



Dyngor Bwrdeisdref Siral

Blaenau Gwent

County Borough Council



Empty Property Strategy

2014 - 2020

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1.0 Introduction

We all know empty properties are a waste. They can cause nuisance and environmental problems. They can be the focus for increased levels of crime, including drug abuse and represent a significant loss of revenue for the Council that could be spent on public services.

Empty properties make no sense to the public, neighbours, those in need of homes and in many cases, the owners themselves. In properly dealing with empty properties the Council can help in a small way to address Blaenau Gwent's current and projected housing needs by providing accommodation for owner occupation or renting whilst at the same time reducing the risk of nuisance and environmental problems. In some cases, demolishing and clearing unwanted and worn out old buildings may be the best course of action.

Empty space above commercial units is also a wasted resource, particularly in town centres. Void spaces above shops and offices can be converted into residential units where this need can be demonstrated. This will also be a driving force to help the Council's aim of revitalising town centres.

Bringing empty properties back into use is a key element in the Council's Local Housing Strategy – More Than Homes.

2.0 Background to this Revision

This updated strategy is written when the public sector is still very much in a time of limited resources and general austerity. It attempts to strike a balance between using the very limited public sector resources available and the use of enforcement powers to require private sector investment. Whilst the housing market nationally is starting to make a distinct recovery in some areas, house prices in Blaenau Gwent are still amongst the lowest in the UK. This means that many empty property owners own an asset that is of low value and there is the perception that they will simply hold onto the property in its current state until the market improves. However, given the low prices and the good return on investment in terms of rental income, Blaenau Gwent is still very popular with buy to let investors, who mainly acquire empty properties through auction.

Why Bother with Empty Homes?

Empty properties are a blight on the community, deter investment, attract vandals and frequently are the focus for more extreme forms of anti-social activity. Empty properties, even on a limited basis, affect neighbouring properties by causing dampness, structural problems and adversely affecting the value of the neighbouring property. Overall, the housing stock deteriorates at a higher degree if it is empty.

Empty homes, as well as their detrimental impact on neighbourhoods and adjacent properties, represent a major financial loss to owners, both in terms of lost income and other expenses. Research has shown that it costs around £7,000 to keep a property empty for a year. The bulk of which is rent loss but nearly a third are the costs of dilapidation, security, insurance and the Council Tax liability.

Empty properties increase the local Council Tax burden. Bringing back all private sector properties into use would bring in additional revenue to the Council that could be used to extend essential housing support and enabling services.

The commercial sector represents a particular area where properties are underused along with the 'residential' upper floors of retail premises. Both areas are difficult to negotiate back into use but the Council has recognised that this is an area that could be exploited and used to improve the availability of housing stock – especially for first time occupiers or single people.

3.0 What has been achieved so far?

Blaenau Gwent County Borough Council has achieved much since the first Empty Property Strategy was published in 2009. Since the first strategy was introduced we have

- Through direct actions of the Council we have brought 87 units of accommodation back into use;
- Developed a risk assessment method to rank all properties in order of priority for intervention;
- Developed a comprehensive database of all problematic empty properties;4
- Successfully introduced the Welsh Government Houses into Homes Empty Property Loan Scheme;
- Provided Empty Property Loans to the value of £865 543;
- Worked in partnership with Housing Associations to bring significant improvements to areas of our community by bringing blocks of empty homes back into use;
- Produced comprehensive information and guidance documents for empty property owners, including specific web pages;
- Taken action to secure 55 empty properties that were open to unauthorised access;
- Introduced a policy specifically to use the powers of Enforced Sale contained in the Law of Property Act 1925;
- Undertaken 14 enforced sales to start the process of bringing the empty property back into use;
- Recovered outstanding debts owed to the Council of £130605 using the Enforced Sale process;
- Regenerated Church Street, Ebbw Vale bringing 9 of the worst empty properties back into use to provide much needed rented accommodation. In partnership with the Regeneration Section this area has been transformed and is now almost unrecognisable. Work is continuing to bring the remaining empty properties on this street back into use.

4.0 Aims and Objectives of the Strategy

Aim of the Strategy

The aim is to bring vacant properties back into use. To consider all the options available for tackling the problem of empty properties and to ensure that where vacant properties are identified every effort is made to renovate them to a good standard and bring them back into use.

Key Objectives.

- To reduce the number of long-term vacant properties;
- To minimise the impact of empty properties on the communities in which they are located;
- To offer advice and assistance to the owners of private empty properties, those who are looking to develop empty properties and those who are experiencing problems living in the vicinity of an empty property;
- monitor and target empty properties using the Council Tax database;
- To raise the awareness of empty property issues and promote a partnership approach to deal with the issues;
- To work in partnership across the Authority and with external partners to drive forward the implementation of this strategy;
- To publicise and utilise the Welsh Government Houses into Homes Empty Property Loan Scheme to bring properties back into use;
- To use enforcement powers contained in the enforcement toolkit to bring empty properties back into use on a worst first basis where the informal advice and assistance approach has failed.

5.0 The Empty Homes in Blaenau Gwent

In 2007 a Local Housing Market Assessment was carried out in the County Borough. This was updated in 2012. These assessments determined that up to 2021 there will be a requirement for an additional 3000 dwellings in the County Borough, of which 23.3% will be market housing. The remainder is made up of a requirement of social housing.

It was also recognised in the surveys that the provision of additional dwellings should be across the tenure and size mix.

Council Tax data shows that there are consistently over 500 empty dwellings in the private sector within Blaenau Gwent. This figure changes year on year. However, the breakdown by area for 2014-15 is shown below.

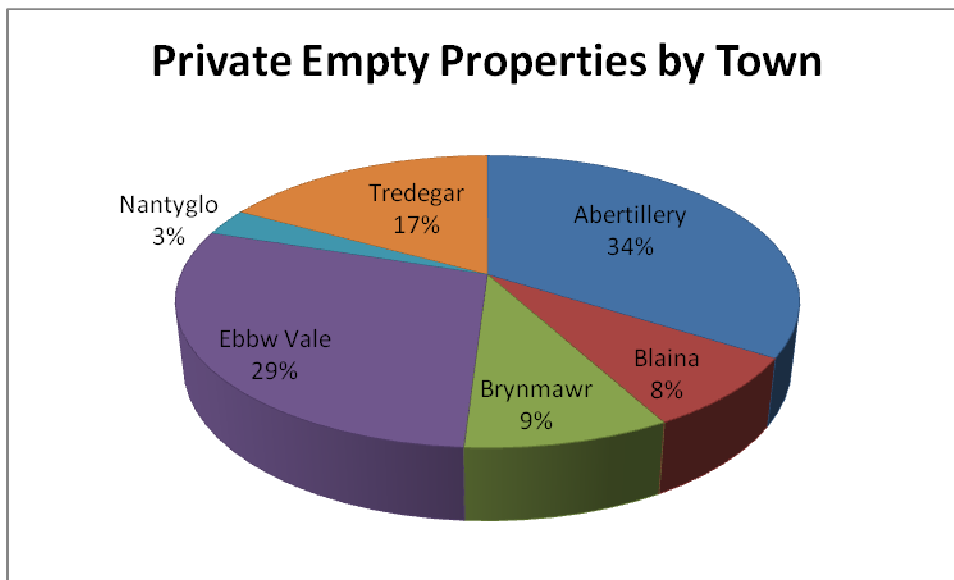


Figure 1 Empty Properties by Town

No accurate data exists on the type of properties that are empty. However, since the adoption of the first empty property strategy in 2009 anecdotal evidence suggests that whilst the majority of empty properties are those mid terraced 2 or 3 bed properties in Council Tax Band A, there are also significant numbers of larger higher value properties and small one bed properties, and the vacant space above retail premises.

The actions of the Council in tackling empty properties have started to pay off. The data now shows that there is only one area of the County Borough that contains a high density of empty properties on a street level. Work on projects such as that on Church Street in Ebbw Vale have resulted in areas of low demand with significant numbers of empty properties no longer existing within the private sector stock. The one area with a high density of empty private sector dwellings in Tredegar is currently subject to an improvement and renewal partnership which is expected to bring the high density of empty properties back into use during 2015.

What is an empty property under this strategy?

The definition of an empty property for the purpose of this strategy is a dwelling that has been unoccupied for more than six months. The target properties under this strategy are privately owned residential dwellings and includes:

- Single-family dwelling houses
- Flats
- Houses used for multiple occupation
- Residential accommodation over/adjoining commercial property

There are instances where a dwelling has been unoccupied for more than six months but which, due to certain circumstances, would be exempt from intervention by the Council under the Housing Act 2004 though these are very rare.

Not all empty properties brought to the attention of the Council, fall within the category described above, for example commercial properties; however, the Council may make further inquiries to assist in resolving issues of concern or to provide advice on making better use of such a property.

The Welsh Government has a set of nationally agreed and defined indicators for measuring how Local Authorities are performing – the national performance framework. The Local Government Data Unit

provides a definition for each indicator and all councils submit their data at the end of the year. The framework includes an indicator on empty homes:

PSR/004: The percentage of private sector dwellings that had been vacant for more than 6 months at 1 April that were returned to occupation during the year through direct action by the local authority.

Some properties, although they are empty dwellings, are not counted as empty homes: for instance, holiday homes or student accommodation. In line with the national guidance, information on empty homes is based on Council Tax data.

6.0 Barriers to bringing empty properties back into use.

The main obstacle to reducing the number of empty homes is the complexity of the reasons behind why a property has been left unoccupied. These may involve:

- Inheritance issues/delays with probate
- lack of finance to carry out essential repairs,
- problems with achieving a sale
- perceived problems with letting the property
- 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.

Encouraging and facilitating the return to use of an empty property can be a lengthy and time consuming process; there is no single or simple solution to the problem. The provision of financial assistance through the Houses into Homes Loan Scheme for repairs may be all that is required in some situations, but some owners also need significant encouragement and support to take positive action. In a minority of cases enforcement action is the only remaining option to bring properties back into use.

7.0 Tackling the Problem

Blaenau Gwent County Borough Council recognises that each and every empty property presents different problems and challenges. That is why no one specific procedure will be created to deal with empty properties. The Authority will use the “toolkit of powers” approach when it comes to dealing with empty properties. The tools available are discussed in more details in the following paragraphs, but range from short term solutions to reduce the impact of a problematic empty property to the use of powerful legal controls to force the sale of a property to a third party.

4.1 Defining and Identifying Empty Homes

Using the Council Tax database a list of current empty properties in the private sector is created and updated annually. These records are used to update the database managed by the Public Protection Service. This database will then be expanded by adding details of ownership and other appropriate information when it comes to light. Once held centrally in the database it will be possible to produce marketing lists and a geographical representation of these properties on a GIS mapping system.

However, in order to function effectively the housing market needs vacant homes to allow for residential mobility, redevelopment and improvement to take place. This means that there is an expectation that some properties will inevitably remain vacant at any given time. It is important therefore, to define what is considered to be an empty property within the context of this strategy. Research has shown that there are two types of vacant properties, namely:

Transactional vacancies: As properties are bought and sold, or relet, there will be a period of vacancy in between the changes in occupation. Such ‘transactional vacancies’ are not usually the cause of problems, but are a normal part of the operation of the housing market. These properties seldom require the intervention of the Council in order to ensure they are brought back into use within 6 months.

Problematic vacancies: These are properties that are inactive in the housing market and empty for six months or more. These long-term properties cause the greatest concern and will be considered when assessing the extent of the problem and how best to target remedial action. When deciding if a property is a ‘problematic vacancy’ and targeted under this strategy, the following questions will act as a guide:

- Has the property been targeted by vandals?
- Is there furniture in the property?
- Does the property/ garden appear maintained?
- Is the property an eye sore?
- Are there signs of long-term disrepair?
- Do the neighbours know when the property was last occupied?
- Is the property secure?
- Is there a history of complaints associated with the property?

Once the problematic empty homes have been identified they will be targeted for action to bring them back into use.

4.2 Encourage owners to bring their properties back into use through information and advice.

In order to start the process of bringing empty homes back into use the following actions will be undertaken:

- A general advice pack is available for owners of empty properties explaining how the Council can assist them in bringing their empty property back into use.
- Web pages both on the Blaenau Gwent CBC website and the Blaenau Gwent Homes website contain specific information for the owners of empty homes;
- Links from the Council operated websites are provided to other third party websites where additional information can be found to support owners of empty properties looking to bring them back into use. Officers within the Public Protection Service will provide specific advice to owners on request, including linking to local buyers, estate agents and auction companies and local Housing Associations who may be interested in the purchase of such properties.

The Council recognises that some properties remain vacant because owners simply do not know how to bring them back into use. Others are looking for advice and assistance on how to do just that.

4.3 Use of enforcement powers to bring empty homes back into use

The Council will seek firstly to work closely with empty property owners encouraging and supporting them. However, where owners have refused offers of help and can give no good reason why the property should remain empty, we will use enforcement action wherever necessary.

When using enforcement powers officers will pay due regard to the Public Protection Service Enforcement Policy. Such interventions will include:

- Raise the enforcement profile and prepare a "hit list" of problem properties for more vigorous, direct intervention in cases where offers of help have been refused or it has been impossible to trace the owner of a property;
- Use Compulsory Purchase, Enforced Sale Powers and the powers contained within the Housing Act 2004 to underpin enforcement policy;
- Link enforcement to the main target groups and link with other area based corporate initiatives.

Once an empty property has been identified and recorded an Environmental Health Officer using the Empty Property Enforcement Toolkit will assess it. This toolkit contains a procedure for scoring each empty property which will determine how the property will be dealt with.

A full list of enforcement powers are contained in appendix 1.

4.4 Build on existing relationships with Housing Associations

Housing Associations are key partners in bringing empty properties back into use and the Welsh Government recognise and endorse a partnership working approach. The partnership approach with Housing Associations is a way of ensuring we can deliver a solution to empty properties that also meets our wider objectives around meeting housing need, intervening in the housing market and providing a preventative approach to homelessness.

This Council can and does use enforcement powers where necessary but is not able to finance the purchase of these dwellings or offer management services for leasing etc. Housing Associations are able to attract grant through their partnership with the Local Authority and are able to use their own reserves to purchase empty properties. Housing Associations also offer leasing and management options that can assist both home owners and the Council in bringing empty properties back into use.

8.0 Implementation and Operation

Through the period covered by this strategy the Council intends to build upon the work that has already been undertaken. Given that the public sector is operating with limited resources this strategy does not set out grand plans to strive for betterment at every opportunity. This Council is already successful in returning empty properties back into use and this strategy will ensure that this good work continues.

We will

- Offer informal advice and assistance to owners of long term opportunities to bring empty homes back into use;
- Target empty properties for enforcement action on a worst first basis, using the Council's risk assessment matrix;
- Promote the Houses into Homes Empty Property Loan Scheme;
- Process applications for Houses into Homes Loans in accordance with the scheme conditions, including maintaining a waiting list when finance is not available;
- Enforce the sale of long term empty properties where there is a financial debt owing to the Council;
- Work in partnership with colleagues from within the Council to support the implementation of wider regeneration schemes ensuring that empty homes have a high priority within these regeneration initiatives;
- Build on existing partnerships with Housing Associations to bring empty properties back into use;
- Respond to empty properties which are open to access or otherwise pose a danger to public health.

Problem	Legislation	Power Granted	Section
Condition and appearance of property adversely affecting the amenity of the neighbourhood.	Section 215 Town and Country Planning Act 1990	To require owner to take necessary steps to improve the condition and appearance of the property. Where the owner fails to take action the Council may undertake the work and an appropriate charge will be imposed on the owner.	Development Control
	Enforced Sale: Law of Property Act 1925	If the Council carry out works as above, the Council can ensure that the costs of the work can be recovered for example through a charge on the property. If the monies remain unpaid, the Council may force the sale of the property.	Public Protection Legal
	Compulsory Purchase: Housing Act 1985, section 17	Where all available avenues of action have been explored and have been unsuccessful, as a last resort the Council can use compulsory purchase orders. These orders have to be approved by the Government Office and may be subject to public inquiry. The Council's intention to use these powers will be communicated with owners who would be given the opportunity to voluntarily take the necessary remedial action to resolve the situation. Disposal by the Council of a property subject to a compulsory purchase order, would normally mean that the property would be transferred for use as Affordable Housing. However, if this proves not to be possible, it will be disposed of on the open market to an owner who makes an undertaking to bring the property back into use as a home.	Public Protection Legal Estates
	Empty Dwelling Management Orders: Housing Act 2007	In specific circumstances for properties which have been unoccupied for a period of 6 months or more enables an authority, once approved by a residential property tribunal, to issue an EDMO which results in an empty property becoming re-occupied.	Public Protection
Dangerous Dilapidated Buildings or Structures	Building Act 1984, Sections 77 and 78	To require the owner to make the property safe (Section 77) or enable the local authority to take emergency action to make the building safe (Section 78).	Building Control
	Housing Act 2004, Section 5 and 7	To require the owner to carry out works where the local authority consider housing conditions to be unacceptable, on the basis of the impact of hazards on the health or safety of the most vulnerable potential occupant.	Public Protection
	Enforced Sale: Law of Property Act 1925	See Above	Public Protection Legal
	Demolition Order: Housing Act 1985, Section 265	In certain circumstances the condition of the empty property will not warrant bringing it back into use will not be feasible and the most satisfactory course of action will be to serve a demolition order.	Public Protection

Problem	Legislation	Power Granted	Section
Unsecured properties (if it poses the risk that it may be entered or suffer vandalism, arson or similar)	Local Government (Miscellaneous Provisions) Act 1982, Section 29	To require the owner to take steps to secure a property or allow the local authority to board it up in an emergency.	Public Protection
Blocked or defective drainage or private sewers	Local Government (Miscellaneous Provisions) Act 1976, Section 35	To require the owner to remove obstructions from private sewers	Public Protection
	Building Act 1984, Section 59	To require the owner to address blocked or defective drainage	Public Protection
	Public Health Act 1961, Section 17	To require the owner to address defective drainage or private sewers	Public Protection
Vermin (If it is either present or there is a risk of attracting vermin that may detrimentally affect people's health)	Public Health Act 1961, Section 34	To require the owner to remove waste so that vermin is not attracted to the site (relates to accumulation of rubbish). Obligation of occupier of land to notify local authority of rats and mice.	Public Protection
	Prevention of Damage by Pests Act 1949, Section 4		
	Environmental Protection Act 1990, Section 80		
	Building Act 1984, Section 76		
Unightly land and property affecting the amenity of an area	Public Health Act 1961, Section 34	See above	Public Protection
	Town and Country Planning Act 1990, Section 215	To require the owner to address unsightly land or the external appearance of a property.	Development Control