



**South
Derbyshire**
District Council

Empty Homes Strategy 2012 - 2017

**Making South
Derbyshire
a better place to live,
work and visit**

Consultation



INVESTOR IN PEOPLE

South Derbyshire Changing for the better

Table of Contents

| | Page |
|---|------|
| Foreword: Setting the Scene | 1 |
| 1.0 Introduction | 2 |
| 2.0 Links to other Related Strategies and Plans | 3 |
| 3.0 Empty Homes Profile | 5 |
| 4.0 Strategic Aims, Priorities and Objectives | 8 |
| 5.0 Measures to bring Empty Homes Back into Use | 9 |
| 6.0 Our Approach to Tackling Empty Homes | 10 |
| 7.0 Monitoring and Feedback | 12 |
| Appendices | |
| 1. Action Plan | |

Foreword -

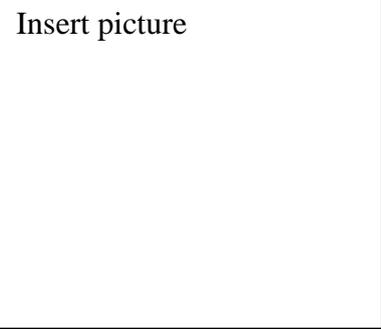
Housing plays a vital role in ensuring those living in the District have a safe, decent, affordable home. Empty homes are not only a waste of a valuable housing resource, but can also cause blight to an area and distress to neighbours through their often unsightly appearance and propensity to attract anti social behaviour.

Bringing empty homes back into use: -

- May have benefits for the owner,
- May contribute to the shortfall in affordable homes across the District,
- May prevent empty homes becoming a target for anti-social behaviour,

We recognise that in South Derbyshire empty homes are generally dispersed across the District. There are not “streets” of empty homes, which can often form part of wider area regeneration projects attracting large inward investment. Empty homes across the District are to some degree “hidden” and resources to bring them back into use are limited. Nevertheless, the Council is committed to identifying empty homes and bringing them back into use.

We hope that this Strategy will help others to work with us to deliver our objectives and to make South Derbyshire a better place to live, work and visit.



Insert picture

Chair of Housing and Community Services

1.0 Introduction

1.1 The purpose of this Strategy is to look in detail at empty homes in South Derbyshire. The Strategy will look at why homes become empty, the profile of empty homes in the District, the benefits of bringing empty homes back into use and how the Council can support this process. It also sets out the range of powers available to the Council and how we will use these powers to bring long-term empty homes back into use.

1.2 What is an empty home?

1.2.1 An empty home is a dwelling that has been left unoccupied. Homes may become empty for a number of reasons and in many cases it is only for a temporary period of less than 6-months. For example, a home may become empty for a short period whilst awaiting sale or let. This is a natural function of the housing market. As such properties vacant for less than 6-months are not considered as part of this Strategy.

1.2.2 This Strategy considers long-term empty homes vacant for more than 6-months. Often, homes stand empty for long periods due to some fundamental underlying reason preventing occupation.

1.2.3 Long-term empty homes are a wasted resource; especially given that South Derbyshire has an identified annual affordable housing need of 396¹ homes. The number of households on the District Housing register has increased by 21% during the 2010/11 and continues to increase (*1923 households as at 1st September 2011*).

1.3 Why do homes become vacant?

1.3.1 There are a number of reasons why homes become empty and are not brought back into use, these include: -

- Lack of funds for refurbishment,
- Reluctance to let on the private rented market,
- Bankruptcy, repossession or abandonment,
- Occupier being subject to long term care or hospitalisation,
- Homes let through employment,
- Probate, estate or legal ownership issues,
- Lack of awareness of options,
- Owners unable or not wishing to sell or rent or
- Waiting for a property chain to complete.

1.3.2 Many owners need support, information or encouragement to help them bring their empty home back into use, whilst others have little or no intention of doing anything with their property.

¹ B Line, 2008, South Derbyshire Strategic Housing Market Assessment.

1.4 **What are the benefits of bringing empty homes back into use?**

- 1.4.1 Taking action to bring empty homes back into use can address a number of social, economic and public health issues. It can also make a positive contribution to the overall health and well being of local residents and the community.
- 1.4.2 For the Owner – there are considerable advantages including the capital of the property if sold and rental income if let. Leaving a home empty increases the risk of vandalism and crime, making the property costly or difficult to insure and leaving the owner at risk to losing their asset completely if destroyed by fire.
- 1.4.3 For Local Residents – bringing an empty home back into use encourages economic vitality; this can increase spending in the local economy and protects house prices within the neighbourhood. Unsightly properties can have a depressive effect on neighbouring house prices and also reduce pride in the community, as well as having a direct impact on adjoining homes through dampness and structural problems.
- 1.4.4 For the Wider Community – increased income, via the New Homes Bonus, for the Council to re-invest in local services. Reduced demand on services such as fire, police and council services means that resources can be used more effectively elsewhere. Using empty homes increases the availability of more homes including potential affordable homes.

1.5 **Equalities and Diversity**

- 1.51 South Derbyshire Council aims to ensure this Strategy has a positive impact on both homeowners and employees. To ensure that this happens an Equality Impact Assessment has been carried out on this Strategy and the implications of the proposed actions. This helps ensure that the Empty Homes Strategy is inclusive and does not have a negative impact on any particular group on the basis of ethnicity, age, gender, disability, sexual orientation, religion or belief.

2.0 **Links to other Related Strategies and Plans**

2.1 **South Derbyshire Corporate Plan 2009 -2014**

- 2.1.1 The Corporate Plan vision is *“Making South Derbyshire a better place to live, work and visit”*. There are four themes: -

- Theme 1: Sustainable Growth and Opportunity.
- Theme 2: Safe and Secure.
- Theme 3: Lifestyles and Choices
- Theme 4: Value for Money

- 2.1.2 The key projects proposed in this strategy which will contribute to Corporate Plan priorities:

- Facilitate affordable housing for people unable to access market housing.
- Improve the current housing conditions across the public/private stock.
- Develop and implement a New Empty Homes Strategy.

2.2 **South Derbyshire's Housing Strategy 2009 – 2014**

- 2.2.1 The Council's Housing Strategy vision is, *'to ensure that the existing and future housing stock meets the housing needs of South Derbyshire residents by offering affordable homes located in safe, healthy and sustainable communities'*.
- 2.2.2 This Empty Homes Strategy will bring about the improvement and occupation of empty homes, increase the supply of homes including affordable rented homes, reduce potential anti-social behaviour and encourage sustainable communities.

2.3 **Private Sector Housing Policy 2008**

- 2.3.1 The Council's Private Sector Housing Policy aim is, *'to make the best use of available resources to deliver housing assistance, which is effective and proportionate to local housing conditions and need within our district.'*
- 2.3.2 This Policy has 3 key priority areas: -
- Priority 1: Improving the quality and supply of housing in the private sector, especially for vulnerable groups.
 - Priority 2: Assisting older, disabled and vulnerable people to live independently in their own home.
 - Priority 3: reducing fuel poverty and promoting energy efficient homes.
- 2.3.3 The Empty Homes Strategy will improve the housing stock in the area and where appropriate homeowners/landlords will be encouraged to improve the energy efficiency of their homes to reduce fuel poverty.

3.0 Empty Homes Profile

3.1 National Picture

- 3.1.1 In October 2010 it was estimated that there were 300,526² long-term empty homes in England. This represents approximately 1.3% of the total housing stock.
- 3.1.2 The Government is committed to getting empty homes back into use to contribute towards meeting housing needs, both in the social and private sectors. The aim is to ensure that homes do not remain vacant for long periods of time and that they are brought back into use as quickly as possible. A number of measures have been introduced recently to assist local authorities to do this, such as allowing local authority officers who have responsibility for empty homes access to Council tax data (section 85 Local Government Finance Act 2003) and from April 2004 the option for local authorities to choose to discontinue council tax discounts on empty homes. More recently (2011) the Government has introduced the “New Homes Bonus” which rewards local authorities who reduce the number of long-term empty homes in their district.
- 3.1.3 South Derbyshire District Council has implemented a “no discount council tax policy” for properties vacant for more than 6-months.

3.2 The Regional Picture

- 3.2.1 In October 2010 it was estimated that there were 26,673 long-term empty homes in the East Midlands. This represents about 1.4% of the total stock. These figures have decreased slightly from 2008 by 2,237.

² Source Data: Communities and Local Government Live Table 615. Available from: <http://emptyhomes.com/wp-content/uploads/2011/05/empty-homes-stats-2010.xls>

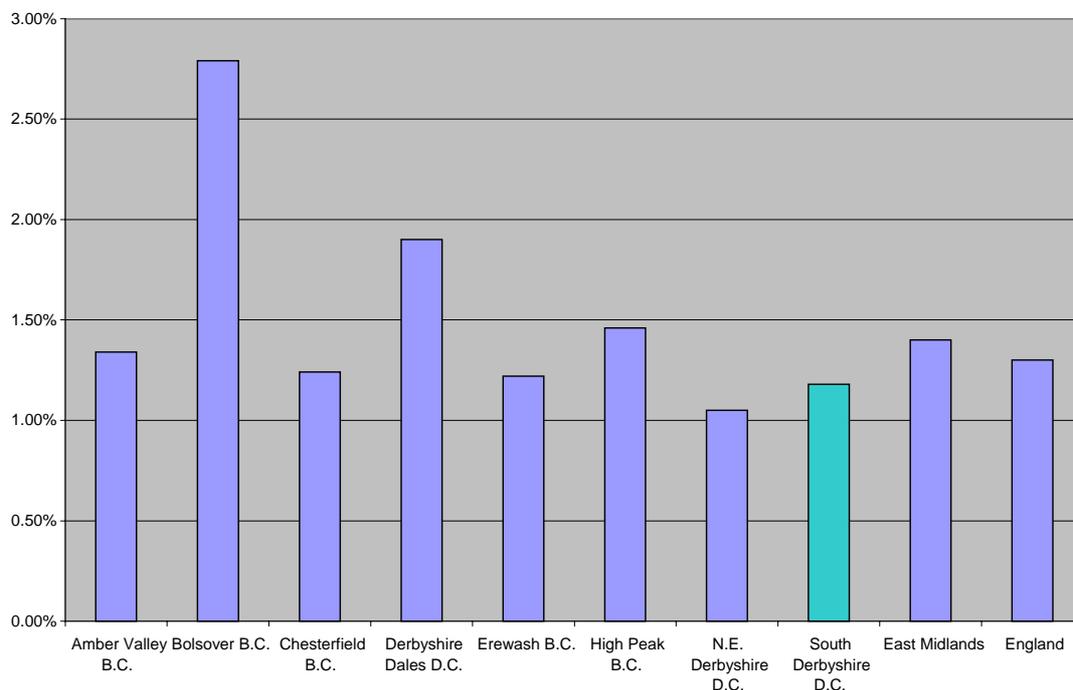
3.3 The Local Picture

3.3.1 The knowledge of empty properties is extracted from the council tax database.

Figure 1: Profile of Empty Homes in Derbyshire, October 2010.

| Local Authority | Total Empty Homes | Percentage of Housing Stock Empty | Ranked 1 = lower |
|------------------------------|-------------------|-----------------------------------|------------------|
| Amber Valley B.C. | 727 | 1.34% | 5 |
| Bolsover B.C. | 939 | 2.79% | 8 |
| Chesterfield B.C. | 600 | 1.24% | 4 |
| Derbyshire Dales D.C. | 608 | 1.90% | 7 |
| Erewash B.C. | 610 | 1.22% | 3 |
| High Peak B.C. | 598 | 1.46% | 6 |
| N.E. Derbyshire D.C. | 460 | 1.05% | 1 |
| South Derbyshire D.C. | 457 | 1.18% | 2 |
| East Midlands | 26,673 | 1.40% | |
| England | 300,529 | 1.30% | |

Figure 2: Profile of Empty Homes in Derbyshire, October 2010



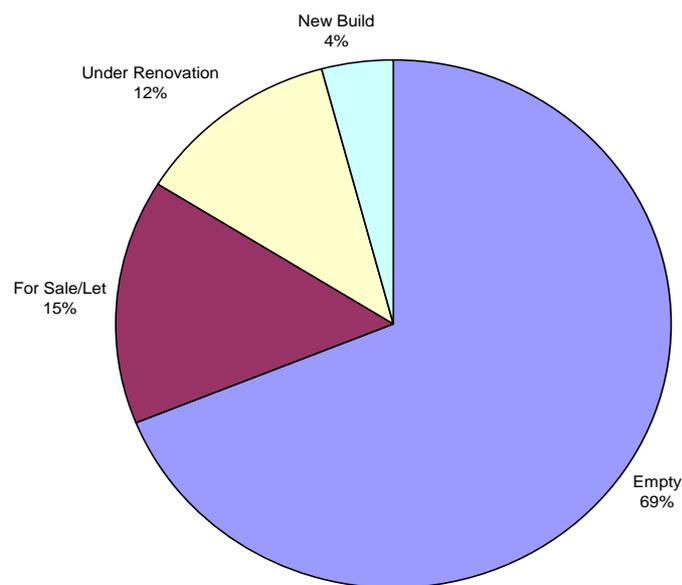
3.3.2 The tables above shows that compared to other Derbyshire authorities South Derbyshire has one of the lowest levels of long-term empty properties as a proportion of total housing stock.

3.4 Empty Homes Survey in South Derbyshire.

3.4.1 In July 2011 South Derbyshire officers conducted a survey of the homes identified as vacant for more than 6-months on the Council Tax database as at 1st April 2011.

3.4.2 From the 468 empty homes surveyed, 145 (31%) had been returned to use when the officer called. This indicates that although the homes had been empty for a period of more than 6-months prior to the visit, they had returned to use without the need for Council intervention. 32 (7%) of the homes had subsequently been demolished, but Council Tax records had not been updated. 44 (9%) of the homes visited require further investigation, as the visiting officer was unable to determine the status of the property (for formal reporting purposes these must also be counted as empty). This leaves a balance of 247 (53%) homes actually found to be empty.

Figure 3: Long-term Empty Homes Profile in South Derbyshire



3.4.3 The survey showed that of those found to be empty 30 (12%) were being renovated and 37 (15%) were being actively marketed for sale/let and 10 (4%) homes were newly constructed and potentially empty due to the current slowdown in the economy. This leaves a balance of 170 (69%) empty homes where potentially the owner is not actively attempting to return the property back into use. It is this proportion of homes, which are unlikely to be brought back into use without the Council encouraging the owner or taking intervention to prevent the home remaining empty.

4.0 Strategic Aims and Priorities

4.1 Strategic Aim

4.1.1 The overarching strategic aim of this Strategy is to, “reduce the number of long-term empty homes in the district”.

4.2 The Council’s Priorities:

4.2.1 Priority 1: To raise awareness of how to bring empty homes back into use and provide advice and support to owners.

- We will monitor the Council Tax records and provide information to owners whose properties have been vacant for more than 6-months,
- We will develop the Council’s website to support and encourage owners to take voluntary action to bring their property back into use.
- We will re-launch the Council’s “Matchmaker” scheme, which aims to bring together sellers and buyers of empty properties.

4.2.2 Priority 2: Encourage owners to bring homes back into use to meet an affordable housing need.

- We will identify a partner to deliver and operate a “Private Sector Leasing Scheme” in South Derbyshire for owners who wish to have a rental income from their empty homes for short periods (subject to the availability of funding).
- We will identify a Registered Provider to work in partnership with the Council to purchase and bring empty properties back into use to meet a housing need for those households on the housing waiting list.
- We will (subject to the availability of funding) provide a grant to Private Landlords and Registered Providers to support the renovation of empty properties with Category 1 Hazards as defined by the Housing Act 2004 in return for nomination for housing on the housing waiting list.
- We will (subject to the availability of funding) provide a loan to first-time buyers on low incomes to support the renovation of empty properties with Category 1 Hazards as defined by the Housing Act 2004.
- We will (subject to the availability of funding) extend the existing “Rent Deposit Guarantee” scheme to include households on the housing waiting list who are on low incomes and find suitable accommodation to meet their housing needs in the private rented sector.

4.2.3 Priority 3: Consider Intervention for homes empty for more than 2-years or where they are a danger to public health or where the Council has carried out works in default of a formal notice.

- We will take a phased approach to enforcement action, giving the empty homeowner the opportunity to bring their property back into use on a voluntary basis but committing to intervene where this proves necessary or appropriate.

5.0 Measures to Bring Long-term Empty Homes Back into Use

5.1 The Council has a number of measures it can use to assist in returning empty homes back into use; this includes advice, assistance, incentive schemes and enforcement. Where the Council considers enforcement action to be appropriate the approach will be fair, equitable and incremental. The primary function of central and local government enforcement work is to protect the public, the environment and various other groups such as consumers. There is a need to carry out enforcement functions in a consistent, practical and equitable manner, which, in turn, will help to support a thriving local housing market.

5.2 Proactive Advice and Assistance

5.2.1 Where appropriate, owners of homes that have been left empty for over 6-months will be contacted and asked what their future intentions are for the dwelling. General advice will be offered including “sign posting” to resources to support the owner.

5.2.2 An information pack will be made available to owners on the Council's website.

5.3 Incentives for Bringing Empty Homes Back into Use

5.3.1 The Council currently does not have funding set available to encourage owners and prospective buyers of empty homes to bring them back into use.

5.3.2 Should funding become available the Council's priorities for incentives will be as follows: -

- Grants to Private Landlords and Registered Providers to support the renovation of empty properties with Category 1 Hazards as defined by the Housing Act 2004 in return for nomination for households from the housing waiting list.
- Loans to first-time buyers on low incomes to support the renovation of empty properties with Category 1 Hazards as defined by the Housing Act 2004.
- Development and delivery of a “local” Private Rented Leasing Scheme to take the burden of managing the letting process.

- Extend the existing “Rent Deposit Guarantee” scheme to include households on the housing waiting list who are on low incomes and find suitable accommodation to meet the housing needs in the private rented sector.

5.4 Enforcement

5.4.1 This is considered to be the option of “last resort”. There is a range of statutory powers available to the Council to deal with specific problems associated with an empty home. Issues such as nuisance, vermin infestations, fly tipping and dangerous or insecure buildings can be addressed by statutory action and this permits the Council to serve notice and carry out works in default and/or to prosecute for noncompliance.

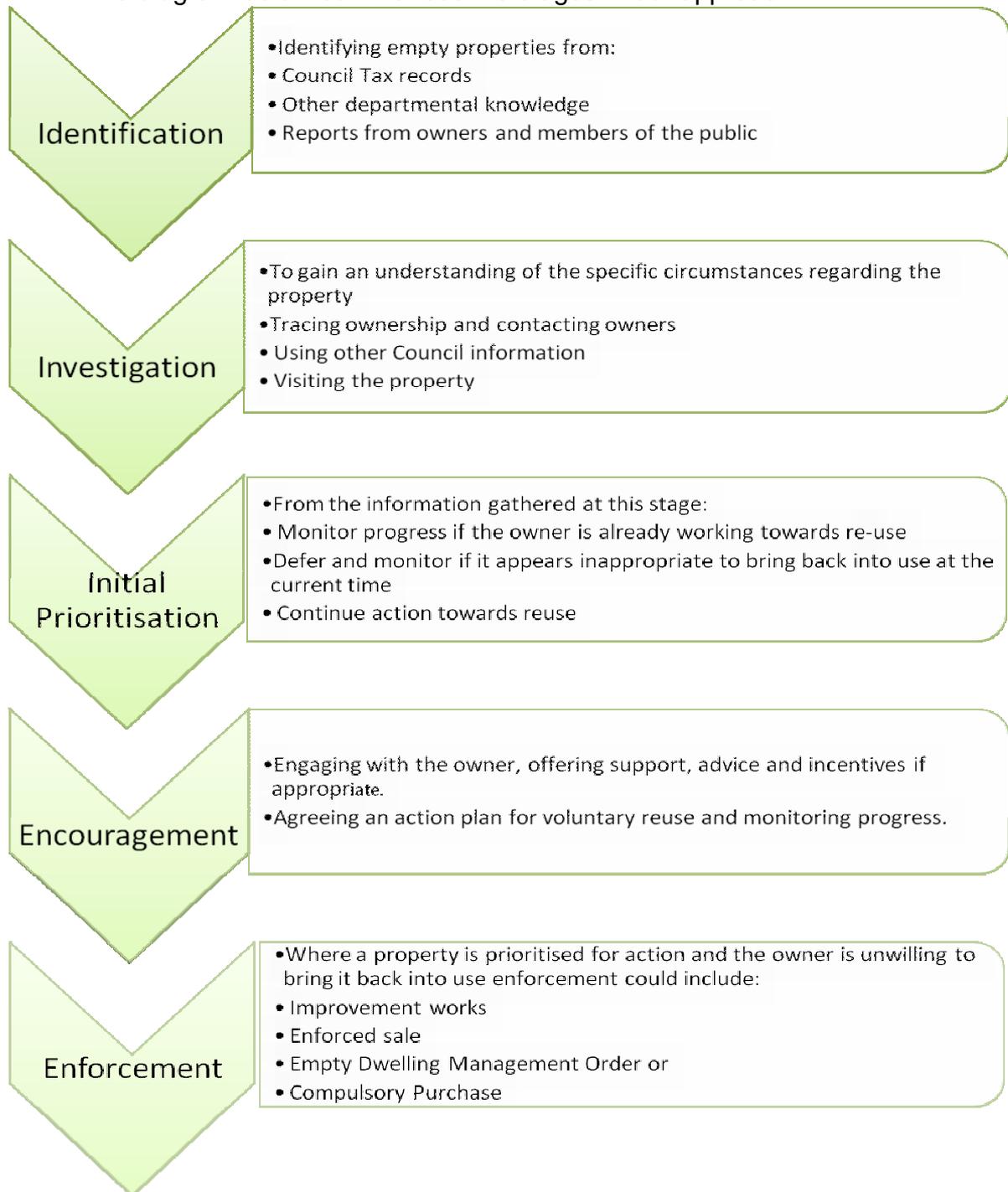
5.4.2 Such powers include: -

- Town and Country Planning Act 1990 (Section 15) – a notice can be served on the homeowner where a home is considered to be “detrimental to the amenities of the neighbourhood”.
- Local Government (Miscellaneous Provisions) Act 1982 – Under Section 9, the Council has the power to secure empty homes against access, where there is considered to be a danger to public health.
- Enforced Sale (Law of Property Act 1925) - The use of enforcement actions on empty properties can result in the gradual build up of debt if the work is carried out in default of the owner failing to comply with the enforcement notice. Where a reasonable charge has been registered against the property it is possible to force the sale of the property to recover that debt
- Compulsory Purchase (CPO) S17 Housing Act 1985 - Where owners cannot be traced, or are unwilling to bring their property back into use, the Council can seek to compulsorily purchase a property and then sell it on to a Registered Provider or private developer.
- Empty Dwelling Management Orders (EDMOs), Housing Act 1984 - The Housing Act 2006 gives local authorities the power to apply to the Residential Property Tribunal for an interim management order, which may lead to compulsory leasing of the property for a fixed period of years.

6.0 Our Approach to tackling Empty Properties

6.1 We hope to encourage the owners of empty homes to voluntarily bring them back into use. Our approach is focused initially on engaging with the owners offering support, advice and, where appropriate, offering grants, or the opportunity to make use of leasing schemes or other arrangements with Registered Providers. However, where an owner is unwilling to bring the home back into use, and it is either causing a specific problem within its neighbourhood, or would meet a particular housing need, we will consider the use of the enforcement powers available to us.

The diagram below summarises the stages in our approach.



7.0 Monitoring and Feedback

7.1 Measuring Performance

- 7.1.1 Delivery of this Strategy will be quarterly reported to Members via the Council's Corporate Performance Management framework.
- 7.1.2 The key performance measure will be the data recorded on the Annual October Council Tax return form for properties "vacant for more than 6-months"
- 7.1.3 In October 2010 Council Tax returns indicated 457 properties across South Derbyshire were vacant for more than 6-months. Following a site survey of long-term empty properties the April 2011 figure was considered to be around 291 long-term empty homes. The figure recorded on the Council Tax database for October 2011 was 344 homes. This indicates that during the period of April to September (6-months) there was a net increase of 53 additional long-term empty homes (average increase of 9 long-term empty homes per month).
- 7.1.4 With limited resources it will be challenging to reduce the number of long-term empty homes below 344. Therefore the key aim of this Strategy will to stabilize the number to the October 2011 figure of 344.

7.2 Consultation

- 7.2.1 The Strategy has been informed by a review of the previous strategy and the views of key stakeholders. This includes Private Landlords, Registered Providers, residents via the Council's website and a press release.

Action Plan

| Ref: | Proposed Action | Target Date | Additional Resources | Outcome | Responsible Lead Officer |
|------|--|---------------------|--------------------------------------|--|--|
| 1.1 | Develop and maintain a database of empty homes. | March 2012 | None | Improve identification and monitoring. | Energy and Housing Standards Assistant |
| 1.2 | Review the Council's website. | March 2012 | None | Improve information available to homeowners/ private landlords. | Energy and Housing Standards Assistant |
| 1.3 | Work with a local estate agent and develop the Council's "Matchmaker" scheme to proactively market empty homes. | December 2012 | None | To facilitate the selling of empty properties. | Affordable Housing Officer |
| 1.4 | Review the Council's information pack to owners of empty homes. | May 2012 | None | Improve information available to homeowners/ private landlords. | Energy and Housing Standards Assistant |
| 1.5 | Ensure the appropriate enforcement polices are in place. | June 2012 | None | To bring difficult long-term empty homes back into use. | Housing Standards Officer |
| 1.6 | Work with Private Landlords and Registered Providers to bring empty homes back into use to meet a housing need. | On-going | None | To increase the supply of affordable rented homes. | Affordable Housing Officer |
| 1.7 | Work with Registered Providers to develop a Local Landlord Leasing Scheme to offer an affordable solution for owners to let their homes. | On-going | Additional Funding £30,000 | To provide homeowners with an affordable and low risk option to letting homes to households in housing need. | Affordable Housing Officer |
| 1.8 | Extend the existing "rent deposit" scheme to include those on low incomes in housing need. | Commence April 2012 | Additional Funding £10,000 | To support those in housing need to access the private rented market. | Housing Operations Manager |
| 1.9 | Provide low-cost loans to first-time buyers of empty homes to support the elimination of Category 1 hazards under the Housing Act. | Commence April 2012 | Additional Funding £30k per year | To support households on average income to access the housing market. | Housing Standards Officer |
| 1.10 | Provide grant support to Registered Providers/private landlords to bring empty homes back into use. | Commence April 2012 | Additional Funding £150k per year | To increase the supply of affordable rented homes. | Affordable Housing Officer |

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