

SCRUTINY PANEL: What options are available to enable Charnwood Borough Council to bring more empty homes back into use?

**WEDNESDAY, 11TH MAY 2016 AT 5:30PM
IN COMMITTEE ROOM 1, SOUTHFIELDS, LOUGHBOROUGH**

AGENDA

1. APOLOGIES
2. DECLARATIONS OF INTEREST
3. NOTES OF PREVIOUS MEETING

To agree the action notes of the meeting held on 7th April 2016 and the updated scope document (attached at page 3).

4. EMPTY HOMES PREMIUM CONSULTATION UPDATE

A report of the Head of Revenues, Benefits and Customer Services providing an update regarding the interim results of the consultation on the introduction of an Empty Homes Premium (attached at page 9).

5. DRAFT FINAL REPORT

A draft final report of the Panel proposing recommendations to the Scrutiny Management Board (attached at page 11).

Three background papers providing additional information regarding an Empty Homes Strategy from other local authorities will be circulated to the Panel.

The draft report does not include the appendices referred to in it. These will be added once the report is finalised.

Panel Membership: Councillors C. Harris, Lowe, Mercer, Pacey, Parton, Seaton (Chair), Sharp and Taylor.

EMPTY HOMES SCRUTINY PANEL – ACTION NOTES**MEETING 6:** 7th April 2016**ATTENDED BY:** Councillors C. Harris, Lowe, Mercer, Pacey, Parton, Seaton (Chair), Sharp and Taylor

Officers: M. Burbidge, A. Simmons, M. Hopkins and H. Tambini

MATTERS CONSIDERED AT THIS MEETING:

DOCUMENT OR MATTER	ACTIONS AGREED
Action Notes and Scope document	<p>Noted.</p> <p>Councillor Lowe stated that he had attended the last meeting; however his name had not been minuted.</p> <p>An updated Scope Document including actions from this meeting is attached as an Appendix.</p> <p>Issue of Police recording of ASB raised</p>
Agenda item 4: Update on the Recording of ASB	<p>The Anti-Social Behaviour Case Officer attended meeting. He referred to the ASB recording on Mayfield Drive and the discrepancy between the number of calls made by local residents and the number of incidents logged on the Sentinel and Storm systems. The number of calls logged on both systems had not highlighted any significant problems; however, it was clear that local residents were concerned. He confirmed that the situation would continue to be monitored.</p>
Agenda item 5A: Updates requested from previous meeting: Council owned voids and reasons for delays in respect of subsidence	<p>The property on King Street had been sold the property on Aingarh was currently under offer.</p> <p>Property on Greedon Rise – work commenced in March 2015 but was not up to standard. New contractor employed in March 2016 and it was</p>

<p>Agenda item 5B: Updates requested from previous meeting: Compulsory Purchase Order (CPO) Costs</p> <p>Agenda item 6: Panel's final report and recommendations</p>	<p>hoped that work would be completed by the end of April 2016. Work was also on-going on the other property in Loughborough.</p> <p>Noted.</p> <p>Presentation by the Democratic Services Manager.</p> <p>The following issues/points were raised:</p> <p>At the next meeting the interim results of the Empty Homes Premium Consultation would be available.</p> <p>What issues should be included in the Empty Homes Strategy?</p> <p>As part of that Strategy the new post of the Empty Homes Officer would need to engage with all services to ensure a co-ordinated approach.</p> <p>How to deal with the problem of empty properties and the recording of ASB. Panel had identified a problem with the current recording of ASB. How ASB was recorded should be monitored.</p> <p>The Leader should be asked to write to the Police stressing the importance of ASB recording and the situation should be monitored by the Council either through the Cabinet or the Scrutiny Management Board (SMB). The Cabinet could look at ways to ensure that ward councillors were more actively involved.</p> <p>A distinction had been made between the problems caused by smaller and larger properties. The Council was not reluctant to take action by using CPOs. Landlords should be encouraged to become proactive.</p> <p>As a result of the Panel's work, the</p>
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<p><i>Councillor Lowe left 7:10pm.</i></p> <p>Agenda item 7: Timetable for Review</p>	<p>Council had set up two sections on its website to allow both empty properties and problem properties to be reported.</p> <p>It was essential that the Council's sheltered accommodation was brought back into use as soon as possible.</p> <p>The Panel had considered the issue of C3 and C4 use and found that there was no evidence of any significant problems.</p> <p>Final meeting 11 May 2016.</p> <p>Draft report and recommendations to be considered.</p> <p>Interim results of the Empty Homes Premium Survey.</p> <p>The Head of Strategic and Private Sector Housing to provide details of options related to 'problem empty properties' and 'well maintained empty properties.'</p>
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SCRUTINY REVIEW: SCOPE

<p>REVIEW TITLE: What options are available to enable Charnwood Borough Council to bring more empty homes back into use?</p>
<p>SCOPE OF ITEM / TERMS OF REFERENCE</p> <p>The Panel will review the options and resources available to bring more empty homes back into use and in particular:</p> <ul style="list-style-type: none"> • What resources are currently available for work relating to empty properties and what it is used for • What approaches to dealing with empty properties are used by other authorities
<p>REASON FOR SCRUTINY</p> <p>To support the provision of housing opportunities and economic and social development of the Borough more generally</p>
<p>MEMBERSHIP OF THE GROUP</p> <p>Councillor Seaton (Chair) Councillors C. Harris, Lowe, Mercer, Pacey, Parton, Sharp, Taylor</p>
<p>WHAT WILL BE INCLUDED</p> <ul style="list-style-type: none"> • The introduction of an empty homes premium and whether any income generated from it could be ring-fenced for work on bringing empty homes back into use • This will be undertaken as an initial part of the Panel’s work, so that consideration can be given to incorporating it into the timetable for developing the 2016/17 Council budget • Other mechanisms available to the Council to deal with empty properties • Consider whether the Council should provide a reactive or proactive approach to addressing empty homes.
<p>WHAT WILL BE EXCLUDED</p>
<p>KEY TASKS * * including consideration of efficiency savings</p> <ul style="list-style-type: none"> • Items set out in the “Scope/terms of reference” and “What will be included” sections • Reviewing the funding options available to support bringing empty properties back

into use
STAKEHOLDERS, OUTSIDE AGENCIES, OTHER ORGANISATIONS *
<ul style="list-style-type: none"> • Relevant Borough Council departments • Bodies representing landlords • Homes and Communities Agency

EQUALITY IMPLICATIONS	
Is an impact needs assessment required? – to be considered at the Panel's penultimate meeting	
LINKS/OVERLAPS TO OTHER REVIEWS	
RESOURCE REQUIREMENTS	
REPORT REQUIREMENTS (Officer information)	
REVIEW COMMENCEMENT DATE	COMPLETION DATE FOR DRAFT REPORT

* Key tasks and stakeholders may be subject to change as the review progresses.

PROGRESS OF PANEL WORK

MEETING DATE	PROGRESS TO DATE
30th September 2015	<p>Considered the Panel's scope and terms of reference, an Empty Homes Scrutiny Briefing previously considered by the Policy Scrutiny Group and a report on the Empty Homes Premium. Received verbal reports from the Head of Strategic and Private Sector Housing.</p> <p>Agreed upon information to be considered at future meetings as detailed below (this is subject to change as the Review progresses).</p>
5th November 2015	Received a presentation from the Head of Revenues and Benefits and Customer Services to discuss Empty Homes Premium. Received additional information requested from the Head of Strategic and Private Sector Housing.
3rd December 2015	Received a presentation from Head of Strategic and Private

	<p>Sector Housing (details of empty property types/clusters and any links to ASB), together with information requested at the meeting on 5th November referred to in the Actions from that meeting.</p> <p>A draft flyer regarding the potential introduction of the Empty Homes Premium was presented by the Head of Revenues and Benefits and Customer Services.</p>
13th January 2016	<p>Considered:</p> <ul style="list-style-type: none"> • Final versions of flyer with options and cost implications. • Summary of consideration of Empty Homes Premium • Information on Council voids. • Further information about properties standing empty over two years. • Information about planning enforcement complaints. • Comparison information with other councils.
2nd March 2016	<p>Considered:</p> <ul style="list-style-type: none"> • Information for case studies for CPO properties. • Information from Planning Services re C3/C4 use. • Local residents attended. • Up to date CTB1 return figures. • Circulated Empty Homes Questionnaire information by Wards rather than towns/villages. • Sheltered Housing Review scope and timescale. • Council voids information on properties up for sale and reasons for delays in respect of subsidence. • Feedback from the Community Safety Manager on how the Police were recording anti-social behaviour.
7th April 2016	<p>Considered:</p> <ul style="list-style-type: none"> • To consider information and recommendations for inclusion in the Panel's final report. • Provide update on Council owned voids and reasons for delays in respect of subsidence. • Provide update on recording of ASB. • Provide costs for implementing a CPO, including evidence from a recent Parish Council example, and any other information about CPO case studies.
11th May 2016	<p><i>To be considered:</i></p> <ul style="list-style-type: none"> • <i>Empty Homes Premium Consultation Update</i> • <i>To consider the Panel's draft report for submission to the Scrutiny Management Board.</i>
REPORT SUBMITTED TO SCRUTINY MANAGEMENT BOARD	

EMPTY HOMES SCRUTINY PANEL – 11TH MAY 2016

Report of the Head of Revenues, Benefits and Customer Services

ITEM 4 EMPTY HOMES PREMIUM CONSULTATION UPDATE

Purpose of the Report

To provide the Panel with an update regarding the consultation on the introduction of an Empty Homes Premium. Details of the consultation were included in a leaflet sent out with the 2016/17 Council Tax bills and appear on the Council's website.

Background

Up to 29th April 2016 321 responses to the consultation had been received. Of these, 266 responses were received in the first two weeks after the launch on 14th March 2016 which coincided with the delivery of Council Tax bills and the leaflet concerning empty homes to residents in the Borough. Since then another 55 have been received, resulting in the total of 321. The consultation runs until 30th June 2016

A summary of the responses received for each question is attached.

Background papers: None

Officer to contact: Dave Platts
Head of Revenues, Benefits and Customer Services
(01509) 634850
david.platts@charnwood.gov.uk

Summary of responses

Q1. Are you aware there is a national housing shortage?
Yes – 94.69% (303)
No – 5.31% (17)
<i>Total response = 321</i>
Q2: The government has set a target to build 200,000 homes to help with the shortage. In order to address the problem and get new tenants into the empty properties, Charnwood Borough Council, in line with other local authorities, is considering applying a Council Tax premium to properties which have been empty for more than two years. Do you think this sounds fair?
Yes – 52.66% (168)
No – 45.45% (145)
Don't Know – 1.88% (6)
<i>Total response = 319</i>
Q3: The premium would come into effect from April 2017 and, in line with most other local authorities, would mean owners of qualifying empty properties would have to pay 150% of their usual Council Tax bill. Do you think this is a reasonable charge?
Yes – 46.08% (147)
No – 51.41% (164)
Don't Know – 2.51% (8)
<i>Total response = 319</i>
Q4: At the moment, when a property becomes empty then Charnwood Borough Council allows a 100% discount for one month on the property and then full Council Tax becomes payable. Do you think that:
This should remain the same – one month discounted – 29.28% (94)
The period of discount should be extended – 52.02% (167)
There should be no discount and Council Tax is due from day one – 18.69% (60)
<i>Total response = 321</i>

REPORT OF THE EMPTY HOMES SCRUTINY PANEL

What options are available to enable Charnwood Borough Council to bring more empty homes back into use?

Foreword by Councillor Seaton, Chair of the Scrutiny Panel

To be completed by the Chair

DRAFT

1. Background

At its meeting on 19th August 2015, the Scrutiny Management Board resolved that a Scrutiny Panel should be established to investigate what options are available to enable Charnwood Borough Council to bring more empty homes back into use and that Councillor Seaton be Chair of the Panel.

The Panel's first meeting took place on 30th September 2015. After six further meetings the Panel concluded its initial business at its meeting on 11th May 2016.

2. Panel Membership

Chair: Councillor Seaton

Councillors C. Harris, Lowe, Mercer, Pacey, Parton, Sharp and Taylor.

3. Terms of Reference and Reason for Scrutiny

The Panel's terms of reference, agreed by the Scrutiny Management Board on 19th August 2015 were to review the options and resources available to bring more empty homes back into use and in particular the following matters:

- What resources were currently available for work relating to empty properties and what they was used for
- What approaches to dealing with empty properties were used by other authorities
- The introduction of an empty homes premium and whether any income generated from it could be ring-fenced for work on bringing empty properties back into use. This would be undertaken as an initial part of the Panel's work so that it could be incorporated into the timetable for developing the 2016/17 Council budget
- Whether the Council should provide a reactive or proactive approach to addressing empty homes.

The reason for undertaking the review identified by the Board was to support the provision of housing opportunities and economic and social development of the Borough more generally.

The Scope Document for the scrutiny review undertaken by the Panel is attached at **Appendix 1**. This sets out the above terms of reference and reasons for scrutiny. The document outlines the position at the conclusion of the Panel's work and, therefore, includes additional stakeholders and resources identified by the Panel as its work progressed, notes added to assist the Panel and a summary of the progress made by the Panel which was reported to meetings of the Policy Scrutiny Group.

4. Evidence, Stakeholders and Witnesses

The Panel received information from the following stakeholders and witnesses:

- Meeting 5 (2nd March 2016) – Dr Fenton and Mr and Mrs Lowe (Residents) shared their experiences of living near to empty properties and explained the impact this had on their lives. In addition, further residents (Dr and Mrs Harding) provided evidence to the Panel in writing.

The Panel obtained information on the practice used at other councils and other guidance and reports as follows:

Practice at other councils

- Empty Homes Premium at Cherwell, Medway, Oadby and Wigston, South Somerset and South Staffordshire
- Empty Homes Strategies at Derby, Exeter, Hounslow and Warwick
- Use of Compulsory Purchase powers at Cheltenham¹
- Generally through a questionnaire sent to comparable authorities²

Government Guidance

- Department of Communities and Local Government (DCLG) Empty Home Premium guidance May 2013
- Parliamentary Briefing - Council Tax Discounts
- Parliamentary Briefing - Empty Housing
- DCLG Technical reform to council tax - summary of responses October 2012
- DCLG Technical reforms of council tax 2011
- DCLG When dwellings should not be liable to the empty homes premium

Other reports

- Empty Homes in England (Empty Homes, Autumn 2015)
- Back on the Market (Institute of Public Policy Research, December 2014)

The Panel received information from Council officers as follows:

- Meeting 1 (30th September 2015) – Verbal report from the Head of Strategic and Private Sector Housing providing details of how many empty homes there were in the Borough, the approach the Council was taking to deal with those properties and the resources available to do that. In addition details of the alternative options were provided. A report of the Head of Revenues, Benefits and Customer Services was also provided discussing the option to introduce an Empty Homes Premium.
- Meeting 2 (5th November 2015) – Presentation by the Head of Revenues, Benefits and Customer Services to discuss the introduction of an Empty

¹ ref

² ref

- Homes Premium. The Head of Strategic and Private Sector Housing provided details of the enforcement action the Council could take and a breakdown of empty homes by Council Tax Band.
- Meeting 3 (3rd December 2015) – Presentation by the Head of Strategic and Private Sector Housing providing five case studies of empty homes across the Borough, incorporating intervention by Council services in dealing with the properties, for example anti-social behaviour. A draft flyer regarding the potential introduction of the Empty Homes Premium and asking landlords to come forward if they required assistance to bring homes back into use was presented by the Head of Revenues and Benefits and Customer Services. Information was provided by the Community Safety Manager regarding reporting of anti-social behaviour.
 - Meeting 4 (13th January 2016) – Information from the Head of Planning and Regeneration, and the Team Leader – Enforcement was provided concerning the impact of empty homes on planning enforcement. A presentation was provided by the Head of Strategic and Private Sector Housing with the results of the questionnaire sent to all owners of a property that had been empty for over two years, and information on the outcomes of the benchmarking exercise carried out with similar local authorities on how services were provided to bring empty homes back into use.
 - Meeting 5 (2nd March 2016) – Further information from the Head of Planning and Regeneration on planning policy. The Head of Strategic and Private Sector Housing gave a presentation on the final results of the questionnaire sent to all property owners with homes that had been empty for over two years and an update on the empty homes within the Council's stock.
 - Meeting 6 (7th April 2016) – The Anti-Social Behaviour Case Officer provided an explanation of the Council's approach to recording and responding to anti-social behaviour. A verbal update was provided by the Head of Strategic and Private Sector Housing concerning the Council's stock of empty homes, and an update from the Head of Strategic Support regarding the costs of compulsory purchase orders.

Technical Support was provided to the Panel by:

Alison Simmons – Head of Strategic and Private Sector Housing
David Platts – Head of Revenues, Benefits and Customer Services
Richard Bennett – Head of Planning and Regeneration
Mark Burbidge – Anti-Social Behaviour Case Worker
Tim McCabe – Community Safety Manager
Helen Robinson – Team Leader Enforcement

The Panel wishes to thank all stakeholders, witnesses and officers for the assistance provided with its work.

5. Summaries of Panel Meetings

Summaries of the work undertaken at each meeting of the Panel are set out in the “Progress of Panel Work” section of the Scope Document at Appendix 1.

Full details of the information provided by witnesses and the issues considered by the Panel are detailed in the notes of the Panel’s meetings listed in Background Papers section of this report.

6. Equality Impact Assessment

Advice from the Improvement and Organisational Development team is that an Equality Impact Assessment should accompany the Empty Homes Strategy when it is submitted to the Cabinet.

7. Key Findings

The Panel obtained evidence from a range of sources, both internal and external, as described in section 4 above. In doing so the Panel made use of the experiences of residents and evidence of practice at other councils.

The following key findings are set out in sections linked to the evidence the Panel received which led them to those findings.

A. Empty Homes in the Borough

- (i) There are a number of ways of defining what constitutes an empty home. In order to provide a consistent measure of the extent of the number of empty homes in the Borough, the Panel has used the information submitted annually by the Council to the Government as part of its CTB1 return³. These data are for homes which have been empty for six months or more and the figures for the last six years are set out in the table below.

<i>Year</i>	<i>No. of homes in Charnwood</i>	<i>No. homes in Charnwood empty for more than 6 months</i>	<i>No. of empty homes as a % of the total homes in Charnwood</i>
2010	68,542	747	1.09%
2011	69,074	738	1.07%

³ Council Tax Base information document that is submitted to the Department for Communities and Local Government each year. It contains information about the number of properties in the Borough, their Council Tax bands and discounts and also includes information about empty properties.

2012	69,711	641	0.92%
2013	70,257	648	0.92%
2014	71,010	651	0.92%
2015	71,638	713	1.0%

- (ii) Using the 2014 data from this source, the organisation Empty Homes has calculated that across the East Midlands the proportion of properties that were empty for more than six months was 0.97% and for the whole of England was 0.88%. The region with the highest proportion of empty homes was the North East with 1.34%, and the region with the lowest was London with 0.60%⁴. The position in the Borough is therefore similar to that in the region and the country.

B. Empty Homes Premium

- (iii) In accordance with the terms of reference agreed by the Scrutiny Management Board, the Panel focussed its initial attention on the possibility of introducing an Empty Homes Premium. Council Tax legislation enables local authorities to charge a premium of up to 50% in addition to the Council Tax on dwellings that are unoccupied and substantially unfurnished for two years or more. The table in section A above sets out the number of homes that have been empty for at least six months. There are currently over 300 properties that have been empty for at least two years in the Borough⁵; this is a significant proportion of the number of empty homes. The purpose of the premium is to provide an incentive to get empty homes back into use. Legislation and guidance provides further clarification of the circumstances in which the premium can be applied and properties that would be exempt, for example where a property is left unoccupied by a member of the armed services as a result of their service.
- (iv) The main purpose of the premium was to reduce the number of empty homes rather than to generate income. It could be seen as appropriate to apply the premium both in cases where property owners were making economic decisions about leaving properties empty and where empty homes were causing a nuisance or blight. The Panel also considered whether an exemption from the premium should be applied where owners could demonstrate that they were making reasonable efforts to sell an empty property.

⁴ Empty Homes in England (Empty Homes, Autumn 2015)

⁵ Ref

- (v) Although generating income was not the main purpose for introducing the premium, additional council tax attributable to Charnwood should a 50% premium be introduced would be in the order of £15,000 per annum, based on 300 properties. This would also generate around £200,000 per annum for the major preceptors (Leicestershire County Council, Police and Fire Authority). An information letter prepared by the Department for Communities and Local Government stated that the Department had no evidence that councils had experienced difficulty applying the legislation or with avoidance. However the Panel would hope that the amount received was less than the potential amount as this would mean that empty homes had been brought back into use. In addition the Council received income from the New Homes Bonus when empty homes were brought back into use.
- (iv) As stated above the main purpose for introducing the Empty Homes Premium identified by the Panel was to provide an incentive to bring empty homes back into use. Reports considered by South Somerset and South Staffordshire councils provided the following information about reductions in the number of empty properties following their introduction of an Empty Homes Premium. However it should be noted that there may be a number of reasons why properties cease to be classified as empty.
- | | |
|----------------------|--|
| South Somerset: | 1/12/2012 568 empty properties |
| | 1/4/2014 240 empty properties (estimated) ⁶ |
| South Staffordshire: | 1/4/2013 140 empty properties |
| | 1/6/2014 101 empty properties ⁷ |
- (vii) The Panel considered how any proposal to introduce an Empty Homes Premium should be implemented. The Panel concluded that all residents should be consulted on any proposal to introduce a premium and, as a result, it was not feasible to introduce it in April 2016. The Panel concluded that the possibility of introducing a premium in April 2017 should be considered, with formal notification of the scheme to all residents at the earliest appropriate time in 2016. The Panel also identified that this approach would provide an opportunity to further promote other options that were available to the Council to encourage property owners to bring empty properties back into use.
- (viii) As a result of its consideration of this issue the Panel made the following interim recommendations at its meeting on 13th January 2016:

⁶ Ref

⁷ Ref

1. That the Council consults on the introduction in April 2017 of an Empty Homes Premium of up to 50% on dwellings that are unoccupied and substantially unfurnished for two years or more.
 2. That the consultation last for a period of 12 weeks and use methods including sending a leaflet, setting out the proposal to introduce the premium as well as information and advice to owners of empty homes as to grants and other schemes available to bring a property back into use, with the Council Tax bills for 2016/17 and provide further, more detailed information on the Council's website.
- (ix) Following consideration by the Scrutiny Management Board, the Cabinet agreed to the Panel's two interim recommendations at its meeting on 18th February 2016. The Panel welcomes this.
- (x) At its meeting on 11th May 2016, the Panel considered the results of the public consultation that had been received to date⁸.

To be added to following consideration at meeting on 11th May.

B. The Council's Approach to Dealing with Empty Homes

To be completed following receipt of update on potential Empty Homes Strategy and to include Panel's consideration of:

- *Welcoming creation of Empty Homes Officer post.*
- *A role of the Empty Homes Officer should be to co-ordinate work between departments on empty homes.*
- *Welcoming target of bringing 50 homes per year back into use. This is a significant increase on the four achieved in 2015/16, which in turn is more than in previous years. This could have been caused by publicity given to empty homes by the work of the Panel, for example the questionnaire to property owners. This shows the potential benefits of adopting a more proactive approach.*
- *The results of the survey of property owners were encouraging in that they showed that they were willing to engage with the Council. They showed that there may be opportunities for the Council to provide assistance as more than 30% of respondents who provided a reason for the property being empty cited poor condition.*
- *Welcoming website reporting tools. This would provide additional information for the Empty Homes Officer. The number of reports received should be monitored and the facility promoted if necessary.*
- *Benchmarking undertaken suggests that there can be benefits in terms of bringing empty homes back into use from being proactive.*

⁸ Ref

- *The Council should consider using its compulsory purchase order powers where this was appropriate. Panel received details of likely costs and a good example of how these powers could be used as a last resort.*
- *Welcoming bringing together these initiatives in an Empty Homes Strategy which would balance assistance and enforcement.*

C. Recording of Problems associated with Empty Homes

- (i) As part of its evidence gathering the Panel wished to establish the extent to which empty homes cause problems for local residents and require enforcement actions by statutory agencies. Initially the Panel received evidence from the community safety⁹ and planning enforcement¹⁰ teams in respect of their knowledge of and involvement with five example empty properties.
- (ii) Some of these properties were already known to members of the Panel through their ward councillor work. The Panel was therefore concerned that the information held by the Council in respect of those properties was not as comprehensive as the known concerns and activity at those locations suggested it should be.
- (iii) In order to explore this issue further and to hear first-hand what the impact on local residents could be, the Panel received written and oral evidence from residents directly¹¹. This demonstrated that empty homes, particularly large empty homes, can act as a magnet for anti-social behaviour and crime (for example theft) and that this can have a serious negative effect on their quality of life and well-being and reduce their feeling of personal safety. These are issues that the Council would normally seek to resolve through its multi-agency anti-social behaviour work, but it cannot do so if it does not have the data to evidence that a problem exists in the first place. The Panel is pleased to note that officers are now working with local residents affected by the empty property in question.
- (iv) One issue identified by the Panel is the proportion of calls received by the Police which are logged on the multi-agency information sharing system Sentinel used by the Police and the Council. The Panel received assurance that the Police did not intend to reduce the number of calls that were logged in this way¹² but the current operation of the system is not providing the Council with the full picture of incidents at the location investigated by the Panel, and presumably at other locations too. The Panel were provided with possible reasons for this¹³ but remains

⁹ Ref
¹⁰ Ref
¹¹ Ref
¹² Ref
¹³ Ref

- concerned. The Panel's remit is in relation to empty homes rather than anti-social behaviour. However, the Panel believes that this specific issue in relation to the recording of anti-social behaviour needs to be addressed by the Police and the Council. There are clearly also potentially wider possibilities for informing the public about how to most effectively report problems with anti-social behaviour and providing greater involvement for ward councillors.
- (v) As set out in section B above the Panel would like to see the Council take a more proactive approach to bringing more empty homes back into use. This would include taking enforcement action where appropriate. However, in order to do so the Council needs data on the problems that are being caused by particular empty homes and the interventions that the Council and its partners have taken to seek to address them. Within the Council this could include a number of different teams and services, in particular private sector housing, community safety and planning enforcement. The Council's IT systems do not currently allow this information to be easily brought together. The Panel therefore believes that there is an opportunity for the new Empty Homes Officer to co-ordinate work with other teams within the Council, and potentially with partners, to bring together data in relation to particular properties and develop a culture of information sharing more generally.
 - (vi) In addition, the Panel would wish to reiterate that the problems caused to local residents by some empty homes, and the costs incurred by public authorities in dealing with them, would cease if the homes became reoccupied. This is the first concern of the Panel.

D. Empty Council Properties

- (i) Of the more than 70,000 homes in the Borough, over 5,600 are Council properties. The Council therefore has a part to play in ensuring that the best use is made of its properties to provide homes for people. In December 2015, 60 of those properties were empty¹⁴. This is a higher proportion than for all homes in the Borough. However, 10 of these are at Riversdale Court in Birstall and were in the process of being reoccupied following redevelopment.
- (ii) Of the remaining 50 empty properties, 43 were bedsits, 28 of which had shared facilities, in sheltered housing schemes and were difficult to let. The Council is undertaking a review of its sheltered housing stock in order to establish how best to manage these properties. The Panel is keen to see the review progress so that more homes can be made fit for purpose and available for occupation and that the Council can play its part in tackling empty homes.

¹⁴ Report on Council Voids – received by Panel on 13th January 2016 (item 3)

- (iii) The Panel received updates on the work that was being done to sell or repair other empty properties and it was satisfied that appropriate action was being taken.

E. Planning Policy

- (i) As part of the Council's approach to managing houses in multiple occupation in Loughborough, an Article 4 Direction was granted by the Secretary of State and subsequently adopted by the Council in February 2012. This Direction removes the normally permitted right to change the use of a property from a dwelling house (Class C3) to a house in multiple occupation (Class C4) without a separate grant of planning permission. The Direction does not prevent the change in use from Class C4 to C3.
- (ii) It has been suggested that this policy may result in landlords leaving properties empty rather than making them available for C3 use because if they did so further planning permission would be required if they wished the property to be used as a house in multiple occupation again in the future. The Panel considered whether it was possible, or desirable, to seek to address this possibility. The Panel concluded that the impact of the policy on the issue of empty homes did not appear to be significant and the current Article 4 Direction did not offer the opportunity to change the policy.

8. Recommendations made by the Panel

In undertaking its work the Panel reached the following main conclusions regarding empty homes that have informed the recommendations that it wishes to make.

- While short-term empty homes may help the property market to function, long-term empty homes are a wasted resource, particularly given the identified need for housing in the Borough.
- The number of empty homes in the Borough is similar to the regional and the national average, which suggests that the Council could and should do more to proactively seek to bring empty homes back into use.
- The Panel identified that, in addition, a minority of empty homes, particularly larger ones, can be a blight on the local area and place a burden on public authorities in responding to the problems that they cause.
- In order to ensure that the Council and its partners can take appropriate action in response to problems caused by empty homes, the Council and its partners must have suitable systems in place to enable information about properties to be logged and shared and this did not appear to be fully in place currently.

The Panel is therefore making the following conclusions not requiring further action by the Cabinet and recommendations.

Conclusions not requiring further action by the Cabinet

That the creation of an Empty Homes Officer post and the inclusion of a target in the Council's Business Plan for 2016/17 to bring 50 empty properties back into use be welcomed.

Reason: To enable a more proactive approach to bringing empty homes back into use to be adopted.

That the intention to develop an Empty Homes Strategy that includes both encouragement to property owners to bring empty homes back into use and robust enforcement action where appropriate as complementary parts of the Council's approach to empty homes be welcomed.

Reason: To set out the Council's approach to dealing with empty homes and to ensure that a robust system was in place to offer advice to property owners and to take necessary action whenever necessary.

That the inclusion on the Council's website of details of how to report the existence of empty homes and problems caused by empty homes be welcomed.

Reason: To allow an easy and effective way for the public to report concerns.

That it be noted that the Panel concluded that the impact of the current Article 4 Direction on the issue of empty homes did not appear to be significant and the current Article 4 Direction did not offer the opportunity to change the policy.

Reason: To acknowledge the Panel's consideration of this issue as parts of its investigation and that no further action was being recommended.

Recommendations to the Cabinet

Further recommendations regarding introduction of Empty Homes Premium if required.

Reason:

That the work of the Empty Homes Officer include:

- promotion of the facility on the Council's website to report empty homes and problems with empty homes
- working with councillors on issues relating to empty homes in their wards
- gathering evidence from across the Council and from partners on empty homes that are causing problems

to be added to following discussions at Panel meeting on 11th May.

That the Empty Homes Strategy include: *Contents to be finalised following discussions at Panel meeting on 11th May.*

That the Leader write to Leicestershire Police stressing the importance of recording all incidents of anti-social behaviour in a manner which means that the Council and the Police can share information and take appropriate action in response to them.

Reason: The Panel had been concerned about possible inconsistencies in the recording of anti-social behaviour and considered that this specific issue should be addressed urgently.

That the review of the Council's sheltered housing be progressed as quickly as possible.

Reason: To address the issue of empty homes within the Council's own housing stock.

Recommendation to the Scrutiny Management Board

That, as part of its role in scrutinising the Community Safety Partnership, the Board receives a report from the Police and the Council on the recording of anti-social behaviour including a Communication Strategy to ensure the public were informed of the methods that should be used and what response they would receive and how to involve ward councillors, and details of the Police's response to the letter sent by the Leader (should the Cabinet agree to this recommendation).

Reason: To enable the Board to scrutinise this issue and determine whether appropriate action had been taken to ensure that comprehensive recording of anti-social behaviour and information sharing was taking place.

9. Background Papers

- Scope Document (also attached at Appendix 1)
 - Agenda Papers and Notes of Panel meetings available on the Council's website at:
https://www.charnwood.gov.uk/committees/empty_homes_scrutiny_panel
- Meeting 1 – 30th September 2015
Meeting 2 – 5th November 2015
Meeting 3 – 3rd December 2015
Meeting 4 – 13th January 2016
Meeting 5 – 2nd March 2016
Meeting 6 – 7th April 2016
Meeting 7 – 11th May 2016
- Information considered by the Panel as detailed in Paragraph 4 of this report is available on request and internally at:
http://info.charnwood.local/sites/Policy_Scrutiny_Group/Lists/Empty%20Homes%20Scrutiny%20Panel/AllItems.aspx