

Dover District Council

Empty Homes Strategy

2010 – 2015



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1. Forward

I recognise that good quality accessible housing is a fundamental requirement for a prosperous and thriving community and as a Council we recognise the challenges to providing the quantity and quality of housing that local people need.

This strategy is an integral part of the Council's Housing Strategy, which aims to achieve a sustainable community through meeting both the housing needs of individuals; and the regeneration and renewal of the wider community.

The importance of housing has never been more critical. An acute nationwide shortage is causing an increase in homelessness and affordability issues for local residents. The changing demographics of our district and the increasing pressure of local need are fully evidenced in the emerging Local Development Plan Core Strategy.

It is important therefore that the use of the existing housing stock is maximised. Empty homes not only restrict housing supply, they also detract from the quality of the local environment and can cause significant problems for local residents.

We aim to increase housing choice and opportunity, improve the quality of homes and services to residents. We will work with the owners of empty homes, private landlords and Registered Social Landlords (RSL), to encourage the reuse of existing empty properties and to prevent homes becoming empty in the first instance.

As with many strategies, the action plan is one of the most important parts of the document. This will be reviewed and refreshed regularly in the light of changing circumstances.

I strongly encourage our partners, stakeholders and members of the community to comment on the content of this Strategy. Please let us know what you think. You can contact Robin Kennedy, Private Sector Housing Manager on (01304) 872221 or e-mail robin.kennedy@dover.gov.uk



Councillor Frederick Scales

Deputy Leader of the Council & Portfolio Holder for Economy and Special Projects

2. Executive summary

This Empty Homes Strategy links to the following key regional and local strategies:

- The Regional Spatial Strategy (RSS) for the South East of England 2009 – 2026 (known as the South East Plan);
- The Regional Housing Strategy for 2008-11 (for South East England);
- Kent County Council Local Area Agreement 2008 – 11 (KA2);
- The East Kent Sustainable Community Strategy (draft)
- Dover District Council Local Development Framework;
- Dover District Council Housing Strategy 2005-09;
- Dover District Council Street Scene Strategy (draft)

The Strategy recognises that empty homes are a waste of resources in so far as there is a need for more housing in the district and they represent lost income for the property owner.

The Council understands that homes may become empty for short periods of time whilst they are renovated or improved prior to letting or sale. This is a natural feature of the property market, and these homes do not generally represent a problem. However, homes that have been empty for more than six months (long term empty homes) are not only a waste of valuable resources but can also be a source of serious anti social behaviour. For this reason they are the primary focus of this strategy

The Dover district has above average levels of long-term empty private sector homes. Government statistics show that:

- as at 1 April 2009 there were 2006 empty homes in Dover district, of which 951 had been empty for six months or more.
- as at 1 April 2008, the proportion of empty homes in the Dover district (1.8% of the total stock) was higher than the national average (1.3%) and had the second highest percentage of long term empty homes in Kent.

Despite the Council's efforts to bring long term empty private sector homes back into use, the problem has been getting progressively worse and over the four year period from 2005 to 2009, the number of long term empty homes rose from 674 to 951, an increase of 41%.

Although it is not illegal to leave a property empty, legal action can be taken to bring a property back into use where, for example, the empty home is having an adverse impact on the surrounding area. The Council will utilise a risk based approach to identify the highest priority cases and take enforcement action, where appropriate, to tackle the worst cases.

Bringing long term empty houses back into use would provide a range of economic, social and environmental benefits, and would help to regenerate and meet the housing needs of the district.

The objectives of this Strategy are therefore to

1. Make best use of available information to target empty homes
2. Promote the Services available and make owners of empty homes aware of the support and sanctions available.
3. Encourage owners to bring their property back into use on a voluntarily basis
4. Where necessary use enforcement powers to tackle the worst properties.
5. Devise and explore new and innovative ways to bring empty properties back into use

The Council's target is to bring back into use 30 long term empty homes each year over the next three years, and a range of actions have been developed to deliver this target and the strategic objectives set out above. These targets and actions will be updated on a regular basis.

3. Strategic context

3.1 National

The Housing Green Paper published in 2007 “Homes for the future: more affordable, more sustainable” sets out the Government’s strategy for meeting a new target of over 240,000 net additional homes a year by 2016, producing a total of 2 million new homes by 2016. It places a requirement on Councils, as part of their strategic housing role, to reduce the number of homes that are left empty for long periods of time.

The Government recognises that “no one should have to live in a neighbourhood scarred by the blight which empty homes can cause”¹ and has strengthened the powers available to local authorities to tackle empty homes. In 2006, local authorities were given the power to issue Empty Dwelling Management Orders as part of their approach to bring homes into use. Also, the government has reduced VAT on renovation and alteration of homes that have been unoccupied for between two and three years to 5 per cent

A report produced by a Committee of the Department for Communities and Local Government in February 2009 urges the Department to take action to reduce empty homes by:

- Ensuring appropriate opportunities are taken to acquire further social housing through the purchase of unsold stock and street properties.
- Considering the purchase of unsold family homes, for which there is a particular need in the social rented sector, which have been on the market for more than a year.

In March 2009, the European Parliament voted to reduce VAT rates for building repair and maintenance works, enabling the UK Government to make a similar change. This would help to reduce the cost of repairing, maintaining and improving homes empty for more than two years and hopefully encourage owners to bring them back into use.

3.2 Regional

The **Regional Spatial Strategy (RSS)** for the South East of England (known as the South East Plan) was published in May 2009 and sets out the vision for the future of the South East region to 2026. The plan includes a policy to make better use of the existing stock to help meet housing needs and to promote urban renaissance and sustainable use of resources. Local authorities are required to assess the existing housing stock in their areas and implement measures to reduce the number of vacant, unfit and unsatisfactory dwellings, including the production of an empty homes strategy that sets out a range of initiatives to bring empty homes back into use.

The plan recognises that there remains scope to bring empty homes back into use and converting existing buildings, in preference to the development of greenfield

¹ Empty Dwelling Management Order leaflet

sites, and that although the housing vacancy rate in the South East is the lowest of any region there are parts of the region where vacancy rates are high and where action may help to reduce these rates.

The **Regional Housing Strategy for 2008-11** (for South East England), published by the Regional Housing Board in April 2008, sets out the investment priorities for the region over the next three years which includes delivering improvements in the quality and energy efficiency of both new and existing stock.

The strategy “adopts a new competitive approach to funding through local authority partnerships that will improve non-decent housing in urban and rural locations and will include ... bringing empty homes back into use”.

The **Kent County Council Local Area Agreement 2008 – 11 (KA2)** is a county wide strategy that sets out its vision for Kent in eight themes including High Quality Homes, which includes a commitment to reducing the number of empty homes in Kent. Each District will report on achievements against this commitment through the National Indicator set.

The **East Kent Sustainable Community Strategy**, currently in draft, links East Kent’s aims and objectives to the KA2 and is delivered through the East Kent Local Strategic Partnership (EKLSP). This brings together the public authorities, businesses and voluntary and community sectors in a voluntary partnership, which covers the Districts of Canterbury, Dover, Shepway and Thanet. One of the aims of the Sustainable Community Strategy is that “East Kent will be home to stronger and healthier communities, enjoying high quality housing and an enviable quality of life”.

The Strategy identifies a need for good quality affordable homes in East Kent and the re-use of empty properties would contribute to achieving this objective.

Alongside the EKLSP sits Local Authority Joint Working, whose focus is to further increase performance and efficiencies, and which provides scope for collaboration on developing and delivering strategic housing policies.

3.3 Local

This strategy does not stand in isolation and links with a number of other key strategies for the district, including:

3.3.1 Dover District Council Corporate Plan 2008 – 2020

Following consultation and engagement with the community, particularly through the Local Development Framework and initial Dover Pride² research, the Council has prepared a Corporate Plan whose vision is ‘a future of strong economic growth within safe and sustainable communities’. The council’s top priority, working with partners, is to regenerate the district in a sustainable way that gives residents a world-class future.

² Dover Pride is a partnership of business, local and regional organisations and the people of Dover, which aims to make the town, a great place to live, work and visit.

One of the aims of the Corporate Plan is to develop “a wide range of good quality and accessible housing that meets the needs of the whole community”. It further states, “with the many ambitious regeneration programmes in the district, it is important that our housing choice and quality must also be developed to reflect our World-Class aspirations”.

Bringing empty homes back into use will help the Council to support and deliver the regeneration of Dover. Re-using existing buildings is vital in revitalising declining urban areas and ensuring a safe and sustainable environment.

3.3.2 Dover District Council Local Development Framework

The Council’s Local Development Framework Core Strategy (Submission Document January 2009) sets out the overall ambitions and priorities for the district. The strategy recognises that there is a higher than average amount of homes within the district that are long term vacant. It also makes reference to problems of social disadvantage and poor housing condition that are concentrated in the south western part of the town where there is a need for comprehensive regeneration to re-balance commercial and housing uses, improve housing quality and choice and environmental quality.

Bringing long-term empty homes back into use would help to improve housing quality and choice and environmental quality.

3.3.3 Dover District Council Housing Strategy 2005-09

The Council’s current Housing Strategy identifies that reducing empty homes would help to:

- (i) deliver the Communities Plan agenda;
- (ii) address the underlying causes of poor quality private housing; and
- (iii) meet one of the objectives of the second Public Service Agreement, a joint initiative with Kent County Council that provided access to funding for specific initiatives.

The key objectives in this strategy will be incorporated into the new Housing Strategy which (in 2009) is under development with a new Housing Strategy due in April 2010.

The current Strategy recognises that good quality accessible housing is a fundamental requirement for a prosperous and thriving community. It is committed to raising standards in the private sector where a sustained lack of investment in the sector has left the district with a significant amount of poor quality private housing. Some 85% of homes in the district are privately owned, many are in need of significant improvement and a higher than average percentage (13%³) are unfit.

The majority of the district’s poor quality private housing is situated within Dover town. As the physical environment declined, residents and businesses have moved away. High turnover and empty homes created more opportunities for crime and vandalism, which fuelled further decline, and is particularly evident in four of the district wards of Castle, Priory, St Radigunds and Tower Hamlets.

³ Dover House Condition Survey 2001

The Strategy identifies a number of key objectives that will address the underlying causes of poor housing in the district, which includes a reduction in the number of empty homes.

In addition to the above, bringing long term empty homes back into use could help to increase the quantity and quality of accessible housing that is needed in the district and to provide homes for people in housing need.

3.3.4 Dover District Council Street Scene Strategy

The Council is currently developing and consulting on a Street Scene Strategy to co-ordinate a wide range of services, including the reduction of empty properties, to address issues which the Council knows, through consultation, can affect its communities.

Tackling empty homes can support this work because reducing the numbers of long term empty properties may help to improve the appearance and appeal of a locality.

4. Empty Homes – what are the issues?

In order to successfully tackle the problems behind empty homes, it is important to understand why properties are empty, the benefits of returning empty homes to use and the scale of the problem.

4.1 What is an empty home?

It is generally accepted that there are two main types of vacant property:

Short-term empty homes

Homes may be empty for a short period of time whilst they are in the process of being sold or between lettings. Other properties may be empty because they are being renovated and improved prior to occupation, or awaiting probate following the death of the occupier. At any given time more than half of the homes that are empty fall into this short-term category, and do not normally require any intervention by the Council.

Long-term empty properties

From a national perspective, homes that have been empty for more than six months are generally classed as long-term empty homes. However, in our experience, the majority of properties vacant for 6 months are still in the process of undergoing renovation, improvement or sale. Accordingly, this strategy focuses on 'long term empty homes' where the homes have been empty for more than 12 months

In particular, this strategy will focus on:

- (i) reducing the numbers of long term empty homes in the private sector;
- (ii) taking urgent enforcement action, where they are causing a nuisance or are a risk to health and safety, in the worst cases; and
- (iii) encouraging owners of unused commercial space, particularly above shops, to convert the space into residential use.

4.2 The reasons why homes are empty.

According to research, when owners are asked why their property is empty, they give a wide range of reasons including:

- the owner wants to sell the property but will not consider letting it;
- perceived problems with letting a property;
- the owner cannot afford to repair property and is not eligible for grants and loans;
- the owner is unaware of the support available to bring property back into use;
- the property is difficult to sell because of its condition;
- the owner is waiting for market prices to recover before selling;
- the owner is untraceable or living abroad

Research undertaken for the Government Offices of the South East (MORI 2005) asked owners why their property is currently empty and 80% of the reasons mentioned most frequently were to do with repairs and/ or renovation. More recent research undertaken for East Midlands Empty Property Forum (Nottingham University, May 2008) found that ongoing renovations and improvements to the

property and the associated costs were the most frequently cited reasons for properties currently standing empty.

Responsibility for maintaining private housing rests with the owner, and the typical cost of renovating an empty property is estimated to be £30,420⁴; a breakdown of the cost is shown in Appendix 2. This cost, together with limited eligibility for public assistance, can make it very difficult for the owners of empty homes to bring their properties back into use.

The market downturn of 2008/09 is likely to mean a further increase in the number and length of time homes remain empty, as owners choose not to sell or cannot find a buyer, and plans to repair/ refurbish buildings are put on hold. The reduction in the availability of loans to new borrowers and mortgage costs for existing borrowers may further inhibit the process of returning empty homes to use.

4.3 The benefits of bringing empty homes back into use.

Bringing long-term empty properties back into use provides a range of economic, environmental and social benefits:

(i) Economic benefits

The owner would benefit from:

- Increased income – the Royal Institution of Chartered Surveyors has calculated that owners of empty properties could be losing £8,000pa;
- Increased capital value;
- Reduced costs of insurance, repairs and maintenance (which may be as a result of vandalism or fire);
- Access to a range of support and advice services to help owners manage their property.

The Council would benefit from:

- Increased income from Council Tax;
- Reduced costs in dealing with complaints about empty homes;
- Reduced costs of providing temporary accommodation for households in need;

The Community would benefit from:

- A reduction in the negative impact that empty homes have on house prices in the area - the Royal Institution of Chartered Surveyors has estimated that an empty property can reduce the value of an adjoining property by up to 18%.

(ii) Environmental benefits

Empty homes can become a source of anti-social activity including vandalism, arson, burglary, fly tipping and drug misuse. They can also be attractive to children and their frequently poor condition means they can be hazardous play areas. These activities can have a serious, negative impact on the local neighbourhood.

⁴ The fifth annual Halifax survey of Empty Homes in England (November 2008) using information provided by the Building Cost Information Service

Consequently, bringing empty homes back into use would address these issues and contribute to the Council's corporate aspiration to create world class communities.

(iii) Social benefits

Dover district is an area of high housing demand, which cannot be met exclusively by new housing development and therefore the Council needs to make the best use of its existing housing stock.

On 1st April 2009, there were 3,237 households on the Council's Housing Register seeking affordable social (Council and Housing Association) housing. By contrast, there were only 290 social lettings during 2008/09. This demonstrates that demand is greatly in excess of the supply available and cannot be met by the provision of social housing alone.

The recently completed Strategic Housing Market Assessment for the East Kent Sub-region identifies a need for an additional 1,489 affordable homes per annum in order to meet the existing backlog of need and newly arising need over a five year period (this reflects Government guidance).

Where a shortage of affordable housing of a particular type or area has been identified, resources could be targeted at returning to use empty homes that help to meet the identified need.

4.4 The Scale of the Problem

The following table identifies the scale of the problem on a national, regional and local level using Government statistics as at 1 April 2008.

The numbers of properties brought back into use have been updated to 1 April 2009 by collecting the information directly from the authority (where available). The number shown in brackets under the total is attributable to rent deposit work.

Table 1: Empty homes as at 1 April 2008⁵ (brought back into use updated to 1 April 2009)

	Total Housing Stock 2008	Empty Homes (2008)						Brought back into use		
		Total	Local Authority	Housing Association	Other public body	Private Sector Housing	PSH - empty for more than 6 months	2006/07	2007/08	2008/09
England	22,493,857	697,055 (3.1%)	36,944	42,039	4,802	613,270 (2.7%)	293,728 (1.3%)	35.0 (District Av)	38.8 (District Av)	NYA
South East	3,603,644	91,074 (2.5%)	2,632	4,468	932	83,042 (2.3%)	33,844 (0.9%)	N/A	N/A	NYA
Kent	615,204	19,280* *	425	705	19**	18,131 (2.9%)	7,280 (1.2%)	43.2 (Av)	61.3 (Av)	NYA

⁵ 2008 Housing Strategy Statistical Appendix

		(3.1%)								
East Kent*	222,880	8,049** (3.9%)	197	78	18**	7,756 (3.5%)	3,351 (1.5%)	42.2 (Av)	71.4 (Av)	NYA
Dover*	49,382	1,816 (3.7%)	108	10	18	1,680 (3.4%)	870 (1.8%)	45	127 (108)	205 (178)
Ashford	48,483	1,986 (4.1%)	83	6	0	1,897 (3.9%)	594 (1.2%)	59	65	NYA
Canterbury*	62,597	1,668 (2.7%)	45	21	0	1,602 (2.6%)	180 (0.3%)	6	18	NYA
Dartford	39,125	1,409 (3.6%)	31	16	0	1,362 (3.5%)	427 (1.1%)	11	32	57
Gravesham	40,792	1,141 (2.8%)	114	4	0	1,023 (2.5%)	422 (1.0%)	80	58	50
Maidstone	63,054	1,610 (2.6%)	0	102	0	1,508 (2.4%)	724 (1.2%)	32	28 (27)	63 (56)
Sevenoaks	47,521	1,044 (2.2%)	0	68	1	975 (2.1%)	417 (0.9%)	7 (5)	12	4
Shepway*	47,635	1,536 (3.2%)	22	14	0	1,500 (3.1%)	809 (1.7%)	39	51	26
Swale	58,582	1,443 (2.5%)	0	162	0	1,281 (2.2%)	328 (0.6%)	141 (138)	199 (190)	180 (175)
Thanet*	63,266	3,029** (4.8%)	22	33	0**	2,974 (4.7%)	1,492 (2.4%)	85	90	92
Tonbridge & Malling	47,989	1,024 (2.1%)	0	146	0	878 (1.8%)	261 (0.5%)	21	19	NYA
Tunbridge Wells	46,778	1,574 (3.4%)	0	123	0	1,451 (3.1%)	756 (1.6%)	10	29 (1)	20

* East Kent comprised of: Canterbury, Dover, Shepway and Thanet

** Best estimate – Thanet did not provide data for total empty or other public body

() Figures in brackets represent %age of total housing stock

4.4.1 The National and Regional perspective

The last two columns in the above table relate to the Government's Best Value Performance Indicator, BVPI 64, which was discontinued at the end of 2007/08, and measures the number of non-local authority-owned vacant dwellings returned to occupation or demolished during the financial year as a direct result of action by the local authority. Unfortunately, there has been some ambiguity about what can genuinely be counted as effective local authority intervention. For example, recent practice has been to include properties where the local authority has facilitated lettings through a Rent/ Deposit Guarantee Schemes (because such schemes typically require continuing input from a local authority to secure the available lettings) and some authorities that still collect this information, include empty unsold new build properties.

The following analysis is based on Government statistics⁶ as at 1 April 2008:

Local Authority empty homes

As at 1 April 2009, there were 198 empty local authority homes in Dover district. However, this figure is distorted by the inclusion of 159 poor quality sheltered properties that have been deliberately closed as part of an agreed disposal programme; the other properties were either undergoing major works or in the process of being let.

⁶ 2008 Housing Strategy Statistical Appendix

Private sector homes that have been empty for six months or more

As at 1 April 2009 there were 2006 (4% of stock) empty private sector homes in the Dover district, of which 951(1.9%) had been empty for six months or more. Figures for 2009 are not yet available, so comparisons are based on statistics as at 1 April 2008 figure, and represent 3.4% and 1.8% respectively of the district's housing stock. At 1.8%, the Dover district has a higher proportion of long-term empty private sector houses than the national average (1.3%) and the average for the South East (0.9%), and has the second highest percentage of long term empty private sector homes in Kent.

4.4.2 The local perspective

Despite efforts to bring long-term empty properties back into use, the problem has been getting worse. Over the four year period from 2005 to 2009, the number of homes empty for six months or more has risen from 674 to 951, an increase of 41% in the district.

The scale of the problem

	2005-06	2006-07	2007-08	2008-09
No of empty private sector homes>6 mths	674	775	870	951
Increase on last year		+101	+95	+81

Progress made

	2005-06	2006-07	2007-08	2008-09
No of empty private sector homes>6 mths returned to use	17	45	18	27
Of which:				
Informal action		16	15	14
Financially assisted		29	2	11
Formal action		0	1	2

4.5 Resources

4.5.1 Regional funding

In 2005 a partnership of Kent district councils and the County Council established a 'No Use Empty' campaign. Part of Public Service Agreement (PSA) 2, it aims to bring empty homes back into use through a joined up approach, and has been extended until 2013.

In 2008-09, owners of empty properties in the Dover district received £625,000 of loans from this scheme to convert empty buildings into 36 flats and we expect a further £600,000 in 2009-10 to bring three houses and 25 flats back into use.

In addition to the above, Kent County Council fund a centralised professional housing consultant and PR work.

4.5.2 Local resources

Dover District Council Staff resources

In June 2006 a post of part time Empty Property officer was created in the private Sector Housing Team, and the post holder currently works 22 hours a week. The work of the Empty Homes Officer is supported by colleagues in the Private Sector Housing team and across the Council including:

- Planning;
- Legal
- Council Tax
- Building Control, Environmental Health

Funding

(i) Performance Reward Grant

The Government offers a Performance Reward Grant (PRG) for meeting the targets, agreed in the 2004 PSA, including those for empty homes. The agreement specified that partner districts that include DoverDC would each receive £150,000 in total over the next two years of the PRG in respect of the empty homes target, plus a further enhancement based on final performance over the three-year period. The £150,000 will be used to increase the Councils resources for empty property work so that more empty homes can be brought back into use.

This money will be used to provide additional resources for the following areas over the next two year period of the grant award;

- Enforcement costs - this will include purchasing empty property through compulsory purchase, costs to repair homes subject to Empty Dwelling Management Orders or works in default where legal notices are not complied with and the costs to employ external consultants to provide specialist reports in respect of enforcement.
- Staff resources - to provide additional staff resources for empty property work.
- Financial assistance- to provide (loans and grants) to bring empty properties back into use. Assistance being conditional that homes would be available for social housing or private letting for a fixed time period. This will reduce homelessness and contribute to our partnership working with Registered Social Landlords.
- To invest in computer software to make more effective use of the information gathered and in prioritising resources.

(ii) CPO budget

The use of Compulsory Purchase Order (CPO) powers can be very time consuming, and requires considerable input from Legal Services. Consequently, the Council has established a specific CPO budget of £87,000. This will be increased using the PRG monies to enable more than one property to be acquired at any one time and to purchase properties with high value.

5. Delivering the Strategy

The balance between resources available, priorities of the Council and national and local delivery targets will determine what is achievable in reducing the number of long term empty homes in the district. With the additional resources, it is considered that a target to bring back into use 30 long-term empty homes each year over the next three years is both challenging but realistic.

To ensure the successful delivery of this strategy, the following broad objectives have been identified where action will have a positive impact:

Objective 1: Making best use of available information to target empty homes

Council tax records provide the most accurate and up to information on empty homes, and can help to:

- Make national and regional comparisons; and
- Identify whether there are any areas where there is a particular problem;
- Assist in identifying long term empty properties;
- Assist in identifying owners of empty properties.

However, this information does not necessarily provide a true reflection of the empty property situation because:

- i. The Council removed the empty property discount on Council Tax in 2005 and, consequently, empty property owners may be re-registering their property as 'single occupancy' so that they continue to receive a council tax discount.
- ii. If a property is in a very poor condition and uninhabitable, the owner can request that the property is taken out of the council tax register and therefore no longer liable to pay council tax. Consequently, the Council may not be fully aware of some of the worst properties. In addition, the above figures do not take into account areas above commercial premises that may be suitable for conversion into residential accommodation.

Other useful sources of information include working with the public and local estate agents, and other council departments to build up a more comprehensive picture of empty properties in the district. This information would help us to:

- i. Risk rate all active empty homes;
- ii. Map empty homes to identify trends
- iii. Improve the database of long term empty homes to include those properties excluded from the Council tax List; and
- iv. Identify unused commercial properties that could be converted to residential use

The use of software specifically designed for empty property work will enable a more complete database of empty homes.

Objective 2: Promoting the Service to make owners of empty homes aware of the support and sanctions available.

This is an essential process because it helps to secure the support and co-operation from partners who will help us to tackle the problems. This would support efforts to regenerate the worst areas of the district and to join up with newer initiatives such as 'Street Scene'. It would need to include regular contact with external partners such as Kent County Council, other Kent local authorities, Regional and Central Government, Housing Associations, Agents and representatives of home owners and the communities that are particularly affected by empty homes. Regular reports to the relevant internal committees would help to engage the support of senior officers and Members, and inform them of progress.

Measures to increase the awareness of the empty homes problem include:

- Utilising local and national media to highlight the issue of empty homes, to promote successful schemes and encourage owners to come forward for advice and assistance;
- Encouraging the public to report empty properties to the Council; and
- Issuing regular press releases to highlight the issue of empty properties and to publicise completed projects.

In addition to this, officers promote the service at local landlord forums and property events, and the publicity helps to bring in enquiries from owners, including developers and landlords with property portfolios.

Because this is such an essential process, the Council will undertake a review of the process to ensure maximum publicity with the available resources.

Objective 3: Encouraging owners to bring their property back into use on a voluntarily basis

The Council's main approach to tackling the issue of long term empty homes is to work with the owners of long term empty properties to encourage them to bring their property back into use voluntarily.

The Empty Property Officer regularly writes to owners of empty properties advising them of the options available and provides information on a one to one basis on a range of issues, including:

- selling the property on the open market or to a Registered Social Landlord
- advice about letting the property, including information about the Council's Rent Deposit Scheme or private leasing schemes;
- information about renovating the property, the standards required and signposting the owner to suitable agents/ builders
- financial incentives including loans or grants;
- possible enforcement action that could be taken - Environmental Health, Planning and Building Control Issues.

This information is further supplemented by open days where empty property owners can obtain free, impartial advice and guidance to help bring empty homes into use.

To provide information for landlords and local residents, the Council will:

- i. produce an information pack to help owners which centralises the information described above together information about flat conversion rates and current VAT rates for developing empty properties.
- ii. produce an empty homes leaflet which describes how to report an empty home.
- iii. encourage empty home owners to take advice from professional bodies such as the National Landlords Association; and
- iv. maintain a list of potential purchasers interested in buying empty homes

Objective 4: Where the voluntary approach fails, using enforcement powers to tackle the worst properties.

It is not illegal to leave a property empty and where the property does not have an adverse impact on the surroundings (because, for example, it is still being maintained) the Council has reduced powers to force the owner to bring it back into use.

Where, however, the property has an adverse impact on the environment and the owner appears unwilling, or unable, to return the property to occupation, the Council can use its enforcement powers to compel the owner to refurbish the property and bring it up to standard. It may also require the property to be boarded up to prevent unauthorised access.

When taking enforcement action, the council acts in accordance with the enforcement concordat and the statutory code of practice for regulators. This seeks to ensure that enforcement is proportionate and is carried out fairly and consistently.

The Council utilises a risk based approach (see Appendix 3) to identify the highest priority cases that takes into account:

- How long the property has been empty;
- The local housing market;
- The willingness of the owner to co-operate;
- The impact of the empty property on the neighbourhood;
- Nuisance to local residents;
- Health and safety concerns; and
- Anti social behaviour

The type of enforcement action to be taken will depend on the relevant circumstances including the nature of any nuisance caused, length of time vacant, owner's stated intentions, condition of the property, planning considerations and the potential cost to the Council.

Enforcement Powers

Although many enforcement powers are available to local authorities to tackle empty properties, this section only considers the powers that are likely to be most useful to Dover District Council. They can be grouped into 4 main types:

Improvement Notice under the Housing Act 2004

The Housing Act 2004 introduces a new hazard based rating system (Housing Health & Safety Rating System). The system allows the Council to assess the dangers that may be present in a property, which can affect the health, safety and well being of any potential occupier and their visitors.

In total, there are 29 hazards that are covered through the Housing Health and Safety Rating System. Categories include:

- Damp & mould growth
- Excess cold
- Domestic hygiene, pest and refuse
- Food safety
- Falls on the level, between levels and on the stairs
- Structural collapse and falling elements etc.

The Council can serve an improvement notice under section 11 & 12 of the Housing Act 2004, where there is a category 1 or category 2 hazards. If the improvement notice is not complied with, the Council can carry out works in default or prosecute for non-compliance.

Building Act Notice under the Building Act 1984

Section 79 of the Building Act 1984 empowers local authorities to deal with ruinous and dilapidated buildings or structures and neglected sites “in the interest of the amenity”.

Section 77 of the Building Act 1984 enables a local authority to deal with buildings that it considers to be dangerous. It can apply to the Magistrates Court for an order requiring the owner to make the building safe or demolish it. If the owner fails to comply, the Council can carry out the works in default.

Section 78 of the Building Act 1984 allows Local Authorities to deal with buildings that pose an immediate danger. This emergency measure allows them to carry out remedial works without giving the owner the opportunity to deal with it directly. The local authority is only entitled to carry out works that remove the danger.

Enforced Sale Procedure

Enforced sale is a procedure that allows local authorities to recover debt, but can also serve as a way of bringing empty properties back into use. The procedure gives the council the power to sell properties in order to release the money tied up in the property, and enables it to recover the money owed. Where the owner fails to repay

the debt secured on their property, the power enables the local authority to force the sale of the property in order to recover the debt.

There are many ways in which such debts may be incurred. An authority may incur a debt against a property, when it has made safe a property that was in a dangerous condition or undertaken works in default following the service of a statutory notice, under the Housing Act 2004 or Building Act 1984.

On debts that are not land charged, such as Council Tax debt, the local authority can apply to the County Court to award an interim charging order. If the Court gives a favourable judgement, the local authority can apply for a final charging order and order the sale of the property.

Empty Dwelling Management Orders

Empty Dwelling Management Orders allow, in certain circumstances, a local authority to take management control of a property in order to secure occupation of it. They can only be used where a property has been left empty for 6 months or more, and there are a number of exemptions that may be applicable, regardless of how long the property has been empty.

The legal procedure requires the council to obtain consent from the Residential Property Tribunal to serve an interim management order. Within 12 months the council can then serve a full management order, which can last up to seven years.

In practice, Empty Dwelling Management Orders are only applicable to houses in reasonable condition. Their use is therefore limited especially when prioritising the worst properties first. However, in 2009, the Government supported guidance, which has been produced to help local authorities take advantage of the new powers, and Dover District Council is looking to take a more proactive approach.

Section 215 notices

A notice served under Section 215 of the Town and Country Planning Act 1990 requires the owner to address unsightly land or the external appearance of the property which adversely affects the amenity of an area. Where the owner fails to comply with such a notice, the council may undertake the works in default and make a charge against the property or prosecute the owner.

The neighbouring authority, Thanet District Council, who employs the only full time Empty Homes Officer in Kent, has enjoyed considerable success in improving the external appearance of properties using this method of enforcement over the last three years. The authority has served 29 Notices and so far, they have had only one appeal and that was withdrawn before coming to court.

Dover District Council is currently reviewing the level of activity relating to the use of this legislation, with a view to using it more frequently.

Compulsory Purchase Orders

Compulsory Purchase Orders are the final solution when all other attempts have failed or where repair costs are very high. Arguably the strongest power available to tackle empty homes, Compulsory Purchase Orders are only used in a limited number of cases due to the capital and revenue resources needed to pursue this option.

The Council will need to demonstrate that there is a compelling case in the public interest for the property to be compulsorily purchased, and that other methods of returning the property to use have been tried and have failed. Approval for the order has to be obtained from the Secretary of State.

In practice, compulsory purchase proceedings are often not completed because owners have been prompted by the process to bring the property back into use by themselves or to sell the property on.

Notwithstanding the above, the Council is proud to be one of the very few authorities in Kent to use the powers in recent years and will continue to use them in the future.

The case studies described in Appendix 5 illustrate some of Dover's successes.

Objective 5: Devise and explore new and innovative ways to bring empty properties back into use

Examples of measures to tackle the problem of empty homes the Council could explore include:

- 1 **Acquisition of empty homes by a Housing Association**
The Council introduces the owner to one of our 'preferred partner' Housing Associations and supports a bid for Government funding to purchase and refurbish the empty property. Also, this option would effectively provide a home for a household, via choice based lettings, from the Council's Housing Register.

- 2 **Letting to Housing Associations through Private Sector Leasing Schemes**
The Council brokers a leasing scheme with one of our 'preferred partner' housing associations - the owner is provided with a guaranteed rent and the housing association manages the property. Again, this option would effectively provide a home for a household, via choice based lettings, from the Council's Housing Register. The provision of or grants to carry out repairs and improvement prior to granting a lease should make any scheme more attractive to owners.

3 **Consider using Private Sector Expertise**

Where, for example, the home owner refuses to co-operate and the Council is forced to use its enforcement powers, a private sector surveyor could be retained at an agreed rate to carry out an external inspection of the empty property and prepare the schedule of works.

The measures to bring empty homes back into use are shown in the Action Plan attached at Appendix 1.

Empty Homes Strategy 2010 – 2015: Action Plan 2010 – 11 (subject to annual review)

Action	Outcome	Strategic Links	Resources needed	Target Date	Lead Officer
<u>Objective 1: Make best use of available information to target empty homes</u>					
1.1 Develop improved information gathering processes including: i. Mapping empty homes to identify trends, and proximity to regeneration activities ii. Add back empty homes 'excluded' (ie exempt) from Council Tax List iii Invest in software to enable an accurate database of empty homes to be held and prioritised	Improved information which will provide a more accurate picture of the problem and enable more effective targeting of resources	Local Development Framework and local planning policies	Officer time	April 2010	Empty Homes Officer
1.2 Identify unused commercial space that could be used for residential use	Potential of additional homes provided by the conversion of commercial space	Housing Strategy Local Development Framework and local planning policies	Officer time	April 2011	Empty Homes Officer

Action	Outcome	Strategic Links	Resources needed	Target Date	Lead Officer
1.3 Risk rate all active empty homes using new risk scoring system and record on database.	Resources more effectively prioritised upon those properties giving rise to greatest concerns		Officer time	October 2010	Empty Homes Officer
1.4 Set up quarterly cross departmental meetings to gather and share relevant information	<p>'Joined up' approach to new initiatives such as Street Scene and regeneration projects.</p> <p>Provide a more effective co-ordinated action between sections of the council,</p> <p>More considered approach in taking the most effective action on the worst properties.</p>	Corporate Plan; Local Development Framework; Housing Strategy; Street Scene Strategy.	Officer Time	July 2010	Private Sector Housing Manager
1.5 Continue with the regular meetings with KCC and other authorities to develop best practice	Improved cross boundary working, training and sharing of best practice with East Kent local authorities & KCC	Public Service Agreement	Officer Time	Meet every 6 to 8 weeks	Private Sector Housing Manager

Action	Outcome	Strategic Links	Resources needed	Target Date	Lead Officer
1.6 Provide regular reports to the Housing Improvement Board on all aspects of ongoing work and new initiatives	Provides performance monitoring by senior officers and members.	Strategic Housing Service Plan	Officer Time	April 2010 & Quarterly thereafter	Private Sector Housing Manager
<u>Objective 2: Promoting the Service to make owners of empty homes aware of the support and sanctions available.</u>					
2.1 Carry out review of how the Empty Homes Service is publicised,	Raised awareness of the empty homes issue & advice/assistance available.		Officer Time. Regional Housing Board Budget	October 2010	Empty Homes Officer
2.2 Actively promote the strategy through key Council communication channels including DDC website, residents newsletter and community and landlord forums	Raised awareness, greater understanding of how we prioritise our actions, increased reporting of empty homes and reduction in the number of empty homes	Corporate Plan; Local Development Framework; Housing Strategy; Street Scene Strategy.	Officer Time	March 2011	Empty Homes Officer
2.3 Continue to work with partners such as KCC- No Use Empty Campaign to raise awareness in Kent of the issues with empty homes.	Raised awareness, increased reporting of empty homes and reduction in the number of empty homes		Officer time	Ongoing	Empty Homes Officer

Action	Outcome	Strategic Links	Resources needed	Target Date	Lead Officer
Objective 3: encourage owners to bring their property back into use on a voluntarily basis					
3.1 Produce and distribute an information pack for for empty home owners	Empty home owners better informed regarding assistance available and possible sanctions. More empty homes brought back into use.	Strategic Housing Service Plan	Officer Time Regional Housing Board Budget	November 2010	Empty Homes Officer
3.2 Build links to other professional bodies who can provide additional advice services	Empty home owners will have access to a wider range of specialist advice services.		Officer Time	November 2010 & on going	Empty Homes Officer
3.3 Maintain a list of potential purchasers interested in buying empty homes	Increased options for empty home owners		Officer Time	August 2010	Empty Homes Officer
3.4 Provide loans or grants to carry out Improvements and repairs to properties.	Property improved to enable it to be re-occupied. Conditions for assistance can provide additional social housing to the council.		Capital and officers time.	August 2010	Private Sector Housing Manager

Action	Outcome	Strategic Links	Resources needed	Target Date	Lead Officer
<u>Objective 4: Where the voluntary approach fails, use enforcement powers to tackle the worst properties.</u>					
4.1 Commence use of Section 215 notices	Improved external appearance of properties	Housing Strategy; Local Development Framework and Street Scene Strategy	Liaise with KCC & Planning and legal sections in DDC to determine resource implication	Identify priority cases and serve notices during 2010	Private sector Housing Manager/ Development Control Manager. Principal Solicitor
4.2 Identify properties where the use of Empty Dwelling Management Orders (EDMO) can be used and obtain approval from tribunal to serve an order.	Most problematic empty homes brought back into use, problems of anti-social activity resolved, and neighbouring property values increased	Housing Strategy; Local Development Framework and Street Scene Strategy	Liaise with KCC & Managing Agent to determine resource implication	July 2010	Empty Homes Officer

Action	Outcome	Strategic Links	Resources needed	Target Date	Lead Officer
4.3 Continue to use Compulsory Purchase Order (CPO) powers for high priority cases where owner is not cooperating	Most problematic empty homes brought back into use, problems of anti-social activity resolved, and neighbouring property values increased	Housing Strategy; Local Development Framework and Street Scene Strategy	Officer Time and CPO budget	Identify suitable properties and seek Cabinet approval to take action. June 2010	Empty Homes Officer

<u>Objective 5: Devise and explore new and innovative ways to bring empty properties back into use</u>					
5.1 To explore possible joint initiative with Housing Association (HA) partner aimed at acquiring and refurbishing empty homes for social rent or intermediate tenures.	Homes improved and brought back into use for people in housing need. Problems of anti-social activity resolved, and neighbouring property values increased	Local Development Framework; Housing Strategy; Street Scene Strategy; Homelessness Strategy	Officer & HA staff time. HA private finance and Government (HCA) grant funding.	September 2010	Housing Enabling & Strategy Officer
5.2 In conjunction with forthcoming review of East Kent private sector leasing scheme to consider how scheme might be targeted at bringing empty homes back into use.	Homes brought back into use for people in housing need.	Local Development Framework; Housing Strategy; Street Scene Strategy; Homelessness Strategy	Officer & HA staff time.	September 2010	Housing Enabling & Strategy Officer
5.3 Examine the use of private sector expertise and resources in relation to enforcement action including: i. external surveys ii. preparation of schedules of work	More efficient of resources and quicker response times		Additional cost based on agreed price per survey	October 2010	Private Sector Housing Manager

The estimated cost of renovating an empty home

Item of expenditure	£s
Replace kitchen	2,113
Central heating / plumbing	4,227
Double Glazed windows & doors	3,170
Rewire electrics	2,642
Redecoration	2,113
New roof cover	3,910
Repair roofing and gutters	740
Replaster 1 room	1,163
Roof and cavity wall insulation	1,849
Damp proof course replacement and internal plastering	1,585
General repairs	2,351
Professional fees	4,557
Total	30,420

Source: Fifth annual Halifax survey of Empty Homes in England November 2008

Appendix 3

The Council's risk based approach to identify the highest priority cases

A priority list of known empty residential properties will be calculated, that reflects the length of time the property has been empty and the impact the property is having on the local environment & community.

The Council will tackle vacant residential property in priority order. The properties with the highest score will be dealt with first.

Vacant properties will be surveyed regularly to enable their points to be adjusted to take into account changes in circumstances.

Properties subject to new complaints will be surveyed within 14 working days.

The points will be calculated in accordance with the table below to establish their priority. The points are accumulative. For example a property empty for eight years will be awarded 15points for being empty for that length of time.

<u>Property Description</u>	<u>Points</u>
Vacant for over 2 Years.	15
Vacant for over 5 Years. An additional	15
Vacant for over 10 Years. An additional	15
Vacant for over 15 Years. An additional	15
Causing serious damage to adjoining property	15
Falling into serious disrepair	15
Property in a high profile area. (Regeneration areas, town centres, major roads and conservation areas)	10
Becoming an eyesore to the area	10
Attracting rubbish & fly tipping	10
Receiving complaints regarding the property	10
Attracting vandalism and anti-social behaviour	10
No real attempt to sell or re-let after 2 years	5
No sign of refurbishment after 2 years	5

Low Scoring Properties – up to 40 pts (Green)

This score could reflect an empty property that the owner is in the process of renovation, alterations or sale. Or there is a probate or other legal issues.

These properties are not causing a nuisance and are secure and in a good state of repair. Properties that fall into this category will only require minimal monitoring to ensure they do not deteriorate or remain empty long term.

Medium Scoring Properties – 41 to 65 pts (Amber)

This score reflects empty properties that are falling in to a state of neglect. Attempts to sell or re-let the property have been unsuccessful or not pursued. The owner has not maintained the appearance of the property. They are now beginning to become an eyesore, cause a nuisance, attracting rubbish, or anti-social behaviour and action is needed to prevent them from falling into

serious disrepair. The Empty Property Officer, who will attempt to negotiate with the owner to try and prevent further deterioration in their condition and bring them back into use and occupation, will closely monitor these properties. Planning and Public Protection enforcement powers will also be used at this stage, if necessary.

High Scoring Properties – over 65 pts. (Red)

These properties will normally have been empty for many years, are causing a nuisance to the local community and are eyesores and probably in a prominent position. They are at risk of attracting vandalism, arson, fly tipping and are in a state of disrepair and/or derelict.

Priority and Urgent Properties.

These will be properties that in urgent need of attention by the Council. These will be properties that are, insecure, unsafe and dangerous and will be secured and made safe as soon as possible. Once secure the property will be rescored and dealt with in priority order.

Enforcement Action.

Any property that falls within the High Scoring and Priority and Urgent categories will receive immediate attention and the Council will consider enforcement action including Compulsory Purchase.

The Empty Property Officer may contact all owners of properties with less priority. He will negotiate with the owners to bring the properties back into use and occupation.

Service Standards

Each empty property is individual and has its own solution. The Council categorises every property and responds within a specified timescale, aiming to:

- | | <u>within</u> |
|--|-----------------|
| • Return all phone calls and answer phone messages | 3 working days |
| • Answer any e-mail enquiries
(privatesectorhousing@dover.gov.uk) | 3 working days |
| • Answer all written correspondence | 5 working days |
| • Unless the property is insecure visit all new referrals | 14 working days |
| • Set up a scheme to receive reports of “at risk” properties from the Police and Fire services and respond | 3 working days |

Achievements to date

The Metropole Hotel, Dover

The Council helped transform dilapidated hotel and adjoining buildings in Dover town centre into new accommodation, providing 28 one and two bedroom flats

Having remained derelict for over 15 years, the Metropole Hotel was to be given a new lease of life after being purchased by new owners.

However, it was uneconomical to refurbish/renovate the hotel, due to the extent of the works needed. A significant contribution was made by the Council to help meet the renovation costs and make the scheme viable. The first tenants moved in last year.

The new accommodation is managed by a local housing association and is an excellent example of how intervention by a local authority can help turn an empty building into much needed housing for the local community.



Prince of Wales House, Dover



The Prince of Wales House is a large detached property, in the centre of Dover, previously used as a YMCA, which has been empty for a number of years.

The redevelopment will see the demolition of the outbuildings, construction of a number of new properties, and conversion of The Prince of Wales House into residential units.

In total, the scheme will provide 35 units of accommodation (1 & 2 bedroom apartments) for sale, 11 of which will be sold on a shared ownership basis through a registered social landlord.

The scheme is being partially funded through an interest free loan of £175,000 in partnership between the Council and Kent County Council, through the “No Use Empty Initiative”. The project is due to be completed in 2009.

Hardwick Road, Dover



The compulsory purchase of some of Dover's worst properties is always a measure of last resort, but where the owner fails to engage with the Council in a constructive matter and previous action has failed to resolve the issue, then compulsory purchase will be considered.

This semi-detached property had been in a very poor condition for 20 years and had been the subject of repeated complaints from neighbours. Despite numerous assurances from the owner that works would be completed, the property remained in poor condition.

The Council had started compulsory purchase proceedings, but continued to negotiate with the owner. Following full Council approval to instigate compulsory purchase proceedings, the owner decided to sell the property to a local developer, who renovated the property within three months and it now provides a home for a local family.

Winchelsea Terrace, Dover



This house had been empty for more than 10 years and was suffering from significant water damage from a leaking roof. The property was raising concerns within the community because of the deteriorating condition. The Council explored a number of options before deciding to compulsorily purchase the property, which resulted in the owner agreeing to sell the property to the Council.

The Council sold the house on following a standard competitive tendering process. There were a number of strict conditions about bringing it back into use within a reasonable period of time. All conditions have been met and the keys have been handed over to a first time buyer who completely renovated the property.

Granville Street, Dover



This property was served with a Closing Order in December 1990, which prevented it from being occupied due to its poor condition. It has remained empty ever since.

The Council secured ownership of the property through a Compulsory Purchase Order in 2006 and then sold it to a developer on the understanding that it would be renovated to Decent Homes Standard. Works were completed in 2008 and the property let to a family.