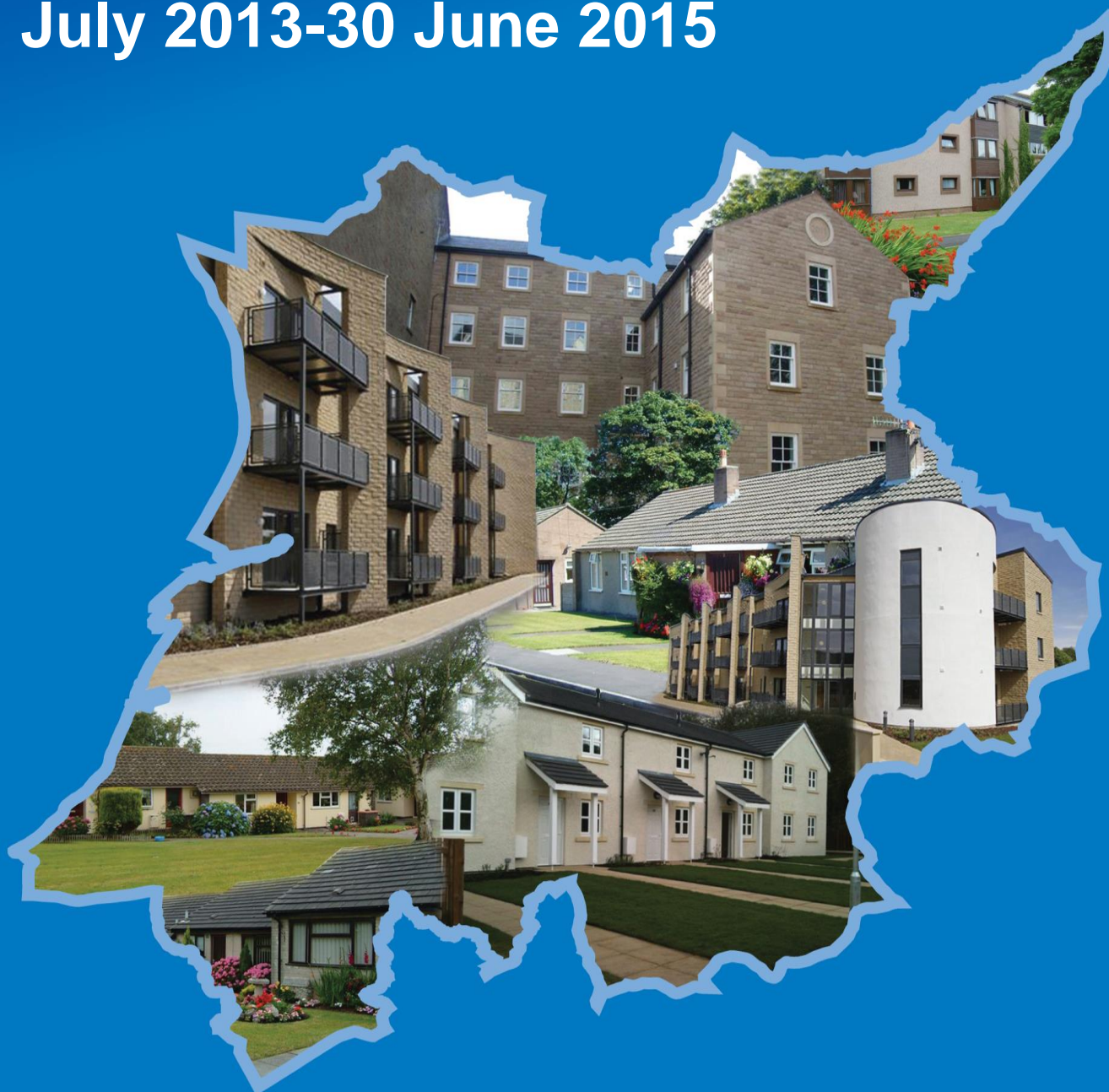




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# Lancaster City Council Regeneration and Planning Service Empty Homes Strategy 1 July 2013-30 June 2015



Adopted version (October 2014)

[www.lancaster.gov.uk/housingpolicy](http://www.lancaster.gov.uk/housingpolicy)

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## **Section 1 - Executive Summary**

### Introduction

- 1.1 The Council's Empty Homes Strategy aims to reduce the number of empty homes within Lancaster district and maximise opportunities to bring empty properties back into use through a range of approaches, measures, interventions and enforcement action.
- 1.2 In July 2013, Lancaster City Council appointed its first Empty Homes Officer after Cabinet approval was obtained to create a two year post initially. Prior to this, Lancaster district's approach to tackling empty homes was largely reactive driven by complaints and notifications of empty properties. However, with the benefit of additional resources, Lancaster City Council is able to adopt a more strategic approach to tackle empty properties. However, it is acknowledged that the delivery of this Strategy requires the necessary officer resources to implement it. Therefore, the Empty Homes Strategy and implementation period will take effect until July 2015.

### What is an Empty Home?

- 1.3 At any given time, there will always be a number of empty homes due to people relocating, buying or selling their homes. In most cases, this will be a short term situation. Of more concern are the long term empty homes which are defined as being empty for six months or more.

### Why do homes become empty?

- 1.4 There are a number of reasons why properties are left empty such as:-
  - Abandonment, Repossession or Bankruptcy
  - Inheritance and the legal owner is unaware of their responsibilities
  - Family disputes or relationship breakdown
  - Part way through renovations the finance runs out
  - Landlord is unable to let the property in a low demand area
  - Landlord does not have the resources/finance to bring the property up to the required standard.
  - Health issues of an owner
  - Probate
  - Owner in hospital or residential institution
  - Owners are overseas and use the property on a temporary basis
  - Direct action by the Council in acquiring properties within regeneration areas
  - Owner is unsure what to do and lack of awareness of options and support available
  - Property is being kept as a financial investment

### **Strategies and Policies**

- 1.5 The Coalition Government has made funding available to local authorities, Registered Providers and Community Groups to facilitate schemes to reduce the number of empty homes nationally. To this end, Lancaster City Council has been successful in securing funding through "Cluster of Empty Homes Funding" for Morecambe's West End Chatsworth Gardens project, and a partner organisation has been successful in obtaining sub-regional funding targeted at empty homes.

- 1.6 The Empty Homes Strategy directly relates to the Housing Strategy and Action Plan 2012 – 2017 and links with Private Sector Housing Policies, Homelessness Strategy and the Local Plan in meeting the district’s housing needs in the future.

**Aims and Objectives of the Empty Homes Strategy**

- 1.7 The aim of this strategy is to provide a framework within which empty homes will be brought back into use to ensure sustainable neighbourhoods are provided which will contribute towards regeneration and investment, reduce social problems, crime and disorder and meet the housing needs of the district.

The main objectives identified are:-

- To raise awareness of empty homes issues
- To maintain accurate records and information about empty homes in the district
- To explore and pursue funding opportunities to tackle empty homes
- To implement specific measures to bring empty homes back into use, and take enforcement action in a timely way but as a last resort where possible

## Section 2 - Introduction

- 2.1 This is the first Lancaster District Empty Homes Strategy to be adopted by Lancaster City Council and sets out how Lancaster City Council intends to tackle the issue of empty homes in the next two years.
- 2.2 The purpose of the Strategy is ensure that number of empty homes in Lancaster district is kept to a minimum and that a range of timely measures and interventions are used to encourage owners to bring empty properties back into use.
- 2.3 Empty homes can often have a very negative impact on neighbourhoods and areas especially when they deteriorate over time and can often be subject to vandalism, and it is difficult to justify allowing homes to remain empty when housing demand exceeds supply. In recent years, in the wake of the credit crunch, there have been very low new housing completions being completed, and whilst in the event that all empty homes could be brought back into use, this alone would not meet the current and future housing need, it would make a significant contribution, and enhance existing communities.
- 2.4 The Council's Regeneration and Planning Service is responsible for delivering the Empty Homes Strategy primarily, with some support and input from the Council's Health and Housing Service (Housing Standards Team).

### Empty homes funding and recent developments

- 2.5 Lancaster City Council has undertaken some limited work around empty homes in previous years, albeit on a piecemeal basis as and when external funding has been made available. This has included Regional Housing Pot funding, some of which was specifically directed into areas like Poulton, a former renewal area, and more recently, the West End of Morecambe, where the highest concentration of empty homes exists. Funding has also been made available previously through the Housing Corporation (replaced by the Homes and Communities Agency) which supported schemes in areas such as Skerton.
- 2.6 In recent years, however, the Regional Housing Pot funding had ended, and there are limited streams of funding available that can be directed into empty homes projects. However, as part of the Coalition Government's Affordable Homes Programme, some specific funding set aside that can be used to tackle empty homes. Lancaster district has benefitted from two different types of funding, which are described in more detail on page 14.
- 2.7 Furthermore, as local authorities have more discretion around how council tax is charged for empty homes, Lancaster City Council has recently taken advantage of these flexibilities.

### Recent changes to Council Tax

- 2.8 Previously certain types of empty homes were exempt from paying Council Tax, but the Government made changes to regulations which abolished these exemptions from 1st April 2013, and gave Councils powers to decide on local discounts instead. The Council decided to apply the following discounts:

- Empty and unfurnished properties;

100% discount for the first two months; 50% discount for a further period of up to four months, then full council tax;

- Empty and unfurnished properties which need major repairs or structural alterations to render them habitable; 50% discount for a maximum 12 months

The council tax policy is being kept under review to consider its effectiveness and impact on empty homes.

#### New Empty Property Premium

- 2.9 Properties which have been empty and unfurnished for two years or more will be charged an additional 50% premium on top of the full Council Tax. Exceptions may apply for empty annexes and property left empty by service personnel.

#### New Homes bonus

- 2.10 A further financial incentive to bringing empty homes back into use is through the New Homes Bonus. The New Homes Bonus is a grant paid by central government to local councils for increasing the number of homes and their use.
- 2.11 The New Homes Bonus is paid each year for 6 years. It's based on the amount of extra Council Tax revenue raised for new-build homes, conversions and long-term empty homes brought back into use. There is also an extra payment for providing [affordable homes](#). Every net empty home brought back into use generates a bonus of £825 per property in the first year, which equates to around £5000 over the lifetime of the New Homes Bonus. Any monies received as a result of New Homes Bonus to Lancaster City Council will be spent on the Council's identified corporate priorities, and, as a result of this, the Council approved the establishment of a new dedicated officer post specifically to reduce the number of empty homes in this district for a minimum of two years, as part of its commitment to tackle empty properties.

#### The National Context

- 2.12 Statistics produced in 2012 suggest that nationally there are 710,000 empty homes in England, taken from Council Tax records. Of these, 259,000 are long term empty homes (i.e. empty for more than six months). The need to tackle empty homes has been widely recognised and debated in the press and media, given the national housing shortage. This resulted in the government appointing George Clarke (architect and TV presenter) as an independent empty homes adviser, who has made 12 recommendations as part of his Empty Homes Review. These are detailed in Appendix 1.
- 2.13 On the 21<sup>st</sup> November 2011, the Government launched its long awaited Housing Strategy for England. The Strategy outlined a number of measures to increase the supply of new housing, the reform of social and affordable housing, ways to support growth in the private rented sector and a continued commitment to tackle empty homes having already introduced a range of initiatives and which has since included a change in legislation to tackle squatting in empty residential properties.
- 2.14 The Coalition Government's response to tackling empty homes has been to make specific funding available within the Homes and Communities Agency's Affordable Homes Programme 2011-2015, £70m of which has been directed at Local Authorities and Registered Providers and £30m to Community Groups to bring empty homes back into use either through purchase and repair or leasing schemes creating

affordable homes. Round 2 funding was also announced in 2012 providing a further £40m for schemes bringing empty homes back into use. A separate £50M Cluster of Empty Homes fund was also set up to tackle the worst concentrations of poor quality empty homes in low demand areas, where a minimum of 100 empty homes will be brought back into use, within a geographical area where over 10% of empty homes apply. The Homes and Communities Agency have also provided an Empty Homes Toolkit to assist with tackling empty homes across tenures.

- 2.15 The Empty Homes Agency was established in 1992 as a charitable organisation who campaign for action on tackling empty homes and who have undertaken research and produce statistical information both nationally and regionally to understand the issues associated with empty homes. The Empty Homes Agency, also referred to as Homes from Empty Homes widely promote schemes and initiative that will bring empty homes back into use.
- 2.16 In September this year, the new National Empty Homes Loan fund was launched, which is a joint initiative between the Empty Homes Agency, the Ecology Building Society, £3M central government funding and 39 participating local authorities. The Ecology Building Society is a specialist mortgage lender that supports sustainable communities. The scheme provides loans of up to £15,000 to owners of empty properties to help bring them back into affordable use.
- 2.17 The National Empty Homes Fund (NEHLF) will enable access to secured loans at a fixed 5% interest rate, and will enable owners to renovate their property to Decent Homes standard.

#### Empty Dwelling Management Orders

- 2.18 Empty Dwelling Management Orders (EDMOs) are a legal power that enables councils to put an unoccupied privately owned home back into use. The provisions are contained in the [Housing Act 2004](#). The powers ultimately allow councils to take over the management of a home for a period of up to seven years - the council is able to renovate the property, let it and collect the rent. The rent is paid to the council, who are able to recover any costs they may have incurred by taking possession of the property and making it habitable, as well as the routine costs of maintenance and letting. However, any money over and above these costs is to be paid to the owner of the property.
- 2.19 The Department for Communities and Local Government announced on 7 January 2011 they would be making changes to EDMOs through amendments to secondary legislation by summer 2011. Changes limit the authorisation of interim EDMOs to those properties empty for over two years; require local housing authorities to give property owners a minimum notice period of 3 months before applying to a residential property tribunal for an interim EDMO; require the local housing authority to provide all the information they have that the empty property has been causing a nuisance to the community and that there is community support of the proposal of the local housing authority to take control of the empty home.

## The Regional and Sub-Regional Context

- 2.20 Bringing empty homes back into use is a Government priority and is an important contributor to meeting the Government's housing and regeneration objective of creating mixed, sustainable and cohesive communities where people want to and can afford to live. Empty homes and the problems associated with them are not restricted to Lancaster district and all local authorities are encouraged to tackle empty homes and adopt an Empty Homes Strategy.
- 2.21 Regionally, the North West Housing Forum is the representative body for housing in the North West of England, and represents the 5 regions of Cheshire, Cumbria, East Lancashire, Greater Manchester, Lancashire West and Merseyside. The early work of the Forum was dominated by issues around low demand and failing housing markets leading to the Housing Market Renewal Pathfinders. The Forum's current focus is to ensure that throughout the region there are attractive and vibrant communities that will contribute to a growing regional economy. The North West Housing Forum has provided support and training and Conference events to assist local authorities and social housing providers to tackle empty homes and to make use of the funding available.

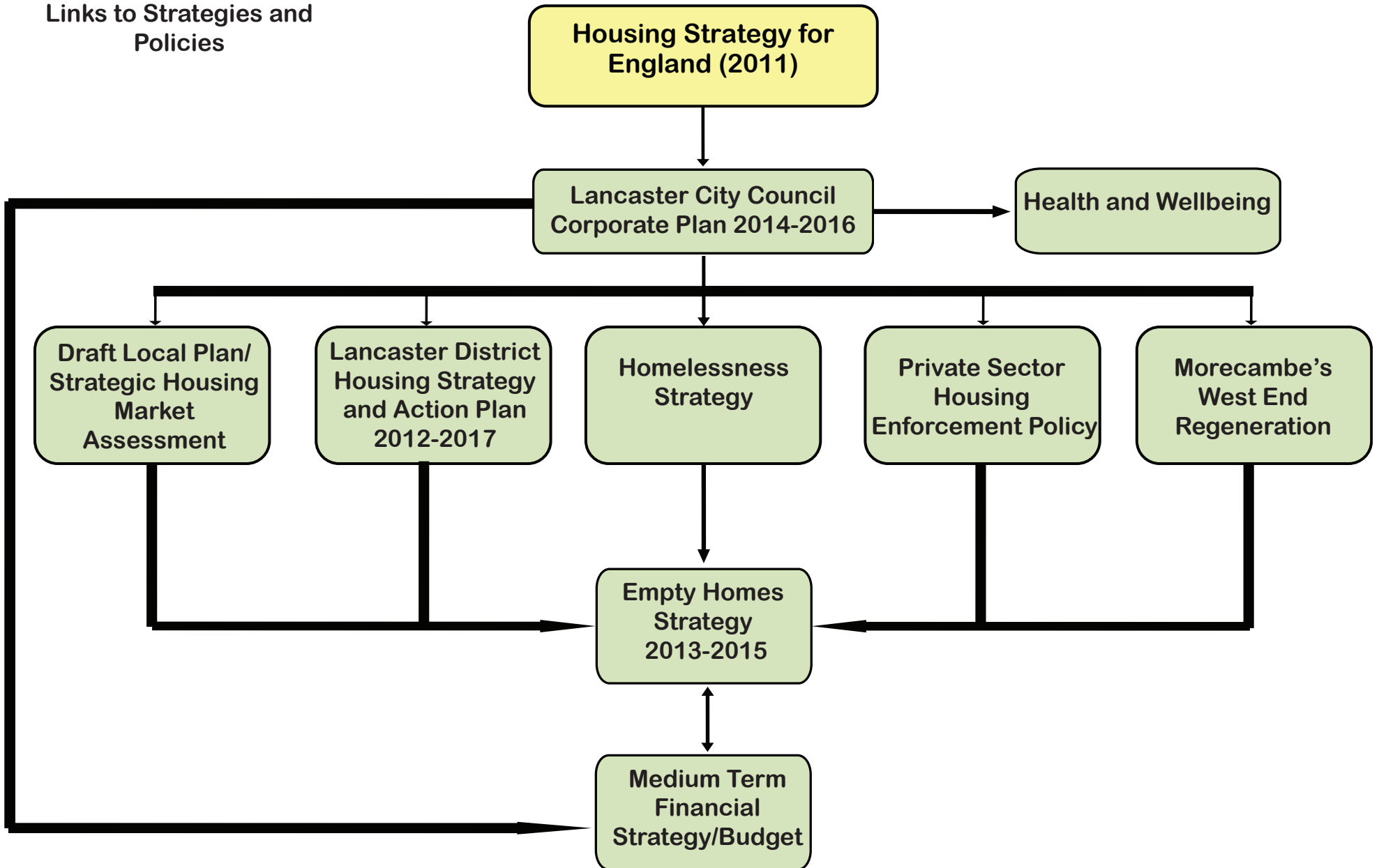


### Section 3: The Local Context – Key Facts and Figures

- 3.1 There are normally around 1000 long term empty homes in Lancaster district, although this number is subject to frequent change and can go up or down. The main source of statistical data is council tax records. It should be stressed, however, that figures routinely collected, provided, and published nationally around the number of vacant dwellings does not include unoccupied properties that fall into an exempt category. There are 21 different exempt categories, 11 of which relate to unoccupied dwellings. The exempt categories include dwellings classed as second homes which are unoccupied and furnished. To include all the exempt categories along with those categorised as long term empty homes would increase figures considerably.
- 3.2 With the appointment of Lancaster City Council's first dedicated Empty Homes Officer in July 2013, our approach so far has been to analyse council tax records and to make contact with owners of all empty homes. In some instances the Empty Homes Officer may also choose to target properties which could fall within an exempt category but nevertheless warrant some form of intervention, investigation and enforcement action where appropriate. Through various actions and initiatives the Housing Standards Team and Regeneration Team have been involved in bringing 99 properties back into use in the financial year 2013/14. This strategy will set out the Council's agreed actions to tackling empty homes through a range of different approaches and interventions.
- 3.3 Lancaster district hosts a population of 138,400 residents making us the second largest district within Lancashire. The district comprises the historic city of Lancaster, the seaside resort of Morecambe and Heysham, the small town of Carnforth and a number of very beautiful unspoilt rural settlements and areas of outstanding beauty. Lancaster is the most northern district of Lancashire, and is a largely self-contained in relation to its housing market.
- 3.4 The District of Lancaster has a total housing stock of around 61,000 dwellings. The Housing Needs Survey 2011 reported that 60.5% of dwellings are either detached or semi-detached, 23.5% are terraced houses, 13.8% are flats and the remainder are houseboats, caravans and mobile home properties. The last Housing Stock Condition Survey was undertaken in 2004, which reported that 78% of the stock is owner-occupied, 4% is owned and managed by Registered Providers, 6% is owned by the Local Authority and 12% is private rented. These statistics demonstrate that the District of Lancaster has higher levels of owner-occupation than the national average which peaked at 72.5% in 2001, and lower levels of social housing in comparison to the national average of 17% (English Housing Survey: Housing Stock Report 2009).
- 3.5 Housing markets in Lancaster vary quite significantly. The average property price is £184,880 representing an increase of around 10% in the last year, and the average asking rent is currently £562 per calendar month (source: Zoopla July 2014). South Lancaster has always been a strong housing market because of its relationship with the two universities and a higher proportion of student housing than anywhere else in the district. In recent years, however, there has been a marked increase in new student housing provision in the City Centre area, which in time should alleviate some of the housing pressures in the main residential areas. This contrasts with other parts of the district which have experienced housing market failure, exacerbated by the recent credit crunch and

downturn in mortgage finance, and are central to the housing and economic regeneration priorities of the City Council embedded within Morecambe Area Action Plan and Morecambe's West End Masterplan.

Links to Strategies and Policies



## **Lancaster City Council's Corporate Plan / Medium Term Financial Strategy 2014-2016**

### Corporate Plan / Medium Term Financial Strategy

3.5 Lancaster City Council's Corporate Plan 2013-2014 identifies four main priorities for Lancaster district which are:

- Economic growth
- Health and Wellbeing
- Clean, Green and Safe Places
- Community Leadership

The Health and Wellbeing priority is around improving the quality of housing and availability of housing across the district, which includes housing renewal, housing regeneration and improvements to the existing housing stock. Bringing empty homes back into use contributes to this priority. The Clean, Green and Safe Places priority is concerned with ensuring our district is a safe place to live and the wider context is about reducing the potential for anti-social behaviour and acts of vandalism and crime that are often associated with empty homes and the impact upon the wider community.

The Medium Term Financial Strategy must both support and inform the Council's vision for the district and the strategic direction as set out in the Corporate Plan. This is so that available resources are matched against agreed priorities and any other supporting needs. It also highlights any imbalance – this being the need to make savings and manage expectations.

The Council expects that this imbalance and the need to make savings will continue to grow significantly over the medium term and will need to be considered by the Council as part of its annual budget process.

### Draft Local Plan and Strategic Market Assessment

3.6 The National Planning Policy Framework (NPPF) requires all local authorities to understand their district's housing requirements, and to ensure that they take account of, and plan to meet that need, and this is a very important pre-cursor in getting Local Plans adopted.

3.7 Lancaster City Council commissioned a new district wide Housing Needs Survey in 2011, and in 2013, the council undertook a SHMA (Strategic Housing Market Assessment) the focus of which is to take the evidence from the Housing Needs Survey and combine it with future household projections to arrive at an annual dwelling requirement for the district. The Core Strategy, adopted in 2009, established a target of 400 dwellings annually, the recent SHMA (subject to further review) recommends that a higher figure is required to meet objectively assessed need and work is currently underway to review and identify a sufficient supply of housing sites. The methodology for assessing the district's housing need already takes account of empty properties in each district and even if every empty property came back into use there would still be a significant shortfall. Notwithstanding this, the Local Plan will not focus solely on new supply of housing, as the existing housing stock in Lancaster district is just as important, and the emphasis of new

supply is very much focused on what new housing is required across the district to meet the specific needs of that community.

#### Housing Strategy and Action Plan 2012-2017

- 3.8 The Housing Strategy and Action Plan was approved in 2013 after the Council undertook a district wide Housing Needs Survey in 2011. The three themes contained within the Housing Strategy are:-

Quantity – achieving sustainable growth in the Lancaster District

Quality – Regeneration priorities and improving the existing housing stock

People – meeting the housing needs of all parts of the community

Improving the existing housing stock remains a very clear priority in Lancaster district, but very challenging at a time when much of the external funding opportunities have ceased. However, bringing back empty properties into use is an agreed Cabinet priority, and a specific action within the Housing Strategy was to prepare and implement an Empty Homes Strategy for Lancaster district. Should the council wish to continue to tackle empty homes beyond the current Strategy period, any key findings or trends which have emerged should inform the next Strategy and actions to be taken.

#### Private Sector Housing Enforcement Policy

- 3.9 Lancaster district has a very large private rented sector due in part to the presence of two major universities in the City and the corresponding need for large amounts of student housing.
- 3.10 Lancaster City Council's Housing Standards Team carries out a wide range of duties seeking to ensure compliance with legislative standards designed to protect consumers and safeguard public health and safety. Where possible, the Council will seek to achieve full voluntary compliance with legislative requirements and license provisions, but will not hesitate in using its enforcement powers where necessary.
- 3.11 The Housing Standards Team deliver a responsive and efficient statutory service in accordance with regulatory and service standards to ensure that minimum standards are achieved. The primary focus is to ensure that Category 1 hazards are removed from dwellings in accordance with the Housing Act 2004 and responding to around 700 complaints every year. The Housing Standards Team also promote and encourage good quality accommodation by administration of the Houses in Multiple Occupation licensing and the Council's Accredited Property Scheme and work very closely with the Home Improvement Agency and Housing Options Team providing a seamless service where possible. They routinely inspect properties prior to a bond being issued or where properties are being referred into the Council's Social Lettings Agency, complaints around anti-social behaviour as well as disrepair and illegal eviction.
- 3.12 With the provision of some health funding, a new post was created temporarily to specifically address issues connected to improving the thermal efficiency of dwellings, which is an identified priority within the Lancaster and Fylde Coast

Affordable Warmth Strategy. This funding has now ceased and the officer is no longer in post.

- 3.13 The Housing Standards Team significantly contribute to the improvement and investment in the private rented sector and work towards increasing the number of private sector properties that meet the decent homes standard.
- 3.14 There are direct links between the Housing Standards Team and the Empty Homes Officer. The Housing Standards Team will often take an initial complaint about an empty property and then work to resolve short term issues affecting neighbouring properties through negotiation and enforcement.

#### Homelessness Strategy

- 3.15 Lancaster City Council has re-assessed its last Homelessness Review and Strategy (2008-2013) and has prepared a draft Homelessness Strategy for the next five year period. One of the identified priorities in the last Homelessness Strategy was to increase the supply of affordable housing and good quality rented accommodation available in Lancaster district. Much work has been done to increase the provision of rented accommodation in the district, which has included the implementation of the Council's Choice Based Lettings Scheme and a review of the allocation policy, closer working between the Council's Housing Options Team, Housing Standards Team and Home Improvement Agency, who are all based in one office at Morecambe Town Hall. There is strengthened partnership working with key partners such as Registered Providers, third sector organisations and private landlords, and a new partnership with Methodist Action North West who operate a Social Lettings Scheme in Lancaster district (which is described in Section 4).

## **Section 4 - Funding for Empty Homes**

### Methodist Action

- 4.1 In 2012, a new partnership was formed between Lancaster City Council and Methodist Action North West (a Preston based charity) to deliver a new Social Lettings Agency in Lancaster district. A Project Co-ordinator was employed in October 2012 with a target to sign up 30 landlords with suitable properties onto the scheme. The scheme works by Methodist Action leasing a private sector property from the landlord or owner, normally for a two year period. In return, Methodist Action let the property and set the rent at no higher than the local housing allowance rate, manage the property for a small management fee and guarantee the rental income for the lease period. All properties are checked by the Housing Standards Team prior to being signed up. The Project Co-ordinator is based within the Council's Housing Options Team and properties are let through the established links with the team or through the Council's Choice Based Lettings Scheme. The scheme has been hugely successful and has increased the number of available properties in the rented sector which has greatly assisted the Council in meeting local housing need.
- 4.2 During early stage discussions with Methodist Action to set up the Social Lettings Agency, the government made available £30M funding to community groups to bring empty properties back into use. Methodist Action commenced dialogue with district councils in Lancashire to gauge interest to support a bid. The dialogue continued with Lancaster City Council, Preston City Council and South Ribble Borough Council culminating in a sub-regional "Round 1" bid for funding, which would result in £500K funding across the partnership to bring around 50 properties back into use. The scheme runs alongside the Social Lettings Agency and broadly operates in the same way. An initial loan is offered to the owner of a long term empty property, depending upon the size of the property, to undertake work to bring the dwelling up to decent homes standards, and the loan is recoverable through an ongoing deduction from the rental income over the first few years. Unlike the Social Lettings Agency, the lease period is normally for ten years, which gives the tenant and Methodist Action greater certainty in terms of the rental income and loan repayments being made. Once the properties are completed, they will be let and managed by the Project Co-ordinator in association with the Council's Housing Options Team.
- 4.3 Given the strong partnerships in place and the results that they were able to demonstrate with Round 1 funding, Methodist Action bid for Round 2 funding, which was announced in early 2013, which again was successful leveraging in a further £750K funding, and as a result of this, there should be sufficient monies to bring a further 35 properties back into use across the partnership.

### Cluster of Empty Homes Funding – Chatsworth Gardens (Morecambe's West End)

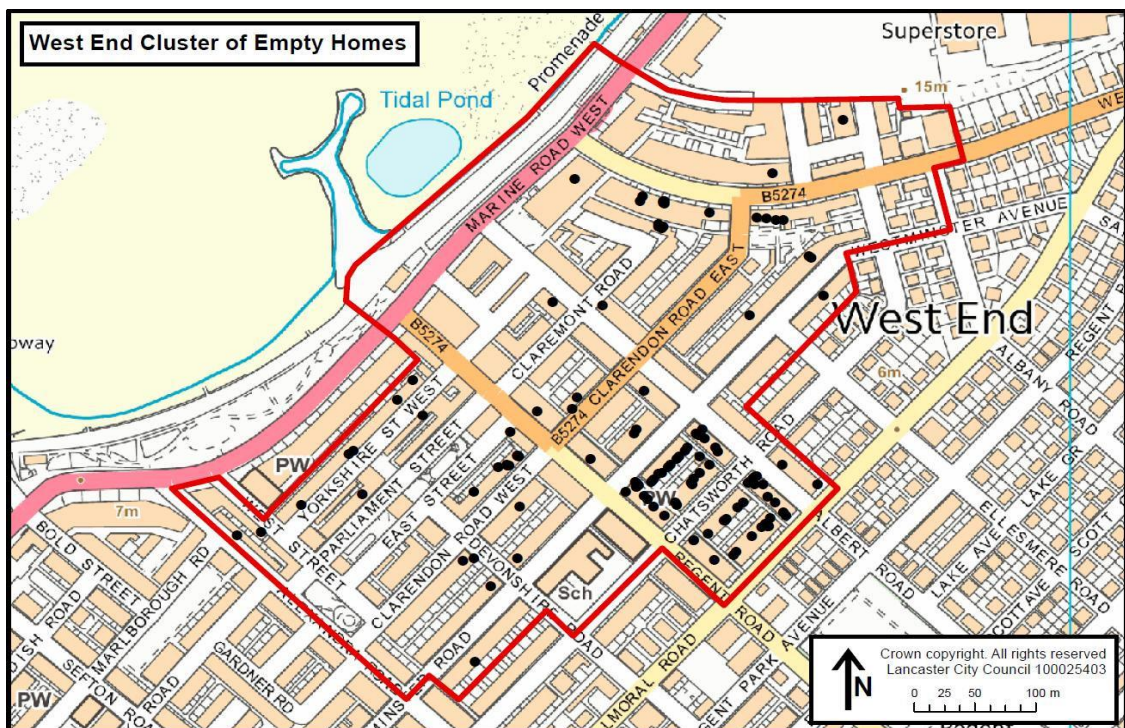
- 4.4 The highest concentration of empty properties in Lancaster district are situated in the West End of Morecambe, which for the past decade has been a major regeneration priority founded upon the West End Masterplan's principle focus to remove Houses in Multiple Occupation (HMO's) and remove smaller poor quality flat units by converting to larger family housing. To date, the Masterplan has delivered significant improvements primarily to West End Road, Clarendon Road, The Quadrant (former bus depot site on Heysham Road) Marlborough Road and Bold Street. The original intention of the Masterplan was to create an exemplar

scheme at Chatsworth Gardens, and for this purpose, the council acquired a number of properties (which are now long term empty properties), and due to market constraints in the intervening period, the initial scheme failed. Then in 2012, a new funding opportunity presented itself.

4.5 The Clusters of Empty Homes Programme seeks to tackle concentrations of empty homes and forms part of a package of measures announced by the government in *Laying the Foundations – a Housing Strategy for England*. Funding is available to areas with clusters of empty homes which have good market prospects but require an intensive approach to return them to a liveable standard. The main details of the funding programme are:

- A minimum of 100 homes brought back into use over the lifetime of the project.
- Delivery is within a distinct, compact area (ward or smaller) with over 10% of homes empty, and each cluster representing more than 25 empty homes.
- Clear and demonstrable high level strategic fit and community support - as well as evidence of local authority commitment if the local authority is not the lead bidder.
- In principle commitment to providing 100% match funding.
- Homes can be for rent, shared ownership or outright sale for owner occupation
- Only capital funding is available and it can only be spent on empty properties.
- Only refurbishment and reconfiguration of empty homes will be supported and not demolition and new build.

The map below formed the basis of the Cluster of Empty Homes bid



4.6 The council was successful in bidding for £1.9M capital funding in 2012. The initial bid was submitted to support a council led scheme which could support two potential options to bring about the remodelling and refurbishment of some or all of the council



owned properties and brought back into use by being sold to owner occupiers. However, early in 2013 and in conjunction with the HCA, the council has been investigating the merits of a developer led scheme which would create market rented dwellings, and which could potentially provide a more ambitious two phase scheme of higher quality potentially delivering around 90 units and would provide a mix of townhouses, duplex apartments and hybrid apartments/maisonettes. A developer led scheme removes the associated risks to the council if the properties are not sold or are sold at less than the anticipated sales values.



- 4.7 The good management of the properties is vital to the success and sustainability of the scheme and is likely to be delivered by a Registered Provider partner.
- 4.8 The council's developer has gained planning permission for the first phase of refurbishment and redevelopment. The proposal is of a high design quality and provides the opportunity for a positive outcome for these properties. Pictured below is a sketch from the approved planning application documents of the rear of Westminster Road terrace with balconies and reconfigured rear yards with limited secure parking and gardens.

**Chatsworth Gardens approved scheme.**



## **Section 5 Empty Homes Strategy Objectives – Lancaster City Council’s approach**

### **5.1 To raise awareness of empty homes issues**

Benefits of raising awareness using information and publicity:

- Residents and members of the community affected by empty properties are more informed and are more helpful with assisting the council in dealing with these properties.
- The public become aware that enforcement actions are available to local authorities to help assist in dealing with problematic empty properties.
- Owners of empty properties are educated in the problems associated with their empty properties and the missed opportunities.
- Owners become more aware of the assistance available through promotion of the council’s role.

#### **Actions:**

##### ***Letters to Empty Home Owners***

- 5.1.1 The council’s Empty Homes Officer has written to the owners of empty properties, highlighting the negative issues which surround them; for example unsightliness of the properties; their vulnerability to being accessed by squatters; the fact that they attract anti-social behaviour and drag down areas etc. Advice and guidance on methods of bringing empty properties back into use is highlighted in the letters, as well as the financial benefits which can be gained from having a property occupied.

##### ***Empty Homes promotion at Community Meetings***

- 5.1.2 The council’s Empty Homes Officer has attended community meetings in the area, building relationships with residents and allowing residents to report and voice any concerns they have with regards to empty properties. This is an approach to help deal with the problem of empty properties in localised neighbourhoods. An example of this is the Sandylands Prom Community Meeting held at the West End Impact Centre on 30/10/13. Photograph below.



### **Media Coverage**

- 5.1.3 The appointment of the councils Empty Homes Officer was documented in the media; the coverage highlighted the council's aim of trying to bring long term empty properties back into use.

Below is an extract from the *Lancashire Evening Post*.



#### **Lancaster has appointed its first empty homes officer to tackle the problem of unused housing in the city.**

Andrew Dent's job will be to get properties back into use, making use of funding from Preston-based charity Methodist Action (NW).

"I am extremely excited to be fulfilling this new role for the city council," he said. "Empty properties can be a detriment to an area, they look unsightly and are known to attract anti-social activities."

"By bringing an empty property back into use, these issues are alleviated."

"The majority of my work will be informal, in which I will be working with landlords, offering guidance, and potentially financial assistance via the Methodist Action loan scheme."

"However, if empty property owners are unwilling to co-operate, the council does have enforcement powers."

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 08:40

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## ***Council's Webpage***

- 5.1.4 The council's Empty Homes Webpage is a useful communication point for residents across the District. The website provides information for owners of empty properties and a facility which allows the public to report empty properties. <http://www.lancaster.gov.uk/planning/planning-policy/housing-policy/empty-properties/>

## **5.2 To maintain accurate records and information about empty homes in the district**

### **Actions:**

- 5.2.1 The majority of the statistics obtained in the district are acquired from the council tax register. This register shows how many properties in the district have been vacant for a period greater than 6 months and also provides a contact address for the owners of these properties. The Empty Homes Officer receives a new list every quarter to keep up to date with any changes.
- 5.2.2 Other ways of information gathering are via complaints from the general public, internal referrals from other services within the authority and other statutory bodies i.e. Fire Brigade and Police etc. On receipt of the information a hard file and an electronic file is created; all copies of letters, photographs, and other documents are input into these files. All the Empty Homes Officer actions are also logged on the council's database UNIFORM i.e. telephone calls, emails, results from visits etc.
- 5.2.3 By keeping records and information on empty properties in the area, it allows the council to monitor the progression being made towards bringing an empty property back into use. It also assists in deciding what future action needs to be taken.

## **5.3 To explore and pursue funding opportunities to tackle empty homes**

- 5.3.1 The council is always open to funding opportunities to help assist in bringing empty properties back into use.
- 5.3.2 A recently explored option was to look at the National Empty Homes Loan Fund (NEHLF) which is a joint initiative between the charity Empty Homes, Central Government and the Ecology Building Society.
- 5.3.3 The fund is advertised as a method of enabling owners of empty homes to obtain a loan of up to £15,000 to help bring empty properties up to the Decent Homes Standard and back into occupation. The condition is that the refurbished home is let at an affordable rent. The loan is provided by Ecology Building Society and is set at a fixed rate of 5%.

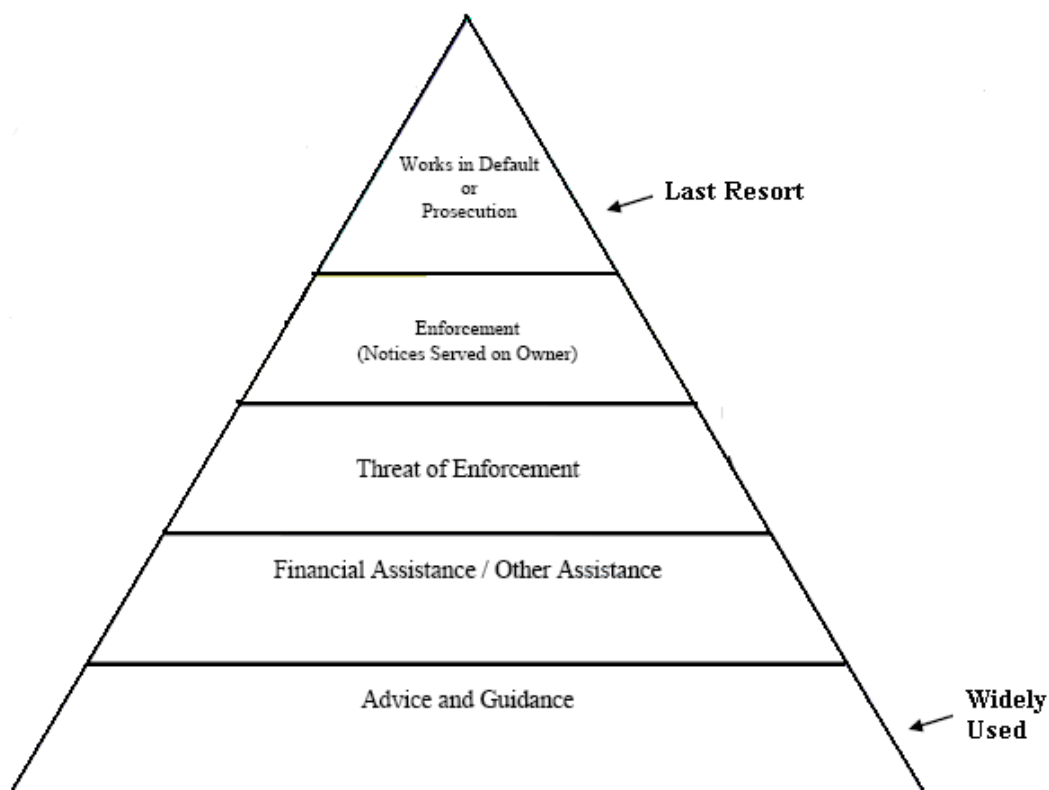
5.3.4 Making use of this fund was carefully considered, however after consultation with various local authorities, the general consensus was that a loan with interest rates at 5% could be obtained from the majority of banks and the interest rates may be more competitive from local banks. This is currently been looked into.

5.3.5 Empty Homes meetings have also been co-ordinated between various Lancashire authorities where discussions about methods and approaches to help tackle the problem of empty properties have been held. Knowledge on funding opportunities is also shared between the authorities who attend the meetings and any funding opportunities raised are explored.

**5.4 To implement specific measures to bring empty homes back into use and take enforcement action in a timely way but as a last resort where possible**

5.4.1 The Empty Homes Officer has a methodical approach to dealing with empty properties, which is known as the 'pyramid approach'. An illustration of this is highlighted on the following page.

5.4.2 The intervention of offering advice and guidance is the desired approach in attempting to get owners to bring their properties back into use. The last resort is take formal / legal action against the owners by carrying out works in default; this is only used with a minority of empty home owners and is a very last resort.



## **Measures:**

- 5.4.3 **Advice and Guidance** – This consists of development advice; which will highlight the financial benefits of utilising an empty property as opposed to leaving it unoccupied i.e. An occupied property only pays 100% council charge compared to 150% if unoccupied therefore a saving of 50%. Other financial opportunities are identified such as future rental income streams, tax incentives i.e. reduced VAT rates; guidance on planning etc.
- 5.4.4 **Financial Assistance / Other Assistance** – For those owners who have no finance to renovate their empty properties, the council are in partnership with Methodist Action who can offer an interest free loan of approximately £4500 per bedroom to help assist in bringing empty properties back into use. Once renovation works have been completed, the property is let out and managed by Methodist Action for up to a 10 year period. The loan is paid back through rental income over the first 3 years. A management fee of 15% of the rent is made by Methodist Action.
- 5.4.5 Some home owners are uneasy about letting their properties out and unsure of which agents to use. Methodist Action also offers another scheme where an empty property is simply let out and managed by Methodist Action. A 15% management fee is deducted from the rental income and the remainder is paid to the owner. The scheme is popular as it offers a guaranteed 12 month rental income, even if the property is unoccupied. It is also popular as Methodist Action promises to hand back the property in the exact same condition they received it in.
- 5.4.6 **Threat of Enforcement** – If the council has no success towards bringing an empty property back into use and has exhausted all its voluntary assistance, the threat of enforcement action is raised with the owner.
- 5.4.7 **Enforcement** – If an empty property owner still refuses to take the appropriate steps towards rectifying problems identified, statutory notices under a range of legislation can be used.
- 5.4.8 Note: Enforcement action can only be used on empty properties which are problematic i.e. deemed a detriment to the amenity of the area, suffers from vermin problems, are unsecure and at risk to being accessed by squatters, a fire risk etc.
- 5.4.9 **Works in Default or Prosecution** – This would be used as the last resort and only effect very few of the empty property owners in the district.
- 5.4.10 Prosecution would be a direct result of non-compliance with a legal notice. Works in default can be carried out as a way of ensuring works are done to rectify a problematic empty property. Where notices are not complied with, the council has the option to carry out works in default and recover costs. All such works carried out are invoiced to the owner, but these may not be paid if, for example, the owner cannot be traced or does not have the means to

pay. There remains, therefore, a debt on the property and a continuing empty home.

- 5.5.11 If the property has a charge or charges registered against it by the council for carrying out works in default, this gives the council all the powers of a mortgagee under the Law of Property Act 1925, Section 101, to discharge the charge, together with any interest and reasonable expenses. In order for the council to recover their costs from the owner, the only asset available is the property itself, which under the procedure would be sold by the council.



## Section 6 CASE STUDIES:

### WESTMINSTER ROAD, MORECAMBE

This property was reported by a public member to the Empty Homes Officer (EHO) via telephone. The nature of the complaint was in relation to the property being empty and being accessed by squatters.

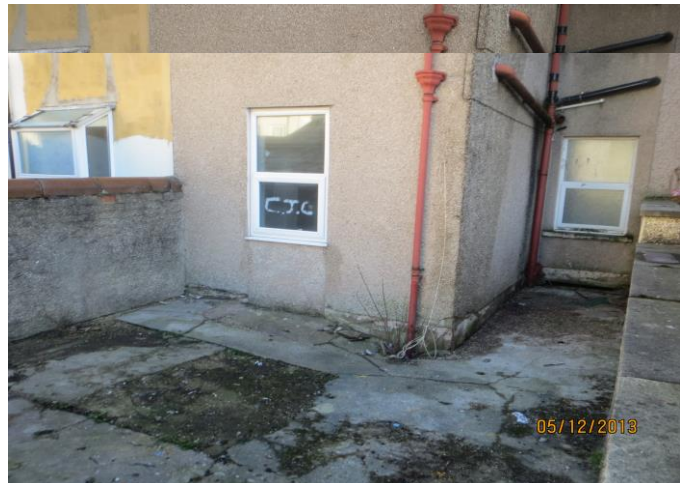
The EHO tracked down the owner and notified them of the problems with the property and encouraged them to either renovate the property ready for occupation or sell the property.

The owner informed the EHO that sale of the property was the most likely approach to bringing the property back into use, but took no steps towards securing the property.

After informal requests and repeated threats of enforcement action; used in an attempt to get the property secured, were ignored; the EHO informed Environmental Health that the property on Westminster Road was at risk, and believed to be being accessed by squatters. The property was secured under the Miscellaneous Provisions Act 1982. The rear yard was also cleaned up using powers under the Prevention of Damage by Pests Act 1949.

The property was then marketed for sale.

#### Before Intervention



#### After Intervention



### **RAILWAY STREET, LANCASTER**

This was a long term empty that had been vacant since 2004 and which had fallen into a poor state of repair. One of the major concerns was the defective guttering at the front of the property which was at risk of falling onto the pathway below, potentially striking a pedestrian and causing injury.

The EHO contacted the owner and raised the dangers of the defective guttering. Methods of bringing the property back into use were also discussed and the Methodist Action scheme was explored. The owner of the property decided that the best option was to sell the property and is at present in negotiations with a potential buyer.

**Before Intervention**



**After Intervention**



### **LOW LANE, TORRISHOLME**

This empty property was reported to the EHO by a local councillor and public members. The concern was that the property had been vacant for a prolonged period of time and that the external appearance was dragging down the area. It transpired that the property had been stood empty since 2007. The councils EHO contacted the owners and notified them of the complaints. Advice was given with regards of ways of ensuring the curtilage of the property is maintained i.e. employing local gardeners etc. The Methodist Action scheme was explored as a way of

potentially providing the owners with financial assistance to help to bring the property back into occupation. The owners of the property decided that they would like to move into the property and are now currently renovating the property; the external appearance of the premises is now regularly maintained.

**Before Intervention**



**After Intervention**



## George Clarke's 12 Recommendations



## George Clarke's 12 Empty Homes Review Recommendations

1. Refurbishing and upgrading existing homes should always be the first and preferred option rather than demolition.
2. Demolition of existing homes should always be the last option after all forms of market testing and options for refurbishment are exhausted.
3. Proper community consultation is required for any existing homes regeneration programme. The questions in a consultation should clearly consider all of the options openly and fairly and not directly or indirectly give preference to one option over another.
4. If, following an open and transparent community consultation process and after rigorous market testing for refurbishment, demolition is still the preferred choice of the community then tenants/owners should be moved to new 'like for like' properties. No one should be placed in temporary accommodation.
5. If owners/tenants are moved to a new property they should suffer no net financial loss or any increase in rent, other than what they would expect as a reasonable increase if they remained in their existing home and in line with inflation. Any significant financial increase in rent from a housing association is to be subsidised by the HA or local authority and not the owner/tenant.
6. Areas should not be systematically 'wound down' which is a process that destroys communities and reduces house prices in the area. If Homeowners or tenants choose to move they should be moved in large clusters at the same time (entire street by street) and if homes are to be demolished they are to be emptied and demolished as quickly as possible to make way for new development.
7. Homes should not be emptied at all until full planning permission has been fully approved for demolition and new build development in advance (with majority support from the local community) and all funding for the new development is fully secured with a clear timetable for delivery.
8. If an area of existing housing requires improvement or redevelopment then a 'mixed and balanced' urban design scheme should be considered where existing properties are retained and improved while being mixed with appropriate new build development.
9. Local Authorities and Housing Associations should promote and encourage alternative methods of project procurement for the refurbishment of empty homes

such as Homesteading, Co-operatives and Sweat Equity schemes. These are community-based schemes that encourage community involvement while providing better value for money.

10. Displaced occupiers should be given a 'right to return' following the completion of a housing renewal programme. In practice this means giving first refusal to new or refurbished houses at the same price as the compensation paid to the occupier when they were displaced.
11. Where a regeneration scheme is withdrawn or partly withdrawn prior to demolition. Owners should be given first refusal to have their home back. The property should be offered at the same price as the compensation they received minus any compensation due for remedial work to return the property to the condition it was in prior to sale.
12. Where properties decanted for renewal schemes are left empty for more than six months, they must be openly offered for temporary accommodation in a safe and habitable state.

## EMPTY HOMES ACTION PLAN 1 JULY 2013 – 30 JUNE 2015

<b>Action – Raise Awareness</b>	<b>Outcomes</b>	<b>Lead</b>	<b>Timescale for completion</b>	<b>Resource Implications</b>
Regularly review council tax data and make contact with empty homes owners at the earliest possible stage	Reduction in the time homes are empty	Empty Homes Officer	Ongoing	Within existing resources until June 2015
Use a wide range of publicity at regular intervals and encourage reporting of empty homes	Raises public awareness	Empty Homes Officer	Ongoing	Within existing resources until June 2015
Provide early intervention through a wide range of advice and support to bring empty homes back into use as quickly as possible	Reduction in the time homes are empty	Empty Homes Officer	Ongoing	Within existing resources until June 2015
<b>Action – maintain accurate records</b>				
Obtain information from council tax on a quarterly basis to monitor the total number of empty properties on a district wide basis	More effective monitoring	Empty Homes Officer	Quarterly	Within existing resources until June 2015
Maintain internal records of empty properties being targeted and log all actions taken	More effective monitoring	Empty Homes Officer	Ongoing	Within existing resources until June 2015
Provide statistical information to check progress on reducing the number of empty homes and consider the impact of the current council tax charging policy	More effective monitoring	Empty Homes Officer	Quarterly	Within existing resources until June 2015

<b>Action – seek funding</b>				
Investigate any funding opportunities to draw down funding for empty homes	More resources provided to reduce empty homes	Empty Homes Officer/ Housing Strategy Officer	As and when required	Within existing resources until June 2015
Work in partnership and support Methodist Action North West by identifying suitable empty properties that can be brought back into use	Will reduce empty homes and monies are recycled	Empty Homes Officer/Housing Strategy Officer/Senior Regeneration Officer	Ongoing and at quarterly reviews	Within existing resources until June 2015
Maintain links with other district councils, regional and national bodies to identify potential funding opportunities and recognised good practice around empty homes	Better chance of securing funding	Empty Homes Officer/Housing Strategy Officer/Senior Regeneration Officer	As and when required	Within existing resources until June 2015
<b>Action - enforcement</b>				
Maintain contact with empty homes owners at regular intervals and monitor the situation	Better recording and audit trail	Empty Homes Officer	Ongoing	Within existing resources until June 2015
Where appropriate, serve notices upon empty homes owners and take appropriate legal action	Will reduce number of empty homes	Empty Homes Officer / Senior Regeneration Officer	As and when required	Within existing resources until June 2015
If necessary, prosecute empty homes owners and undertake works in default and pursue an enforced sale as a last resort	Will reduce number of empty homes	Empty Homes Officer / Senior Regeneration Officer	As and when required	Within existing resources until June 2015