



CALDERDALE

EMPTY HOMES STRATEGY

2014 – 2020

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1. Introduction

- 1.1. Empty homes are a wasted housing resource, they can attract vandalism, anti-social behaviour, become a 'honey pot' for crime and a target for arson. In some circumstances they become run-down, fall into disrepair, have overgrown gardens, look ugly, blight an area and cause neighbouring properties to lose value by up to 20% (RICS).
- 1.2. Empty homes can be divided into problematic or transitional vacancies. Transitional vacancies are those that are empty for less than six months largely between ownership or tenancies and is part of the normal cycle of people moving house. Properties which are empty for 6 months or more usually have an underlying problem. When properties have been empty for more than 2 years, it is likely that they will stay empty and decline, without intervention.
- 1.3. When properties become empty, it can lead to the deterioration of communities and villages. When there are fewer people contributing to the economy, particularly in rural areas businesses, shops and schools can go into decline and ultimately close due to lack of customers or pupils.
- 1.4. Although empty homes are reducing, the figures relatively remain high in Calderdale in comparison to our neighbours and to the country, indeed Calderdale ranked 12th highest Local Authority in England from October 2013 figures (See Figure 1). The figure at October 2013 was higher than expected and in the last 8 months has reduced to 1585 in May 2014, much more in line with neighbouring authorities.

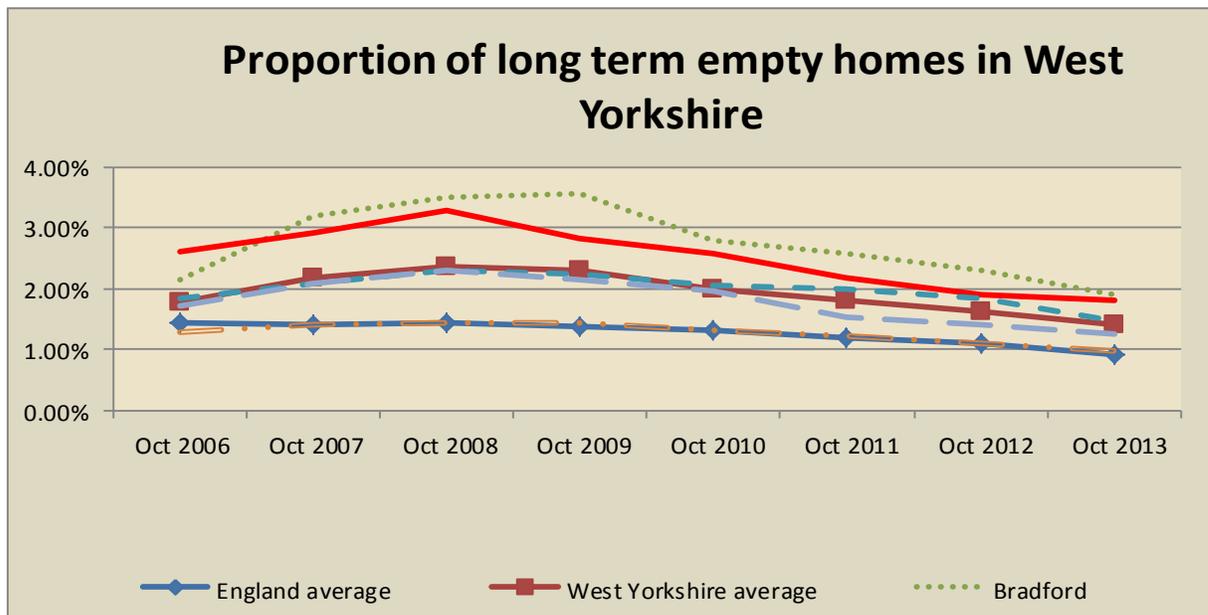


Figure 1 – Comparison of proportion of empty homes across West Yorkshire

1.5. The Calderdale Housing Strategy, 2012 – 2017, sets out the issue of housing need and the problem of affordability in the Borough. Around 670 additional homes are needed each year and the rehabilitation of empty homes is part of the response to that need. Bringing empty run-down homes back into use is far less controversial than building new homes, takes fewer resources and creates less carbon emissions. The case for the provision of new homes can also be undermined by the presence of empty homes in the area.

2. Lessons learned from the Empty Homes Strategy 2010 – 2015

2.1. The work outlined in the Action Plan of the Empty Homes Strategy of 2010 – 2015 has been largely achieved. Evidence of success is clear as the numbers of long-term empty properties in Calderdale, continue to reduce. At the end of December 2009, the number of long term empty homes was 3310, and at the end of May 2014 this had reduced to 1585 (See Figure 2)

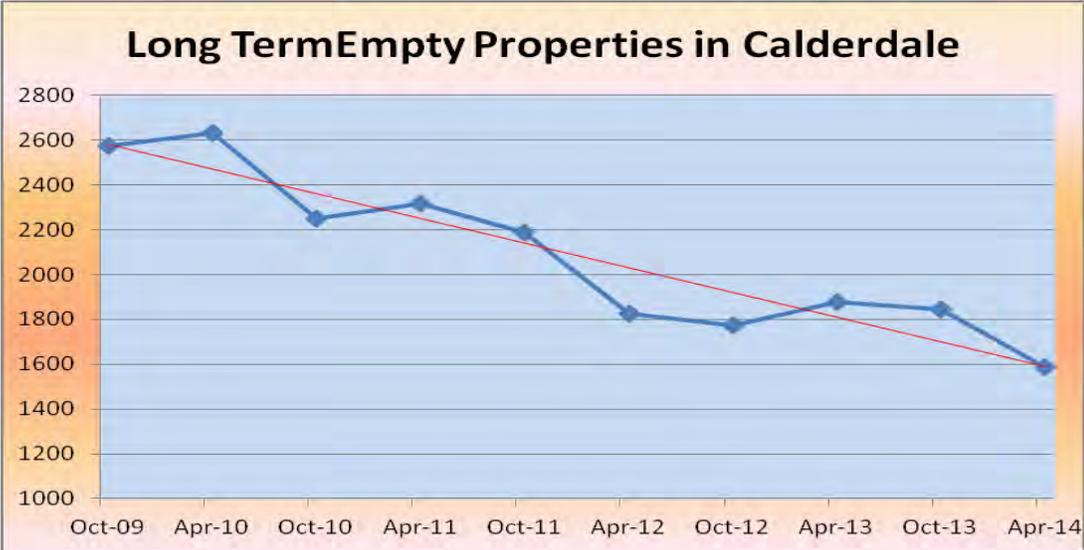


Figure 2 - Number of empty homes in Calderdale

2.2. In 2012 a successful bid was made to Government for funding to bring 130 homes around the centre of Halifax back into use. The funds are being deployed flexibly, through the use of loans and grants, some of this fund will continue to be available to bring other homes back into use in other parts of the Borough as the loans are repaid. Although the project itself ends in March 2015, the legacy of funds should be available to deliver some of the actions set out in this strategy.

2.3. All owners of empty homes have been offered help, advice and information to bring their homes back into use. They have all been contacted at least on an annual basis and have been invited to a public event along with landlords and developers.

- 2.4. Different incentives have been developed and offered including loans and financial assistance both directly from the Council or from partner organisations to carry out renovations to make the properties market ready.
- 2.5. Loans to empty home owners have proved to be difficult to manage. Initially these were given via the Calderdale Credit Union in much the same way as loans are offered to owner occupiers for essential repairs. However, there is a much lower level of incentive among empty home owners to actually complete works and therefore long periods of time produced very little activity but took up staff resource attempting to prompt the work.
- 2.6. A more effective method of funding works for existing owners has been developed through the use of enforcement powers used in a voluntary capacity. Works are agreed with owners, a notice served, then works ordered and paid for by the Council in default of the notice. This ensures works are carried out in a timely fashion and leaves the option for enforced sale if the property isn't let or sold quickly and the costs repaid.
- 2.7. Enforcement has generally been used as a last resort (exception 2.6 above), but very effectively; 7 empty properties have been taken to auction through enforced sales procedures, all of which are now renovated and back in use.
- 2.8. Further loans have been developed for new buyers of empty homes, piloted in the clusters area of central Halifax. This is a loan of up to £5,000 to assist with either the purchase or the renovation of a long term empty property for first time buyers. The loan is placed as a charge on the property and repaid on the sale of the home.
- 2.9. The toolkit in this strategy builds on the work over the last four years and expands to working with potential owners and dealing with absent owners.

3. The reasons why homes are empty

- 3.1. There are many reasons for homes becoming empty, some of these are relatively easily categorised, some owners have their own individual reasons for keeping property empty, all are a waste of resource and there is a route back to occupation in almost all cases; finding that route can be resource intensive in terms of staff time and money.
- 3.2. Difficulty in selling or renting - These homes may be in good condition and are on the market for sale or rent for longer than usual, some have been taken off the market waiting for the property market to recover. The number of privately rented properties has almost doubled over the 10 year period between the Census in 2001 and 2011.

Owners often want to bring properties back into use and are willing to work together with the Council to make this happen. Intervention may best be targeted in offering advice about being a good landlord. There are signs of the housing market making some recovery, which will be of assistance to owners willing to market their empty homes.

- 3.3. Unpopular housing because of condition, size, type or location - Changes to welfare benefits are being phased in currently, the effect so far have been to make smaller properties more popular. Continuing changes to demand for housing due to the introduction of Universal Credit will impact more in some areas of the Borough than others.

There are also a number of social sector dwellings, unpopular parts of estates, tower blocks or sheltered schemes which have become redundant as the expectations for living accommodation have risen and left them behind. This under occupancy in the Social Housing Market, has led to pockets of surplus, unwanted homes which have come to the end of their usefulness.

Interventions in this area are large scale and need careful planning in order to regenerate the land resource or find a suitable use for rehabilitating the stock. These schemes are discussed within other strategic documents of the Council and the Local Strategic Plan and interventions are planned through area schemes e.g. remodelling of Beech Hill and North Halifax.

- 3.4. Homes that are empty because their owners are unable or unwilling to take action - This includes homes left in people's estates when they die, abandoned homes for all sorts of complicated reasons, homes in serious disrepair and homes in dispute. These are the homes that can generate high costs to the public purse in terms of reacting to complaints, dealing with anti-social behaviour and removing dangers to the public.

The previous strategy concentrated efforts on these homes to bring into action a full range of tools to bring them back into use, from a small amount of advice or persuasion to enforced sales. The current strategy will build on these tools, expanding the use to other empty homes and properties.

Empty Homes Premium has effectively increased the Council Tax charge from 100% to 150% for dwellings empty and unfurnished for more than 2 years. The introduction of the Empty Homes Premium provides a funding stream against the additional resource which is needed to manage problematic empty homes in the Borough. This also serves as a disincentive to owners for leaving properties empty.

There are, however, an unknown number of long term empty homes which do not attract Council Tax at all. These have been removed from Council Tax banding but still remain to blight an area and should be either brought back into use or demolished. They have the same potential as properties remaining in banding but

are not tracked on current systems, this is an area of work which will be addressed within this strategy.

- 3.5. Empty Commercial building - Calderdale has an increasing number of empty commercial premises, such as old empty mills, shops, factories, public houses and office blocks. These attract the same problems as empty homes as well as adding to economic downturn in the High Streets. There is great potential here for economic growth, revitalisation of Town centres, jobs and some conversion to housing.

4. Empty homes in Calderdale

- 4.1. In Calderdale, at the end of May 2014 there were 1585 homes empty for more than 6 months, 194 of these are in the social sector, predominantly owned by Pennine Housing, and mainly empty high rise flats in Mixenden.
- 4.2. Long term empty properties are found in all parts of the Borough and across all types of housing although clusters appear in areas where property prices are lowest and the area is in danger of decline. There are also considerably more empty properties in the lower price Council Tax bands (see figure 3).

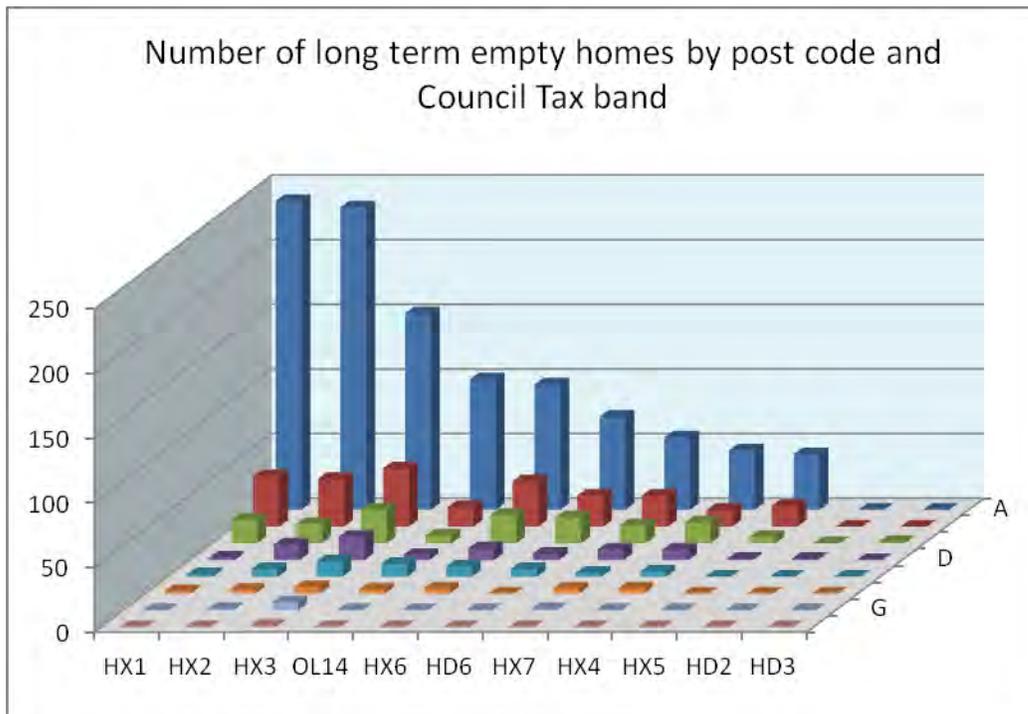


Figure 3 - Number of empty homes by Council tax band and postcode area

- 4.3. The Council assists people with disabilities to find alternative housing in the Borough if their current home is unsuitable or impractical to adapt to their needs.

Empty homes that have the potential for these families and other vulnerable groups can be targeted as a priority in order to maximise the potential of current adaptable stock.

5. An Empty Homes Strategy for Calderdale

- 5.1. **Coherent approach** - A great deal of officer time is spent on reacting to complaints and incidents at individual empty homes. Without a coherent approach, officers from different services may duplicate or even undermine efforts. This strategy will include an action to continue to collaborate with respect to individual properties and owners.
- 5.2. **Housing Supply** - An Empty Homes Strategy should lead to the availability of more homes in the Borough. The Calderdale Housing Strategy sets out the general housing need in Calderdale as well as the affordable housing need. The more housing that can be provided from existing stock, the less need there is to develop green field sites.
- 5.3. **Financial Gains** - There is the potential for large financial gains in terms of cutting down on officer time reacting to complaints about empty homes. By tackling a handful of the worst cases, officers can be freed up to deal with other work. There is also potential to make savings in terms of additional council tax receipts, housing benefit and council tax fraud recouped and New Homes Bonus earned. The last strategy also enabled a successful bid to Government for clusters of empty homes funding.
- 5.4. **Responding to Public Concern** - Complaints are received about the problems caused by empty properties by the Council, the Police and Fire and Rescue services. They can cause a great deal of bad feeling in a neighbourhood and many residents are offended by the presence of an empty home where houses are in high demand. The publicising of successful enforcement action has been welcomed in neighbourhoods which have been affected as well as sending a clear message to empty home owners.
- 5.5. **Arson, Crime and Anti-social behaviour prevention** - A property brought back into use or demolished will remove the attraction for anti-social behaviour including arson and will reduce the number of call-outs made by the fire service therefore reducing the risk to fire-fighters and others.
- 5.6. **Neighbourhoods and local economy** - The presence of derelict property can cause a great deal of dissatisfaction in a community. In particular to the direct neighbours who may find that their house value has diminished and may be difficult to sell or let. Examples of this type of complaint have been made from both owner occupiers and from landlords. By bringing empty homes back into use, the local economy may benefit from the additional people using local services and shops.

6. Aims and Objectives

6.1. Aim

Reduce the number of long term empty homes in Calderdale.

6.2. Objectives

Objective 1 - Prevent homes from becoming empty

- The strategy considers the reasons properties become empty and encourages owners to seek assistance from the authority for solutions to problems.
- The Council has removed Council Tax discount to owners of empty properties in the Borough and from April 2014, has introduced an Empty Homes Premium for homes empty for more than 2 years. This adds to the strategic approach to bringing empty homes back into use by removing an incentive for owners to leave their properties empty. Unfortunately, there are other empty homes avoiding the premium e.g. by remaining furnished, probate not being granted, being removed from banding.
- The Council has also introduced a refund of Empty Homes Premium for new owners of empty homes if they move in within the first year of ownership removing a disincentive to purchase long term empty homes in need of renovation.
- The Housing Options service prevents tenancies and home ownership from breaking down, often the root cause of an empty property. Assistance is available for landlords and tenants to maintain tenancies, and to owner occupiers to prevent mortgage repossessions.
- Housing Support is available for vulnerable households throughout the Borough through the services provided by Adult, Health and Social Care. This includes specialist support for people with drug, alcohol and offending issues, people at risk of homelessness as well as people with learning disabilities, mental ill health, young, inexperienced people and older people.

Objective 2 - Identify empty homes – objective 2

- The basis of intelligence about empty homes is largely from the Council Tax exemptions and discounts list. There are limitations about how this data is used and also about how useful it is for this purpose. Information gathered for Council Tax use can only be shared in certain circumstances, set out below. It hasn't been designed for obtaining information about empty properties and their owners but it provides a reasonable starting point for a database.

For general purposes section 85 of the Local Government Act 2003 is used in order to share Council Tax information with empty property officers. Section 85 of the Local Government Act 2003: allows information on property details, address, owners name and contact info obtained from Council tax to be used to identify vacant properties and take steps to bring vacant dwelling back into use.

Where enforcement action is being considered, however, Section 237 of the Housing Act 2004: Council Tax & Housing Benefit, (Part 1 to 4 Act – Enforcement / EDMO etc.) allows for all information to be shared.

- Because the empty homes database uses information collected for this other purpose, there are properties that appear empty but essentially are not, they may have the wrong discount code, information has become out of date etc. Also, there are properties, which are not on the list, as they have been taken out of council tax banding. These properties can remain empty for years and can cause the most problems.
- Information therefore needs to be continually added to the database to keep it up to date and this requires the co-operation of officers from a few areas of the Council. The most problematic properties are often known to more than one service and organisation. Current information needs to be shared and available to all services working on empty homes.

Objective 3 - Collaborative approach

- Empty properties affect the work of many parts of the Council, external organisations and residents. A strategic approach to tackling the issue is necessary so that efforts are co-ordinated and coherent. The Enforcement Action Group will deliver the actions within this strategy and carry out periodic reviews of the action plan. The private sector housing team will take a lead in co-ordinating the work of the group and on empty property management and the group will consist of representatives from :
 - Private Sector Housing
 - Council Tax
 - Legal Services
 - Housing Benefits
 - Environmental Health
 - Planning & Regeneration services
 - Building Control
 - Land & Property Services
 - Community Safety
 - Fire and Rescue Service
 - West Yorkshire Police Service
 - Registered Social Landlords

- Different powers and duties are available to officers of the above services (see Appendix 2), by taking action together many hours of enforcement activity can be reduced. The potential savings to the Council, Fire Service and Police are significant in terms of complaints handling and dealing with crime and arson.
- The work of this group will be supplemented by regular consultation with property owners, RSL's, estate agents, lettings agents, community representatives, and a range of investors, developers.

Objective 4 - Regeneration and demolition

- The presence of groups of empty homes can give an indication that area based intervention work is needed. Part of the work of identifying empty properties will look at clusters so that information can be included in funding bids for area regeneration work.
- Area based schemes such as those at Beech Hill and North Halifax which impact on the Empty Homes Strategy are well documented elsewhere.

Objective 5 - Raise awareness

- Part of the awareness raising about the problems associated with empty homes will take place within the Enforcement Action Group. Being aware of the impact on other services other as well as the one that officers work in has already been quite a revelation.
- Public awareness of the issues also needs to be continually refreshed. Making owners aware of the misery that can be caused by their properties will form part of the intervention process. Encouraging responsible property ownership is a theme underpinning the Council's approach to all work within private sector housing.
- The public will be actively encouraged to report empty homes that they become aware of, rather than waiting for a complaint to be made.

Objective 6 - Toolkit for intervention (see figure 4)

- Make owners aware of the range of options available to them to bring their property back into use. It is recognised that many owners need some assistance in order to take action, they may have chosen to ignore the issue for some years and cannot see a way forward.
- In working with owners, the aim is to find a course of action acceptable to the owner as well as bringing the property back into use. The development and preparation of enforcement tools is to ensure that the strategy is taken seriously and to make sure that the most problematic properties can be brought back into use to the benefit of the community.

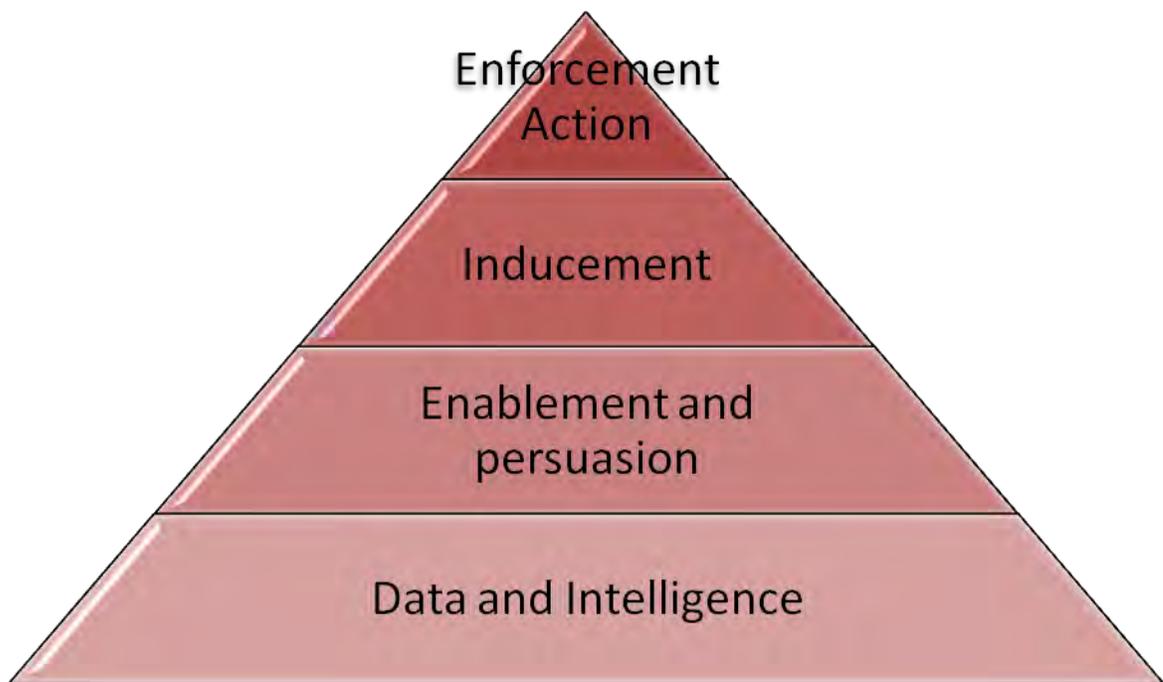


Figure 4 – Pyramid of intervention for empty homes

- Below is a list of interventions that Calderdale Council will use to provide the flexibility needed to bring homes back into use. The strategy sets out a broad range of persuasive techniques, incentives and enforcement actions to be used in various circumstances.

7. Toolkit of interventions for long term empty homes

7.1. **Data and Intelligence** - sharing information about where empty homes are, why they are empty and what is likely to be needed to bring them back into use. This will allow us to build information about the problems and likely solutions needed to bring a property back into use. Information can be shared with property developers, interested buyers, estate agents and private landlords and RSL's with owners permission. The information will also be helpful in designing area based projects or developing new tools to help existing or new owners.

7.2. **Enablement and persuasion** - Initially, letters will be sent to owners of empty properties asking why the property is empty and what the owners' intentions are. The letter explains the options available in order to bring their property back into use. These include:-

- Technical advice
- Help to become a good landlord
- Help to find a tenant
- Co-ordination of an annual forum for landlords and owners of empty homes

- Make an introduction to an organisation to manage a tenancy willing
- Assist with ownership disputes and complications

7.3. **Inducement** - Where necessary, and subject to available funds, the following can be offered to owners of empty homes when they have indicated that they would like to bring the property back into use but that they need assistance to do so.

Officers will consider serving an improvement notice then carry out the works in default. This ensures that the work is carried out without the owner spending money up front. It also ensures that funds can be reclaimed if the owner doesn't sell or let the property and repay the costs within a strict timeframe.

If the owner of an empty property intends to live in their property they can apply for a Home Appreciation Loan (HAL) to fund the work required. If owners of empty properties become landlords then there may be other financial assistance available for their tenants such as Green Deal, Energy Company Obligation grants or Disabled Facilities Grants.

If a property is put up for sale but first time buyers are struggling with funding for the deposit or the renovations, the offer of a loan will be considered subject to circumstances and funds.

Empty Homes Premium will be refunded to new owners if they (or their tenant) occupy within the first year of ownership.

7.4. **Enforcement** - Where owners refuse to co-operate with officers, the property is causing serious problems or is unlikely to come back into use with the intervention, appropriate enforcement action will be taken. Often the first notifications for some of the following processes are enough to persuade an owner to take action.

The Enforcement Action Group meets regularly in order to co-ordinate enforcement activity on empty homes, using the following powers to bring properties back into occupation:-

7.4.1. **Notices** under various acts leading to improvement works, this can be an improvement notice, a visual amenity notice, demolition order, and dangerous building notice. The associated legal powers, costs and risks are listed in Appendix 2.

7.4.2. **Empty Dwelling Management Order (EDMO)** - Allows Councils to take over the management of empty residential properties with a view to agreeing with owners a plan to bring them back into occupation. A Residential Property Tribunal has to give approval prior to the serving of an EDMO. For many owners the threat of an EDMO is sufficient to provoke action.

Legislation changed in 2012 to limit the already restricted use of EDMOs.

7.4.3. **Enforced Sale to reclaim a debt** - A Council can enforce the sale of a property if the owner has a financial debt to the Council registered against the property. The debt can be for one or more of many different reasons, but in order to enforce a sale the debt needs to be for a reasonable sum of money. In Calderdale this is considered to be a debt of £500 or over for works in default registered to the property. Where there are registered works in default of less than £500, but a cumulative debt of £1,000 or more to the Authority, including works in default, then this will also be considered a reasonable sum to justify enforced sale.

If the debt is unpaid, the Authority can issue a notice to the owner to enforce the sale of the property in order to reclaim the debt (and costs). If the debt is paid prior to sale, the sale is cancelled.

This process has been used effectively particularly when properties are in a condition where money needs to be spent in order to make the building habitable. The Council never owns the property, often takes the first charge and does not have to apply to the Courts. If the capital is not claimed by an owner, the Council retains the receipt after 12 years of holding it.

7.4.4. **Court Order for Sale to reclaim a debt** - Similar to above, can be used to force a sale when the debt is for Council Tax. This involves applying to the Court for the order for sale.

7.4.5. **Compulsory Purchase Order (CPO)** - A Compulsory Purchase Order allows the council to buy the property without the owner's consent. The compulsory purchase powers are provided to enable authorities to purchase land and property if it is in the public interest. It is legally complex, and the Council owns the property, but can then later dispose of it. CPO can be carried out under different pieces of legislation. For empty home work it is likely to be the Housing Act 1985 which is most appropriate with use limited to homes where other actions cannot be used.

8. **SUMMARY**

The Calderdale Empty Homes Strategy not only sets out what problems are caused by empty homes but also identifies the measures the Borough will use in bringing them back into use.

The existence of a good strategic framework for tackling empty homes will promote:

- a reduction in empty homes
- an improvement in the safety and well being of local neighbourhoods and communities
- an increase in the availability of housing across the Borough
- savings in officer time
- a reduction in complaints
- funding applications to Government
- receipt of Council Tax income and New Homes Bonus

The Empty Homes Strategy will also complement and contribute to other initiatives in Calderdale including:

- Housing Strategy
- Homelessness Strategy
- Town Centre Regeneration Schemes
- Regeneration Projects
- Private Sector Renewal Policy

APPENDIX 1 - ACTION PLAN

Action	Lead	Target Date	Progress
Continue to share best practice across the authority and beyond through the Enforcement Action Group	EJ	Attendance at meetings	
Continue to share best practice across the sub-region and beyond	E A Group	Attendance at meetings	
Identify empty homes and keep an up to date database	E A Group		
Identify reasons for homes being empty – contact owners – visit properties – ascertain issues	EJ		
Co-ordinate an annual event for landlords and empty home owners	EJ		
Identify funds for assisting with bringing empty homes back into use. Support funding bids from others to regenerate, remodel or demolish empty homes.	EJ/HMR	Reactive to opportunities	
Encourage take up of packages of assistance where available e.g. loans for repairs, advice to new landlords etc. Discuss alternative ownership arrangements with owners.	EJ		
Complete the targets and allocate funds to clusters project	EJ/HMR	April 2015	
Develop process for Compulsory Purchase Order and use the process to purchase and sell a long term empty home	EJ/Legal	April 2015	
Develop training for landlords to keep them up to date with their rights and responsibilities	HMR/HW	July 2015	
Promote reporting of empty homes and properties with residents and organisations	EJ		
Review the Action plan of the Empty Homes Strategy and add new actions	EA Group	Annual, Summer	

APPENDIX 2 – Enforcement Actions

Table1 Empty property enforcement activity

Enforcement activity	Legislation	Costs	Risks	Examples of where useful
Compulsory Purchase Order (CPO)	Town & Country Planning Act 1990 S 226 Acquire land or buildings	Potentially expensive, costs include market value of the property & legal costs, although costs can be re-claimed on sale of property.	The costs, time and Council reputation could be at risk if there is an appeal. Council will take ownership of property to manage, maintain or dispose of.	Where negotiated purchase has failed and the ownership of the property is needed as part of a larger scheme of regeneration. Often for demolition purposes.
	Housing Act 1985 S17 Acquire under-used or ineffective used property and land			Where there is a general housing need in the area and need to show a qualitative housing gain. Where there is no communication with the owner or no co-operation.
Empty Dwelling Management Order (EDMO)	The Housing Act 2004 Part 4 S132 – 138 and amends	Council funds any work required and recovers costs through rental income.	To apply to the Property Tribunal for Order. EDMO creates the right of possession not ownership. A management organisation needs to be identified. Time consuming to set up. Property may not be suitable for rent.	When a dwelling has been left empty and owner refuses to give a reasonable explanation. Property not exempt and property has been empty for 2 years or more
Court Order for Sale	Ruling by a Judge	Council Tax debt	Relies on the change of ownership to bring property back into use.	The debt needs to be above £1,000 (currently) for the Court to issue the order

			Debt to the Council can be paid by owner at any time prior to sale.	
Enforced Sale (see table 2)	See table 2, below for list of legislation which can lead to an Enforced Sale	Cost of work carried out in default of a notice or order (table 2). Cost of work, legal and sale costs can be reclaimed from proceeds of sale. For some actions the debt becomes the priority charge	Relies on the change of ownership to bring property back into use. Debt to the Council can be paid by owner at any time prior to sale. Only some debts can be considered	Where other assistance has not brought the property back into use, the property is causing a nuisance and there is a debt over £500 secured against the property to the Council, (or £1000 in total), which is unlikely to be recovered within a reasonable time-scale.
Demolition or clearance	The Housing Act 2004	Can be time and labour intensive	Building Act 1984 may be more effective	Properties no longer useful where it isn't economically viable to bring back into use.
	Building Act 1984 S79 Ruinous & dilapidated buildings and neglected sites	Costs can be recovered by enforced sale of the land if there is enough value, debt has priority charge.	May have to act in default to resolve issue but unable to do so without funds being made available from the centre beforehand, thus Cabinet may be required on case by case basis. Cost of works in default of the notice may take time to be recovered by priority charge Takes time to use & Notices must be well draughted	For situations with ruinous & dilapidated buildings and neglected sites.
	The Housing Act 1985 S289	As CPO above	As CPO above	Clearance areas for regeneration projects.

Table 2 - Enforcement action leading to enforced sale

Legislation	Section	Description	Priority Charge	Interest	Costs	Risks
Town & Country Planning Act 1990	S215	Land adversely affecting the amenity of the neighbourhood (eyesore notice). Notice to owner to improve unsightly land or the external appearance of a property.	No	No	Council can prosecute or do works in default, or both, at cost to council.	May be difficult to recover if owner has little equity. Use if main issue is the visual amenity and improvement notice not appropriate
	S172	Planning Breach	No	No	Council can prosecute and/or do works in default, at cost to Council.	May be difficult to recover if owner has little equity
Building Act 1984	S77 Dangerous buildings	Dangerous Buildings. Council have power to seek audience of the Court to request a Court Order against the owner. Failure of the owner to act enables the Council to act in default and prosecute the owner	Yes	Yes	Cost of work in default, Costs can be recovered as a simple contract debt	

	S78 Dangerous buildings – emergency works	Council holds duty to take immediate action, to take such steps to remove the immediate danger	Yes	Yes	Cost of work in default, Costs can be recovered as a simple contract debt, by priority Land Charge, or enforced sale, Cost of works in default of the notice may take time to be recovered by priority charge	Can only act in default against immediate dangers, some action may require audience of the Court to request a Court Order against the owner.
	S79 Ruinous & dilapidated buildings and neglected sites	Unightly land/property affecting the amenity of the area. Requires the owner to execute repair work or restoration. Can also be used for demolition.	Yes	Yes	May have to act in default to resolve issue but unable to do so without funds being made available from the centre beforehand, thus Cabinet may be required on case by case basis. Cost of works in default of the notice may take time to be recovered by priority Charge Takes time to use & Notices must be well draughted	For situations with ruinous & dilapidated buildings and neglected sites Specific funds need to be available from the centre for any particular site. Considerable time required and great care necessary in service of notices.
	S59	Drainage Owners will be instructed to remedy the defects as per Section of the Act.	Yes	No	Cost of work in default, Costs can be recovered by enforced sale, debt has priority charge.	
	S60	Soil Pipes As above	Yes	No	As above	

	S76	Defective Premises As above	Yes	No	As above	
	S84	Yards As above	Yes	No	As above	
Local Govt (Miscellaneous Provisions) Act 1982	S29	Unsecured properties Owner will be required to board up.	No	No	Cost of work in default, Costs can be recovered as a simple contract debt,	Can be ineffective in some areas where intruders are persistent Prefer to use S78 where appropriate
	S27	Obstructed Drains	No	No		
Local Govt (Miscellaneous Provisions) Act 1976	S35	Private Sewer	Yes	No		
	S33	Restore Services	Yes	No		
Highways Act 1980	S154	Hedges	Yes	No		
	S165	Unfenced Land	Yes	No		
Housing Act 2004	S11 & S12	Improvement Notice Cat 1 & Cat 2 Hazards Order to carry out improvements to remove serious hazards Can use even if owner can't be contacted.	Yes	Yes	Can be expensive if large scale work required but can recover costs through enforced sale.	

	S40 S49 S50 S31	Emergency remedial action As above Power to charge for certain enforcement action Recovery of Charges under S49) Recovery of Schedule 3, Part 3	Yes	Yes		This is difficult to implement if not in contact with owner.
Environmental Protection Act 1980	S80	Statutory Nuisance Owner will be instructed to deal with nuisance, remove waster or rubbish or repair property,	Yes	Yes	Council can carry work out in default, which can be recovered through enforced sale.	
Prevention of Damage by Pests Act 1949	S4	(rats, mice, pigeons) Owner to treat, remove food and harbourage and repair property to prevent rat or mice infestations.	Yes	Yes	Council can carry work out in default, which can be recovered through enforced sale.	
Public Health Act 1961	S17	Defective, blocked drains Required owner to unblock stopped up drain	Yes		Council can carry work out in default, which can be recovered through enforced sale.	