



Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	CABINET - 4TH NOVEMBER 2019
Report Number	AGENDA ITEM (08)
Subject	LONG TERM EMPTY PROPERTY STRATEGY
Wards affected	ALL
Accountable member	Cllr Lisa Spivey - Cabinet Member for Housing and Homelessness Email: lisa.spivey@cotswold.gov.uk
Accountable officer	Mandy Fathers - Business Manager for Operational Support and Enabling Tel: 01285 623571 Email: mandy.fathers@publicagroup.uk
Summary/Purpose	To present a new strategy for managing long term empty properties within Cotswold District Council.
Annexes	Annex A - Long Term Empty Property Strategy Annex B - Aims and Objectives Annex C - Equality Impact Assessment
Recommendation/s	a) <i>That Cabinet approve the implementation of the Long Term Empty Property strategy;</i> b) <i>that should any enforcement action be required as detailed within paragraph 7 of the strategy, a further report detailing the proposed action plan be brought back to Cabinet for approval.</i>
Corporate priorities	None at present
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Cabinet Member Leader and Deputy Leader of the Council Head of Paid Service S151 Officer Monitoring Officer Senior Management Team Housing Strategy Officers

1. BACKGROUND

- 1.1.** Section 3 of the Housing Act 2004 (the Act) requires local authorities to consider housing conditions within their District, with a view to determining what action to take under their duties and powers to deal with housing conditions including empty dwellings.
- 1.2.** The definition of an empty dwelling under the Act is “a dwelling that has remained vacant for more than six months”, although there are exemptions detailed in section 134 (6) of the Act.
- 1.3.** There is no legal requirement for a local authority to have a Long Term Empty Property Strategy but it is good practice to have one and helps to give clarity, direction and focus to the issue of dealing with empty homes.
- 1.4.** Long term empty properties are a wasted resource and if left unoccupied can quickly fall into disrepair and neglect, becoming a blight on the neighbourhood by attracting anti-social behaviour, accumulating refuse, encouraging vandalism and reducing property values in the local area.
- 1.5.** In common with many other districts, Cotswold District Council faces an increasing shortage of affordable homes for its residents. This gives rise to increased homelessness and difficulty accessing affordable accommodation for many people.
- 1.6.** Tackling empty homes will not only help provide additional much-needed homes within the district, but will contribute to the improvement of the local environment and benefit communities.
- 1.7.** Bringing an empty property back into use is of benefit to the individual owner as it can provide them with a tenant who becomes housed and / or a new owner with a home for them and their family, plus has advantages to the wider community and encourages economic activity.

2. MAIN POINTS

- 2.1.** A property which has remained empty and unfurnished for six months and over is classified as a long term empty property for council tax purposes.
- 2.2.** At the end of August 2019 Cotswold district had 648 properties classed as long term empty against. This figure represents 1.46% of its total council tax base which is currently set at 44,440.
- 2.3.** The purpose of this strategy is to set out the 3 key objectives we aim to deliver on for the Long Term Empty Property strategy as detailed within Annex B, attached:
 - 1 To maintain accurate information about the number of long term empty properties.
 - 2 Provide advice and information to help raise awareness and address issues around empty properties.
 - 3 Bring empty properties back into use to increase the supply of quality, affordable homes for residents in housing need.

3. FINANCIAL IMPLICATIONS

- 3.1. There are costs arising from enforcement action including compulsory purchase (CPO's), enforced sale and works in default; however any such costs will be covered through existing resource. Any legal costs incurred can be reclaimed through the appropriate legal process if the law allows.
- 3.2. Where the CPO process is used, the ex-owners will be entitled to compensation once the council becomes the owner of the property. If a claim is not settled, or a reference made to the Upper Tribunal (Lands Chamber) within six years, the claim for compensation will be statute barred.
- 3.3. There are however, opportunities to maximise income via New Homes bonus, debt recovery and unclaimed sales income from CPO's or Enforced Sales.

4. LEGAL IMPLICATIONS

- 4.1. Although there is no statutory requirement for a Local Authority to produce a Long Term Empty Property strategy, there is legislation which determines how a Local Authority can enforce certain powers when formal action is being taken. This is detailed within Annex A, attached.

5. RISK ASSESSMENT

- 5.1. When dealing with owners of empty properties a voluntary way forward is always preferred. Advice, assistance and incentives reduce demand on Council resources and the need for enforcement action at a later date. In the vast majority of cases this is sufficient, but there will be occasions where owners cannot be traced or are unwilling to enter into a voluntary dialogue. In these circumstances, the use of enforcement action will be considered. Though used as a last resort, the Council has significant powers, particularly compulsory purchase, but also enforced sale.

6. EQUALITIES IMPACT (IF REQUIRED)

- 6.1. An equality impact assessment is within Annex C, attached.

7. CLIMATE CHANGE IMPLICATIONS

- 7.1. Owners of empty properties who decide to bring properties back into use for private rent will have to ensure that they meet the Minimum Energy Efficiency Standard Regulations.

8. ALTERNATIVE OPTIONS

- 8.1. Members could decide not to approve the Long Term Empty Home strategy; however, this would not be recommended as it could fail to demonstrate a commitment to managing and reducing empty homes in the district.

9. BACKGROUND PAPERS

- 9.1. None

(END)