

10th Scottish Empty Homes Conference

Best Practice Enabling Budget Workshop

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Lets talk about... **Empty Homes Cases**

Ideal Empty Homes Officer scenario.....😊

- ☐ Owner of empty home known ✓
- ☐ Owner engaged ✓
- ☐ Willing to do necessary works ✓
- ☐ Action taken to bring home back into use ✓
- ☐ Property occupied as permanent home ✓

KEY POINT – Even the most ideal cases can sometimes take years to complete

Lets talk about... **Empty Homes Cases**

Worst case Empty Homes Officer scenario...☹

- ☐ Owner of empty home not known or... Owner known and wont engage **X**
- ☐ Property in disrepair **X**
- ☐ Property condition affecting neighbours, community and/or buildings **X**
- ☐ Regular complaints **X**
- ☐ Council Tax Debts **X**

KEY POINT – These cases can take a lot of nag, niddle, and negotiation to instigate action

Difficult Empty Homes Cases

What can we do in 'worst' case scenarios.....

- ☐ Undertake range of investigations and enquiries to identify and trace owner / try get them to engage
- ☐ Liaise with colleagues in other Departments to see if action or serving of notice is relevant
- ☐ Monitor and continue to try and trace responsible person/s

When all options exhausted what then?

KEY POINT – There aren't enough resources to CPO all 'worst case' empty homes

Empty Homes Enforcement Options

NONE – Disappointingly there is no specific empty homes legislation that supports enforcement action to instigate owners to bring empty homes back into use 😞

OPTIONS – Any current enforcement action is limited and relies on powers set out in other legislation, such as Housing / Planning / Building / Anti-Social Behaviour / Environmental and Public Health



How do you get the balance right?

Why this property?

What will be achieved?

Who will benefit from action?



Who will pay for it?

Will it make an impact?

Is it fair and proportionate?

KEY POINT - Any enforcement action needs to be carefully considered and meet criteria set out in Legislation

What happens when you have no 'suitable' enforcement options?

- Empty Properties become stuck
 - Any associated problems and risks can escalate
- Impact on the neighbouring properties and area can intensify
 - Cost of repairs increase / Property value decreases
- Longer left the harder it is to find options to bring back into use
- Cost and resource impacts to local authorities in terms of Officer time and increased risks

Something to consider - Do you need more flexible and suitable options to help deal with difficult empty homes cases?



Lets talk about the...

Need for additional resources

Why did we introduce the Empty/Abandoned Buildings Enabling Budget in Argyll and Bute?

Area Property Action Groups (APAG) – Officers meet to discuss most problematic buildings and identify potential options to address concerns

**A number of properties regularly discussed that were causing problems
but fell out with local policy criteria for enforcement action**

APAG Partnership approach was crucial to identifying the need for wider action and a more flexible tool to address some of the unique circumstances that empty buildings present



Introducing the Empty/Abandoned Buildings Enabling Budget

- Proposal was supported by Management and Head of Service, acknowledging the benefits of APAG **co-ordinated approach** and approval was received from Committee
- **Flexible policy** developed that is only considered when all other options to resolve problems and concerns have been exhausted and intervention action is necessary to reduce future risks to the neighbours, public, council and our communities
- **Key focus of the policy is to:**
 - Facilitate works that enables and encourages owners to bring empty buildings back into use when all other options exhausted
 - Catalyst for further action
 - Mitigates future cost and risks to community and council

Empty/Abandoned Buildings Enabling Budget – What's covered?

A range of measures can be considered under the policy and whilst not an exhaustive list, some examples are:

- Secure buildings to prevent further damage, minimise impact on adjoining properties, and improve amenity of the area;
- Urgent and necessary repairs; primarily to mitigate the risk of building becoming dangerous, or to enable a property to be occupied;
- To support enforcement action which has been co-ordinated through the APAG – **applying a spend to save ethos** when considering any action ensuring that it will minimise the risks and potential future expenditure i.e. address potentially dangerous building elements at an earlier stage.

Enabling Budget - Case example 1

Neighbour evacuated due to dangerous chimney and risk of collapse on to their property. Unable to return to their home until the danger is removed



Fire damaged house



Building Standards called to scene after fire – instructed the site to be fenced off around perimeter to prohibit access and remove risk to public safety

Due to Dangerous Building Notice Neighbour was evacuated from their home

Fire resulted in Empty Homes and Homeless households

Poll Question / Discussion Point

What do you think your Local Authority would currently do in this example?

1. Nothing
2. Pay for works to dangerous building *
3. Ask neighbour / insurance to pay for works – to enable them to return home

*Using options such as – Housing / Building Standards / Planning / Environmental Health / Anti-Social Behaviour Legislation

What did we do in Case study 1

APAG discussion brought the case to the attention of the Empty Homes Officer. This highlighted the damage that the fire had caused on the property but also the impact on the neighbouring property owner due to Dangerous Building Notice.

Case review identified number of issues:

- **Building Standards duties fulfilled as area made safe**
- **Insurance investigation – no interim action to help neighbour**
- **Owner was not in a position to act**
- **Repossession proceedings had already started but had not progressed**

Action agreed:

Structural advice and confirmation sought on works required to remove the risk to neighbouring property.

The APAG then supported an application to the Enabling Budget to pay for works which would allow the neighbour to return to his home.

Enabling Budget - Case 1 outcome

Lender not
taking action

Risk of further
intervention being
required by
Building Standards

Public
Footpaths
closed

No Council Tax
revenue



Enabling Budget application approved

**Works instructed to remove the
bulk of the chimney head to allow
the neighbour to safely return to
his home – empty back into use**

**Cost £1,420
Gain = Priceless**



Neighbouring property
condition deteriorated
during time it was empty –
dangerous owner could not
enter

Neighbour significantly
impacted
– property, financially,
health & wellbeing

Insurance
Investigations
- no cover

KEY POINT- You can spend a little to save a lot and achieve positive
outcomes for those impacted.....

Enabling Budget - Case example 2

Case Study 2 Overview

3 storey empty tenement – prominent village centre location

= 2 x ground floor commercial units / 1 x middle floor commercial / 1 x upper floor empty residential property

Majority of building in ownership of same owner

- 1 x ground floor commercial owner would not engage

Agent originally appointed following an “off the cuff conversation”

- Ambitious plans drawn up and approved to upgrade building & convert two upper floors into 3 flats

Owner engaged with Empty Homes Officer in 2017 a few years into the process

- Quickly became apparent that there was a lot of factors that had not been taken into account

Enabling Budget - Case example 2

KEY ISSUES



No indicative costs provided to owner before plans submitted and approved

Substantial 'unforeseen' expenditure incurred before any renovation works commenced

The owner didn't know where to go next – Advice & Assistance was crucial

Structural report recommendations not acted on sooner

Significant financial and emotional impact on owners

Legal action to pursue / trace absent owner of commercial unit

APAG concerned about condition of the building and risk of road closure

Building became dangerous – Costly interventions
Building required to be propped by specially designed scaffolding

Local community aware of situation and supportive of owners circumstances

Concerns over agent approach to the project

Sometimes a small intervention can make a big difference

Action allowed owner able to make an informed decision about the financial viability of project

Building Standards did not need to take Dangerous Building action - Risk of public road being closed avoided

Enabling Budget application approved

Quantity Surveyor appointed to provide cost estimates for the three options identified in structural report recommendations

Cost £2,160
Gain = Priceless

Project will now complement the wider regeneration work being undertaken to improve the area rather than cause blight

Owner released from burden that building had become – improved financial and health wellbeing

Developer sought and sale agreed – building works have now commenced to bring back into use

KEY POINT – Action doesn't not always need to be physical works to a building

Contact details

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COVERINGS**



**AVOID
CROWDS**



**CLEAN
HANDS**



**TWO
METRES**



**SELF-
ISOLATE**

