

RIBBLE VALLEY BOROUGH COUNCIL
REPORT TO HEALTH & HOUSING COMMITTEE

INFORMATION

meeting date: THURSDAY, 10 JUNE 2021
title: EMPTY PROPERTIES
submitted by: NICOLA HOPKINS – DIRECTOR OF ECONOMIC DEVELOPMENT & PLANNING
principal author: COLIN HIRST – HEAD OF REGENERATION AND HOUSING

1 PURPOSE

1.1 To provide information on the Council's approach to responding to reports on empty homes.

1.2 Relevance to the Council's ambitions and priorities:

- Community Objectives – To help address housing needs in the borough and to keep people healthier and safer.
- Corporate Priorities – To demonstrate the Council is a well-run authority.
- Other Considerations – Empty properties can present a range of issues including the risk of environmental detriment and community concerns from a safety viewpoint.

2 INFORMATION

2.1 Empty homes have a number of negative impacts on a neighbourhood, not least the fact that a home that could be occupied is not in use, which is a particular concern when the need for accommodation is so pressing.

2.2 Empty homes are at risk of progressing into disrepair, can be subject to vandalism and a lack of upkeep and maintenance can give rise to problems for neighbouring properties through environmental detriment, pests and vermin or damage to properties through damp for example. Often it is the impact upon a neighbourhood that leads to a property being reported to the Council as a concern.

2.3 Many empty properties do exist which are typically unoccupied due to the owner being in a care home and there is a reluctance to sell the property, either with a desire that the person may be able to return or a reluctance on the part of the family to dispose of the property in the person's absence. Houses can be empty following bereavement, can be awaiting sale or the owners are working away for long periods. Some properties are left empty whilst they are being refurbished over a long period which can give rise to concerns for the neighbours. These properties can sometimes be investments or simply a "hobby" renovation project.

2.4 The home may not be empty but can be subject to dilapidation if the owner is not maintaining the property (through whatever reason); where these properties are reported to the Council, the circumstances would be investigated and the Council will take appropriate action within the relevant legislative powers and duties, with a view to trying to resolve the situation with the resident.

2.5 In the case of empty homes where there is no person resident, these are recognised as a priority area for the Council and the information set out at Appendix 1 to this report

provides more detail on the general approach the Council will take when a property is reported. As Members will appreciate there are differing areas of legislation that may be relevant depending upon the circumstances and this can involve different sections of the Council but the broad approach when a property is reported that across the relevant teams, the properties are discussed and an appropriate course of action set out.

- 2.6 It is also important to bear in mind that the Council must of course operate within the framework that the relevant legislation allows and the threshold at which the Council can take direct action is comparatively high. Professional judgments will be taken about the condition of an empty property which can vary from needing some maintenance (which can be subjective) to action being needed urgently because the building is dangerous or causing damage to its neighbours.
- 2.7 Often where a building needs of maintenance there can be very subjective views on the level of the problem and it is clearly recognised that that this can be a very emotive issue, particularly for neighbours who are having to live with the property in these conditions. However, the Council's assessment may be that the condition of the property does not meet the requirements for direct intervention, but nevertheless action will be taken to encourage the owners to remedy the situation. Any issues relating to health concerns from an environmental health viewpoint such as pests and vermin or rubbish will always be investigated and appropriate action taken, which could take the form of a statutory notice being served on the owner where encouragement to remedy the situation is proving unsuccessful. In many cases contact with the owner usually results in action being undertaken to improve the situation.
- 2.8 Action can be undertaken through powers under planning legislation and enforcement action in relation to untidy land/gardens can be used to resolve issues of significantly overgrown gardens or properties where significant materials are being kept on the site. There are also measures that can be taken through the Building Acts implemented by Building Control to pursue the completion of building works where a project has been ongoing for a considerable amount of time.
- 2.9 The Council's approach is to seek to contact the owner and establish the relevant circumstances. In practice where a problem property is raised with the authority there is often a cross-authority approach depending upon the circumstances which can involve the housing team, environmental health, building control and planning enforcement and if necessary, legal action depending on the nature of contact with the owner and the relevant investigations.
- 2.10 In addition to the relevant enforcement legislation, the ultimate recourse available to the Council would be to seek to compulsory purchase (CPO) the property. There are significant tests that the Council must demonstrate have been met before the Secretary of State will authorise the use of CPO powers and in most cases the situation is resolved by joint departmental working with the owners. For more information in relation to CPO powers please see the Government guidance using the following link:

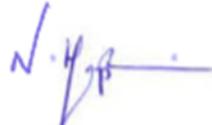
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/964686/CPO_guidance_-_with_2019_update.pdf

- 2.11 Where a property is identified as empty and notified to the housing team, the housing team will contact the owner to establish their plans for the property and will liaise with other departments, encouraging the owner to take steps to get the property back in to use. The Council does have its grant funding scheme available to work with owners

to bring properties back in to use as an affordable rental property using the Landlord Tenant Grant Scheme. Where this is taken up, it is a condition of the grant that the Council has nomination rights to the property for period of 5 years and that the rental levels are set at local affordable rents. There has, in recent years been less take up of this grant offer as the value of properties in the area being relatively high and the relevant private rental market being strong, this option is proving less attractive to owners where they chose to bring the property back in to use. However, it remains an opportunity to assist homeowners to return houses in to use and is always offered as an incentive.



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For further information please ask for Colin Hirst, extension 4503.

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Empty Properties

Empty properties in Ribble Valley are a priority for the council. Housing is in high demand and empty houses are a valuable wasted resource. We work with owners of long-term empty properties to:

- offer advice and assistance;
- encourage renovation or sale;
- enforce use or sale of property through Compulsory Purchase Orders or Empty Dwelling Management Orders.

Help for Owners

We offer **free independent advice** to owners of empty properties on ways of bringing their properties back into use. If you own an empty property and are not sure what to do with it the following are some of the options available:

- **Letting** the property - you could use a managing agent or become a landlord and let the property yourself. See [Grants for Landlords](#).
- **Selling** the property - either through an estate agent, at auction or by yourself.
- **Refurbishing** the property for you to live or to make the property available for letting. You May be able to take advantage of potential money saving ideas. Visit the [HM Revenue and Customs website](#).

Reporting an Empty Property Problem

The council is able to deal with the following problems which empty properties create:

- Rubbish which has been dumped.
- Vermin (e.g. rats)
- Unsafe parts of properties, for example loose slates and gutters.
- Properties which are not secure and need boarding up.
- Properties which are an eyesore
- Hedges which are overgrowing onto footpaths.
- Dampness to adjacent properties.

As empty properties can have a serious negative effect on a neighbourhood we can use powers of Compulsory Purchase to take a property from the existing owner and transfer it to a housing association or sell it on the open market. Whilst the owner would be compensated for the market value of the property, it is only used as a last resort where the owner is not showing satisfactory progress on renovation or occupation.

Buying an Empty Property

If you are interested in buying an empty property you will need to contact the current owner and negotiate a sale. We cannot arrange the sale of privately owned properties.

We may hold information on the owner but are unable to release this due to the Data Protection Act.

To trace the owner of an empty property you could take the following steps:

- Write a letter addressed to 'The Owner' and put it through the letter box of the property, as the owners of many empty properties do visit and collect the post.

APPENDIX 1

- Contact Land Registry to find out the name and address of the registered owner. This is public information which anyone is entitled to obtain (there is usually a charge for this service and not all properties are registered).
- A named person can often be located in the same way as people investigating a family tree using telephone directories and electoral register.
- Talk to the neighbours of the empty property as they often know useful information about the owner or their relatives.

For further information or to discuss a property please contact the Housing Team:

Email: housing@ribblevalley.gov.uk

Telephone: [01200 425111](tel:01200425111)

In writing to: **The Housing Team**
 Council Offices
 Ribble Valley Borough Council
 Church Walk
 Clitheroe BB7 2RA