



Community Services Housing Services



STRATEGY for EMPTY PRIVATE SECTOR HOMES

September 2011

To realise the potential of communities by ensuring that people have access to affordable, sufficient and suitable housing in Argyll and Bute



1. Forward



Local authority housing services increasingly call for innovative, all tenure solutions to meet housing needs.

In Argyll and Bute, which like most parts of the country faces housing shortages and resource restrictions, the contrast between 3,343 households on the waiting list and approximately 4,254 houses lying empty for some or all of the time clearly means this is one potential source of houses which shouldn't be ignored.

However dealing with empty homes can present many complexities.

- Identifying owners and overcoming legal obstacles to action
- Getting the balance right between public and private investment
- Meeting the sometimes conflicting aims of providing homes where need is greatest with the regeneration of historic property possibly in areas of low demand.
- Respecting owner's rights while ensuring public protection for both individuals and communities.

This strategy provides various options to encourage and assist owners to bring long term empty homes back to use and to make better use of second and holiday homes.

Argyll and Bute Council is committed to maximising the housing resources of the area to the betterment of the local population by reducing the number of empty derelict and run down houses in our historic towns, villages and rural areas.

In this way the housing service will contribute to the local outcomes agreed by our community planning partners as outlined in the Single Outcome Agreement.

Councillor Robin Currie

Spokesperson for Rural and Island Affairs, Housing and Gaelic

2. Introduction

This document sets out how the Council intends to identify and tackle the problems of empty dwellings.

The number of empty houses in Argyll & Bute is a major issue with an estimated **4,254** potential homes lying empty for one reason or another. The number of empty houses fluctuates regularly as ownership and property use changes and as such the figures are accurate only at the time of issue. However it is clear that for several years a significant proportion of the housing stock in Argyll & Bute has not been in effective use.

The number of empty homes in the area represents 10% of the total stock¹. The equivalent percentage rate of vacant and second homes throughout Scotland is only 4.2%.

This Argyll & Bute figure is made up of the following;

Long term empty properties 10% discount	483
2 nd home receiving 10% discount	3,631
Empty and unfurnished exemption	140
TOTAL	4,254

The latest estimate of families on the waiting list maintained by Home Argyll (the common housing register for Argyll & Bute) as of March 2010 is 3,343 and the Argyll and Bute Housing Needs & Demand Assessment (Arneil Johnston 2010) indicates a shortfall of approximately 440 affordable homes per annum over the next ten years. On an annual basis there are approximately 830 available lets in the social rented sector and current projections estimate less than 75 new build homes per annum. It is clear, therefore, that supply does not address demand within the Argyll and Bute housing system and that there is a large and increasing level of unmet need for affordable housing across the authority area.

Bringing a proportion of empty dwellings back in to the effective stock could significantly reduce the waiting list problem and help address imbalances in the local housing system.

Give the current slump in the property market it is surprising that a significant number of privately owned residential properties remain empty and a significant minority unusable and deteriorating rather than being utilised as a valuable resource for both owner and community.

Resource restriction for social housing development means getting the most effective use from the existing stock is paramount to meeting housing need.

¹ Council tax records

However the vast majority of the empty or underutilised stock is privately owned and without significant resources in staff time and enforcement budgets the ability of the Council to change attitudes to ownership is limited.

2. Strategic Context

Bringing empty homes back into use is an important component of the Local Housing Strategy and will contribute to the Argyll and Bute Community Plan, the Single Outcome Agreement and a number of national and local outcomes, namely;

- *We live in well-designed, sustainable places where we are able to access the amenities and services we need;* making the most of the existing housing stock will provide additional units of housing supply within existing communities, thus supporting existing amenities and services and contributing to sustainable communities.
- *We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others;* as the Council has no housing stock we need to work with owners to encourage them to make use of empty properties. This in turn will support the development of more resilient communities where owners take responsibility for the condition and occupancy of their property for the benefit of the whole community and fits with the aims of the Scheme of Assistance under the Housing (Scotland) Act 2006.
- *We value and enjoy our built environment and protect it and enhance it for future generations;* empty homes can sometimes have historic value, particularly with pre 1919 property. By providing advice and assistance to owners on bringing their empty homes back to use, the Council can contribute to the preservation of historic building and streetscapes for the future enjoyment of communities.
- *We reduce local and global environmental impact of our consumption and production;* by working with owners to make the most of empty homes the Council will promote a culture of reuse, thus saving resources of land, material and embodied energy involved in the construction of new houses.

The Argyll and Bute Local Housing Strategy (LHS) The strategic aims for the 2011 – 2016 local housing strategy are

Aim 1	To facilitate access to sufficient and affordable housing
Aim 2	To reduce the incidence of homelessness
Aim3	To support people to live independently in their own homes
Aim 4	To improve the quality and condition of housing

The 2009 LHS Interim Action Plan also formally set out the specific objective to develop and implement an Empty Homes Strategy to form an integral element of the fully revised LHS 2011 – 2016.

3. Corporate Policy

Argyll & Bute Council has recognised the need to develop effective practice to deal with empty dwellings and bring them back into effective use.

The Council at its meeting on 18th May 2006 agreed that some of the additional revenue raised from the reduction of the Council Tax discount and holiday houses from 50% to 10% should be allocated to the development and implementations of an Empty Houses Strategy.

At its meeting on 19th July 2007, the Council's Executive agreed that, given the significant levels of ineffective stock (i.e. vacant, second and holiday houses) in many pressured areas of Argyll & Bute, an Empty Houses Strategy was viewed to offer a more efficient use of resources – directly recycling investment to those properties that have generated the revenue, while obviating any requirements for infrastructure developments associated with new build.

In addition the economic downturn has re-emphasized the importance of a strong economy with community planning partners focused on a range of activities including town centre regeneration via the CHORD project (CHORD = Campbeltown, Helensburgh, Oban, Rothesay and Dunoon).

The Council's increased investment in key town centers via the CHORD programme, particularly as part of the townscape heritage projects in Campbeltown and Rothesay gives this empty homes strategy particular relevance in these areas but also highlights the conflict for investment between maintaining the architectural heritage of towns where housing demand is low and providing housing where need is greatest.

4. The Need for an Empty Homes Strategy

Empty homes impact on the built environment, on quality of life for neighbours, on housing need, on the sustainable use of land and resources, on the economy

The Impact of Empty Homes

Argyll & Bute has a built environment second to none, evidenced by 32 conservation areas, dominated by housing. Despite the designation of environmental importance there are empty and derelict houses within these conservation areas.

- Boarded up windows and doors and overgrown gardens can blight a neighbourhood and indirectly affect the value and marketability of neighbouring properties
- Empty homes may attract petty crime and anti-social activity or attract more serious criminal activity, ranging from vandalism to drug dealing and arson. This is particularly true of town centre tenemental dereliction.
- An empty home may pose a direct risk of damage to adjoining properties through damp and other infestations.

- Adjacent dereliction can led to reduced property value and an element of blight in a neighbourhood.
- A disused house or a house occupied for only a couple of weeks each year is a wasted resource. It is an underutilisation of land and building materials and as such the very antithesis of sustainability.
- With a general shortage of suitable houses in Argyll & Bute there is a degree of social injustice that some houses lie empty.
- Communities need people. An excess of homes lying empty for all or a significant part of the time leads to a drop in the local economy. Local shops are at risk, schools are at risk and communities diminish.
- Empty homes, particularly those in disrepair, are a hindrance to a dynamic tourism industry.

The Benefits of Reusing Empty Homes

The principle benefits of an empty homes strategy are to reverse the symptoms of decline bulleted above. Most specifically a successful empty homes strategy could;

- Increase housing available for local people.
- Eliminate the need for infrastructure development for new homes.
- Improve community pride, well being and sustainability.
- Remove the locus that encourages anti social behavior and allow other residents to feel safe in their neighborhood.
- Remove the potential for nuisance and dispute between adjacent owners.
- Provide a potential source of income for property owners.

5. Strategy Aims

The aim of this strategy is to;

Unlock the housing potential of long term empty homes and to contribute fully to community regeneration and development across Argyll and Bute.

This will be achieved by;

- Developing an understanding of the scale and location of empty homes in Argyll & Bute.
- Highlighting the issue with Council staff and partner agencies.
- Developing a process for assessing empty homes and bringing priority cases back into use by;
 - Providing a framework within which the Council can work with other owners to bring empty homes back into use.
 - Positively engaging, negotiating and persuading owners of empty homes to take action.

- Dealing effectively with owners of empty homes who unreasonably refuse to bring their properties into use.

And thereby;

- Contribute to reaching the National & Council 2012 homelessness goals.
- Increase the number of dwellings available for letting as good quality affordable housing within Argyll & Bute and thereby reduce the numbers of households on the housing waiting lists.
- Reduce the number of long term empty houses.
- Deal effectively with problems associated with empty properties and improve the existing built environment.

6. Defining Empty Homes

Vacant dwellings occur for a variety of reasons. Some are empty for short periods of time and may come back in to use relatively quickly. Others may be empty for a significant period of time and are not likely to come back in to use until the underlying reason for the vacancy is addressed.

The presence of a number of empty houses is essential to ensure that the housing market functions efficiently allowing mobility and redevelopment or improvement to take place.

It is therefore important to define what is considered to be an empty property within the context of this strategy.

There are two main types of vacant property.

- ***Transactional Vacancies***

Properties that are reoccupied relatively quickly and are necessary for the mobility of the housing market are classed as transactional vacancies. These properties seldom require the intervention of the Council to ensure that they are brought back into the housing stock. Transactional vacancies include dwellings which are for sale on the open market, are under offer or are being renovated with the intention to sell or rent on completion.

- ***Long term vacancies***

Properties that are inactive in the housing market and empty for over 6 months can be classed as long term vacancies and will be targeted under this Strategy.

7. Intervention and Development by Argyll & Bute Council

Private owners have property rights and responsibilities.

The Council has various powers to ensure private house conditions meet certain standards and this is applied across the sector, not just to empty homes. Owners should maintain their property and ensure there is no nuisance to neighbours or blight to community caused by disrepair and dereliction.

The question for public authorities is when to intervene in the public interest to require owners meet their responsibilities while recognising their basic property rights to determine the future of the asset they own.

Since there is no standard type of empty property this strategy seeks to establish a menu of options starting with the acceptance that in many circumstances no action will be both appropriate and acceptable to all parties.

The policy sets out a pathway of light-touch intervention in the form of information, advice and support, giving owners options for their consideration but also recognising that when owner's decisions do not match the aspirations of the Council there will, in the vast majority of cases, be no case for further action by the Council.

Where there is a case for further action, the Council will, subject to the availability of resources, intervene with a range of legal procedures to achieve a satisfactory outcome.

8. Action Plan

8.1 Key Action 1 To identify and maintain a database of empty homes

4000+ houses have been identified from

- Council Tax register
- Council records of Closing Orders and Demolition Orders.
- Information obtained from Council officials in course of their duties

to populate an empty homes data source.

This is a significant backlog which and it will take time to build meaningful intelligence on all empty homes. Priority will be given to those which, on first impression, provide the greatest likelihood of alternative use.

The database will be created by Housing Services and populated with details of ownership, condition and use.

As new property is identified whether by application to a council service by the public or by officer knowledge in the course of routine duties, property information will be passed to the Research and Information Officer in Housing Services as the central collating officer for this strategy. This will allow early contact with the owners to determine future property use plans.

Area Private Sector Officers are particularly well placed to identify and act on empty private sector homes. They have an overview of local housing conditions and their technical knowledge can accelerate the process by which homes can be brought back in to use.

Area Private Sector Officers will survey empty homes when appropriate, liaise with owners and build intelligence which will be recorded on the empty homes data base.

The multi-officer Private Rented Sector working group will take overall responsibility for co-ordination of empty home actions.

The Private Rented Sector Working group consists of;

- Development & Infrastructure Services
 - Landlord registration
 - Environmental Services
- Community Services
 - Private Sector Housing
 - Local Housing Strategy
 - Homelessness
- Customer Services
 - Benefits

8.2 Key Action 2
To raise awareness of issues relating to empty homes & create effective cross departmental working relationships.

Within the Council

- In order to raise the awareness of private sector empty homes, a corporate and joined up approach will be adopted with each relevant service identifying a relevant officer for liaison purposes. Details will be provided on the council web site, the intranet and through the “cascade” and “newsflash” systems. The Private Rented Sector working group will lead this.
- Area Private Sector Officers will be lead officers for empty homes in each administrative area.
- Planning officers can also readily identify residential properties which are empty but which may be blighted by other development proposals. They also have an insight in to what building may be attractive in the property market and are well placed to provide Area Private Sector Officers with relevant information.

- Building Standards Officers inspect empty properties which have been reported as dangerous. There is scope for these properties to be referred for potential action to bring them back into the effective housing stock.
- Legal officers already assist in tracing owners of land and properties where there is a dispute or disrepair. These established procedures will continue to be used to enable enforcement or informal action to bring properties back in to use.
- The Business Gateway team can give generic business advice to landlords letting both residential and holiday as a commercial enterprise.

Outwith the Council

- The Housing and Community Forum is a multi agency group leading the development of the Local Housing Strategy. As such action on empty homes will be reported to it with members well informed and able to contribute multi agency services to any potential action.
- Details of the strategy will be placed on the Council's website.
- A leaflet will be produced and circulated widely to Council offices and partner information and advice agencies.
- In order to encourage good practice a Landlord Accreditation Scheme was launched in November 2008. As well as advising landlords on the Empty Homes Strategy, internal and external speakers will be invited to deliver training on such topics as financial assistance, housing benefits, energy conservation etc.
- The Shelter Scotland Empty Homes Coordinator can offer information and advice on successful projects throughout the UK.

8.3 Key Action 3 To develop a process and menu of tools for bringing empty homes back into use.

As indicated above there is a significant backlog of empty homes in the area where no action has been mooted for a number of years. Reversing this trend with liaison with owners to encourage action will take time. It also has to be recognised that, even with such intervention, the status quo may well continue.

Various tools are available

8.3.1 Leasing to Argyll & Bute Council

To alleviate the problems of house shortages in pressured areas Argyll & Bute Council Housing Services, as part of its homelessness prevention duties, will lease property and sub-let to individuals and families in need of accommodation.

The Council will

- Let and manage the property
- Pay rent in advance, direct to the landlord
- Provide a standard lease for the owner to agree with his/her legal representative
- Be responsible for repair (including replacement) of damage to the accommodation, or loss of any of the fixtures, fittings and items in the inventory, caused through the fault of the tenant, the sub-tenant, or anyone in the household or visitors.

While there is corresponding landlord responsibilities this is a hassle free, low risk rental option for empty home owners. The Council currently manages 72 homes through this scheme with well established procedures and support for tenants.

8.3.2 Private Leasing

For a variety of reasons a potential landlord may prefer to let their property on the open market, rather than through the Council, or indeed the Council may not be willing to take on a lease if there is no immediate housing need in an area.

Landlord Accreditation Scotland (LAS) and Argyll and Bute Council have established a Landlord Accreditation Scheme. A key part of this is to provide information, advice and training to private landlords of any size, whether leasing one or several homes.

In addition to LAS, business advice is available from the Council. Letting a house should be seen by potential landlords as a business opportunity and as such advice is available from the Business Gateway Team at Argyll & Bute Council.

8.3.3 Rent Deposit Guarantee Scheme

Some dwellings remain empty as prospective tenants find it difficult to raise the money to provide the necessary deposit

Argyll & Bute Council has a scheme to help people into the private rented sector and has, to date, assisted in 300 cases. This scheme guarantees the deposits to landlords for people who are homeless or threatened with homelessness, and need assistance getting a new private rented tenancy.

8.3.4 Holiday Rentals

If the residential leasing arrangements outlined above do not suit, owners may wish to consider holiday rental. Although this does nothing to alleviate housing shortages, (indeed too many houses in use as holiday homes exacerbates the problem), well managed, high occupancy holiday use is better than any house lying empty or in use for just a few weeks in a year.

Owners may opt to advertise and manage their property themselves or could opt to use one of the many agencies offering a holiday letting and management service.

Landlords interested in holiday letting as a commercial venture could obtain business advice for the Business Gateway.

8.3 Key Action 5 Dealing with disrepair and dereliction in empty homes.

The guidance to the Housing (Scotland) Act 2006 requires the Council to lead a marked improvement in the quality of private housing in their areas, benefiting owners and the communities they live in. The guidance also calls for a cultural change in attitudes to housing quality in the private housing sector. This remit covers all private residential property, including empty houses.

Argyll & Bute Council is committed to leading the change agenda in the private sector and will work with owners to encourage the productive use of empty houses to ensure any disrepair or dereliction will not blight adjacent homes or the communities in which they are situated.

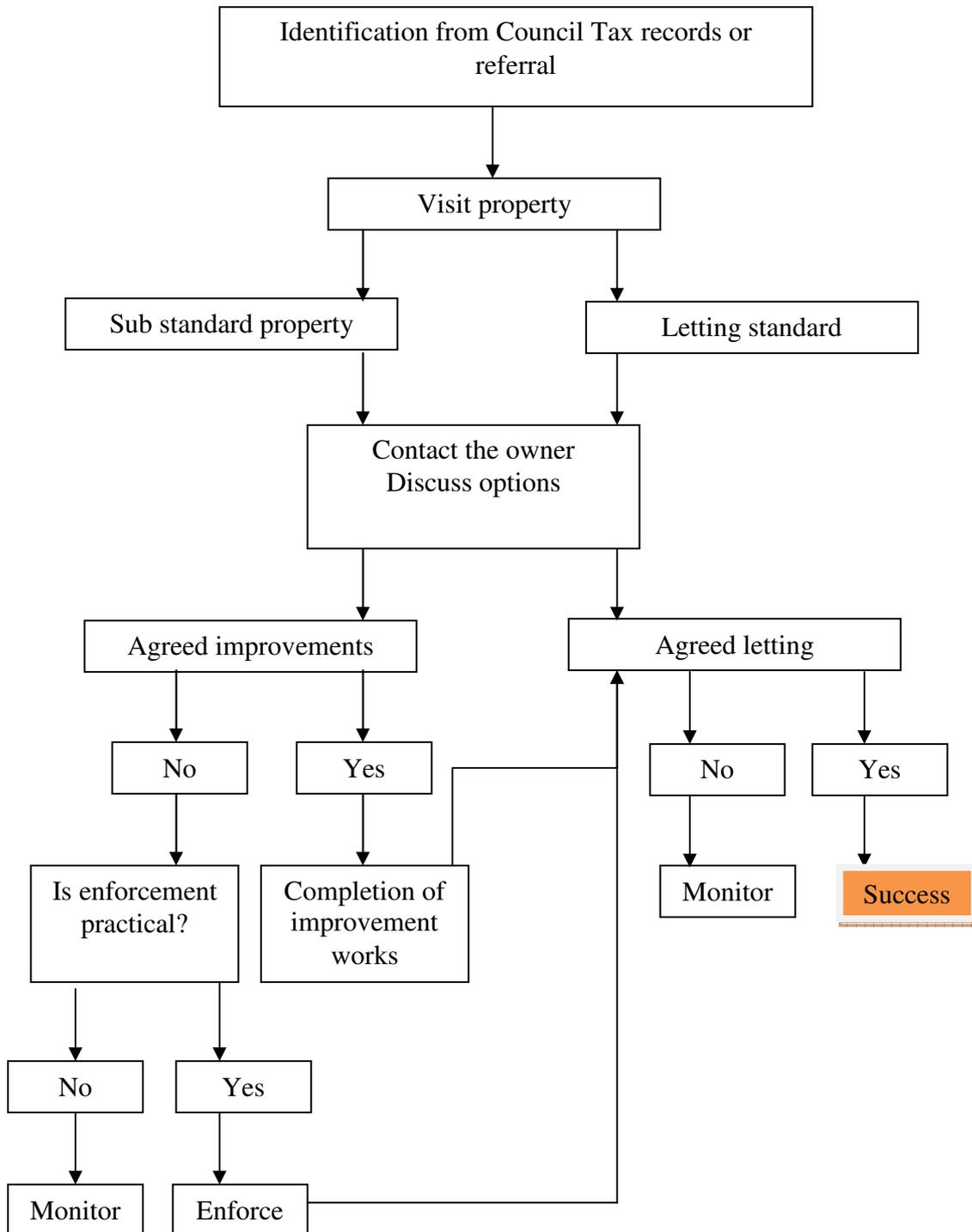
However resources are limited and enforcement procedures time consuming. Targeting resources for action on empty houses in areas of low demand is difficult to justify.

The 2006 Act and continuing powers under the Housing (Scotland) Act 1987 gives the Council a range of options to ensure empty houses are well maintained and in good condition but in all cases, in the first instance, the Council will seek to work with owners to achieve solutions to suit individual circumstances.

- Officers from Housing Services will survey any empty house preferably with the owner present; prepare a house condition survey report and programme of any required maintenance or long term replacement.
- In every instance, whether the works required is minor maintenance of gutters or major redevelopment of a tenement, owners will be given the opportunity to carry out works within a reasonable time period.
- Service of works notices, closure orders, demolition orders or maintenance orders will be considered as appropriate.
- Enforcement of such orders will follow the procedures agreed in the Statement of Assistance for Private Sector Houses..

- If the disrepair is such an owner cannot afford the investment required, or is unwilling to make the investment required, the Council would recommend sale on the open market and may, in some circumstances, provide assistance for the seller's survey to be completed.
- The Council may consider purchasing a house either voluntarily, with the agreement of the owner, or compulsorily using the powers available to it in appropriate legislation.
- In some circumstances demolition may be the best option and the site either landscaped or re-developed.

Empty Homes Pathway



9. Pilot Project

Consideration will be given to targeting a small number of individual empty properties in areas of high needs and demand to test the effectiveness of empty homes action. The Council will seek to work in partnership with community groups, landowners, property owners, the Shelter Empty Homes project and local housing partners to explore different models to deliver affordable housing options from empty homes.

10. Monitoring & Evaluation Framework

The Action Plan template sets out the key targets and performance measures which will be used to monitor and evaluate the progress and success of this strategy. The strategy will be monitored by the Council's LHS Team and reviewed on a biennial basis. Annual reports will be submitted to the Strategic Housing & Communities Forum and a summary will be incorporated within the annual LHS evaluation report submitted to the Council's Executive and the Community Planning Partnership.

11. Resources

This strategy will be supported from the following key resources:

Affordable Housing Investment Programme – funding will be considered in line with the requirements of the Housing Needs & Demand Assessment and the priorities established through the SHIP process.

Strategic Housing Fund – allocations from this fund will be considered in accordance with the criteria set out in the SHF Policy.

Private Sector Housing – Private sector revenue and capital costs are met from the allocation previously ring fenced for private sector housing grant.

12. Equalities

All public sector services, policies, plans and strategies are required to comply with the relevant Equalities legislation and to take account of the national agenda on diversity. This strategy has been developed with these principles in mind and in full accordance with Argyll and Bute Council's Equalities and Diversity Scheme. It is a fundamental tenet of this strategy that appropriate, accurate, timely and accessible information and advice will benefit all sectors of the population irrespective of age, race, gender, disability, faith or religion, or sexual orientation and that it will have a positive role in promoting inclusion and equality and in tackling exclusion and inequality. In accordance with Council policy, this strategy will be subject to a full Equalities Impact Assessment.

**ARGYLL & BUTE HOUSING SERVICES
EMPTY HOMES STRATEGY 2011 -2016 ACTION PLAN**

Ref	Outcome	Actions to achieve outcome	Success measures	Key dates	Lead	Source of outcome	Risks
	Ensure comprehensive and good quality information on empty homes in Argyll & Bute is gathered and stored	Re-establish lead group to co-ordinate action on empty homes	Empty Homes established as a permanent agenda item for the private rented sector group and regular meeting of the group	October 2011	Research & Information Officer Private Rented Sector Group	Empty Homes Strategy	Project Slippage
		Ensure awareness across all potential internal and external partners.	No of referrals from partner sources	Sept 2012	Research & Information Officer	Empty Homes Strategy	Personnel changes Lack of engagement by partners
		Collate information for data base.	Establishment of data base Collection of survey information Storage/retrieval of survey information	Sept 2012	Research & Information Officer	Empty Homes Strategy	Officer training required. APSO time for surveying
		Establish cross department/interagency referrals system of all Housing Information and Advice providers	Referral system available and in use by Argyll and Bute Advice Network (ABAN) members	December 2011	Research & Information Officer Housing Services Private Sector Officer (PSO)/R&PO	Empty Homes Strategy	Project Slippage Lack of engagement by partners

		Sign up to national empty homes web site and link to Council site. http://reportemptyhomes.com/ Establish response to web enquiries	Link on Council page. Response to enquiries operational.	January 2012	Research & Information Officer Private Sector Officer Area Private Sector Officers	Empty Homes Strategy	Project Slippage
Ref	Outcome	Actions to achieve outcome	Success measures	Key dates	Lead	Source of outcome	Risks
	Create information packs relevant to empty homes	Hard copy information pack available at public information points	Pack produced	April 2012	Research & Information Officer	Empty Homes Strategy	Project Slippage
		Web based information	Empty homes web pages live	April 2012	Research & Information Officer	Empty Homes Strategy	Project Slippage Website not updated regularly
		APSO training	APSO's trained to respond to enquiries	June 2012	Research & Information Officer Private Sector Officer	Empty Homes Strategy	Project Slippage
Ref	Outcome	Actions to achieve outcome	Success measures	Key dates	Lead	Source of outcome	Risks
	Bring empty homes back to use by delivering a flexible service to owners.	Engagement with owners	No of owners engaged No of empty home brought back to use	Annual reporting	Research & Information Officer	Empty Homes Strategy	Project Slippage Resource restraint

Ref	Outcome	Actions to achieve outcome	Success measures	Key dates	Lead	Source of outcome	Risks
	Pilot Project	Identify area from HNDA	Area nominated	September 2011	Research & Information Officer	HNDA	None
		Identify target properties	Target properties identified	September 2011	Research & Information Officer		None
		Identify & contact owners	Owners contacted	October 2011	Research & Information Officer		Difficulties in identifying and contacting owners could cause slippage
		Survey properties	Surveys and survey reports completed	October 2011	Research & Information Officer		Dependent on identifying owners and gaining approval
		Action	Varied	September 2012	Research & Information Officer		Dependent on owners response to proposals for action