

BACKGROUND

The Work of an Empty Property Officer

In 1996/7, Warwick District Council was amongst the first local authorities outside of London to employ an Empty Property Officer. His task was to examine the situation pertaining at that time, and to draw up and implement a strategy for bringing long-term empty property back into use as dwellings. A further requirement of the post was to investigate and bring back into use some of the empty space above shops and businesses.

At that time (April 1997) there were some 1634 empty houses, of which 535 had been empty for over a year.

During the three years he was employed as our Empty Property Officer, Andrew Parkes was instrumental in bringing approximately 150 dwelling units into use. This was done, in the main, by forming links with the Housing Association movement and facilitating the leasing or purchase and conversion of empty property. He was able to set up a Landlord's Forum; a database of empty properties and actions in connection with them; links with local letting agents and leaflets explaining the Council's Empty Property Strategy and Guidance for landlords. All of this work lapsed when his contract ended.

The "Exit Strategy" he left in place envisaged actions being taken by a number of Departments of the Council:

- Environmental Health review of all Closing Orders and Undertakings Not to Relet;

- Review of all Council Tax defined "unfit" properties by Environmental Health to

- determine whether S189 or S190 repair notices are appropriate;

- Environmental Health working through a "hit list" of properties with a view to serving repair notices;

- Progressing of identified Compulsory Purchase Order (CPO) cases;

- Measures to promote living over shops written into Local Plan, including defining town centre areas where car parking requirements will be waived, resisting the further loss of independent access to upper floors and encouraging reinstatement of access to upper floors wherever possible;

- Environmental Health inspection of all new properties assessed as "unfit" by Council Tax;

- Harmonisation of Environmental Health and Council Tax's "unfitness criteria.

Although some of these points have been taken on board since then, without the constant push from a dedicated post-holder, it has been inevitable that the majority have not been progressed.

Subsequent Changes to the Situation

The following items from the Exit Strategy have had some work carried out:

All Closing Orders etc have been reinspected to ascertain whether they are still current. However, the further work needed to write to owners encouraging the reuse of such property has not been done.

Some of the properties off the “hit list” have been worked on, with notable successes in both Leamington Spa and Warwick. Environmental Health has awarded Housing Grants to assist owners to bring property back into use.

All new properties assessed by Council Tax as being “unfit” are looked at by Environmental Health with a view to ensuring that they do not become “long-term empties”.

In 2001, the government proposed a Best Value Performance Indicator (BVPI 64) which was concerned with empty property. This required local authorities to publish the percentage of long term empty property which had been brought back into use as a direct result of local authority action. Long term empty property was defined as that which had been empty for more than six months at the beginning of the period under review. Environmental Health continued to process applications for Empty Property Grant, to deal with Requests for Service in respect of empty property causing nuisance, and provide data for the BVPI. However, no one Business Unit took responsibility for collecting the required information, and little empty property work was done.

In 2002, BVPI 64 was changed to require local authorities to publish the numbers of empty properties which had been brought back into use as a direct result of local authority action. (There was no mention of long term empty property in this requirement). Environmental Health has continued to collect figures from grant records for publication as BVPI 64 and has (reactively) awarded Empty Property Grants and ensured that nuisance caused by empty property is abated. There is no dedicated Council Officer to deal with empty property work, and any direct action to reduce the number of empties is minimal.

Present Position

As at 9 November 2002, there were 55,426 dwellings in the District, of which 1917 were empty (3.46%). Of these, almost 500* (0.9%) had been left empty for more than six months and 342 (0.62%) had been empty for more than 12 months. Within these figures are contained the houses which are empty and up for sale (i.e. the vast majority of the 1917 figure but there are some in both the six month and 12 month figures). However, there are also included a number of *second homes and business lets*. The numbers of these are very difficult to obtain as they would take considerable examination of Council Tax manual and electronic records and, in any event, as the legislation stands at present, the information cannot be shared within the Council.

There are also a number of properties which are subject to Closing Orders made under the various Housing Acts since 1936. The “whole house” Closing Orders are included in the list above (part of the uninhabitable properties). However, there are a large number of Orders which affect parts of houses, e.g. basements or attics. (These are not classed as Empty
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Property for the sake of the BVPI, but there is an obvious potential to bring some of these unused parts of houses back into use as separate dwellings).

* For the sake of completeness, there are in addition to the “almost 500” properties mentioned above, a number of houses in specific categories - some of which will have been empty for more than six months:

newly built and not occupied.....	34
occupier in hospital.....	24
unoccupied, owner has died	130
occupier receiving care.....	41
occupier away in education (at university etc).....	51
uninhabitable properties.....	87

The Future

It is plain that, given that this is an area of high housing demand, with consequent high property values, the majority of the empty property identified above will, sooner or later, be sold and become reoccupied. There will always be exceptions to this general rule: people who for one reason or another own property they don't want to live in but conversely (perversely?) do not want to sell. Where such property is not unfit for human habitation and not causing problems to neighbours, all that can be attempted in order to bring them back into use is persuasion, encouragement and, just occasionally, facilitation (underwriting of loans etc). Such persuasion, encouragement etc. was tried by the Empty Property Officer when he was here - mostly to no avail.

The owners of empty property can claim a 50% relief on their Council Tax liability. (Some empty property will attract even more relief if they fall within certain specific categories). Government has promised to give Councils the discretionary power to charge up to 90% of the Council Tax. Whether this change will have any major effect on the reduction of long term empties is a moot point. However, it will be another tool in our armoury to try and persuade owners not to leave property empty. The Revenues Inspector in the Council Tax Business Unit is charged with inspecting empty domestic and non domestic properties in order to establish current status and any liability to Council Tax and the Non-Domestic Rate. This information is not currently available to the Council for other than Council Tax purposes. i.e. it cannot be shared for empty property purposes. The Government has stated that this situation will change in the near future.

Taking Matters Forward

Given that our dedicated Empty Property Officer brought a total of 110 empty properties back into use in just under three years (albeit approximately 150 dwellings were created by his efforts), it is not surprising that since 1999 little further progress has been made by the different Business Units which had empty property work grafted onto their existing workload. To have any demonstrable effect on reducing the numbers of empty properties, it is suggested that both the Council Tax and Environmental Health Business Units will need to put considerable effort into targeting the following list of actions:

Revisit and re evaluate the list of actions listed in the “Empty Property Exit Strategy”;

Consider whether there can be any mileage in offering financial assistance to owners of property which has already had statutory action (Closing Orders) taken against it to encourage them to bring the property (or part property) back into use;

Take a more proactive stance with (possibly absent) owners of empty property which is causing nuisance to neighbours;

Consider making more effective use (in an empty property sense) of the work of the Revenues Inspector in the Council Tax Business Unit. (This may mean increasing the resource put into this area of work).

Consider increasing the resources put into this area of work in order that:

- Written and telephone contacts can be made with the owners of all empty properties;
- An Information Pack can be devised containing advice on leasing, renovating and selling property, and with links to private companies who may be able to help with advice, loans, expertise etc;
- A database of links, contacts, follow-ups etc can be set up and maintained;
- Pressure can be applied in a constant consistent and helpful way.

Produce a new Empty Property Strategy to take account of local circumstances and the resources available.

In order to carry out this work, it is likely that additional resources would need to be provided at the level of a Technical/Administrative Assistant (similar to the Consumer Advice Assistant post in the Food Safety Section of Environmental Health). I envisage that a part time (17½ hours) position, based in Environmental Health, would be sufficient to progress matters and make significant inroads into the empty property problem.