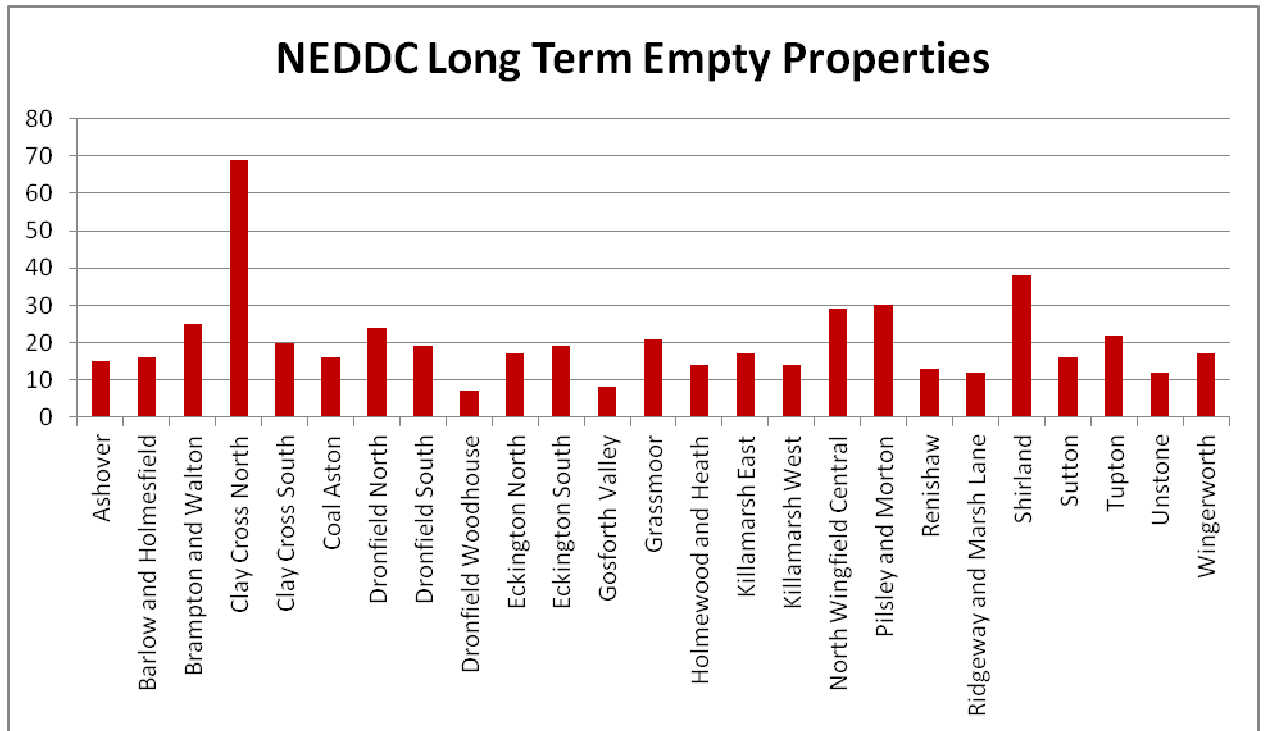
*The Council will explore a private rented sector leasing scheme, with a provider such as Rykneld Homes providing a management service. We will work closely with private rented sector landlords to procure accommodation in the sector on a minimum of a 5 year lease. This enables the Council to offer a more sustainable 5 year tenancy for households as opposed to a 6 month short hold tenancy. The Council will also benefit from having additional units of accommodation for people on our housing waiting list.*

## **2.4 Current Situation**

The charts below show the breakdown of LTE properties by ward as at March 2015

# North East Derbyshire District Council Empty Properties

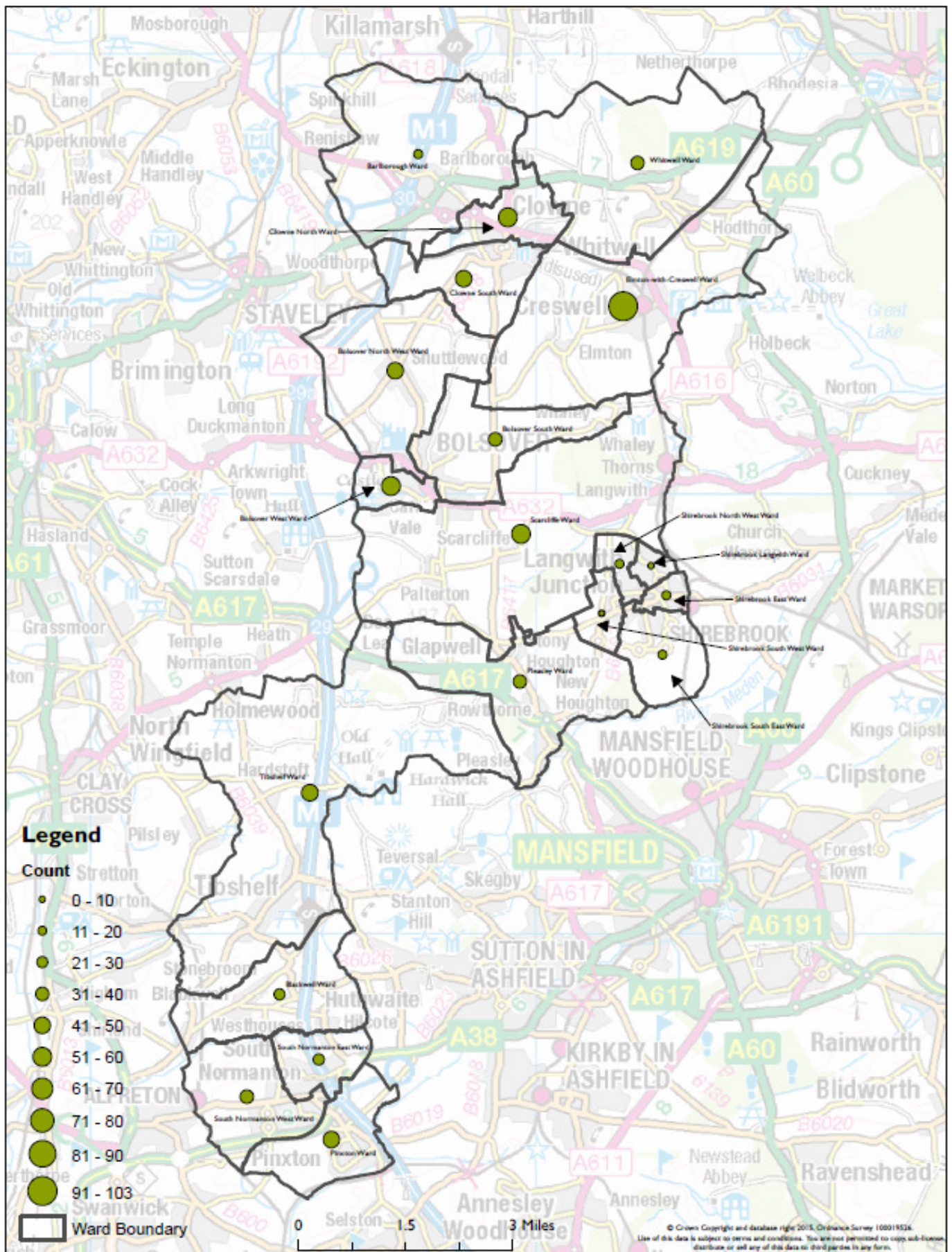


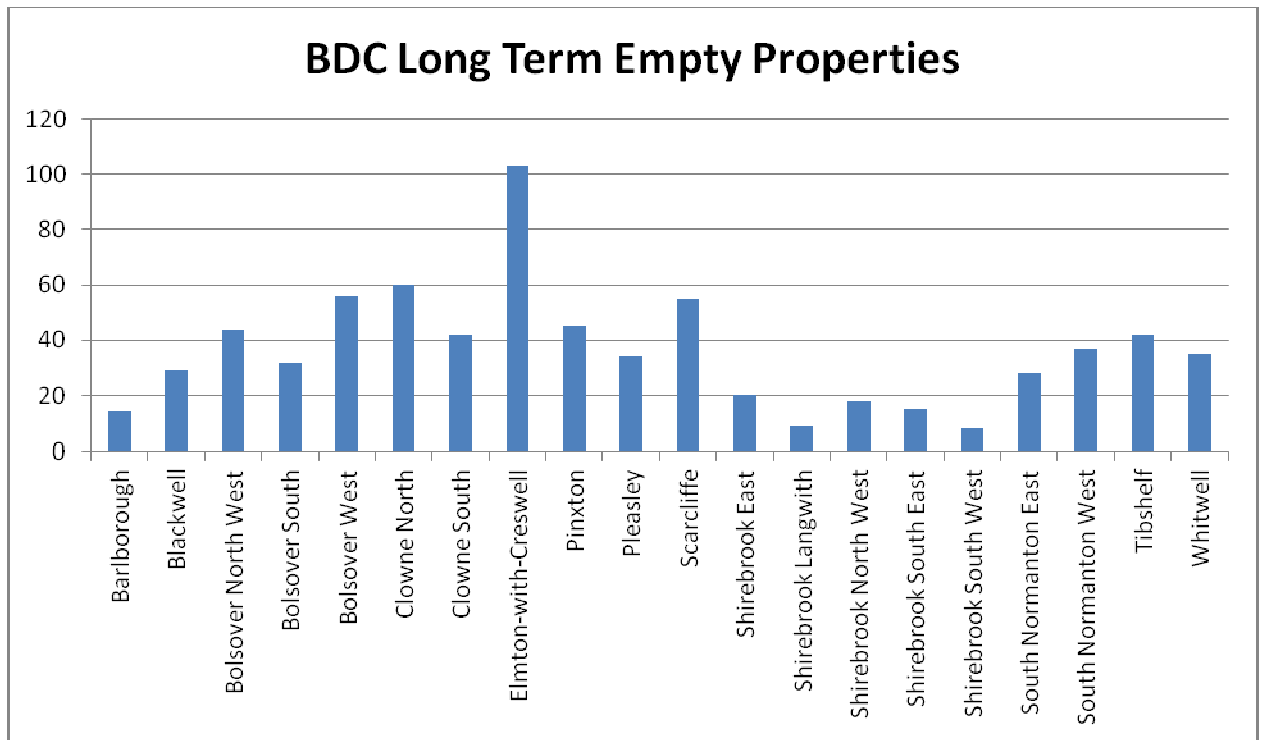


The distribution of empty properties is relatively evenly spread across the District with the exception of Clay Cross North Ward which has a significantly higher proportion of empty properties than any other ward. North Wingfield, Pilsley & Morton and Shirland Wards also show elevated levels of empty properties compared to the rest of the District.



# Bolsover District Council Empty Properties





In Bolsover District the spread of empty properties is more consistent district wide although again there is one ward where there is a higher number of empty properties than elsewhere, this being Elmton with Creswell Ward. Clowne North, Bolsover West and Scarcliffe Wards also show high numbers of empty properties.

There are significant differences in the housing stock profile between the two districts with Bolsover having a far larger proportion of privately rented properties.

## 2.5 Environmental Health and Planning Enforcement

Historically, it has been the role of Environmental Health and Planning Enforcement Officers to carry out empty property related work but increasing service pressures mean that these teams can only deal with problems in a reactive manner, with no option to carry out pro active engagement with owners of more difficult long term empty properties that can often be more time consuming. Properties left empty for long periods of time begin to suffer from problems that are dealt with by Environmental Health and Planning Enforcement Officers. Problems associated with empty properties include:-

- Deterioration of the building fabric due to lack of maintenance
- Dumping of waste
- Overgrown gardens
- Problems due to vermin infiltration

- Squatting
- Arson
- Dangerous and dilapidated structures

Whilst this approach has some success on a case by case basis, it has been recognised, due to the impact empty properties have on both Council finances and local communities that a more joined up approach is required to co-ordinate all elements of empty property related work.

Discussions with officers from Environmental Health, Planning Enforcement and Legal teams have identified a need for a formal strategy detailing how the Councils will tackle LTE properties and a further need for working processes to be developed that clearly define the roles and responsibilities when carrying out empty property related enforcement work which typically involves cross departmental work between a number of stakeholders. These procedures will make it easier for enforcement work to be carried out in a more streamlined manner and achieve further success in returning empty properties to use.

### 3. Corporate Objectives

In March 2012, the Government published the National Planning Policy Framework (NPPF). The NPPF encourages local authorities to identify and bring back into use empty homes and buildings in line with local housing and empty property strategies.

Accordingly, there are a number of local documents that link in to this Empty Property Strategy which provide the strategic direction for empty properties work and also inform the Empty Property Action Plan in terms of targets and objectives for empty properties.

BDC's Corporate Plan 2015-19 contains a number of priorities and targets related to empty property work within the key aim of *Unlocking our growth potential*:

***“Enabling Housing Growth: Increasing the supply, quality and range of housing to meet the needs of the growing population and support economic growth”***

Empty property work will help to deliver against this priority by;

- Through a programme of targeted refurbishment bring 15 empty private sector properties back into use per annum

- Helping to achieve an increase of £850,000 in additional New Homes Bonus from the Government by 2019
- Work with partners to deliver an average of 20 units of affordable homes each year

NEDDC's Corporate Plan 2015-19 contains similar empty property related targets to deliver against the same priority of **Enabling Housing Growth**. These are:-

- Through a programme of targeted refurbishment bring 20 empty private sector properties back into use per year by March 2019
- Work with partners to deliver an average of 100 affordable homes each year
- Through a Private Sector Leasing Scheme deliver 5 additional units of affordable housing each year
- Helping to achieve an increase of £950,000 in additional New Homes Bonus from the government by 2019

## 4. Empty Property Toolkit

One of the empty property officer's key tasks will be the development of an "empty property toolkit" to incorporate all of the options available to local authorities to return empty properties to use. The toolkit will consist of a mix of informal and enforcement based measures, in addition to implementing initiatives and schemes to further reduce empty property numbers in the districts.

### Informal measures

There are a significant number of informal measures available to help owners of empty properties return them to use. The empty property sections of both Councils' websites have undergone a significant revamp and provide details of various forms of assistance available to empty property owners. These are also available by contacting the empty property officer directly and include:

## **4.1 Reduced VAT scheme**

In most cases VAT is payable on the costs of renovating or adapting an empty home for re-use but there are several circumstances in which VAT on building works is charged at a reduced rate or even zero-rated depending on how long the property has been empty.

## **4.2 Building Works**

Finding reliable, good quality trades people can be a minefield for owners renovating empty properties. The empty property officer can offer guidance and advice to help find the appropriate builders, electricians and plumbers to carry out renovations on a property. The empty property officer can also advise on works required to comply with the Housing Health and Safety Rating System (HHSRS).

## **4.3 Letting a Property**

The empty property officer is able to provide advice to private landlords and owners of empty properties who are considering letting out their property. The empty property officer can offer advice on expected property standards when privately renting and also landlord and tenants responsibilities. He/she can also advise on landlord accreditation schemes operating in the area.

## **4.4 Selling a Property**

Advice is available to help owners sell their properties if they wish to do so. The properties can be advertised on the empty property pages on the website and the empty property officer maintains a list of developers seeking to purchase properties across the district. He/she can also offer advice on selling properties via auction.

## **Enforcement**

Where informal measures fail, or the empty property owner fails to engage with the local authority to return the property to use, appropriate enforcement action may encourage an owner to take positive steps to reoccupy the property. (Appendix B).

Before the local authority considers the use of formal enforcement action, it would have to be satisfied that there are grounds for such action and also consider that use of a formal action may not result in the immediate reoccupation of the property in question.

Each property will be evaluated using an enforcement matrix (Appendix C) to decide on the most appropriate route to take in each case and to prioritise properties for enforcement. This will ensure that the most serious and problematical cases receive the most urgent attention.

## **4.5 Enforced Sale**

The Law of Property Act 1925 allows local authorities to recover charges through the sale of the property. This option can only be utilised where there is a debt to the authority which is registered as a charge on the property. Council tax debts and works in default can be charged to the property in many cases which allows the enforced sale procedure to be utilised.

There is a risk with enforced sale that the owner may settle the outstanding debt before the order for sale is made. Whilst this will not return the property to use, it will result in the payment of outstanding debt to the Council and may offer an opportunity to further engage with the owner to return the property to use.

## **4.6 Compulsory Purchase Order (CPO)**

Section 17 of the Housing Act 1985 allows the local authority to acquire underused or ineffectively used property for residential purposes if there is a general housing need in the area. Additionally Section 226 of the Town and Country Planning Act 1990 (as amended by the Planning and Compulsory Purchase Act 2004) allows local authorities to acquire land or buildings if acquisition will allow improvements or redevelopment to take place.

CPO can be a lengthy and expensive process and the possibility of CPO is intended to prompt the owner to enter into constructive dialogue with the local authority. Use of a CPO will be considered as the very last resort when all other options have been exhausted.

## **4.7 Empty Dwelling Management Order (EDMO)**

Empty Dwelling Management Orders were introduced in July 2006 under the provisions of the Housing Act (2004). An EDMO can be made where an owner leaves a property empty and has no intention of securing its voluntary reoccupation. The Council or one of its partners may undertake the management of the property for a set period of time, up to seven years. The Councils fund any renovations and recovers costs through rental income.

Similarly to CPO, the possibility of an EDMO can result in the owner entering into a dialogue with the local authority prior to the management order being confirmed.

## **Other measures**

### **4.8 Council Tax Premium**

From 1 April 2013, billing authorities may charge a premium on a class of property that has been unoccupied and unfurnished for two years or more. The premium can be up to 50% of the Council Tax on the property. In 2014, a majority of local authorities in England charged a premium of between 10% and 50% on properties that have been empty for over 2 years (Appendix E).

Currently, neither NEDDC nor BDC charge this premium. Whilst there is no hard evidence to prove that implementation of the premium categorically results in a reduction of LTE's, anecdotal evidence from other local authorities who charge a premium, suggests that implementation of the premium results in a drop in empty property numbers as owners are at least incentivised to engage with the Council, enabling a dialogue to take place regarding returning the empty property to use.

### **4.9 Homes and Communities Agency Funding (HCA)**

The HCA's 2011 – 2015 Affordable Homes Programme also included grant funding for empty properties. Through this funding the Council worked in partnership with Groundwork Creswell, Mansfield and Ashfield and Action Housing and Support to enable the delivery of 11 affordable housing units by bringing both empty residential and commercial units back into use.

We will continue to build on this work by identifying further residential and commercial empty properties which would be suitable to convert into residential units. We will also continue to work to take advantage of, and actively seek out, any funding schemes as a means of continuing the Councils' work on empty properties.

### **4.10 Private Sector Leasing Scheme (PSL)**

Private Sector Leasing is when owners of long term empty properties lease them to a local authority or housing association for a fixed term (usually five years). The Council or housing association then lets the property to tenants through their choice based lettings system.

BDC and NEDDC, working in partnership with Groundwork Creswell delivered 11 empty properties back to use in 2014/15. The interest from owners of empty properties in this scheme was such that the Councils are now exploring the development of their own in-house PSL schemes.

#### **4.11 Interest Free Loan Scheme**

Both Kent County Council (No Use Empty) and local authorities in Wales (Houses into Homes) have implemented successful flagship loan schemes that enable the owners of LTE properties to carry out renovation works to bring the properties back into use. The cost of the renovation work is financed by the local authority and clawed back through the rent on the property when it is let out, or from the proceeds of the sale of the property.

In effect this results in a recycling fund to finance empty property work on an ongoing basis.

#### **4.12 Empty Property hotspots**

The Empty Property Officer has undertaken an exercise to map all long term empty properties across both districts. This information will be used to work along with Council Members and local communities to target empty property “hotspots” with individual schemes tailored to the specific requirements of the area.

#### **4.13 Empty Homes Practitioner Networks**

The Councils are active participants in both the national Empty Homes Network of empty property officers and also the regional East Midlands Empty Property Forum both of which are vehicles to share empty property experience and to develop and share best practice in the empty property arena.

#### **4.14 Custom Self Build – Empty Property Strand**

The Councils are investigating the feasibility of utilising the Custom and Self Build (CSB) scheme developed by Capita Treasury Solutions as an option in the Empty Property toolkit. This scheme will enable new owners of LTE properties to access a mortgage and secure an offer prior to improvement work taking place. Lenders would provide a mortgage offer based on the projected value once the improvement work is complete.

This approach would reduce the usual risks associated with renovation projects i.e. Delays, increased costs and stage payments, that have traditionally been a barrier to buyers of empty properties.

### **5. Resources**

#### **People**

Delivery of this strategy and accompanying action plan will primarily be the role of the Joint Empty Property Officer, in partnership and consultation with a range of external and internal partners.



Individual actions contained within the action plan will contain a mix of partners as required to successfully deliver each outcome.

Key internal partners will include:

- Members
- Revenues
- Environmental Health
- Planning Enforcement
- Legal
- Finance
- GIS
- Building Control
- Communications
- Strategic Housing Function
- Housing Services (BDC)
- Regeneration
- Estates

Key external partners will include:

- Rykneld Homes
- Developers
- Action Housing
- Housing Associations
- Registered Providers

## **Financial**

There is no financial resource currently allocated within budgets for the delivery of the Empty Property Action Plan. However, it is the expectation that delivering the actions contained within the plan will realise a financial benefit to the Council through realisation of increased New Homes Bonus.

There is also the potential for increased revenue to be gained through implementation of the Council Tax Premium for properties that have been empty for over 2 years, although it must be clear that this is not the key consideration for implementing the premium. Any monies raised through implementation of the premium could be ring fenced to finance further empty property initiatives.

Increased enforcement activity through implementation of the Enforced Sale procedure will lead to increased revenue through the recovery of outstanding debt due to the Councils through repayment of works in default carried out by the Environmental Health team.

The Empty Property Officer will continue to maximise opportunities to utilise external funding such as the HCA's Affordable Homes Programme to deliver against the actions identified in the Empty Property Action Plan.

## **6. Monitoring and Performance**

Performance against the actions contained within the Action Plan will be monitored using the Councils' performance management system – PERFORM. This is updated every six months with progress reported to officers and Members.

The Empty Property Officer will also utilise the spreadsheet developed by the Empty Homes Network (EHN) for intervention monitoring. This will accurately capture all of the empty properties that have been returned to use by single or multiple interventions by the Empty Property Officer and will be completed using the associated EHN guidance.

Monitoring and performance reporting will take place twice a year.

## 7. Statement of Equality and Diversity

The Equality Act 2010 replaced previous anti discrimination laws with a single act. The Act covers nine protected characteristics, which cannot be used as reason to treat people unfairly. Every person has one or more of the protected characteristics, so the act protects everyone against unfair treatment. The protected characteristics are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Gender
- Sexual orientation

Within the act is a Public Sector Equality Duty, which came into force on 5 April 2011. The Equality Duty applies to all public bodies and others carrying out public functions. It supports good decision-making by ensuring public bodies consider how different people will be affected by their activities, helping them to deliver policies and services which are efficient and effective: accessible to all; and which meet different people's needs.

To ensure that this strategy does not discriminate unlawfully, the strategy and its associated action plan have been subject to an Equality Impact Assessment (EIA). An EIA identifies whether any groups will be treated differently as a result of a strategy, and if so, how this is justified.

## 8. Appendices

### Appendix A: EMPTY PROPERTY ACTION PLAN

Action	Action Number	Lead Officer(s)	Target Date	Expected Outcome	Resources
Empty Properties Communications Plan launched to include new website and promotional material	1	Empty Property Officer	July 2015	Reduction in number of empty properties through increased awareness and access to assistance	EPO/Communications
NEDDC/Bolsover Empty Properties steering group established	2	Empty Property Officer	July 2015	To raise the profile of Empty Property work across all council departments	EPO/EH/Revenues/Housing/Rykneld Homes
Procurement of any HCA CME funding for empty properties schemes	3	Empty Property Officer	Nov 2015	Delivery of additional affordable units	EPO/Housing Strategy/Action Housing/HCA
Empty Properties Strategy launched	4	Empty Property Officer	Jan 2016	To provide clear strategic direction for empty property work with measurable targets and outcomes	EPO/EH/Finance/Legal/Members/Planning/GIS and others as required

15 additional housing units per year enabled by bringing both empty residential and commercial units back into use.	5	Empty Property Officer	Annual target to 2019	Additional NHB realised for the council. Increased number of affordable housing units delivered	EPO as coordinator with involvement from a range of partners
<b>Action</b>	<b>Action Number</b>	<b>Lead Officer(s)</b>	<b>Target Date</b>	<b>Expected Outcome</b>	<b>Resources</b>
Establish procedures to maintain an accurate baseline of empty properties in the District	6	Empty Property Officer	July 2015 and quarterly thereafter	3 monthly analysis of CT information resulting in an accurate baseline of LTE's to inform future work	EPO/Revenues
Reduce the number of empty properties by 5 through access to community knowledge and resources	7	Empty Property Officer	Annual target to 2019	Increased referrals of Empty Property issues and increased member engagement with EP issues resulting in a decrease in empty property numbers	EPO/Members/EH/Public
Develop an Enforced Sale Procedure (to support Action 5)	8	Empty Property Officer	Jan 2016	To reduce the number of empty properties through the utilisation of Enforced Sale	EPO/EH/Legal/Revenues
Develop a Private Sector Leasing scheme (to support Action 5)	9	Empty Property Officer	Nov 2015	To return empty properties to use via leasing properties off EP owners and placing tenants from the Councils waiting lists	EPO/Rykneld Homes/ Action Housing/Communications/Legal

Develop a Empty Dwelling Management Order Procedure (to support Action 5)	10	Empty Property Officer	March 2016	To assist in returning empty properties to use where owners are unwilling or unable to engage with the council	EPO/Legal/EH
Develop a Compulsory Purchase Procedure (to support Action 5)	11	Empty Property Officer	Oct 2016	To enable the Council to purchase Empty Properties as a last resort	EPO/Legal/EH
Investigate the use of a Council Tax premium for Long term Empty Properties	12	Empty Property Officer	March 2016	Inform the implementation or otherwise of the CT premium for LTE – Resulting in a reduction of empty properties	EPO/Revenues/Finance/Members
<b>Action</b>	<b>Action Number</b>	<b>Lead Officer(s)</b>	<b>Target Date</b>	<b>Expected Outcome</b>	<b>Resources</b>
Investigate the feasibility of utilising the CSB Empty Property strand	13	Empty Property Officer	Dec 2015	To provide a further option to purchasers of LTE's to finance works required	EPO/Housing Strategy/Members
Develop an Interest Free loan scheme (to support Action 5)	14	Empty Property Officer	March 2016	To enable further Empty Properties to be returned to use through a programme of refurbishment	EPO/Finance/Legal/EH
Provide informal assistance to 20 owners of LTE's	15	Empty Property Officer	Annual	To help individual owners return Empty Properties to use	EPO

Exploit the use of mapping empty properties onto the GIS system	16	Empty Property Officer	Aug 2015	To identify empty property hotspots and trends to enable effective direction of resources in reducing numbers of empty properties	EPO/GIS
Monitor and Report on EP work and numbers on a 6 monthly basis	17	Empty Property Officer	Ongoing	To inform officers/ members of ongoing empty property work and successes	EPO/Revenues
Prioritise 5 empty properties for enforcement via the enforcement matrix	18	Empty Property Officer	Annual	Return 5 empty properties to use	EPO/EH/Finance/Legal/Revenues
Explore the development of empty non-domestic buildings into affordable units	19	Empty Property Officer	Ongoing	Additional NHB realised for the Council Additional source of affordable units of housing made available. Extension of Platform for Life Opportunities for affordable housing for 16 – 25 year olds linked to employment and training.	EPO/ Regeneration/HCA CME funding and Platform for Life funding opportunities/ Estates

## **Appendix B: Main Empty Property Statutory Enforcement Options and powers that can be used in conjunction with enforcement options**

- Town and Country Planning Act 1990 Section 215 – Where the condition of an empty property is adversely affecting the amenity of an area
- Building Act 1984 Section 79 – Where an empty property is in such poor condition that it is seriously detrimental to the amenity of an area.
- Building Act 1984 Section 59 – Where the condition of the drainage of a building is prejudicial to health or a nuisance
- Housing Act 2004 Sections 11,12,20 & 21 (and 46 which substitutes section 265 of the Housing Act 1985) – where the condition of a property is defective such that its use needs to be prohibited, works are required for improvement or the property requires demolition.
- Environmental Protection Act 1990 Section 80 - Where a statutory nuisance exists, is likely to occur or reoccur at the property.
- Prevention of Damage by Pests Act 1949 Section 4 – Where the condition of the property is such that it is providing or likely to provide harbourage to rodents
- Local Government (Miscellaneous Provisions) Act 1982 Section 29 – Where a property is open to unauthorised access
- Local Government (Miscellaneous Provisions) Act 1976 Section 15 – Allows authorisation to be given for officers to enter land (and property on that land) in connection with a proposal to acquire a compulsory interest in that land (and property on that land).
- Local Government (Miscellaneous Provisions) Act 1976 Section 16; and the Town and Country Planning Act 1990 Section 330 - This is served where further information regarding property ownership or interests is required
- Housing Act 1985 Section 17 – The basis of compulsory purchase
- Housing Act 2004 Part 4 – Empty Dwelling Management Orders (EDMO)
- Law of Property Act 1925 Section 103 – The basis for Enforced Sale-sale by Mortgagee



Appendix C: Assessment framework for prioritising empty homes for enforcement

Issue	How assessed	0 Points	1 Point	2 Points	3 Points
Length of time property has been empty	From Council Tax data		Per year of vacancy		
Number of complaints received about the property	From Uniform	None	1-2	3-4	5+
Level of impact on the surrounding neighbourhood	Physical assessment	None	Low	Moderate	High
State of repair	HHSRS inspection	No disrepair	Low	Moderate (Cat 2 hazard)	High (Cat 1 Hazard)
Attracting secondary issues e.g. fly tipping/antisocial behaviour	From Uniform	None	Low	Moderate	High
Local Housing Demand	Analysis of bids on Choice Based Letting scheme	Low	-	-	High
Empty Property High Incidence Ward area	Annual ward analysis of LTE	Not in priority ward	-	-	In Priority Ward
Outstanding debt on property e.g. Works in default	Local Land Charges	None	Below Enforced Sale Threshold	At Enforced Sale Threshold	Above Enforced Sale Threshold
Owner engagement	-	Owner identified and has clear plans for property	Owner identified and is engaging with Council	Owner identified but refusing to engage	Owner unknown

## Appendix D: New Homes Bonus examples

### NHB Examples

#### **Example 1**

300 new properties are built in NE Derbys/Bolsover in 2015/16

There is **no change** to the number of empty properties

The total NHB payable over 6 years is **£1,944,000**

#### **Example 2**

300 new properties are built in NE Derbys/Bolsover in 2015/16

100 empty properties are brought back into use.

The total NHB payable over 6 years is **£2,592,000**

#### **Example 3**

300 new properties are built in NE Derbys/Bolsover in 2015/16

The number of empty properties increases by 100.

The total NHB payable over 6 years is **£1,296,000**

(\*The above examples have been calculated using an average figure for properties in Council Tax Band A)

Appendix E: Proportion of Empty Homes charged an Empty Homes Premium  
(2)

