

PRIVATE SECTOR EMPTY PROPERTY STRATEGY 2007 - 2010

EREWASH



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Foreword

There are a number of privately owned empty properties in the borough, some of which are not maintained in good condition and receiving ongoing repair.

An empty property can impact on the quality of the local environment, creating a poor image of an area. It may lead to increased fear of crime, attract anti-social behaviour and make a place less attractive for local people to live in.

Whilst we recognise that there are relatively low numbers of empty homes in Erewash that are in a poor condition, it needs to be recognised that each empty property is a wasted resource, particularly where there are limited opportunities for meeting housing needs in the area.

It is accepted that turnover in the housing market will lead to some properties remaining vacant for a period of time, however it is those properties which remain vacant for a longer term, for example 6 months or more, that give rise to concern.

This Strategy has been developed with the aim of ensuring that every effort is made to return these valuable homes back into use, and that neighbourhoods are not unnecessarily adversely affected by empty properties.

This Strategy links closely with the Council's Community Safety Strategy, Private Sector Housing Renewal Strategy, Corporate Plan, and Housing Strategy.



Councillor Carol Hart
Deputy Leader

Date: June 2007

1. Introduction

- 1.1 Empty properties can be vacant for a variety of reasons, most usually associated with vacant residential properties. However, they can also be disused commercial properties such as shops, offices or the space above shops.
- 1.2 An underlying level of vacancy arises as a normal part of the property market, but there is a difference between properties which are temporarily empty and those lying unused and sometimes uncared for over long periods of time.
- 1.3 In April 2006, there were 783 empty private sector homes in Erewash. 111 of these had been empty for more than 6 months and 35 had been empty for more than 12 months. This position has been fairly static over the last few years, but with a decline in the number of empty properties between 2005 and 2006. Both the number of empty properties and the numbers of empty properties as a percentage of all properties for Erewash are also the lowest in comparison to neighbouring authorities and those in the Nottingham Core Housing Market area. See Appendix 1 (page 19) for comparison table.
- 1.4 Current figures based on April 2007, show an increase to 884 empty private sector homes. 126 have been empty for more than 6 months and 46 have been empty for more than 12 months. Current comparison figures from neighbouring authorities were not available at the time of publication of this Strategy.
- 1.5 It is interesting to note that for the majority of the properties empty for more than 6 months, there are probate issues following the death of the owner. These amount to 85 of the 126 empty properties that remain vacant for more than 6 months, and 44 of the 46 properties that remain empty for more than 12 months. This suggests that a significant number of empty homes in the Borough are a result of ongoing legal ownership matters.

Within Erewash, long-term empty homes and other vacant properties are not a major problem because they are relatively small in number and are distributed widely.

- 1.6 However, it should be recognised that:-
 - (a) Each property can become a major cause for concern for those who live nearby if the house and/or garden looks unkempt or attracts vandalism, arson or other forms of anti-social behaviour.

- (b) In an area of high demand for affordable housing and with many households who are homeless, an empty property is a wasted housing resource. There were over 1,600 households on the housing register in Erewash on April 2006, and approximately 400 households make a homeless application each year.
- (c) There is a loss of valuable council tax revenue, as only 50% council tax is payable on an empty property.
- (d) An empty property is also a waste of a resource for an owner as there are holding costs incurred for empty properties, for example, maintenance, insurance and investment in security measures. It has been estimated¹ that the annual cost of keeping a home empty is around £7,000.

2. Background and other strategic objectives

2.1 National Priorities

The need to reduce empty homes has been widely recognised for a number of years, mainly through the campaigning of organisations such as the Empty Homes Agency (www.emptyhomes.com).

2.2 Nationally, the government has identified that the 'reuse' of empty homes and the conversion of vacant commercial property lie at the heart of the government's commitment to securing Urban Renaissance in towns and cities (Empty Property: Unlocking the Potential, ODPM 2003).

2.3 The government's response to the Barker Review² (which highlighted the need to increase the supply of housing), states that,
"In addition to new build, it is essential to make better use of existing housing stock and one way of doing this is to address the issue of the number of private sector empty properties vacant for 6 months or more".

2.4 The increasing commitment to meeting housing needs is also emphasised in the Local Government White Paper³, which was published in October 2006. In addition, Planning Policy Statement 3– Housing⁴, encourages local planning authorities to develop positive policies to identify and bring into residential use empty houses and buildings and, where appropriate, acquire properties under compulsory procedures.

¹ Empty Homes Agency: www.emptyhomes.com

² The government's response to Kate Barker's Review of Housing Supply. December 2005

³ Strong and Prosperous Communities – the Local Government White Paper. 26 October 2006

⁴ Planning Policy Statement 3 (PP33) –Housing. November 2006

- 2.5 The government has introduced a number of measures aimed at encouraging the re-use of empty homes and has produced guidance and handbooks which provides advice to help bring empty properties into use.

This Strategy has therefore been developed with reference to these guides and publications and aims to reflect the national priorities identified.

2.6 **Regional Priorities**

The Regional Housing Board for the East Midlands has developed a Regional Housing Strategy⁵ which sets out the housing needs of the region, identifies priorities for action and demonstrates how these link with wider regeneration work and other strategies and plans. A copy of the document can be found at www.goem.gov.uk. The Regional Housing Strategy identifies 'Renewing and Revitalising the Private Sector' as a priority and that the development of strategies and plans to tackle the problems of empty properties can underpin initiatives aimed at delivering this priority.

- 2.7 The Draft East Midland Regional Plan⁶ (September 2006) encourages the production of Empty Property Strategies linked to planning policies. Policy 17 of the Draft Plan outlines the aim to achieve a 3% vacancy rate for the region as a whole.

2.8 **Local Priorities**

The Borough Council and its partners have identified key aims and priorities which this Strategy links to, and can play a part in delivering.

These link to the aims and priorities outlined in the:

- (a) Corporate Plan;
- (b) Housing Strategy;
- (c) Homelessness Strategy;
- (d) Private Sector Housing Strategy;
- (e) Community Strategy; and
- (f) Community Safety Strategy.

A more detailed explanation of the linkages is provided in Appendix 2 (page 20).

- 2.9 The Council will also continue to work towards national, regional and sub-regional priorities and targets in key service areas such as "Decent

⁵ East Midlands Regional Housing Strategy 2004-2010

⁶ East Midlands Regional Spatial Strategy (RSS). (Examination in public opens 22 May 2007)

Homes' and planning through the Local Development Framework and Development Control and Enforcement service.

3. Monitoring Performance

- 3.1 The national best value performance indicator BV 64 requires a local authority to monitor private sector empty properties that are returned into occupation or demolished as a result of direct action by the local authority.
- 3.2 BV 64 gives an indicative list of the type of interventions which are deemed to be applicable for monitoring purposes as follows:
- (a) Grants, loans or other financial assistance either provided or facilitated by the authority;
 - (b) Leasing arrangements;
 - (c) Advice given to an owner which is followed and results in the empty home being returned to use, for example, provision of advice on:
 - i) The authority's Empty Homes Strategy;
 - ii) Options on sale and letting issues;
 - iii) Grants, other financial assistance and availability of tax concessions;
 - iv) Assistance from a landlord forum or accreditation scheme;
 - v) Repairs, including details on building contractors meeting minimum standards;
 - vi) Referral to a registered social landlord (RSL) or other intermediary with relevant expertise;
 - vii) Enforcement action, including repair notices, compulsory purchase order (CPO), works in default, and enforced sale;
 - viii) Helping a landlord to re-let through a local authority rent-and-deposit guarantee scheme; and
 - ix) Enquiries made to establish ownership of a property and follow-up action.
- 3.3 The BV 64 figures for Erewash Borough Council during 2004-2007 are detailed in table 1 overleaf.

Table 1: Number of private sector vacant dwellings returned into occupation under BV 64 in Erewash

Year	April 2004		April 2005		April 2006		April 2007	
Number of vacant properties	777		811		783		884	
Number of properties vacant for more than 6 months	103		122		111		126	
Number of properties vacant for more than 12 months	36		44		35		46	
Number of properties vacant that were brought back into use during 12 month period	12		16		9		17	
BVPI target for empty properties brought back into use	2003 /04	8	2004 /05	8	2005 /06	12	2006 /07	12
Future targets for number of empty properties brought back into use	2007/08 = 15 2008/09 = 20 2009/10 = 25							

This shows a fairly static position with regard to the number of empty properties, although a recent fairly significant increase in those empty under 6 months. The targets for bringing empty properties back into use have increased, and these are being met and exceeded.

- 3.4 Since 2004, empty properties have been brought back into use by encouraging and advising owners, and by offering financial assistance. Interventions by the Borough Council include:
- (a) Local Authority Social Housing Grant of £325,078 to Derwent Living to develop 9 empty flats into affordable housing for single people.
 - (b) Local Authority Social Housing Grant of £560,000 to Guinness Housing to develop an empty old school building into 21 units of affordable housing for single people.
 - (c) Erewash Social Housing Grant of £486,150 to Tuntum Housing Association to turn a large empty property into 9 units in a Foyer for young people.
 - (d) Erewash Social Housing Grant of £100,000 to Amber Valley Housing purchase and refurbish 2 empty properties for shared supported accommodation for 5 people with drug or alcohol problems.

- (e) Erewash Social Housing Grant of £200,000 to Eastern Shires/ Tuntum partnership to purchase 3 empty properties for accommodation for teenage parents.
- (f) Erewash Borough Council Empty Property Grants of £51,940 to bring 5 empty properties back into use, which had previously been vacant for over 12 months.
- (g) Sale of properties in Cranmer Street, Long Eaton to P3 housing to convert 2 houses into 12 units of single person move-on accommodation.
- (h) £62,500 County Council funding to P3 towards support staff to re-open a vacant building on Tamworth Road, Long Eaton. This accommodates 12 single people in short term temporary housing and prepares them to live independently. £20,000 funding also secured from DCLG to improve and modernise the accommodation.
- (i) Erewash Social Housing Grant of £335,000 to Amber Valley Housing Limited to bring 8 empty properties back into use. These will provide accommodation at affordable rents for 8 families from April 2007.

4. Delivering the Empty Property Strategy

- 4.1 In order to bring a greater number of empty properties back into use and to improve our performance with regard to BV64, a robust planned approach to tackling the problem is required.
- 4.2 The Borough Council wishes to continue to tackle empty properties and bring them back into use, improve on our success, and to consider new ways to achieve this. This will be achieved as follows:

(a) Commitment of staff and resources

To fully carry out the aims, objectives and actions outlined in this Strategy, existing officer resources will be committed to:

- i) Develop up-to-date knowledge and expertise of relevant issues through ongoing research, liaising with other internal sections and external partners;
- ii) Initiate and record reports of empty properties from the general public, Members, other Council sections, and partner organisations;
- iii) Carry out surveys and site visits;
- iv) Chase progress on individual cases;
- v) Advise owners on the options available to them in bringing their empty property back into use;

- vi) Develop new initiatives and incentives so that a complete range of enabling and enforcing options is available to use in appropriate circumstances; and
- vii) Work with other Council sections to enable a corporate approach to be developed that supports the bringing of empty properties back into use.

(b) Raise awareness of empty homes issues and giving advice

The Borough Council will work corporately to share information, develop solutions to reduce empty homes in the Borough and involve external partners. In particular, the following teams will have a leading role:

4.3 Housing Renewal Team

Officers within the Housing Renewal Team are well placed to identify empty private sector homes and those properties likely to become vacant because of disrepair. They have an overview of local housing standards, and their technical knowledge and input can accelerate the processes by which homes are brought back into use. They will be able to assist by providing information on availability of financial assistance, their application procedures and eligibility criteria. They will also be able to advise on enforcement action that may be taken as a last resort.

4.4 Registered Social Landlords (also known as Housing Associations)

Registered Social Landlords (RSLs) own over 6,000 properties in Erewash. They have to keep the length of time their properties are empty to a minimum and their performance is measured by the Housing Corporation.

Their teams who manage and work on housing estates are well placed to identify other empty properties and to provide information to the Borough Council. They will also be able to assist in advertising the Strategy and to signpost residents to the Erewash Borough Council teams who deal with empty homes.

4.5 Building Control

Building Control are responsible for inspecting empty properties which have been reported as dangerous and there is therefore scope for these properties to be referred to the relevant officer. Officers are also well placed to identify empty homes whilst carrying out their duties in the district.

4.6 Neighbourhood and Environmental Health

Neighbourhood Wardens and other officers dealing with nuisance and pest control complaints are also well placed to identify empty homes in the course of their duties and refer them to the relevant officer.

4.7 **Planning**

Planning officers are well placed to develop relationships with building owners and promote the Empty Homes Strategy. Local planning policy can also facilitate the bringing of empty properties back into residential use, for example, through permission to turn houses into flats and the change of use for other buildings to residential. Such changes will be encouraged where appropriate.

4.8 The planning officers and enforcement officers are also well placed to identify empty properties which are, as a result of their condition, detrimental to the surrounding amenities. The local planning authority has the power under Section 215 of the Town and Country Planning Act 1990, to require the owner to take necessary steps to improve the condition and appearance of properties.

4.9 **Council Tax**

If a property is left empty, the owners will only have to pay 50% of the council tax charge. The owners have to apply to our council tax section for this discount. At this point, the Council receives some of the most valuable information on the properties which are empty in Erewash.

4.10 Officers involved in providing council tax information to owners of empty homes can invite such owners to contact the relevant officer to discuss the options available to return properties into occupation. Information can also be sent out with council tax demands.

4.11 **Legal Services**

Legal officers assist departments in tracing ownership for land and buildings. These established procedures are useful in tackling empty homes. Other legal queries surrounding empty homes are referred to the legal team.

4.12 **Housing Benefits**

Owners of empty properties may be reluctant to offer rented properties to tenants who are in receipt of benefits due to concerns about the benefits system and speed of payments. Officers offer information and advice which help reassure property owners

4.13 **Communications Officer**

Is able to advise on all marketing and advertising of the Strategy.

4.14 **Elected Members**

Elected Members are able to promote the Strategy within their local community and are well placed to identify empty properties within their respective wards and refer them to the relevant officer.

4.15 **External Partners**

Partnerships exist with other local authorities via the East Midland Empty Property Forum. There is also ongoing work with our RSL housing development partners, for example, through jointly funded schemes to bring empty properties back into use for affordable or supported housing. Other partnerships are being forged with, for example, landlords, homeowners, estate agents, letting agents, and building societies.

4.16 **Housing Strategy**

Identification of housing need and how best to try to meet this need is an integral part of the Housing Strategy, which outlines how reduction in empty properties can contribute to increased provision of homes. The Housing Strategy Officer can assist in identifying the need for affordable housing, and work with partners to purchase or lease empty properties to help meet this need.

4.17 **Publicity**

Awareness Training about empty property issues and solutions can be promoted through the work of the Private Sector Landlords Forum, Housing and Homeless Forum, distribution of information leaflets, the use of the Council's website and regular publications in the media.

4.18 (c) **Compile an empty homes database**

This will include records of property owners, addresses and vacation dates. It will record and diarise any action taken in an attempt to return empty properties back into use and to improve monitoring of the scheme. Information can be obtained from council tax records of empty properties, Land Registry and electoral register.

4.19 Improved recording will also assist the Council in producing the annual BV 64 figure.

Subject to the provisions within the Data Protection and Freedom of Information Acts, the Council may be able share the information it holds relating to empty properties with those interested in helping to bring the properties back into use by, for example, putting people in touch with each other.

4.20 (d) **Bringing empty properties back into use – direct action**

The Council will pursue action through formal or informal means to ensure that properties are not left empty, particularly those which have been empty for more than 6 months. The following provides a guide to the available action open to the Council to ensure that effective use will be made of these properties.

4.21 Direct Action: The informal approach

The Council will strive to work with owners of empty properties to bring them back into use through an informal approach in the first instance. Accordingly every effort will be made to establish who owns the empty property and their contact details.

4.22 Once the information regarding ownership has been obtained, the Council will work towards establishing the owner's future plans for the property and the proposed timescale. Providing that there is evidence that plans are in place for the owner to:

- (a) Occupy the property;
- (b) Let it to tenants;
- (c) Offer it for sale on the open market; or
- (d) Have another proposed use within a reasonable timescale

then no further action will be taken by the Council other than to monitor the situation through to a satisfactory conclusion.

4.23 The Council is keen to work with the owners of these properties. Advice and assistance will be given by the Council on the various options available to owners to help to bring their empty property back into use. Some of these options are outlined in table 2 below.

Table 2: Options available to empty property owners to bring back into use

Option	Agency who can assist	Advice/assistance to be provided by Erewash Borough Council staff	Additional information
Sale on open market	Estate agents	Details of estate agents. Planning advice on e.g. change of use from commercial to residential.	Purchaser may be entitled to Empty Properties Grant.
Private renting	Erewash Borough Council Homeless and Housing Support team	Details of bond scheme, free advertising, pre-tenancy determinations, and housing law advice.	In the future, properties could be advertised alongside RSL properties, under a choice based lettings scheme.

Option	Agency who can assist	Advice/assistance to be provided by Erewash Borough Council staff	Additional information
Private renting	Letting/management agents	Details of letting/management agents. Planning advice on e.g. change of use from commercial to residential.	
Empty Property Grants	Erewash Borough Council Housing Renewal team	Applying for and administering empty property grants.	Grant up to 50% of eligible cost of works to a maximum of £5,000. For owner-occupiers or landlords (let at affordable rents).
RSL purchasing empty properties for affordable housing	RSLs involved in scheme	Whether any schemes currently operating. Details of RSLs purchasing properties.	Limited funding for these schemes. Not all properties are suitable.
Private Landlord Grant	Erewash Borough Council Housing Renewal team	Applying for and administering Landlord Grant.	Grant up to 50% of eligible cost of works to a maximum of £10,000.
Council leasing properties for temporary accommodation	Erewash Borough Council Homeless and Housing Support Team Leader	Whether any schemes currently operating. Referral to Homeless and Housing Support team for details regarding leasing.	Limited need for properties for this purpose. Not all properties are suitable.

4.24 **Direct Action: The formal approach**

As previously stated the Council will pursue every available course of action to ensure that a property is brought back into use through the informal measures described above. However, if this is unsuccessful, further measures will be considered by the Council. The Council does have a number of legal remedies open to it and will use those powers where it is deemed necessary and all avenues of informal action have failed.

- 4.25 The Council can also take action in situations where the ownership of the property and/or contact details for the owner of the property cannot be established.
- 4.26 An overview of the various legal remedies open to the Council are outlined in Appendix 3 (page 22).

5. Action Plan

- 5.1 In setting out the mechanisms that will be used to increase the numbers of empty homes brought back into use up to 2010, an Action Plan has been produced to set out key activities required to deliver improved performance. This is produced in Appendix 4 (page 26)

6. Conclusion

- 6.1 Whilst Erewash does not have a significant number of empty properties remaining vacant for 6 months or more, nor does it experience concentrated areas of void housing, there is the need to proactively manage the reduction of longer term empty homes.
- 6.2 The Private Sector Empty Property Strategy will provide a 'route map' to the work that is and will be carried out in tackling this issue.

Contact Details

In the first instance you should contact the Housing Renewal Team:

Telephone: 0115 931 6060

e-mail: ehgrants@erewash.gov.uk.

Or write to us at:-

Erewash Borough Council
Housing Renewal Team
Merlin House
Merlin Way
Ilkeston
Derbyshire
DE7 4RA

Office opening hours are:

8:30 am - 5.00 pm Monday to Thursday;

8:30 am - 4.30 pm Fridays

The Council's website address is www.erewash.gov.uk

Further Contacts and Useful Information:

www.emptyhomes.com

An independent campaigning charity which promotes solutions to bring empty properties back into use

www.empro.co.uk

An online service that aims to bring together prospective landlords and developers with long term empty properties to acquire and renovate. Whilst properties in Erewash are not currently advertised through this site, it is a source of useful advice and information.

www.communities.gov.uk

The government website which provides comprehensive information on dealing with empty properties.

This Strategy was prepared in consultation with:

- Private Sector Landlords Forum
- Estate agents
- Letting agents
- Housing and Homeless Forum
- RSL Forum
- Neighbouring local authorities

APPENDIX 1:

Comparison of empty properties in Erewash to neighbouring local authorities

As at April 2006	Erewash	Amber Valley	Broxtowe	Nottingham City	Derby City
Number of vacant properties	783	1,910	966	4,055	3,547
Number of vacant properties as a percentage of all properties	1.8%	3.6%	2.3%	4.8%	3.5%
Number vacant for more than 6 months	111	1,008	633	2,153	1,140
Number of vacant properties brought back into use (1 April 2005-31 March 2006)	9	64	0	182	69
Target – empty properties brought back into use 2005/06	12	5	8	167	109
Target – empty properties brought back into use 2006/07	12	30	0	70	75
Target – empty properties brought back into use 2007/08	15	30	5	150	89

This shows that for Erewash, the number of empty properties is not a major issue in comparison to other neighbouring areas. However, proportionately other areas, with the exception of Broxtowe, have been more successful in bringing empty properties back into use.

Information from the Nottingham Core Housing Market Assessment 2006, looking at numbers of empty properties over the period 2002 – 2006:

Overall the data implies a steadily rising number of empty dwellings in Nottingham, Rushcliffe, Broxtowe and Gedling, with the numbers in Nottingham being much higher and rising more steeply than in the other areas. Hucknall appears to have a relatively stable number of vacant dwellings each year, as does Erewash which actually shows a slight decline.

APPENDIX 2: Empty Property Strategy links with other aims and priorities

Strategic Document	Aim/Priority	How the Empty Property Strategy will help to deliver
Corporate Plan 2006-2009	Assisting in delivering homes for all: working to reduce the number of empty homes	Reduce the number of empty homes
Housing Strategy 2005-2008	Delivering quality and choice in the housing market: Tackle empty properties and bring them back into use*	Tackle empty properties and bring them back into use
Homelessness Strategy 2003-2008	Increase the number of properties available in the Borough	Increasing the number of properties available by bringing empty properties back into use
Housing Strategy 2005-2008	Help deliver affordable housing across the Borough	Through empty properties sold to RSLs for affordable housing. Through private landlords leasing empty properties via the Homeless and Housing Support team.
Housing Strategy 2005-2008	Improve and Renovate private sector housing	Through bringing empty properties back into use, linked with Decent Homes and Empty Properties Grants
Private Sector Housing Strategy. July 2006	<ul style="list-style-type: none"> • Improving the quality of private rented housing • Empty properties • Providing Decent Homes for vulnerable households 	Through Empty Properties Grants to landlords to privately let. Identifying, encouraging and enabling empty properties to be brought back into use. Enabling RSLs to purchase empty properties and bringing them to Decent Homes standard, letting to vulnerable households.
Community Strategy 2006-2009	Children and young people: staying safe	By ensuring properties are occupied, and/or carrying out work to improve the property, removing opportunities for children and young people to be

Strategic Document	Aim/Priority	How the Empty Property Strategy will help to deliver
		attracted to playing in empty and unsafe houses and gardens.
Corporate Plan 2006-2009	Protecting and Enhancing our Environment	An empty property, whether residential or commercial can become a blight and eyesore in the immediate area attracting rubbish and fly-tipping as well as a catalyst for vandalism, arson and other forms of anti-social behaviour. Advising the owner, carrying out work to improve the property, and/or bringing the property back into use can protect and improve the property and the area.
Community Safety Strategy 2005-2008	Reduce the incidence of anti-social behaviour affecting our communities	As above

*This was ranked as in the top 3 priorities in our strategic housing partners consultation in 2005)

APPENDIX 3 – Local Authority Legal Powers

Problem	Legislation	Power Granted	Department
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.	Legal team
	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.	Legal Department
	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.	Housing Renewal Team

Problem	Legislation	Power Granted	Department
Dangerous or 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.	Housing Renewal Team
	Enforced Sale: Law of Property Act 1925	See above	
	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.	Housing Renewal team
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.	Building Control

Problem	Legislation	Power Granted	Department
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.	Environmental Protection
	Building Act 1984, Section 59	To require the owner to address blocked or defective drainage.	Environmental Protection
	Public Health Act 1961, Section 17	To require the owner to address defective drainage or private sewers.	Environmental 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.	Environmental Protection
	Prevention of Damage by Pests Act 1949, Section 4		Environmental Protection
	Environmental Protection Act 1990, Section 80		Environmental Protection
	Building Act 1984, Section 76		Environmental Protection

Problem	Legislation	Power Granted	Department
Unsightly land and property affecting the amenity of an area	Public Health Act 1961, Section 34 (see above)	To require the owner to remove waste from the property (relates to accumulation of rubbish).	Environmental 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

APPENDIX 4: Action Plan

Task	Target Date	Resources	Responsibility	Anticipated Outcomes	Measures of Success
1. Investigate joint working with neighbouring authorities – e.g. Broxtowe/Amber Valley	March 2008	Staff time. Funding for shared Empty Properties Officer post	Department Management Team	Shared resources, improved value for money. Sharing of expertise and experience.	Options for joint working fully considered and acted upon. Outcome results in increased number of empty properties brought back into use.
2. Promote the Strategy with key stakeholders and public	August 2007 onwards	Staff time	Existing staff, Communications Officer.	Increased awareness, resulting in more empty properties being identified and brought back into use.	Key stakeholders and public shown to be aware of empty property issues and how the partners are working together to tackle.
3. Develop a database of long term empty properties	December 2007	Staff time	Existing staff	Accurate information and audit trail for BV64. Clear demonstrable understanding of the extent of the issue in the Borough.	Database developed and kept up to date continuously. Clearly auditable figures for BV 64.
Database continuously updated with new cases and progress	Ongoing	Staff time		Information easily made available to partners who can assist in bringing back into use.	
4. Appoint RSL partner to deliver empty properties affordable housing project	June 2007	Staff time	Housing Strategy Officer	Project proceeding on target to complete by December 2007.	Amber Valley Housing appointed and project brief agreed.

Task	Target Date	Resources	Responsibility	Anticipated Outcomes	Measures of Success
Completion of project – empty properties purchased, refurbished and brought back into use (commuted sum element for Sandiacre area)	October 2007	£615,000 which is Erewash Social Housing Grant and commuted sum for Sandiacre. Staff time	RSL Partners, Housing Strategy Officer	14 empty properties purchased, refurbished and brought back into use.	Households nominated to move into the properties.
5. Deliver Empty Property Grants	April 2007 and ongoing subject to annual funding review	Staff time	Housing Renewal team	Empty properties brought back into use.	Increase in number of empty properties brought back into use.
6. Proactively encourage change of use to residential dwellings, where appropriate	Ongoing	Staff time	Development Control and enforcement officers	Increase in number of properties for residential use. Empty building brought back into use.	Increase in number of properties changed to residential use and inhabited.
7. Attempt made to contact all owners – targeting properties over 6 months empty	October 2007 and April 2008 and ongoing	Staff time	Existing staff	Clear information on status of properties. Owners informed of options. Empty properties brought back into use within reasonable timescales.	Robust attempts made to trace and contact all owners. Clear information on status of all empty properties over 6 months. Increase in empty properties brought back into use.

Task	Target Date	Resources	Responsibility	Anticipated Outcomes	Measures of Success
					Reduction in properties empty over 12 months without good reason.
8. Annual Report produced to Members and other stakeholders regarding progress and success	August each year	Staff time	Existing Staff	Members understand issues, and continue to commit resources and staff. Stakeholders continue to work as partners to tackle empty properties.	Reports issued to Members and other stakeholders. Feedback and issues arising from reports acted upon.
9. Develop 2010-2015 Empty Homes Strategy	March 2009	Staff time	Existing staff	New Strategy to take into consideration current legislation, new government initiatives, housing needs in Erewash and funding available. Strategy aligns with new Regional Housing Strategy.	Strategy adopted for 2010-2015.

