

## APPENDIX C

### **ACTION PLAN - Cardiff Housing Enforcement ( Shared Regulatory Services)**

#### **1. Overall Aim of Plan**

To help bring long term empty properties back into use and help mitigate the Covid related housing crisis by providing advice and assistance to all owners, whilst targeting enforcement at those properties that are having a detrimental effect on local community.

#### **2. Objectives of Plan and associated actions**

**Objective 1: Provide advice and assistance to owners**

	<b>ACTION</b> What are we going to do?	<b>WHAT WE WILL DO</b> How are we going to do it?	<b>BY WHOM?</b>	<b>BY WHEN?</b>	<b>MONITORING / MEASURE / TARGET</b>
1.	Proactively provide advice to all owners of long-term empty homes	Carry out periodic mailshot of all owners on Council Tax list of empty homes providing advice and assistance, while inviting them to engage.	Housing Enforcement, SRS	Annually	
2.	As above	Periodically review the help available and update advice as appropriate.	Housing Enforcement, SRS	Annually	
3.	As above	Carry out survey of empty property owners exploring the reasons why properties are empty and exploring options for assistance	Housing Enforcement, SRS	Annually	
4.	As above	Review website content including new Cardiff Council landing page	Housing Enforcement, SRS	April 2022	

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		and more detailed assistance on SRS web page.			
<b>Objective 2: Develop partnership working</b>					

	<b>ACTION</b> What are we going to do?	<b>WHAT WE WILL DO</b> How are we going to do it?	<b>BY WHOM?</b>	<b>BY WHEN?</b>	<b>MONITORING / MEASURE / TARGET</b>
1.	Further develop links with internal and external partners to promote effective communication and information sharing.	Review enforcement procedures with relevant departments on for example Compulsory Purchase, Enforced Sale, Debt Recovery	Housing Enforcement, SRS	April 2022	
2.	Develop more effective corporate working on empty homes	Develop a Working Group to meet on a quarterly basis, to ensure a corporate approach to empty properties.	Housing Enforcement, SRS	Quarterly	
3.	Further develop links with internal and external partners to promote effective communication and information sharing	Adopt a corporate empty homes policy	Housing Enforcement, SRS	April 2022	

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### Objective 3: Ensure the effective use of enforcement powers

	<b>ACTION</b> What are we going to do?	<b>WHAT WE WILL DO</b> How are we going to do it?	<b>BY WHOM?</b>	<b>BY WHEN?</b>	<b>MONITORING / MEASURE / TARGET</b>
1.	Consider use of the various legislative powers available to limit the impact of empty properties on communities.	Consider the use of Compulsory Purchase Orders, Enforced Sale and Empty Dwelling Management Order where appropriate and in the public interest.	Housing Enforcement, SRS Empty Homes Working Group	Ongoing	
2.	Consider use of the various legislative powers available to limit the impact of empty properties on communities.	Ensure full discussion of available powers on a case-by-case basis with other corporate partners through empty homes working group	Housing Enforcement, SRS Empty Homes Working Group	Quarterly	
3.	Gain a greater understanding corporately of the powers available to deal with empty homes	Ensure training of officers across relevant service areas and lead Portfolio Member	Housing Enforcement, SRS Welsh Government	April 2022	
4.	Making empty properties a strategic priority and provide a dedicated resource to deal with empty residential properties.	Ensure ring-fencing of funding from application of the Empty Homes premium to support this area of work.	Housing Enforcement, SRS	Jan 2022	

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### **3. Priority list of properties for action**



Local Authorities should identify key commercial and residential properties that will be prioritised for action. The priority list should be reflective of the level of resources available and focus on properties where action is likely to result in a positive outcome by bringing the property back into use, improving the visual amenity or other tangible benefit to the local community.

Suggested minimum of 8 properties (commercial and residential) with no less than 4 properties located in the town centres as part of the Transforming Towns agenda.



#### **Example:**

<b>Address</b>	<b>Thumbnail Photograph</b>	<b>Ownership Structure</b>	<b>Condition or Issues Associated with Property</b>	<b>Options Considered</b>	<b>Approach to be taken / Proposal</b>	<b>Lead Person</b>	<b>Key Dates</b>	<b>WG Town Centre Management Fund Eligibility</b>
			<p>The property is located in a residential area close to amenities.</p> <p>The condition of the property has an impact of affecting the neighbouring properties and is attracting anti-social behaviour. The owner has not engaged with the Council.</p>	<p>Section 215 Town and Country Planning Act 1990</p> <p>Section 4 The Prevention of Damage by Pests Act 1949</p> <p>Section 11/12 Housing Act 2004</p> <p>Compulsory Purchase Order procedure</p> <p>Enforced Sale procedure</p> <p>Empty Dwelling Management Order</p>	<p>Section 11/12 Housing Act 2004</p> <p>Serve suspended notices and</p> <p>EDMO with Housing Option Service</p>	<p>Legal Services</p> <p>EHO</p> <p>Housing Options Service</p>	<p>Consultation with owner, inter-departments within the Council, mortgagee and leasing schemes with housing options</p> <p>Serve notice</p> <p>Consult with Housing Options</p> <p>Apply empty dwelling management order</p>	<p>Urban location</p> <p>Estimation funding: £15 to £20k</p>



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			<p>The property is located in an affluent area of the City.</p> <p>The condition of the property is in disrepair and very overgrown having a detrimental to the local amenity.</p>	<p>Section 215 Town and Country Planning Act 1990</p> <p>Section 11/12 Housing Act 2004</p> <p>Section 4 The Prevention of Damage by Pests Act 1949</p> <p>Compulsory Purchase Order procedure</p> <p>Enforced Sale procedure</p>	<p>Section 11/12 Housing Act 2004</p> <p>Section 4 The Prevention of Damage by Pests Act 1949</p> <p>Undertake works in default and proceed in enforced sale</p>	<p>Planning Department</p> <p>Legal Services</p> <p>EHO</p>	<p>Consult with relevant departments within the Council and the owner</p> <p>Serve Notices</p> <p>Notices expires</p> <p>Undertake works in default</p> <p>Proceed with debt recovery for enforce sale</p>	<p>Exclusive location</p> <p>Estimation funding: £30,000</p>
			<p>The property is located in an urban area.</p> <p>The property is uninhabitable, interior and exterior is in disrepair, rear garden very overgrown and is affecting the amenity of the neighbourhood.</p> <p>Attracting unauthorised entries</p>	<p>Section 215 Town and Country Planning Act 1990</p> <p>Section 20 &amp; 21 Housing Act 2004</p> <p>Section 4 The Prevention of Damage by Pests Act 1949</p> <p>Compulsory Purchase Order procedure</p> <p>Enforced Sale procedure</p>	<p>Section 20 &amp; 21 Housing Act 2004</p> <p>Section 215 Town and Country Planning Act 1990</p> <p>Undertake works in default and proceed in enforced sale</p>	<p>Legal Services</p> <p>EHO</p>	<p>Consult with relevant departments within the Council and the owner</p> <p>Section 20 &amp; 21 served 26<sup>th</sup> July 2017</p> <p>Section 215 served 15<sup>th</sup> August 2018</p> <p>Section 215 expired 7<sup>th</sup> November 2018</p> <p>Undertook works in default January 2019</p>	<p>Urban location</p> <p>Estimation funding: £50,000</p>

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							Proceed debt recovery for enforce sale  Or Consider CPO	
			<p>The property is located in a residential area close to retail parks, local amenities and minutes away from a busy commuter road connecting to M4.</p> <p>The appearance and the overgrown garden of the property is impacting the neighbours.</p>	<p>Section 215 Town and Country Planning Act 1990</p> <p>Section 4 The Prevention of Damage by Pests Act 1949</p> <p>Section 11/12 Housing Act 2004</p> <p>Compulsory Purchase Order procedure</p> <p>Enforced Sale procedure</p> <p>Empty Dwelling Management Order</p>	<p>Section 11/12 Housing Act 2004</p> <p>Serve suspended notices and EDMO with Housing Option Service</p>	<p>Legal Services</p> <p>EHO</p> <p>Housing Options Service</p>	<p>Consult with the owner, mortgagee, relevant departments within the Council and leasing schemes with housing options</p> <p>Serve Improvement Notices</p> <p>Consult with Housing Options</p> <p>Apply for EDMO</p>	<p>Urban location</p> <p>Estimation funding: £25,000</p>
			<p>The property is located in a residential area and close to local amenities.</p> <p>The appearance of the property is attracting anti-social behaviour,</p>	<p>Section 4 The Prevention of Damage by Pests Act 1949</p> <p>Section 11/12 Housing Act 2004</p> <p>Section 29 Local</p>	<p>Section 4 The Prevention of Damage by Pests Act 1949</p> <p>Section 11/12 Housing Act 2004</p> <p>Undertake works in</p>	<p>Legal Services</p> <p>EHO</p>	<p>Consult with the owner, mortgagee, and relevant departments within the Council</p> <p>Serve Notices</p>	<p>Urban location</p> <p>Estimation funding: £15,000</p>

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			<p>unauthorised entries and having an impact in the neighbourhood.</p>	<p>Government Miscellaneous Provisions Act 1982</p> <p>Compulsory Purchase Order procedure</p> <p>Enforced Sale procedure</p>	<p>default and proceed in enforced sale</p>		<p>Notice expires</p> <p>Undertake works in default and proceed debt recovery for enforce sale</p>	
			<p>The property is located in a popular residential area close to a village and local amenities.</p> <p>The appearance of the property and the severe overgrown vegetation is having a negative impact of the amenity of neighbourhood.</p>	<p>Section 215 Town and Country Planning Act 1990</p> <p>Section 4 The Prevention of Damage by Pests Act 1949</p> <p>Compulsory Purchase Order procedure</p> <p>Enforced Sale procedure</p>	<p>Section 4 The Prevention of Damage by Pests Act 1949</p> <p>Undertake works in default and proceed in enforced sale</p>	<p>Planning Department</p> <p>Legal Services</p> <p>EHO</p>	<p>Consult with the owner and relevant departments within the Council</p> <p>Serve Notice</p> <p>Notice expires</p> <p>Undertake works in default and proceed debt recovery for enforce sale</p>	<p>Affluent location</p> <p>Estimation funding: £2,000</p>
			<p>The property is located minutes' walk away from City Centre and has local amenities and easy access corridor to M4 and A48.</p> <p>The property suffers from anti-social behaviour and unauthorised entries. The</p>	<p>Section 215 Town and Country Planning Act 1990</p> <p>Section 11/12 Housing Act 2004</p> <p>Compulsory Purchase Order procedure</p> <p>Enforced Sale procedure</p>	<p>Section 215 Town and Country Planning Act 1990</p> <p>Undertake works in default and proceed in enforced sale</p>	<p>Legal Services</p> <p>EHO</p>	<p>Consult with the owners and relevant departments within the Council</p> <p>Serve Notice</p> <p>Notice expires</p> <p>Undertake works in default and proceed debt</p>	<p>Urban location</p> <p>Estimation funding: £18,000</p>



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			property also has an adverse effect on the neighbourhood.				recovery for enforce sale	
			<p>The property is located in an urban area close to amenities.</p> <p>The property attracts vandalism and suffers from severe disrepair internally and externally.</p>	<p>Section 80 of Environmental Protection Act 1990</p> <p>Section 11/12 Housing Act 2004</p> <p>Section 215 Town and Country Planning Act 1990</p> <p>Compulsory Purchase Order procedure</p> <p>Enforced Sale procedure</p>	<p>Section 11 /12 Housing Act 2004</p> <p>Undertake works in default and proceed in enforced sale</p>	<p>Legal Services EHO</p>	<p>Consult with relevant departments within the Council</p> <p>Serve Notices October 2021</p> <p>Notices expires December 2021</p> <p>Undertake works in default January 2022</p> <p>Proceed to debt recovery for enforce sale</p>	<p>Urban location</p> <p>Estimation funding: £55,000</p>
			<p>The property is located in an affluent area, walking distance to the village and local amenities and close to M4.</p> <p>As the property have been emptied for over 10 years there are concerns with the conditions internally.</p>	<p>Section 11/12 Housing Act 2004</p> <p>Compulsory Purchase Order procedure</p> <p>Enforced Sale procedure</p> <p>Empty Dwelling Management Order</p>	<p>Section 11 /12 Housing Act 2004</p> <p>Serve suspended notices and</p> <p>EDMO with Housing Option Service</p>	<p>Legal Services EHO</p> <p>Housing Options Service</p>	<p>Consult owner and relevant departments within the Council</p> <p>Serve notice</p> <p>Serve Improvement Notices</p> <p>Consult with Housing Options</p> <p>Apply for EDMO</p>	<p>Affluent area</p> <p>Estimation funding: £25,000</p>

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			<p>This property is located in an urban area minutes away from major road in western-central of the City and is close to amenities.</p> <p>The conditions of the property is deteriorating and is impacting on the neighbouring property with concerns of damp nuisance.</p>	<p>Section 80 of Environmental Protection Act 1990</p> <p>Section 11/12 Housing Act 2004</p> <p>Section 4 The Prevention of Damage by Pests Act 1949</p> <p>Section 215 Town and Country Planning Act 1990</p> <p>Compulsory Purchase Order procedure</p> <p>Enforced Sale procedure</p>	<p>Section 4 The Prevention of Damage by Pests Act 1949</p> <p>Section 11/12 Housing Act 2004</p> <p>Undertake works in default and proceed in enforced sale</p>	<p>Legal Services EHO</p>	<p>Consult with relevant department within the Council</p> <p>Serve Notices November 2021</p> <p>Notice expires February 2022</p> <p>Undertake works in default March 2022</p> <p>Proceed to debt recovery for enforce sale</p>	<p>Urban location</p> <p>Estimation funding: £55,000</p>
			<p>The property is close to City Centre and close to amenities.</p> <p>The property suffers from unauthorised entries, vandalism, anti-social behaviour and break ins. The property is deteriorating and is detrimental to the local amenity.</p>	<p>Section 11/12 Housing Act 2004</p> <p>Section 215 Town and Country Planning Act 1990</p> <p>Section 29 Local Government Miscellaneous Provisions Act 1982</p> <p>Compulsory Purchase Order procedure</p>	<p>Section 29 Local Government Miscellaneous Provisions Act 1982</p> <p>Undertake works in default and proceed in enforced sale</p>	<p>Legal Services EHO</p>	<p>Consult with relevant department within the Council</p> <p>Section 29 Notice served 13<sup>th</sup> August 2021</p> <p>Notice expired 16<sup>th</sup> August 2021</p>	<p>City Centre location</p> <p>Estimation funding: £2,500 - £5k</p>

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				Enforced Sale procedure Empty Dwelling Management Order				
			<p>The property is located in a quiet residential area and close to local amenities.</p> <p>The property is having adverse effect on the neighbourhood with issues of overgrown garden and pests. The property is uninhabitable due to disrepairs internally.</p>	<p>Section 4 The Prevention of Damage by Pests Act 1949</p> <p>Section 11/12 Housing Act 2004</p> <p>Compulsory Purchase Order procedure</p> <p>Enforced Sale procedure</p>	<p>Section 4 The Prevention of Damage by Pests Act 1949</p> <p>Section 11/12 Housing Act 2004</p> <p>Undertake works in default and proceed in enforced sale</p>	<p>Legal Services EHO</p>	<p>Consult with owner and relevant departments within the Council</p> <p>Serve notice</p> <p>Notice expires</p> <p>Proceed with debt recovery for enforce sale</p>	<p>Residential area</p> <p>Estimation funding: £30,000</p>
			<p>The property was extensively damaged by a fire in the attic leaving only outer walls in tact and the property was not insured. New roof with dormer has been partly completed, but work not inspected by building control and incomplete.</p>	<p>Section 80 of Environmental Protection Act 1990</p> <p>Dangerous Structures: S77/78 Building Act 1984</p> <p>Section 11/12 Housing Act 2004</p> <p>Section 4 The Prevention of Damage by Pests Act 1949</p>	<p>Section 80 of Environmental Protection Act 1990</p> <p>&amp;</p> <p>Section 11/12 Housing Act 2004</p> <p>Dangerous Structures: S77/78 Building Act 1984</p> <p>Undertake works in default and</p>	<p>Legal Services EHO &amp; Building Control</p>	<p>Consult with owner and relevant departments within the Council of loan application does not progress (within 2 months)</p> <p>Serve notice</p> <p>Notice expires</p> <p>Proceed with debt</p>	<p>Urban location close to city centre</p> <p>Estimation funding: £15 to £25k</p>

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			<p>Condition of the property causing damp to neighbour property and problems of youth anti-social behaviour and break ins.</p> <p>Owner advised applying to HH loan but not progressing and potential equity issues with loan application</p>	<p>Section 215 Town and Country Planning Act 1990</p> <p>Compulsory Purchase Order procedure</p> <p>Enforced Sale procedure</p>	<p>proceed in enforced sale</p>		<p>recovery for enforce sale</p>	
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## **Examples - Aims and Objectives**

### **Possible Aim**

To help bring empty properties back into use and improve the physical condition of the existing built environment by targeting those properties that are having a detrimental effect on the area or local community.

### **Possible Objectives**

- Raise awareness of empty property issues with property owners, local community, businesses, local members and community councillors.
  
- Identify and implement effective intervention 'Toolkit' in dealing with empty properties from advice and guidance through to appropriate enforcement action (Solution Based Responses – Involvement / Long-Term / Collaboration).
  - Website development, production of up to date Information for empty property owners.
  - Advice on selling, renting, repairing, renovating or developing properties.
  - Providing details of local builders, trades people, local architects or home improvement agencies that may be able to assist with the works.
  - Developing relationships with local auction houses to offer reduced fees.
  - Social Lettings / Private Sector Leasing / Tenancy Deposit Schemes.
  - Advice on any financial assistance available i.e. Transforming Towns, Strategic or Place Making Grants, Houses into Homes, landlord or owner occupier grants / loans or equity release schemes.
  - Access to other sources of financial assistance such as commercial lenders i.e. Development Bank of Wales.
  - Provide guidance or information on tax / vat saving schemes including reduced rates of vat for certain types of development or works, capital allowances scheme and land remediation relief.
  - Maximising the potential for permitted development rights i.e. alternative class use or creation of accommodation above certain class of commercial properties.
  
- Improve Intelligence - identify the extent and location of long-term empty properties and / or properties that are having a negative or detrimental impact on the area or local community (commercial and residential).
  - Review current information available from Council Tax, Business Rates and any other internal or external sources of information available to the Local Authority.
  - Undertake a visual street survey of key town centres areas, identifying properties that are having a negative impact on the street scene or where there may be an opportunity for regeneration or development, such as Living over the Shops (LOTS) or Homes above Retail Premises (HARP) Schemes.
  
- Take early action or intervention to prevent properties from becoming empty or having a negative impact on the area or local community (Prevention)

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- Provide a greater level of information / support for empty property owners to highlight the issue and options available to return them to use or to improve them.
- Review any Council Tax discounts available to long-term empty properties and the application and level of the Empty Homes and Second Home Premium chargeable. Ensure early notification of the application of the Empty Homes Premium to encourage engagement by the owner.
- Prioritise enforcement action using the full range of legislative options to deal with empty, dilapidated or poor condition properties that are having a negative impact on our towns and local community.
- Better working or strengthening of existing practices and adoption of a corporate approach and development of new partnerships (Integration and Collaboration)
  - Making empty properties a strategic priority and provide a dedicated resource to deal with empty commercial and residential properties.
    - Consideration to be given to ring-fencing funding from application of the Empty Homes or Second Homes premium, to support this area of work.
  - Corporate approach - co-ordinate the activity of the Local Authority across all departments to ensure that there is a unified and effective approach to deal with the empty properties.
    - To identify potential improvements and alternative delivery models.
    - Establish an Empty Property Management Group consisting of elected members, officers from internal and external agencies who are able to make strategic decisions regarding empty properties.
    - Formalise current joint working arrangements with partners including Planning, Highways, Building Control, Public Health / Environmental Health, Street Scene, Legal Services, Revenue and Benefits.
    - Develop a 'case conference' approach to identify and implement the most appropriate type of intervention or enforcement action. A willingness to utilise the full range of legislation including Empty Dwelling Management Orders, Compulsory Purchase Orders, Enforced Sales and Prosecution.
    - Review and extend delegation of relevant legislation to appropriately qualified officers across the Local Authority to provide greater flexibility and resources to deal with the issue.
    - Priority of intervention given to return problematic empty properties back into beneficial use or will result in an improvement in the physical condition of the existing built environment or have been empty for the longest periods of time.
    - Prioritise effective debt recovery (council tax, business rates or statutory debt), where the debt relates to an empty property. Consideration, should be given to pursuing an enforced sale in appropriate cases.
  - Review land availability to ensure the best use is being made of council and privately owned land, to support the local economy, regeneration and community uplift.
  - Development of relevant partnerships and initiatives to enable sustainable solutions to be created, including external agencies such as Registered Social Landlords, Police, Fire Service, Developers / Third Sector.

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- To integrate and support wider town centre regeneration or other regeneration initiatives including the Transforming Towns programme.
  - Support Town Centre First principle to help increase footfall and vibrancy to town centres.
  - To maximise financial investment opportunities and utilisation of all funding sources to support regeneration work.
  - Make better use of spaces available and develop community or regeneration uplift (prosperity – Involvement / Long Term / Collaboration).
    - Support and promote Meanwhile Use / Pop Up Shops.
    - Development of market days or other town centre events.
  - Make use of Local Development Orders for town centres to encourage regeneration and diversification of town centres.
  
- Identify and develop community based approaches and solutions to help deal with empty properties and properly reflect the views of communities (collaboration and Involvement).
  - Identify community or third sector organisations that are or could operate in your area, that are potentially willing to work with the Local Authority.
  - Local Authorities to develop a common framework for reviewing and improving how opportunities for communities to take action in partnership to address empty homes are communicated locally.
  - Encourage community based businesses and groups to take up empty properties in Town Centres through engagement with owners, local authorities and Welsh Government.