

CABINET (HOUSING) COMMITTEE

22 MARCH 2016

PRIVATE SECTOR EMPTY PROPERTY STRATEGY

REPORT OF ASSISTANT DIRECTOR (CHIEF HOUSING OFFICER)

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REFERENCES:

CAB2765(HSG) - Options For Bringing Empty Properties Back Into Use, 3 February 2016.

EXECUTIVE SUMMARY:

This report is the follow on report from CAB2765 (HSG), in respect of which the Committee resolved as follows:

1. That the Council adopts a more pro-active approach to identifying reasons for properties being empty, working with and supporting owners with the range of actions highlighted in options a) to g) in Paragraph 10 in the Report with effect from April 2016.
2. That an Empty Property Strategy/Action Plan be prepared for consideration by the Cabinet (Housing) Committee in March 2016, taking account of Resolution 1 above.
3. That a further report reviewing outcomes from the Empty Property Actions adopted in the above strategy be considered by Cabinet (Housing) Committee in March 2017.

Following these resolutions, this report includes a draft Empty Property Strategy/ Action Plan for consideration and approval by Members.

**RECOMMENDATIONS:**

1. That the Empty Property Strategy (including Priorities 1 – 5 as the basis for addressing empty properties in the District, and the Action Plan for implementing the Strategy) as set out in Appendix 1 to the report be endorsed and approved.
2. That a further report reviewing outcomes from the Empty Property Actions be considered by Cabinet (Housing) Committee in March 2017.

## CABINET (HOUSING) COMMITTEE

22 MARCH 2016

### PROPOSED EMPTY PROPERTY STRATEGY

#### Report of ASSISTANT DIRECTOR (CHIEF HOUSING OFFICER)

#### DETAIL:

##### 1 Introduction

- 1.1 Winchester City Council does not have a current and up to date Empty Property Strategy but following recent Member interest in this area, CAB2765 (HSG) was brought to Cabinet (Housing) Committee on 3 February 2016.
- 1.2 Members resolved that an Empty Property Strategy/Action Plan be prepared for consideration at this meeting. A draft is attached at Appendix 1 to this Report. The draft includes an Action Plan, which sets out the proposed actions Officers intend to pursue for addressing and bringing empty properties back into use.

##### 2 Background

- 2.1 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.
- 2.2 The definition of an empty dwelling under the Act is “a dwelling that has remained vacant for more than six months” (the definition) although there are exemptions detailed in section 134 (6) of the Act.
- 2.3 There is no legal requirement for a local authority to have an 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.
- 2.4 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.
- 2.5 Bringing an empty property back into use is of benefit to the individual owner as it provides 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.

##### 3 Winchester Private Sector Housing Stock Data

- 3.1 A Private Sector House Condition Survey undertaken in 2014 established that the private sector housing stock comprised of 41,458 dwellings containing

40,800 households and a household population of 90,479 persons. Within the private sector housing stock, 38,424 dwellings (92.7%) were occupied at time of survey; the remaining 3,034 dwellings (7.3%) were vacant.

3.2 A scrutiny of Council Tax records at the end of 2015 listed 307 private properties as being empty, with the lengths of vacancy being:

- a) 6 – 24 months - 192 properties
- b) 24 – 36 months - 37
- c) 36 months plus - 78

#### 4 Financial incentives

4.1 The draft Strategy identifies that the Council currently does not offer the owners of empty homes any financial incentives to encourage them to return their properties to occupation. However, the Strategy does identify the need for partnership working to be explored, which in turn might reveal possible future funding streams. At the current time, Government have no intention of offering to the owners of empty properties or local authorities any financial incentives to help in bringing empty homes back into use.

#### 5 Implementing the Strategy

5.1 The Strategy straddles the years 2016 to 2021 and the Private Sector Housing (PSH) team will follow five core priorities in implementing the Strategy in its attempt to increase the number of empty homes brought back into use. In summary, the priority areas will be:

- Priority 1 - Identifying empty homes
- Priority 2 - Providing advice for empty property owners
- Priority 3 - Increased publicity
- Priority 4 - Investigate and develop partnership working
- Priority 5 – Use of legislative powers

The above priorities link in with options a) to g) as resolved by Cabinet (Housing) Committee on 3 February 2016 (CAB2765(HSG) refers). More detail around each priority is detailed in the Strategy.

#### 6 Enforcement and Wider Local Authority Powers to Address Empty Properties

6.1 The Council's core approach to bringing empty homes back into occupation will be through providing advice and encouragement to owners, in addition to negotiation and persuasion. However, there will be some instances in which an empty property is having such a detrimental impact on a neighbourhood that more formal and direct enforcement action will have to be considered, the options being:

(i) Enforced sale procedure

Under the Enforced Sale procedure, the Council is exercising a power of sale of a property over which it has a charge (in the same way as a bank can force the sale of the property on which it has a mortgage, where the borrower fails to repay the loan).

(ii) Empty Dwelling Management Orders (EDMO)

The Act makes provision, by way of interim and final Empty Dwelling Management Orders, for the Council to secure the occupation and proper management of empty private sector dwellings. A property must be vacant for at least 2 years before the EDMO procedure can be used.

(iii) Compulsory purchase orders (CPOs)

These can be enforced under either S17 of the Housing Act 1985 (acquisition of houses, usually used if the property is in good condition) or S226(1)(a) Town and Country Planning Act 1990 (acquisition to facilitate carrying out of development, redevelopment, or improvement in relation to the land, e.g. if property is in poor condition). Under these powers, the Council can compulsorily purchase the property from the owner and then sell the property. A condition on the sale contract can be added to ensure that the property is brought back into use within an agreed timescale. A compulsory purchase order (CPO) is made by the local authority, but can only be implemented once it has been confirmed by the Secretary of State. In order to secure confirmation, the local authority will have to show that they have taken steps to encourage the owner to bring the property into acceptable use. They will also need to show that their reasons for making a CPO justify interfering with human rights of anyone with an interest in the property. CPOs are a lengthy process and are an action of last resort when all other options have been exhausted and have failed to convince the owner to bring a property back into use, or where an owner can not be traced or where a property has been vacant for a long time and is causing a nuisance or is danger to the public.

## 7 Conclusions and Recommendations

- 7.1 With over 100 properties in the District listed as empty for more than 2 years, there is clear scope for bringing at least a small number of properties back into use.
- 7.2 The proposed Empty Property Strategy takes into consideration the absence of financial incentives available from either the Council or Government and realistically reflects the work which with limited resources is likely achievable.
- 7.3 The use of enforcement powers detailed within this Report will be used where appropriate, although with the recommended approach it is likely an enforced

sale procedure, EDMO or CPO will only be considered as a last resort and subject to the decision of the Assistant Director (Chief Housing Officer) in consultation with the Head of Legal & Democratic Services and the Portfolio Holder for Housing.

#### OTHER CONSIDERATIONS:

#### 8 COMMUNITY STRATEGY AND PORTFOLIO PLANS (RELEVANCE TO):

- 8.1 The Community Strategy Active Communities outcome contains a commitment to 'support local people in accessing high quality and affordable housing which meets their needs'. The Empty Property Strategy will contribute to the Council achieving this aim.

#### 9 RESOURCE IMPLICATIONS:

- 9.1 The intention is to prioritise existing staff time and resources within PSH to enable the strategy to be implemented from April 2016. Should it be identified in due course that additional staff resources are required, this will be achieved by directing temporary project/support resources from other Housing teams.

#### 10 RISK MANAGEMENT ISSUES

- 10.1 Risks associated with empty properties are relatively low. The problems that can result from homes being left empty are highlighted in the Report, as are some of the challenges in attempting to use enforcement powers to pursue owners who have no desire to take action themselves.

#### 11 EQUALITY IMPACT ASSESSMENT

- 11.2 The draft Strategy is still subject to an equality impact assessment, although if adopted it is likely it will have the potential to have a positive impact on neighbourhoods by returning empty homes to occupation, thus reducing homelessness and the incidence of anti-social behaviour, fly tipping and vermin problems etc. frequently associated with empty properties

#### 12 REVIEW

- 12.1 In order to ascertain the effectiveness of the Empty Property Strategy proposals, a review should be undertaken in early 2017 and a further report submitted for consideration by Cabinet (Housing) Committee in March 2017.

#### BACKGROUND DOCUMENTS:

None

Appendices:

Appendix 1 - Draft Empty Homes Strategy 2016-2012



**Winchester**  
City Council

## **EMPTY PROPERTY STRATEGY**

2016 - 2021



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### **1. Introduction**

In autumn 2015 the national campaigning charity Empty Homes (previously the Empty Homes Agency) published a report 'Empty Homes in England'. This cited Government statistics that there are over 600,000 empty properties nationally, of which 200,000 are long term empties. Whilst in the last decade there has been a decrease in the overall number of empty properties across the country, keeping a property empty is a wasted resource which could be providing a valuable home and a useful income to the owner.

The Council can take action or provide advice and assistance which in turn can make a positive contribution to the overall health and well being of local residents and the community. Whilst the Council has the legal powers to bring empty homes back into use, it is neither practical nor feasible for them to be involved in every case. Many less entrenched empty homes will be returned to use by their owners without any need for assistance. However, where the owner is either unable or unwilling to return a problematic or long term empty property back in to use, the Council can become involved and this strategy sets out the framework for tackling the various issues associated with empty properties.

By producing an Empty Homes Strategy the Council can show that it has a targeted, effective and coordinated approach to tackling the problem of empty homes and that it has researched and identified the most effective solutions to meet local housing need.

### **2. Strategic Aims**

The overarching aim of the Strategy is to help return long term private sector empty homes back into occupation through informal methods, although ultimately enforcement action may be required.

### **3. The National and Local Context**

#### **3.1 National Context**

In 2011 the Coalition Government published 'Laying the Foundations', a Housing Strategy for England which set out its commitment to bringing empty homes back into use as a sustainable way of increasing the overall supply of housing and reducing the negative impact that

neglected empty homes can have on communities.

The Coalition Government believed that bringing empty homes back into use would contribute to wider objectives such as:

- creating sustainable communities;
- tackling low demand and housing market failure;
- tackling anti-social behaviour;
- providing affordable, good quality homes; and supporting local economies.

The current Government's approach to dealing with Empty Properties

Although bringing about the return of empty homes back into use was a priority for the Coalition Government, which provided various financial incentives to local housing authorities to enable them do this such as the New Homes Bonus and the Empty Homes Programme; in 2016 this is not the case with the current Conservative Government.

In October 2015 a parliamentary question asked whether the Government intended to introduce a scheme similar to the Empty Homes Programme. In response, Brandon Lewis, the Housing and Planning Minister, stated that the Government had no plans to introduce additional funding.

### **3.2 The Local Perspective**

A Private Sector House Condition Survey undertaken in 2014 on behalf of the Council by David Adamson and Partners established that the private sector housing stock comprised of 41,458 dwellings containing 40,800 households and a household population of 90,479 persons. Within the private sector housing stock 38,424 dwellings (92.7%) were occupied at time of survey; the remaining 3,034 dwellings (7.3%) were vacant. As of 31 December 2015 there were approximately 307 empty properties in the Winchester district which had been vacant for over 6 months. Out of this figure, 102 properties had been vacant for between 6 to 12 months; 90 for between 12 to 24 months; 37 for between 24 to 36 months and 78 vacant for in excess of 36 months. Generally the very long term empty properties cause the most concern, as if not maintained will deteriorate and become an eyesore and blight a neighbourhood.

### **3.3 The Council's approach to dealing with Empty Properties**

The Council wishes to prevent properties becoming long-term empty and will take the most appropriate action to bring about their re-occupation. One of the first and key steps in tackling empty homes is understanding the reasons why a property has been empty for more than 12 months. Reasons for vacancy will vary according to owner and property circumstances but establishing why a property has been left empty will play an important first step in bringing about its re-occupation. Those properties that have been left empty the shortest time are likely to be the easiest to return to occupation, but each empty property will be examined on its own merit and its circumstances assessed before a decision is reached as to the best course of action for the Council to pursue.

#### **4. What is an empty property?**

In this strategy the term 'empty property' is taken to be an empty domestic dwelling house.

There is no officially recognised definition of an empty property and it is not always as straightforward to identify an empty property as it may seem. Generally though, an empty home is a property which has been void of people and furniture / possessions for at least 6 months.

##### **4.1 Why are properties empty?**

There can be a complex range of interrelated factors behind why a property is empty. These can relate to the people or individuals concerned, to the particular property or to wider economic, social or environmental effects:

- a) Individual factors
  - Unresolved ownership (usually following death of owner)
  - Bankruptcy of owner
  - Owner might be institutionalized e.g. in hospital or prison
  - Owner might lack required experience in property letting and tenancy management
  - Owner inertia – owners who do not wish to sell or rent due to previous bad experiences or sentimental reasons
  - Owners who simply refuse to bring the property back in to use
- b) Property factors
  - Property acquired for investment – purchased to profit from the tendency for property to increase in value without any intention of either improving or letting
  - Owner might not appreciate the financial benefit of bringing property back into use
  - Poor property condition where costs of refurbishment to current standards are prohibitive, relative to the income the property might realise
  - Repossession of the property
  - The property might be blighted by environmental or commercial factors e.g. a major road has been built nearby or business / factories which previously sustained households in those properties have closed / moved away
- c) Wider economic and other factors
  - Low housing market demand (environmental or economic factors, as a above).
  - Housing market collapse – the impact of repossession; negative equity
  - Area regeneration – the complex and involved work required in area regeneration schemes can result in properties being left empty for longer than desirable pending clearance or renovation.

##### **4.2 Benefits of bringing an empty property back into use**

An empty property is not just the concern of the owner because a property left unoccupied and not maintained will over time impact on its surroundings. It is often the case that the longer a property is left empty the more money it will cost to bring it back into use as the condition of the property deteriorates. Empty properties can also impact on neighbouring properties whose condition and value may also be severely affected. Empty properties also run the risk of attracting unwanted attention from vandals and squatters and in extreme cases can become a target of arson.

Bringing an empty property back into use through targeted action can help tackle a number of social, economic and public health issues and the benefits from bringing empty homes back into use include:

#### **4.2.1 For the owner**

By bringing an empty home back into use an owner can benefit in a number of ways. If an empty home is sold the owner will receive capital income. If the property is let on the rental market, the owner would receive a regular monthly income. Leaving a home empty increases the risk of vandalism and crime, making the property costly or difficult to insure and leaving the owner vulnerable to losing their asset completely if it is destroyed by fire. Leaving a property vacant is often associated with a lack of maintenance. The fabric of the building will deteriorate without regular maintenance which will reduce the value of the property.

Empty properties can attract squatters. Squatting is when somebody enters and lives in a property or on land without the permission of the owner or the person legally entitled to occupy it (for example a tenant). Squatting in a residential property is now a criminal offence. Squatters can be arrested by the police and if convicted by a court can be sent to prison, fined or both.

#### **4.2.2 For people who need a home**

Bringing empty homes back into use helps meet the District's housing need. Long term empty homes are a wasted resource and bringing empty homes back into use increases the amount of decent housing, which in turn helps reduce homelessness and lessens the requirement for temporary accommodation.

#### **4.2.3 For local residents**

Vandalism, fly tipping and anti-social behavior will all be significantly reduced by bringing an empty home back into use. Unsightly homes can also have a depressive effect on neighbouring house prices and also reduce pride in the community, as well as having a direct impact on adjoining homes through dampness and structural problems. The built environment and general streetscape will also be improved helping to maintain safe, attractive neighbourhoods.

#### **4.2.4 For the local economy**

Bringing an empty home back into use encourages economic vitality and can increase

spending in the local economy. Unsightly homes deter investment in an area and can lead to decline or area blight.

#### **4.2.5 For the wider community**

Removing the negative impact of empty properties helps to boost the well-being of communities. Reduced demand on services such as the Fire and Rescue Service, the Police and Council services means that resources can be used more effectively elsewhere.

### **5. Our Objectives**

The Council's key objectives are to:

- Encourage homeowners and landlords to bring vacant properties back into use to increase housing supply in the Winchester District
- Consider all the options available for tackling the problem and make every effort to bring a property back into use and a good standard of repair through advice encouragement, negotiation and persuasion.
- Remove the negative impact empty properties in poor condition have on neighbourhoods
- Develop and maintain robust records on empty domestic dwellings in the Winchester District

#### **5.1 Implementing the Strategy**

The Council will pursue the following priorities in its endeavor to bring about the return of empty homes to occupation with legal action being considered as a last resort.

##### **Priority 1**

###### **Identifying empty properties**

Access to accurate information on empty properties is a vital part of effective prevention. The Council will use primary data such as Council Tax information, Councilor and Officer knowledge and local intelligence to build up a register of empty properties and their condition.

##### **Priority 2**

###### **Engagement and advice for empty property owners**

One of the most important measures in ensuring properties do not remain empty is through engaging with empty property owners and providing good quality advice and assistance. The Council will provide advice for empty property owners and this will be achieved by:

- helping owners to rent their property by providing information on becoming a landlord;
- helping owners to sell their property by providing information on selling privately, estate

agents and auctions;

- adopting a more casework-orientated approach with owners to encourage, advise and support them to bring their homes back into use particularly through engagement with the Council's own City Lets scheme.

### **Priority 3**

#### **Publicity**

The Council will develop for inclusion on the Council's Web Site information on how to report an empty property and information for home owners and landlords on options for bringing empty properties back into use.

When the Council is approached by private developers or individuals who have expressed an interest in purchasing and refurbishing empty properties, the Council will contact the owner of the empty property and try and bring both parties together. Any potential sale or letting agreement would be a private matter between both parties and the Council will take no part and accept no responsibility for any voluntary negotiation for sale or rent.

### **Priority 4**

#### **Partnership Working**

The Council will explore the possibility of developing partnership working with other organisations in order to assist in the reoccupation of empty properties. This might include encouraging partners to seek funding streams that might be made available by future Government; housing organisations, charities or through loans companies to improve the condition of properties and reduce empty homes.

### **Priority 5**

#### **Enforcement – Use of legislative powers**

In the first instance, it is the Council's policy to make use of informal engagement to encourage owners to bring empty properties back into use voluntarily before moving on to enforcement and it will be important to make sure that any enforcement action that is taken, is in line with the Council's Enforcement Policy.

There are various pieces of legislation which the Council can use to deal with some of the more urgent problems associated with empty properties, for example, the removal of rubbish and security works. The need to take legal action in ongoing cases where owners are not fulfilling their responsibilities however helps build up a case for more major enforcement action such as Compulsory Purchase Order, Enforced Sale and Empty Dwelling Management Orders, in order to secure a change in ownership or management.

The range of enforcement powers available to the Council are set out in Table 1

Table 1 – Enforcement powers available to the Council to tackle long term empty homes

Problem	Legislation	Power Granted
Dangerous or dilapidated buildings or structures	Building Act 1984 Sections 77 and 78	To require the owner to make the property safe (Section 77) or enable the Local Authority to take emergency action to make the building safe (Section 78).
	Housing Act 2004 Part 1	Under the Housing Health and Safety Rating System local authorities can evaluate the potential risks to health and safety arising from deficiencies within properties and take appropriate enforcement action
Unsecured properties (where it poses a risk that it may be entered or suffer vandalism, arson or similar)	Environmental Protection Act 1990 Sec 80	To determine whether any premises is in such a state as to be prejudicial to health or a nuisance.
Unsecured properties (where it poses a risk that it may be entered or suffer vandalism, arson or similar)	Building Act 1984 Section 78	To allow the Local Authority to secure the property.
	Local Government (Miscellaneous Provisions) Act 1976 Section 29	To require the owner to take steps to secure a property or allow to board it up in an Emergency.
Blocked or defective drains or private sewers	Local Government (Miscellaneous Provisions) Act 1976 Section 35	To require the owner to address obstructed private drains.
	Building Act 1984 Section 59	To require the owner to address blocked or defective drainage.
	Public Health Act 1961 Section 17	To require the owner to address blocked or defective drainage

Table 1 (cont.) – Enforcement powers available to the Council to tackle long term empty homes

Vermin (where it is either present or there is a risk of attracting vermin) that may detrimentally affect peoples health	Public Health Act 1961 Section 34	To require an owner to remove waste so that vermin is not attracted to the site.
	Prevention of Damage by Pests Act 1949 Section 4	
	Public Health Act 1936 Section 83	
	Environmental Protection Act 1990 Section 80	
	Building Act 1984 Section 79	
Unightly 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 (see above).
	Building Act 1984 Section 79	To require the owner to address unsightly land or the external appearance of a property.
	Town and Country Planning Act 1990 Section 215	To require the owner to take steps to address a property adversely affecting the amenity of an area through its disrepair.

### **Wider Council Enforcement Powers to address Empty Properties**

The value of property in the Winchester district is high and the majority of empty properties in the District will over time be returned to occupation, without recourse to the most serious enforcement powers that the Council has at its disposal. However, in cases where the softer skills of advice, encouragement, negotiation and persuasion do not result in effective engagement with the owner, or an owner does not adequately demonstrate clear plans to reoccupy a property and where the house is subject to ongoing complaints; the Council will consider enforcement to secure a change in ownership or management if necessary. However, such action is extremely time consuming and due to limited staff

resources it is likely will only be an appropriate course of action for dealing with a small number of the more problematic long- term vacant properties.

When the Council has exhausted all efforts to try and engage with an owner of an empty property to bring it back into use, it will consider and if appropriate instigate one of the following enforcement powers:

### **Enforced Sale Procedure**

Local authorities have the statutory power to force the sale of a property through the Law of Property Act 1925 s103. Where local authorities have carried out work in default under some of the above legislation and are unable to recover the debt, it is possible under this legislation to register a charge on the property. This recharge can then be recovered by way of an enforced sale. The property then passes onto a new owner who would hopefully complete any necessary refurbishment and thereby bring the property back into use.

### **Empty Dwellings Management Orders (EDMO)**

Empty Dwelling Management Orders (EDMO) were introduced by the Housing Act 2004 and enacted in 2006 and provide a mechanism by which local authorities can secure occupation of a long-term empty property and take over the management.

Two forms of EDMO exist:

- i. an interim EDMO
- ii. a final EDMO.

### **Interim EDMO**

An Interim EDMO Order should be considered as the final opportunity to find a voluntary solution with the owners to bring the property back into use. In order to obtain an Interim EDMO, an application must be made to the Residential Property Tribunal Service (RPTS). To obtain an Interim EDMO the Residential Property Tribunal Service must be satisfied that:

- a) the property is not exempt according to the Housing Strategy Statistical Appendix (HSSA);
- b) that the owner has been notified that the Council is going to apply for an EDMO;
- c) that the Council attempted to ascertain what steps the owner is taking to bring the property back into use (and the details of the action taken);
- d) the property must have been empty for at least 2 years;
- e) that by generating the Order, there is a reasonable prospect of the property being brought back into use.

If these matters are satisfied, the Residential Property Tribunal Service will then balance the rights of the owner against those of the wider community in making their decision as to whether to approve the EDMO.

## **Final EDMO**

Where an agreement can not be reached between the owner and the Council a Final EDMO can be made by the Council to replace an interim EDMO. A final EDMO can be made for up to 7 years. A final EDMO gives the Council the right to manage a dwelling in the most appropriate manner. This could include:

- i. Direct management by the Council
- ii. Transferring the management to a residential social landlord
- iii. Transferring the management to a private lettings agent

The financial and time resource implications for the making of an EDMO are quite considerable. However, the Council will look to include this measure as a part of its enforcement toolkit and will if required seek to develop a partnership with a local Registered Provider to act as managing agent. It is likely that properties which only require relatively low levels of refurbishment work would be suitable for this procedure, thus so as to enable the monies to be recovered from the rental income, as all initial costs relating to EDMOs are payable by the Council.

## **Compulsory Purchase Orders**

Compulsory Purchase Order (CPO) is the mechanism by which the Council can purchase a property without the voluntary agreement of the owner if the circumstances meet set criteria. A CPO can be enforced under either S17 of the Housing Act 1985 (acquisition of houses, usually used if the property is in good condition) or S226 (1) (a) Town and Country Planning Act 1990 (acquisition to facilitate carrying out of development, redevelopment, or improvement in relation to the land, e.g. if property is in poor condition). Application for a CPO is to the Secretary of State but before any such application is made, the Council must demonstrate that all other available methods of redress have been exhausted. Under the CPO process the Council would most likely seek to dispose of the property to a third party (e.g. Housing Association or private developer). A condition on the contract of sale can be added to ensure that the property is refurbished and brought back into use within an agreed timescale. The timescales involved in administering a CPO can be extensive and it is therefore seen as a measure of last resort.

## **6. Resources**

There are no “quick fixes” in addressing empty properties and the Council has no financial incentives to offer owners to encourage them to return their empty properties to occupation. The primary thrust to achieve this will be through advice, encouragement, negotiation and persuasion achieved within current team resources.

## **7. Monitoring and review**

This strategy is operational for five years from 1<sup>st</sup> April 2016 to 2021 but will be reviewed annually and updated as necessary to ensure it remains responsive to local and national issues, changes in legislation / guidance and operational requirements. Any case requiring intervention in the form of Compulsory Purchase, Enforced Sale or Empty Dwelling Management Order, will be subject to the decision of the Assistant Director (Chief Housing Officer) in consultation with the Portfolio Holder for Housing Services and the Head of Legal & Democratic Services.

## **8. Equality Impact Assessment**

This strategy is still subject to an equality impact assessment.

## **9. Contact Information**

Should you have any comments about this strategy or require any further information on empty property issues, please contact the Private Sector Housing team at:

Winchester City Council  
City Offices  
Colebrook Street  
Winchester  
Hampshire  
SO23 9LJ

Tel. 01962 848483

Email: [\\_privatesectorhousing@winchester.gov.uk](mailto:_privatesectorhousing@winchester.gov.uk)

Appendix 1 : Winchester City Council Empty Property Strategy Action Plan 2016 – 2021

Action No.	When will we do it by	Who will monitor and deliver this?	Resources Needed	Task/Steps	Target/Outcome	Progress to date
<b>Priority 1: Identifying Empty Properties</b>						
1.1	April 2016	PSH team	Staff time	Build a robust register of all empty properties in the district including any relevant information on the properties such as condition, planning permissions. Ensure this information is available and accessible to all teams.	Established empty property register which is up to date and relevant	
1.2	April 2017	WCC teams	Staff time	Engage other WCC teams in identifying the empty properties such as planning, neighbourhood services, building control	Identification of all empty properties in the district	
1.3	Ongoing monthly from April 2016	PSH and Council Tax	Staff time	Liaise with Council Tax to obtain timely information to ensure the empty homes register is up to date	Up to date and relevant information on empty properties	

1.4	April 2017	Housing Options Service	Staff time and visiting resources	Ensure each identified empty property is visited to ascertain the condition, status etc	Identify condition of property and to enable potential options to be considered	
<b>Priority 2: Engagement and advice for empty property owners</b>						
2.1	September 2016	Policy Development Officer	Staff time	Develop a procedural flowchart for team use to include: establishing how to identify an owner, detail the advice and options available for empty properties and ensure that City Lets is explored at every opportunity.	Establish a clear procedure for the team to deal with empty properties effectively	
2.2	September 2016	PSH team leader	Staff time	Develop a case work approach to each empty property and implement a '3 stage' letter to engage owners	Engage with owners	
2.3	April 2017	PSH team and communications	Staff time	Develop information packs and advice leaflet for owners on the options available	Educate owners on their options available	

2.4	April 2018	Wider Council services and members	Staff time and other resources	Consider whether Council Tax rates of 150% can be charged on properties empty for more than 2 years	Encourage owners to return the empty property back to use	
<b>Priority 3: Publicity</b>						
3.1	September 2016	PSH team and communications team	Staff time	Liaise with WCC communications team regarding publicity opportunities	Ensure awareness of options available for empty properties and how to report an empty property.	
3.2	April 2017	PSH team and communications team	Staff time	Promote information on WCC website for owners, in particular in relation the City Lets scheme.	Ensure owners of empty properties are aware of the options available to them to bring their property back to use.	
3.3	April 2017	PSH team and communications team	Staff time	Develop information on WCC website for the public	Ensure the public are aware how to report an empty property	

3.4	April 2017	PSH team and communications	Publicity costs	Consider advertising City Lets in the local media	Target empty home owners to consider this option to bring their empty property back to use.	
3.5	September 2017 and ongoing	PSH team and communications	Publicity costs	Ensure that any empty properties brought back into use are publicised.	To raise awareness and encourage further properties to be brought back into use.	
<b>Priority 4: Partnership Working</b>						
4.1	September 2017	PSH team leader and Hampshire Authorities	Staff time	Explore any joint funding opportunities available with Hampshire Authorities through HAG to bring empty properties back to use.	Achieve funding to bring empty properties back into use	
4.2	September 2017	Housing Services	Staff time	Seek to identify any grant funding opportunities to return empty properties back to use.	Achieve funding to bring empty properties back into use	
<b>Priority 5: Enforcement – Use of legislative powers</b>						
5.1	September 2017	PSH team	Staff time	Ensure appropriate enforcement policies and procedures are in place and are regularly monitored and updated.	Using enforcement powers in a targeted and effective way.	

5.2	April 2018	PSH team	Staff time	Identify properties from the register and case work which may be having a detrimental environmental impact and consider appropriate enforcement action.	Ensure empty properties are not causing a negative impact on the neighbourhood.	
5.3	September 2018	Head of Housing Options	Staff time	Explore the options of Compulsory Purchase Orders with members for those properties long term empty.	Effective action for those properties empty long term.	

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