

The Ryedale empty property strategy: 2021-2024



RYEDALE
DISTRICT
COUNCIL



THE RYEDALE EMPTY PROPERTY STRATEGY 2021-2024

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 Ryedale housing stock.

Although Ryedale has a relatively low number of long-term empty properties, this strategy commits Ryedale District Council to reduce the number of long-term empty properties for the period 2021-2024.

This strategy and action plan will aim to give an understanding of what an empty property is and how they can 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.

This strategy also provides information on what advice and assistance is available to empty property owners, and how the council can use powers available to them to return an empty property to use.

2.0 What are Empty Properties?

An empty property for the purpose of this strategy is defined as;

A property that is a domestic dwelling, and,

A property that has been empty for more than two years.

Properties which have been empty for more than six months are classified as Long Term Empty Properties for Council tax purposes. However, for a housing market to operate, it is necessary for some properties to be empty to enable the transfer of ownership. These transactional vacancies are usually for a short period of time, usually less than six months.

The scope of this strategy is those properties that have been empty for longer than the transactional period of 6 months and that are not being brought back into use. However the actual powers available for a council to take enforcement action are designed to come into effect where a property has been empty for more than two years.

3.0 EMPTY PROPERTIES UK-WIDE

3.1 Nationwide

According to the Action on Empty Homes Charity, the latest Government data shows that there are over 216,000 long-term empty homes in England that have been empty for over six months. In all, over 600,000 homes are currently vacant. This figure includes a small number of council and housing association owned properties, but the vast majority are in the private sector.

3.2 Regional

As of November 2019 there were 28,071 long-term empty properties in Yorkshire and the Humber that have been empty for over 6 months. That is 13% of the number of long-term empty homes in England.

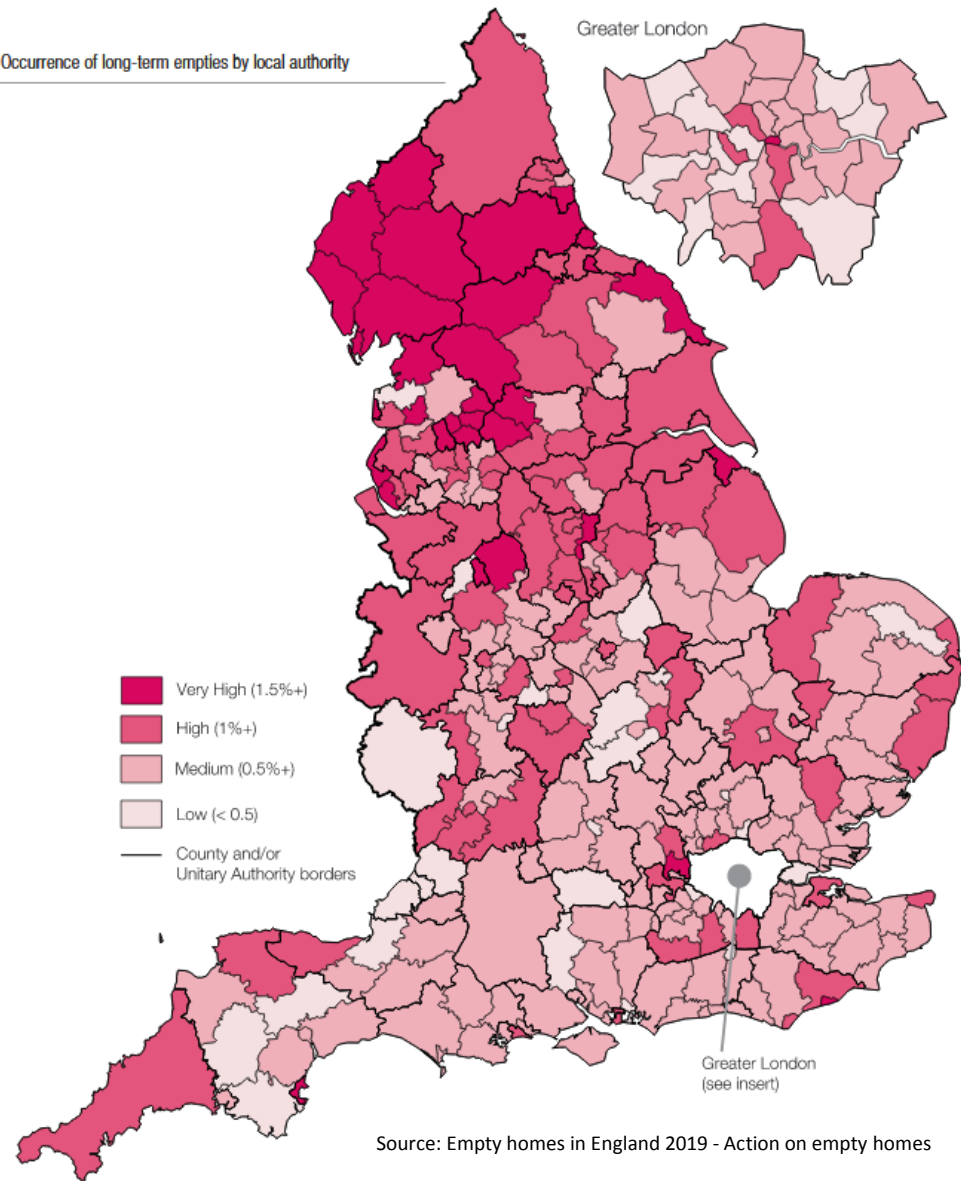
3.3 Empty Homes in Ryedale

In October 2020, there were 409 long-term empty properties that had been long-term empty for over 6 months. That is 1.5% of the number of long-term empty homes in Yorkshire and the Humber.

THE DISTRIBUTION OF EMPTY HOMES IN ENGLAND

Across England, long term empty homes exist in all sectors of the housing market, in all Council Tax bands and in all regions.

Map 1: Occurrence of long-term empties by local authority



4.0 Why do we have Empty Homes in Ryedale?

There are a number of reasons why we have empty properties in Ryedale, including;

- The property may be difficult to sell or let due to its location, lack of amenities, lack of public transport or lack of employment opportunities in the areas
- It is being renovated
- The property belongs to a large estate
- The property is a vacant flat or maisonette over a commercial property
- The owner does not have the time / finances /skills to manage the property to bring it back into use
- The property may have been repossessed
- Probate issues
- Family disputes over ownership
- The owner is being cared for elsewhere or is in hospital

It is important for the council to understand why individual properties have become empty and/or remain empty, so that we can work with the owners and encourage them to bring the property back into use.

5.0 Why it is important to bring empty properties back into use?

Returning empty homes to use in Ryedale can have a number of positive effects, addressing social, economic and wider public health issues.

5.1 For Owners

Owning an empty property comes at a cost and can be a source of anxiety for some owners. Leaving a property standing empty increases the risk of vandalism and crime, making it difficult for the owner to insure the property, which could result in higher repair costs and in some cases a complete loss of the asset.

The general deterioration of an unlive in property can result in greater costs due to the works needed to bring the property back up to current Housing Standards. As part of this strategy we will be working with owners and encouraging them to rent or sell their property. This will not only resolve any upkeep issues, but will have the added advantage for the owner in gaining regular rental income or money from the sale of the property.

5.2 For the Local Community

An empty property can have a direct impact on adjoining properties through issues such as damp and structural problems, as well as pest infestations in overgrown and unkempt gardens. Alongside this, unsightly properties can have a detrimental effect on neighbouring house prices.

Empty properties can also attract vandalism and crime, causing further anxiety and concerns for the neighbours and local residents. Returning empty properties to use can help eliminate these issues and ensure that house prices in the neighbourhood are maintained. It can also reduce the costs often incurred by other Public Services (i.e. Local Authorities, Police and Fire & Rescue Services) when dealing with vandalism and crime attributed to empty properties.

By returning empty properties to use, local people can find homes that enabling them to remain close to schools, employment and support networks in Ryedale.

Creating new housing from under-utilised space such as flats above commercial buildings can also provide additional accommodation to help reduce the number of those in housing need, whilst improving the visual aspect of the town centres of Helmsley, Kirkbymoorside, Malton, Norton and Pickering.

5.3 For the Wider Community

The importance of bringing empty properties back into use cannot be underestimated. There is a severe affordable housing shortage across Ryedale and bringing empty properties back into use will help meet housing need.

Instead of being a source of concern these homes can be transformed from a wasted resource into a home for a local family which helps reduce the number of households on the Waiting List or those at threat of homelessness. It also benefits the wider community as the household will become more of an asset to the local area and will be better maintained.

Finally, bringing empty properties back into use helps protect the housing assets for the benefit of future generations.

6.0 Financial incentives to bring back Empty Properties into use

Bringing empty properties back into use allows the council 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)

6.1 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.

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 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.

7.0 ACTIVITIES TO REDUCE EMPTY PROPERTIES

7.1 Informal engagement with owners

The starting point and primary focus of empty property work across Ryedale 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. The council will identify when negotiation has failed to achieve the outcome they want, and when enforcement needs to be considered it is an option of last resort.

7.2 Enforcement

The Council has a range of enforcement tools at their disposal to address the issue of empty properties, and symptoms associated with them. Annex 1 lists the full range of legislative powers available.

Many of these powers only address the symptoms of empty properties, rather than securing 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 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.

The Council 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, The Council will seek to deliver it as efficiently as possible through the sharing of good practice and expertise.

8.0 AIMS AND OBJECTIVES OF THE STRATEGY

8.1 Strategic Aims

To reduce the number of long-term empty homes across the Ryedale district.

Objectives:

- Improve the quality and consistency of Empty Property management
- Improve the awareness of Empty Properties
- Improve the range of assistance available to owners
- Improve the quality of advice and information available to owner

8.2 Links to other priority areas:

This strategy is primarily focused on reducing the numbers of long term empty properties across the Ryedale; however, it links to other aspects of the Ryedale Housing Strategy and Action Plan 2021-23, which is an overarching policy and this action plan will follow its priorities, which will include the following:

- Housing Priority: Increase the supply of good quality new housing across all tenures and locations,
- Housing Priority: 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: Reduce homelessness,
- It will also include any new priorities.

ACTION PLAN

Strategic Objective 1: Improve the quality and consistency of Empty Property management

Ref	Objective	Specifications	Target Date	Resources required	Lead
1.1	Improve the management of empty property data	The Housing Technical Officer will work with their Council Tax department 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.	Housing Technical Officer and Council Tax Department	Housing Technical Officer and Council Tax Department
1.2	Improve the recording of long Term Empty Properties	The Housing Technical Officer will enter all the Empty Property Information into a database, and keep it updated with the progress and actions	Annually in time for the October 'New Homes Bonus' payments.	Housing Technical Officer and Community Team Officers	Housing Technical Officer

		carried out for each empty property.			
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STRATEGIC OBJECTIVE 2: IMPROVE THE AWARENESS OF EMPTY PROPERTIES

Ref	Objective	Specifications	Target Date	Resources required	Lead
2.1	Produce an information pack to be distributed to empty property owners	The Housing Technical Officer will produce written information regarding loans and grants	Dec 2020 but preferably in time for the Empty Properties Awareness Week in Feb 2021	Housing Technical Officer	Housing Technical Officer
2.2	Annual participation in Empty Homes Week (EHW) in England	The Housing Technical Officer and media information officers will organise events and put out information using social media so that local people will know about the work of the council to tackle empty homes. To celebrate successes and reflect on what more needs to be done to bring empty properties back into use to help meet housing needs.	Annually, starting in Feb 2021	Housing Technical Officer, The Community Team and media information officers	Housing Technical Officer

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

Ref	Objective	Specifications	Target Date	Resources required	Lead
3.1	Identify and maximise funding options, to support the delivery of the local action plan	The Council will: review their funding policy in relation to empty properties seek to develop loans as the preferred mechanism for funding work to bring long term empty properties back into use present a robust case for investment for the New Homes Bonus to be made available for empty properties work	Ongoing	Housing Technical Officer and Senior EHO	Housing Technical Officer and Senior EHO
3.2	Increase the range of support available to owners	The Housing Technical Officer will: Develop relationships with auction providers and promote this route as a viable option for owners where appropriate Work with local Estate / Landowners and commercial property owners to realise the potential of vacant properties on their land and space above shops, to create new	Ongoing	Housing Technical Officer	Housing Technical Officer

		residential housing supply			
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STRATEGIC OBJECTIVE 4: IMPROVE THE QUALITY OF ADVICE AND INFORMATION AVAILABLE TO OWNER

Ref	Objective	Specifications	Target Date	Resources required	Lead
4.1	Produce a case study of an empty property brought back into use for use in an information pack to be distributed to empty property owners	The Housing Technical Officer will work with an empty property owner to develop a case study to show the different stages of the process	Ongoing but aims for the Empty Properties Awareness Week in Feb 2021	Housing Technical Officer and Senior EHO	Housing Technical Officer and Senior EHO
4.2	Improve the quality and consistency of empty home web page and local leaflets. Advising potential Landlords about the Councils rental scheme.	The Housing Technical Officer is to review web pages and factsheets; benchmark against other local authorities.	Ongoing	Housing Technical Officer and Senior EHO Housing Options	Housing Technical Officer
4.3	Increase the number of reports of empty properties from members of the public	Improve links with local communities through ward meetings/parish councils/ community action groups, etc. Make use of press released to publicise successes and invite the public to report properties	Ongoing	Housing Technical Officer and The Community Team	Housing Technical Officer

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
An enforced sale can made against long term empty properties	Law of Property Act 1925	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.
Long term properties empty without good reason where owner is not doing anything to bring them back into use	Housing Act 2004 Empty Dwelling Management Orders	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).

	Housing Act 1985, Section 17	Allows the Local Authority to acquire the property compulsorily.
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