

# **Worthing Empty Property Strategy 2007-10**

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### **Forward by Councillor John Rogers, Cabinet Member for Housing and Community Services**

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## **Forward**

“At a time when there are increasing demands for housing in Worthing and pressure to build on green field sites, it is essential that Worthing Council work with private owners with a view to bringing homes back to use.

Empty properties represent a wasted resource and often encourage anti-social behaviour and create eyesores in the community.

Free advice, assistance and grants are available but where owners are not prepared to take action and act responsibly, Worthing will consider using stronger measures and take enforcement action for the benefit of the whole community”.

This is Worthing’s second empty homes strategy and builds on the achievements and lessons learnt in previous years”.

## 1. Introduction

### **KEY AIM AND TARGETS**

The key aim of this strategy is to reduce the number of empty homes in Worthing by positive actions and interventions to return homes into use and by preventing others becoming empty in the future.

We will measure our progress against the following overall targets:

- *Bringing empties back into use. (Best Value Performance Indicator 64)*
- *Bring 15 long term empty properties (empty, 6 months plus) back to use in the Borough for each year of the Strategy.*

### **What is the Empty Property Strategy?**

The strategy demonstrates our commitment to bringing empty homes back into use, as part of our wider aims to improve Worthing as a town where people want to live, work and invest. Through the strategy we will address the problem of homes that have been empty for a long time and try to ensure that properties which become empty now do not become the long term empties of the future.

The government expects local authorities to have a leading role in bringing empty homes back into use, most recently stated in Planning Policy Statement 3. In addition, the performance of local authorities in tackling the issue is measured through BVPI 64.

This Strategy sets out our approach, replacing the previous strategy which covered the period 2003-2006. Our previous work achieved a particular focus following the appointment of an Empty Properties Officer (EPO) in August 2004. The targets and actions set out in section 4 largely build on work already underway.

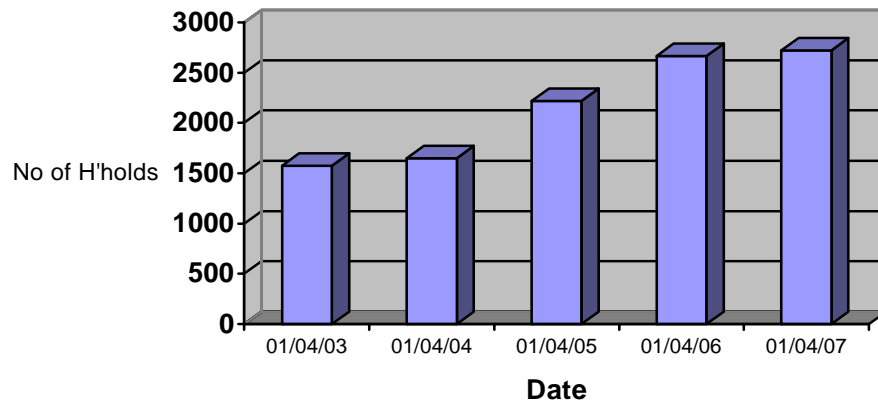
### **Why bring empty properties back into use?**

“There are too many pressures on land, resources, communities and finances to allow a valuable resource such as housing to lie idle and wasted” (Community Action on Empty Homes).

Empty properties often have a negative effect on a local community - they can prove to be an eyesore, attract crime such as vandalism and squatters, and cause environmental problems.

At a time of increasing pressures on the housing market, with high demand for housing and limits on the scope for new housing developments, empty homes also represent a wasted resource. There is clear evidence of the pressure on the housing market in Worthing:

- As at 1<sup>st</sup> April 2007 there were 2,361 households on the Council's Housing Register. The chart below clearly shows the increases in recent years:



- There were 89 households in temporary accommodation as at 31<sup>st</sup> March 2007.
- Property prices in Worthing have risen consistently over recent years, making it increasingly difficult for first time buyers to get a foot on the property ladder, and for people needing to move to a larger property. Between December 2003 – December 2006, the average purchase price of properties in Worthing rose 33%, from £157,393 to £210,193.

There are a number of other key reasons for bring empty homes into use:

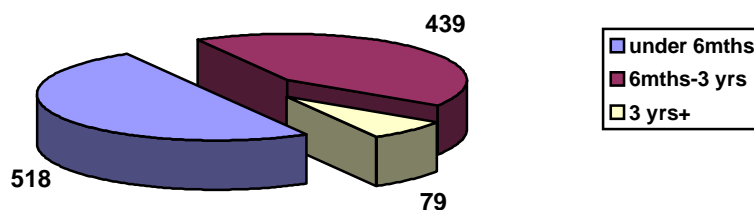
- To discourage crime and vandalism. The Association of Chief Police Officers describes empty homes as “a honey pot for crime”;
- To discourage fly tipping which may attract rats and mice;
- New conversions complying with building regulations will improve the quality of accommodation in the private rented sector;
- Maintain and protect market house prices through removing and replacing empty and decaying properties with refurbished homes. An empty property in derelict condition can devalue neighbouring properties by as much as 20%;
- To encourage economic vitality – getting previously empty homes back into use has a positive impact on new regeneration;
- Occupied property enhances the whole community, making the neighbourhood safer;
- There are benefits to the wider economy – rental income will inevitably be reinvested or spent by the owner and a property in good repair is an asset. In addition, new occupiers will bring increased spending into the local economy;

- Making use of flats over shops can enliven town centre areas outside of business hours. If many properties in one particular area become empty, it's possible that schools, shops and health facilities may be lost and that transport links will stop due to under-usage.

Action to make use of empty homes addresses a range of local environmental topics that impact upon social issues, economic issues and public health issues. This action can make a positive contribution to the overall health and well being of local residents.

### Current level of empty properties in Worthing

As at 1<sup>st</sup> April 2007, there were 1,036 empty homes in Worthing, of which 518 had been empty for more than six months (long-term empty). Within the overall figures, 79 have been empty for over 3 years.



These empty homes cover a wide range of different property sizes and types, and are scattered around the Borough, rather than focused in one area of Worthing. However, in general, where the density of property is at its highest, there tends to be the highest accumulation of empty property – further detail is provided at Appendix 1.

Long-term empty properties provide the greatest need for focused action, as the environmental problems mentioned above are more likely to be associated with these properties, and it is these which are less likely to be on the market for sale or rental. The following table highlights the trends in levels of long term empty properties in recent years:

| Date                | 1/4/2003 | 1/4/2004 | 1/4/2005 | 1/4/2006 | 1/4/2007 |
|---------------------|----------|----------|----------|----------|----------|
| Empty over 6 months | 447      | 443      | 490      | 463      | 518      |

## **Why do properties remain empty?**

There are numerous specific reasons why any one property may have remained empty for a significant period of time, but the most common are as follows:

- Where there is substantial disrepair to the property, the costs of remedying this may be prohibitive for the owner;
- Disagreements in regard to probate, leading to delays in the decision to rent or sell the property;
- Concerns of the owner about perceived risks of letting the property;
- Owners lack information on options available to bring properties back into use;
- Properties might be left empty because the occupant has moved into residential care;
- The owner may be awaiting further increases in the market before selling.

Our understanding of the reasons why individual properties remain empty is essential to the approaches we take to bring empty homes back into use.

## **2. National Context and Local Priorities**

### **Empty Properties in England**

The problem posed by the numbers of empty homes is not exclusive to Worthing, it's a national issue. Empty homes statistics from local authorities across England show that in [April 2006](#) there were [585,740](#) private properties lying empty. It's estimated that in excess of [282,230](#) homes have stood empty for more than six months. Long term empties in the South East alone stand at [30,517](#). *All figures for private sector.*

The importance given to empty property and derelict land by central government can be seen in the wide range of current legislation.

The Government gives funding to the Empty Homes Agency, a charity campaigning on the issues of empty properties and providing advice to local authorities and owners of empty properties.

### **National Initiatives**

There have been a number of important announcements relating to empty property in recent years.

### **Council Tax discounts**

The Empty Homes Agency has campaigned for many years for local authorities to be given discretionary use of Council Tax discounts as a method to help reduce the number of empty homes. The main drive has been against the 50% discount that Council Tax payers are allowed on long term empty homes which acts as an incentive for owners to keep their property empty.

The Government has added a new section to the Local Government Act 2003 (Section 11A) allowing local authorities to use their discretion in setting the level of tax levied on these long term empties.

Worthing has made a positive decision to discourage owners leaving property empty by introducing 100% Council Tax on non-exempt property vacant for six months plus.

### **Council Tax Data**

The Council holds data that identifies empty properties, the length of time they have been empty and details of ownership. The Local Government Act 2003 and The Housing Act 2004 introduced provisions that allow the disclosure of Council Tax data to officers in other departments for the purposes of enforcing specified housing legislation that includes bringing empty properties back into use. Previously, this data was not accessible due to the requirements of The Data Protection Act

## **Compulsory Leasing (EDMO's)**

The Housing Act 2004 approved the creation of Empty Dwelling Management Orders which were effective from July 2006. This has enabled Worthing to consider taking over, renovating and letting vacant property through the authority of the Residential Property Tribunal where a landlord has consistently refused to take action to restore a home to use.

## **Local Strategic Priorities**

The importance of bringing empty properties back into use is reflected in key local strategic priorities for Worthing.

### **Worthing's Community Strategy "The Town We Want"**

The Community Strategy provides a vision for Worthing over the ten year period 2004-2014. It sets seven goals to drive improvements in the town, one of these being "A town with fewer inequalities". This has the specific long term action to "Improve the condition of Worthing's existing housing stock and bring empty properties back into use as housing".

Bringing empty homes into use will also contribute to the goal of "A safe town", in particular the target to "reduce environmental crime such as deliberate fires, graffiti, litter, fly tipping, and abandoned vehicles" – given the clear evidence that properties left empty can become a focus for crime and environmental problems.

### **Worthing Borough Council Housing Strategy 2005-10**

Work to bring empty properties back into use also makes a key contribution to our Housing Strategy, which recognises the role of this work in addressing housing needs in Worthing.

This is reflected within Key Priority 1 in the Housing Strategy – "Ensuring a sustainable housing market" – which contains a specific target to produce a revised Empty Property Strategy for 2007, as well as to increase the numbers of empty homes brought into use, delivering the Council's target for BVPI 64.

### 3. Progress on Worthing's Empty Property Strategy 2003-06

We have delivered a number of key actions set out in our previous Empty Homes Strategy:

- We have appointed a part time Empty Properties Officer to drive our work to bring empty homes back into use and to coordinate the delivery of the strategy. This post has been made permanent from April 2007.
- We have developed an empty property database. This has provided a focal point for information and allows activity to be tracked and monitored.
- A revised empty property brochure has been distributed widely throughout the Borough and sent to all owners of properties empty over 6 months during 2005/2006.
- A number of interviews on local radio and press releases highlighting the nature of the problem of empty homes and the Council's approach to tackling the issue
- Worthing has created a wider network of working with owners, Estate Agents, RSL's and other partners to further improve the reduction of long term empty properties.
- In conjunction with the Sussex Empty property Forum (an association of East and West Sussex Local Authorities) new initiatives have been considered and implemented together with representations to Central Government on legislation relevant to Empty Property.

Significant progress has been made in bringing empty homes back into use:

- BVPI 64 (vacant dwellings returned to use or demolished as a direct result of action by the local authority) – *we have exceeded or achieved targets.*

|         | 2004/5 |        | 2005/6 |        | 2006/7 |        | 2007/8 |
|---------|--------|--------|--------|--------|--------|--------|--------|
|         | Target | Actual | Target | Actual | Target | Actual | Target |
| BVPI 64 | 50     | 69     | 65     | 110    | 80     | 80     | 85     |

However there is scope for us to build on the work of the previous strategy. More can be achieved, and the following chapter sets out the activities that will drive delivery of our new strategy from 2007.

#### **4. Key Initiatives for Bringing Empty Homes Back into Use**

There are a number of potential methods available for the Council to bring empty homes back into use. In delivering the previous Empty Property Strategy between 2003-2006, much had been learnt as to the most effective and appropriate interventions, explained further in the rest of this section.

A key target in the previous strategy was to employ an EPO. The EPO now holds the central role in delivering effective interventions on behalf of the Council, and will be crucial to the delivery of future targets and actions. An important function of this post is the co-ordination of the activity of other Council departments which also contribute – notably Environmental Health, Council Tax, Housing Services and Planning Enforcement. The current active casework being dealt with by the EPO relates to approximately 50 properties.

##### **4.1 Gathering data on empty properties**

Holding accurate information on empty homes and their ownership is essential for work to bring homes back into use. Council tax records provide the central source of information on long-term empty properties. This data is enhanced by the work of the EPO in following up research through the Land Registry and obtaining local intelligence on the whereabouts of absent owners.

We have met a further target from the previous strategy by developing an empty property database. This has provided a focal point for information and allows activity to be tracked and monitored. The EPO also has a key role in responding to enquiries/calls from neighbours about empty properties particularly with environmental difficulties in their neighbourhood, involving visits and often complex investigations. To ensure that empty homes data remains accurate, this work must continue in the future.

##### **4.2 Generating publicity**

An important way to raise awareness amongst the public and owners of empty homes is to publicise the issue.

The Empty Property brochure provides a useful source of information, and the EPO leads on its production and distribution in public buildings as well as copies sent to owners of long-term (over 6 months) empty property - approximately 460 in total. This has been well received, has generated around 75 responses and will continue to be used and updated in the future.

The Council has also made use of local media, including radio interviews and press releases. This proves an effective way of highlighting the issues regarding empty properties, explaining the Council's approach and raising its profile with Worthing's residents. However, it is essential that this activity continues to further develop awareness of the issue.

### 4.3 Support and guidance for owners of empty homes

Once properties have been identified as being long-term empty, the Council's primary approach reflects the approach adopted nationally, which is to offer support, guidance and grants to owners in the first instance. This proves the most effective and efficient method of intervention. The following example shows what can be achieved:

#### **Case Study in Worthing**

A large three bedroom family house was identified as having been empty for four years. The original property was unsightly and, being in a prominent position, caused blight on neighbouring property with its overgrown gardens and possible attraction to vermin.

Following extensive research through Council records and the Land Registry by the EPO, the owner was contacted but was reluctant to pursue probate following the death of a relative. Following this intervention, the question of probate was settled, the property placed on the market and subsequently sold to a developer, all with the assistance and guidance of the EPO. A conversion created 3 self-contained units, which were then sold on the open market.

#### **Conclusion:**

This example illustrates how 3 valuable living units can be created, where a vacant single problem property had existed which was a blight on the community.

Within the discretionary housing assistance budget, the Council offers grants of up to £10,000 to landlords of properties which have been empty for at least 12 months. The grant covers up to 50% of works required to bring the property up to a lettable condition. These grants will prove an important tool in future activity, and to encourage take-up, the eligibility and grant conditions criteria have been made flexible. Further details are provided at Appendix 2.

In 2006/7, details of potential tenants from the Council's Housing Register were supplied to landlords of vacant properties which led to new tenancies being created. The Empty Property Officer was directly involved in 6 properties being brought back to use by direct intervention and advice.

### 4.4 Tackling acute and difficult cases

Enforcement activity remains a potential tool for local authorities to bring homes back into use, but is treated as a last resort by the Council in accordance with its overall enforcement policies.

- A Compulsory Purchase Orders (CPO) will only succeed at a Public Inquiry once every attempt has been made to encourage a landlord to bring a property back to use or place it on the market by agreement.

Experience within local government shows there can be a potential shortfall in the costs of the Public Inquiry, acquiring the property, compensating the owner and disposing of it. This route is used as a last resort once all other avenues have been exhausted.

- Where owners are reluctant to return a property to use and it is falling into disrepair and becoming a social/environmental nuisance, statutory powers exist for the Council to carry out work once notice of its intentions are given. Non payment by the landlord can lead to an 'Enforced Sale' with a condition that the new owner returns the property to use.
- The introduction of Empty Dwelling Management Orders (EDMO's) in the Housing Act 2004 provides a further tool. Once approved by the Residential Property Tribunal an EDMO can be applied compulsorily and entails the local authority leasing, renovating and letting a property for a period of up to 7 years. The costs involved are recovered through the rent which is received, with the surplus being returned to the Owner. There are some concerns around the liabilities on the Council, and consultation is continuing with RSL's to achieve a Partnership framework for EDMO's to be effective by utilising external resources.

**4.5** Part of the action plan will be to identify and target between 10 and 20 key cases which represent the more acute long term empty properties. Properties to be considered will include the properties offering the best chance to increase the number of lettable units, their negative effect on the communities, complaints received from neighbours and the length of time empty.

**4.6** A combined team of Environmental Health, Planning and Building Control Officers and other relevant specialists will identify and then target the owners. Using all the options open to WBC the intervention will focus on the supportive package of measures initially. In the absence of co-operation, the full extent of the Enforcement measures will be considered and implemented where appropriate.

**4.7** In so far as the Council is able, it will seek to achieve energy efficiency and sustainability improvements, when bringing empty property back to use either by agreement or as part of its enforcement measures.

#### **4.8 Empty Property Data**

Worthing will make available information on Empty Property in the Borough to interested parties whilst protecting the personal identities of owners and observing Data Protection responsibilities.

## 5. Action Plan

| Priorities and Targets |                                       |  |
|------------------------|---------------------------------------|--|
| 1                      | Periodic Reporting                    | Produce periodic reports showing empty properties by length vacant at six monthly intervals in October and May. Produce end of year report showing number of properties returned to use including those where WBC intervention has been involved for BVPI 64.  |
| 2                      | Publicity and Media Exposure          | Produce periodic press releases to illustrate progress being made to meet strategic aims and achievements. <i>(Three per year)</i> Circulate copy of Empty Property Brochure to all landlords of property vacant for periods in excess of six months. Undertake advertising in local press to promote Empty Property Grants.   |
| 3                      | Casework Enforcement Initiatives      | Create a formal list of problematic cases to be actioned by a multi disciplinary team involving enforcement action where necessary. <i>(Ongoing)</i>   |
| 4                      | Data Recording and Updating           | Investigate transfer of empty property details from Council Tax records to Empty Property Database to ensure regular updating of records. <i>(By 31<sup>st</sup> March 2008)</i>   |
| 5                      | Landlords Forum and Landlord Contacts | Develop contact with landlords Groups and Forums to publicise WBC's targets and Empty Property Strategy and encourage action to return homes to use. <i>(Ongoing)</i>  |
| 6                      | Partnership's RSL's                   | Seek to create new partnerships with RSL's including work associated with Empty Dwelling Management Orders (EDMO's). <i>(Ongoing)</i>  |
| 7                      | New Policy Initiatives                | <ul style="list-style-type: none"> <li>i) Link empty property work initiatives to encourage improved energy efficiency and sustainability in the Borough. <i>(Ongoing)</i></li> <li>ii) Contribute to Sussex wide Empty Property Forum strategy and promote its implementation in Worthing. <i>(Strategy to be completed by 31<sup>st</sup> March 2008, implementation, ongoing).</i></li> </ul> |

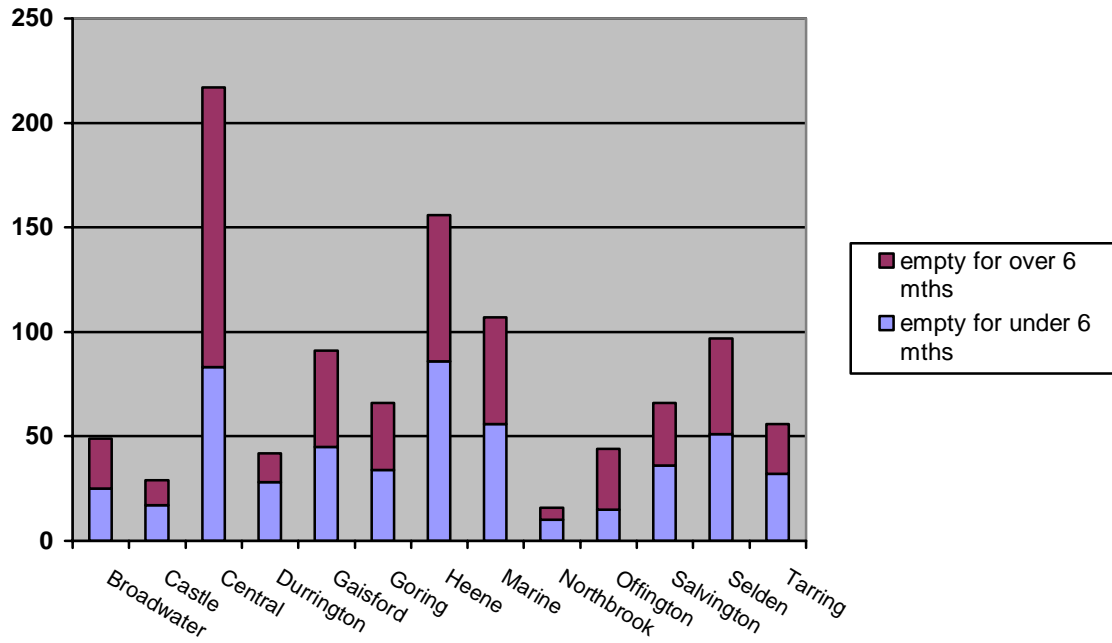
## **6. Monitoring the Strategy**

We are committed to ensuring that this strategy is used as a framework for work over the next three years to reduce the number of properties left empty in the Borough. To make sure the strategy works we will:

- Review and report on progress of the action plan every 6 months (from October 2007);
- Annual report on performance against BVPI 64, showing number of interventions by the Council which have brought properties back into use;
- Meet with internal and external partners to discuss improvements to the strategy;
- Publish a report of our achievements at the end of the 3 year strategy period.
- Use our database to record all contacts relating to specific properties and the outcomes of any actions we take;
- Analyse any changes in the rate of vacant properties in the Borough;
- Consider introducing measures to improve the implementation of the strategy which flow from new legislation, current best practice and the benefits of Partnerships working with RSL's.

**Appendix 1**

**Number of Empty Homes in Worthing by Ward (as at 1 April 2007)**



## **Appendix 2**

### **EMPTY PROPERTY GRANTS FOR LANDLORDS**

#### **Eligible Works**

Empty Property Grants are for major works to a property, which has been empty for a minimum of 12 months. Eligibility is not subject to the Housing, Health and Safety Rating Scheme assessment methodology. Converting vacant flats over shops and the provision of a separate entrance will also be eligible for the scheme.

Other proposals not falling into the above categories, which result in bringing a vacant dwelling back to use, will also be considered.

#### **Amount of Assistance and Conditions**

A Grant of 50% of the cost of eligible works up to a maximum of £10,000.

The property must be subject to nomination rights by the Council for a period of not less than 3 years.

Empty Property Grants are not normally repayable, unless the grant conditions are breached or there is a change in ownership of the property.

On completion of the works, the property must be in a good lettable condition (i.e. have a modern kitchen and bathroom and be free from major defects) and comply with current energy efficiency and sustainability standards.

Payment of the Grant will be registered as a local land charge for a 3-year period.