

**NORTH YORKSHIRE
EMPTY PROPERTY STRATEGY & ACTION PLAN
2017-2021**

1.0 Introduction and background

Empty properties represent a significant waste of valuable housing resource, at a time of both a severe affordable housing shortage, and low rates of new housing completion. Each vacant dwelling brought back into use represents a gain for the sub-regions for housing stock.

Vacant dwellings often have a detrimental impact on the value of neighbouring properties and the amenities of the neighbourhood in which they are situated. These impacts increase in severity the longer a property remains empty.

Although official figures show that the sub-region has relatively low numbers of long-term empty properties, this strategy commits participating authorities to co-ordinate activities in order to reduce the number of long-term empty properties.

This document represents the Empty Properties Strategy for York and North Yorkshire (excluding Scarborough Borough Council) for the period 2017 - 2021. The strategy outlines the current situation in respect of long-term empty properties (empty for more than 6 months) across the sub-region, and identifies actions which are to be put in place in order to address the issue, and increase

It has been developed by a steering group made up of empty property and private sector housing professionals across the sub-region.

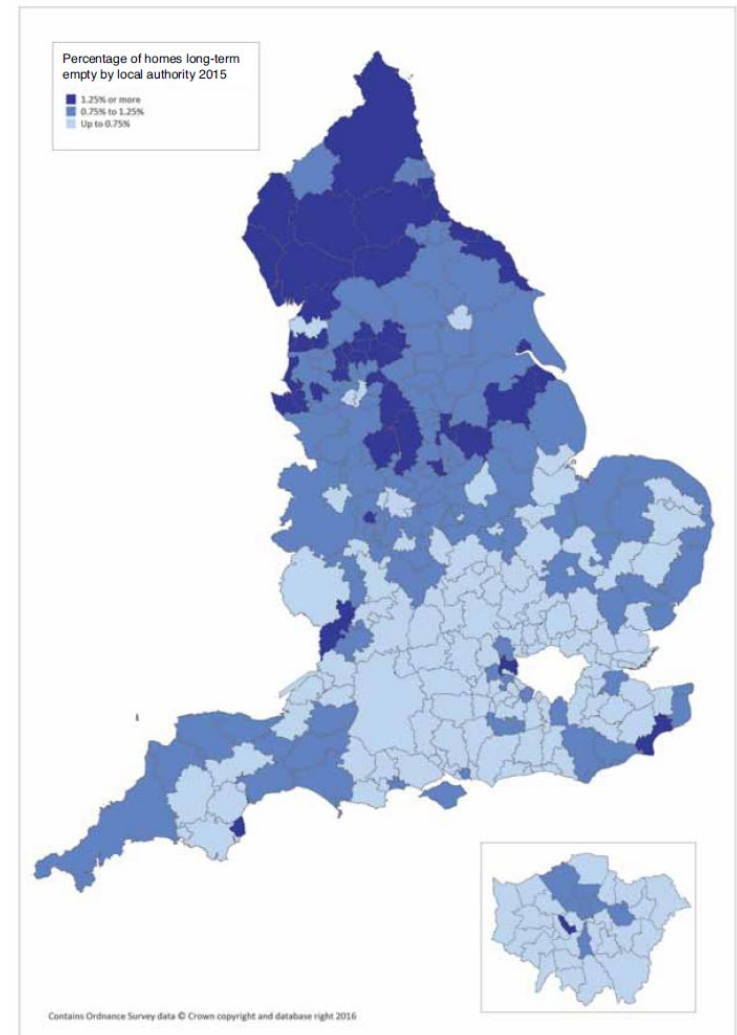
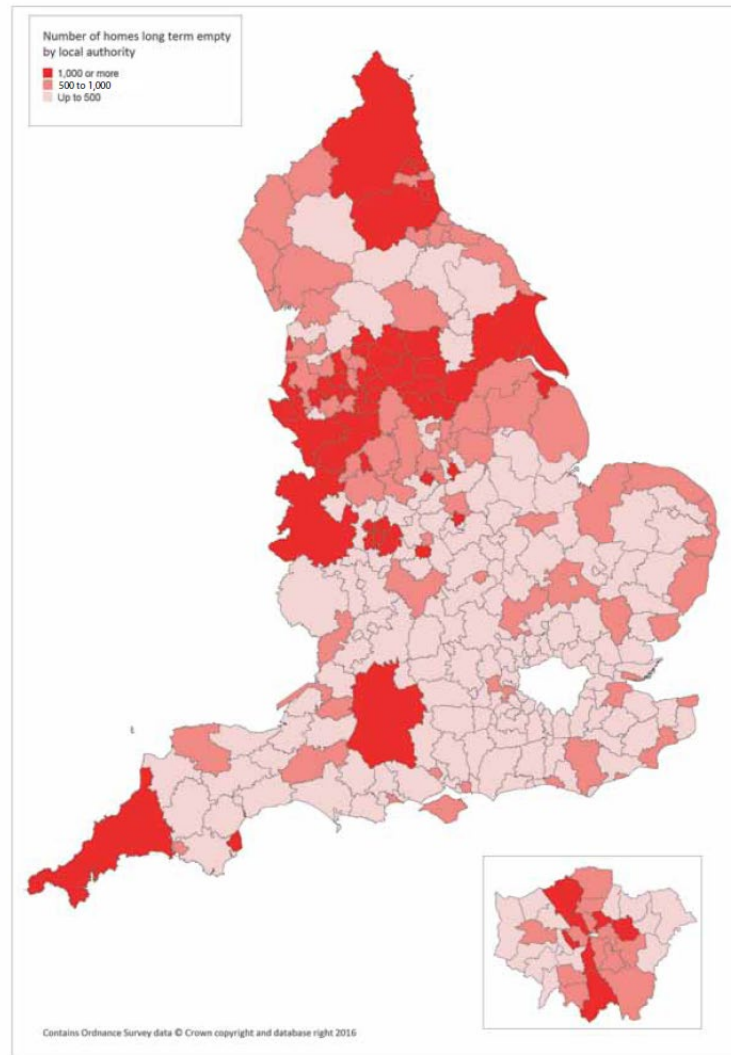
2.0 Statistical context

National:

According to the Empty Homes charity, as of October 2015 there were 205,821 long-term empty properties (empty for over 6 months) in England. This represents 0.88% of the country's total housing stock. This figure includes a small number of council and housing association owned properties, but the vast majority are in the private sector.

Regional:

As of October 2015 there were 27,048 long-term empty properties in Yorkshire and the Humber, approximately 26,750 of these were empty for longer than 6 months (1.15% of the total housing stock).



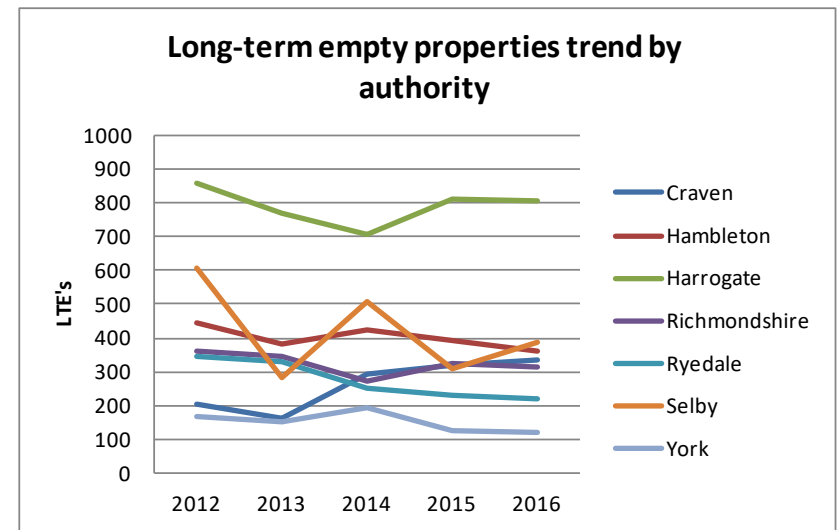
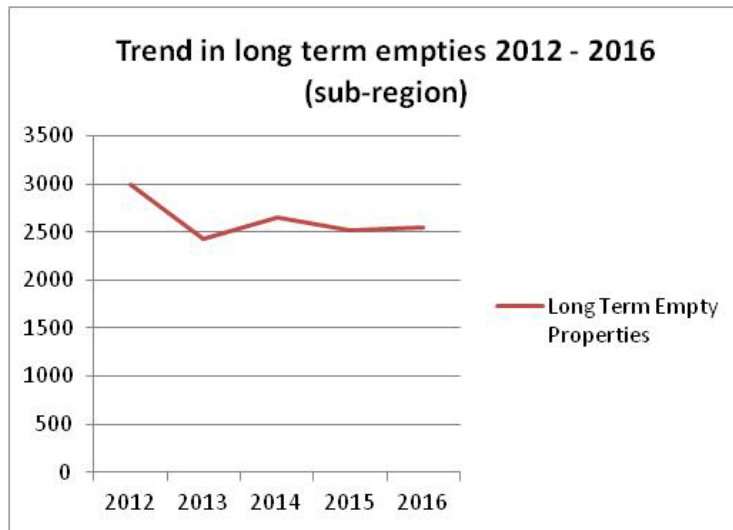
Sub-regional:

In October 2016, across the strategy area, there were 2542 long-term empty properties that had been empty for over 6 months, representing approximately 1% of the total housing stock within the strategy area.

Table 1: long-term empty properties across the strategy area (2012 -2016)

Authority	Empty Dwellings					2016 figures as % of total stock in 2015
	2012	2013	2014	2015	2016	
Craven	204	162	295	321	333	1.2
Hambleton	444	383	423	393	361	0.4
Harrogate	860	768	709	811	806	1.1
Richmondshire	361	345	273	325	315	1.4
Ryedale	348	329	249	233	218	0.8
Selby	606	283	506	308	387	1
York	169	153	194	127	122	0.4
Total	2992	2423	2649	2518	2542	0.8%

Source: figures obtained from Local Authority 'Council Tax Base' documents (2012-16)



Source: figures obtained from Local Authority 'Council Tax Base' documents (2012-16)

3.0 Why it is important to bring empty properties back into use

The importance of bringing empty properties back into use cannot be underestimated. There are a number of reasons why the sub-region should tackle this issue, including:

- There is a severe affordable housing shortage across the sub-region and bringing empty properties back into use will help meet housing need
- To take advantage of financial rewards that are available from the government for authorities who reduce the number of long-term empty properties in their area (New Homes Bonus)
- Long term empty properties can attract anti-social behaviour including vandalism, fly-tipping, crime etc, causing blight on neighbourhoods and distress to neighbours
- Deterioration of empty properties can have a detrimental impact on adjoining properties, both physically and in terms of their value when they come to be sold
- Costs often incurred by other Public Services (i.e. Local Authorities, Police and Fire & Rescue Services)
- Protecting the regions housing assets for the benefit of future generations

4.0 New Homes Bonus

The Government launched the New Homes Bonus in 2010 as an incentive for local authorities to increase housing supply. The bonus scheme awards grants based on the average annual council tax, for a period of up to 6 years, on each additional new home created and empty property brought back in to use within each local authority area. Additional payments are made for affordable housing units delivered. The empty homes element of the bonus is only paid where there is a net reduction in empty homes, net increases attract nil payment. The table above highlights the benefits of a proactive approach to the management of empty properties.

Table 2: New Home Bonus total bonus payments made to each authority in Year 6 (2016/17)

Local Authority	Year 6 accumulative payments (2016/17)
York	£4,648,077
Hambleton	£1,827,487
Ryedale	£1,672,703
Craven	£1,086,494
Selby	£2,446,650
Richmondshire	£865,097
Harrogate	£1,645,329

Source: 'New Homes Bonus – Year 6 calculator

<https://www.gov.uk/government/publications/new-homes-bonus-final-allocations-2016-to-2017>

The government has declared its intention to continue with the New Homes Bonus beyond its original 6 year life, although the expectation is that payments from 2017 will be lower than previously made. Its continued existence means local authorities will need to continue to place strategic importance on the management of empty properties; empty property data; and work in a more co-ordinated way with relevant departments, in order to maximise the amount of reward received.

5.0 Activities to reduce empty properties

Informal engagement with owners

The starting point and primary focus of empty property work across the sub-region will always be on working informally with owners, with a view to achieving the reoccupation of empty properties. This approach includes, but is not limited to, the following forms of support:

- Property inspections and conditions reports
- Options advice
- Loans/grant assistance

The process of engaging with owners frequently pays off, but can be time consuming and resource intensive. Authorities will identify when negotiation has failed to achieve the outcome they want, and when enforcement needs to be considered as an option of last resort.

Enforcement

Local authorities have a range of enforcement tools at their disposal to address the issue of empty properties, and symptoms associated with them. Annexe 1 lists the full range of legislative powers available.

Many of these powers only address the symptoms of empty properties, rather than secure their long-term occupation. However, the use of such powers is often necessary, to address the concerns of local residents. They also play an important role in persuading owners of the need to take their responsibilities seriously, and engage with the local authority.

The most effective enforcement tools are those that secure the reoccupation of the property, including:

- Compulsory Purchase Orders (CPO): Although not strictly an enforcement tool, this power can be utilised where long-term empty properties are in a poor condition, or in areas of significant housing need. They work

best in situations where significant repairs are required, and where all other attempts to achieve progress have failed.

- **Enforced Sale:** Where a local land charge has been made on a long term empty property, the council can force the sale of the property to a third party. Where there is unpaid council tax local authorities can enforce sale to recover the debt (known as Bankruptcy proceedings). The benefit of enforced sale is that all costs incurred by the council can be recovered.
- **Empty Dwelling Management Orders (EDMO):** EDMO's can be used by local authorities to bring back into use properties empty for longer than 2 years, where the owner has refused all reasonable offers of assistance and some form of anti-social behaviour has occurred. They are most appropriate for empty properties that are not in need of major repair, as renovation costs must be recouped from rental income.

Each Local Authority will decide which tools are most appropriate, based on the resources available, and local policies and priorities. Enforcement action can often prove costly, and given constraints on capital funding, such action will only be considered as an option of last resort, after negotiation has failed.

Where enforcement action is taken, local authorities will seek to deliver it as efficiently as possible through the sharing of good practice and expertise.

6.0 Achievements

The empty property strategy and action plan 2011-2015 has contributed to a number of significant achievements for authorities across the sub-region, some examples of these include:

- The first use of an empty property Compulsory Purchase Order by the City of York Council
- Voluntary acquisition of a long-term empty property by Harrogate Borough Council
- The establishment of a service level agreement between Selby District Council and the City of York Council for the latter to support the delivery of their Empty Property Strategy
- Partnerships between local authorities and private auctions providers, resulting in the successful sale and reoccupation of a number of empty properties
- Improved co-operation/partnership working between empty property practitioners and their local council tax teams, contributing to increased New Homes Bonus payments, and empty properties management across the sub-region
- Delivery of a successful Empty Property Practitioner training course
- Successful implementation of empty property loans in a number of authorities

7.0 Aims and objectives of the strategy

Strategic Aims:

To reduce the number of long-term empty homes across the sub-region through a co-ordinated approach.

Objectives:

- Developing new, and strengthening existing partnerships
- Improve the quality and consistency of empty property management
- Improve the range of assistance available to owners
- Improve the quality of advice and information available to owners

Links to other priority areas:

This strategy is primarily focused on reducing the numbers of long term empty properties across the sub-region; however, it links to other aspects of the North Yorkshire Housing Strategy 2015-21, including:

Housing Priority 1: Increase the supply of good quality new housing across all tenures and locations

Housing Priority 5: Make best use of our existing stock and ensure that it is of a decent quality to meet the needs of our communities

Housing Priority 7: Reduce homelessness

SUB-REGIONAL ACTION PLAN

REF	OBJECTIVE	SPECIFIC ACTIONS	TARGET DATE	RESOURCES REQUIRED	LEAD
STRATEGIC OBJECTIVE 1: DEVELOP NEW AND STRENGTHEN EXISTING PARTNERSHIPS					
1.1	Strengthen existing partnerships between sub-regional empty property officers	Annual meetings of the North Yorkshire Empty Property Strategy & Practitioner Group to implement and monitor progress and share best practice.	Ongoing	All Local Authorities	Sub-Regional Empty Property Group
1.2	Make use of private sector resources and expertise, through the promotion of auction sale to empty property owners	Local authorities to explore, (or strengthen existing) arrangements with auction providers, and market the service with empty property owners, both proactively and reactively.	Ongoing	All local authorities	Individual local authority empty property staff resources
1.3	Develop links with commercial property owners and town/city centre business organisations	Local authorities to explore the issue of empty upper storey's town/city centres, with a view to identifying the extent and cause of vacancies, and identify opportunities to convert them to provide additional units of residential accommodation.	Ongoing	All local authorities	Individual local authority empty property staff resources Sub-Regional Empty Property Group

STRATEGIC OBJECTIVE 2: IMPROVE THE QUALITY AND CONSISTENCY OF EMPTY PROPERTY MANAGEMENT

2.1	Develop and share knowledge and best practice within the sub-region	Sub-Regional Empty Property Group to: a) develop a protocol for the reporting of empty properties in line with the New Homes Bonus and direct action of each local Authority. b) build upon existing best practice to develop a handbook for use by empty property practitioners across the sub-region	Ongoing	All Local Authorities Sub-Regional Empty Property Group	Sub-Regional Empty Property Group
2.2	Improve the management of empty property data	Each authority will work with their respective Council Tax departments to improve processes around the collection and management of empty property data, and identify opportunities for more efficient working practices, in order to focus resources and income through the New Homes Bonus (NHB)	Annually in time for the October 'New Homes Bonus' payments.	All Local Authorities (Empty Property Officers and Council Tax Department)	Each Local Authority

STRATEGIC OBJECTIVE 3: IMPROVE THE RANGE OF ASSISTANCE AVAILABLE TO OWNERS

3.1	Identify and maximise funding options, to support the delivery of local action plans	<p>Authorities will:</p> <ul style="list-style-type: none"> a) review their funding policy in relation to empty properties b) seek to develop loans as the preferred mechanism for funding work to bring long-term empty properties back into use c) present a robust case for investment for the New Homes Bonus to be made available for empty properties work 	Ongoing	Sub-Regional Empty Property Group	Private Sector Housing Group
3.2	Increase the range of support available to owners	<p>Authorities will:</p> <ul style="list-style-type: none"> a) Develop relationships with auction providers and promote this route as a viable option for owners where appropriate b) Work with commercial property owners to realise the potential of vacant space above shops, to create new residential housing supply 	Ongoing	All Local Authorities	Sub-Regional Empty Property Group

**STRATEGIC OBJECTIVE 4:
IMPROVE THE QUALITY OF INFORMATION AND ADVICE AVAILABLE TO OWNERS**

4.1	Improve the quality and consistency of empty home web pages, local leaflets across the sub-region	Sub-Regional Empty Property Group to review web pages and factsheets; benchmark against other local authorities and agree standard recommended content within the sub-region	Ongoing	All Local Authorities Sub-Regional Empty Property Group	Sub-Regional Empty Property Group
4.2	Increase the number of reports of empty properties from members of the public	Each authority will: a) Improve links with local communities through ward meetings/parish councils/ community action groups, etc. b) Make use of press released to publicise successes and invite the public to report properties	Ongoing	All Local Authorities Sub-Regional Empty Property Group	Sub-Regional Empty Property Group

Annexe 1 - Table of Available Powers

Problem	Legislation	Power granted
Dangerous or dilapidated buildings or structures	Building Act 1984, Sections 77/78	To need the owner to make the property safe (S77) or enable the LA to take emergency action to make the building safe (S78)
	Housing Act 2004	Imposes a general duty upon Local Authorities to take appropriate action in relation to hazards (under the Housing Health & Safety Rating System) including Improvement Notices etc

	(Listed Buildings and Conservation Areas) Planning Act 1990	The LA should consider its powers under this legislation first if the building is listed or in a conservation area. Repairs Notices or Urgent Works Notices can be served. If there is a default on the former, a CPO can be served, but usually only if a “Back to Back” partner can take over the renovation of the building. On the UWN, LA can step in and make wind/weather tight and structurally sound and secure, but time consuming.
Unsecured properties (if there is a risk it may be entered or suffer vandalism/arson, etc)	Building Act 1984 Section 78	To allow the LA to fence off the property
	Local Government (Miscellaneous Provisions) Act 1982 Section 29	To require the owner to take steps to secure the property in order to prevent unauthorised entry and risk to public health. Where they fail the LA can secure it and recover reasonable costs.
Blocked or defective drainage or sewers	Local Government (Miscellaneous Provisions) Act 1982 Section 35	To require the owner to address obstructed private sewers
	Building Act 1984, Section 59	To require the owner to address defective drainage
	Public Health Act 1961 Section 17	To require the owner to address defective drainage or private sewers

Vermin (if it is either present or a risk that they may be attracted)	Public Health Act 1961 Section 34	To require the owner to remove waste so that vermin is not attracted to the site.
	Prevention of Damage by Pests Act Section 4	
	Public Health Act 1961 Section 83	
	Building Act 1984, Section 76	
	Housing Act 2004	
	Environmental Protection Act 1990 Section 80	It is possible to use this power to cure vermin issues, remove waste or ask for certain repairs where there is a nuisance to someone else.
Unsightly land and property affecting the amenity of an area	Public Health Act 1961 Section 34	To require the owner to remove waste from the property
	Town and Country Planning Act 1990 Section 215	To require the owner to address unsightly land or the external appearance of the property
	Building Act 1984, Section 79	To require the owner to take steps to address a property adversely affecting the amenity of an area through its disrepair

<p>An enforced sale can be made against long term empty properties</p>	<p>Law of Property Act 1925</p>	<p>The Local authority would have all the legal rights of a mortgage lender under the Law. A charge may be issued against the property if the owner failed to pay debts owed to the local authority and registered as a charge.</p>
<p>Long term properties empty without good reason where owner is not doing anything to bring them back into use</p>	<p>Housing Act 2004 Empty Dwelling Management Orders</p>	<p>Allows the Local Authority to secure occupation and proper management of privately owned houses/flats that have been empty for more than 2 years (subject to conditions).</p>
	<p>Housing Act 1985, Section 17</p>	<p>Allows the Local Authority to acquire the property compulsorily.</p>