
Meeting	Budget & Performance Overview and Scrutiny Committee
Date	13 March 2014
Subject	Empty Properties Task and Finish Group – Final Report
Report of	Scrutiny Office
Summary of Report	This report at Annex A presents the findings of the Empty Properties Task and Finish Group following their review of the approach being taken to identify and return empty properties back in to residential use. The Committee is requested to consider the findings and recommendations of the Task and finish Group as set out in the report and endorse the report for onward referral to Cabinet.

Officer Contributors	Ash Tadjrishi, Overview and Scrutiny Officer
Status (public or exempt)	Public
Wards Affected	All
Key Decision	N/A
Reason for urgency / exemption from call-in	N/A
Function of	Budget & Performance Overview and Scrutiny Committee
Enclosures	Annex A – Report of the Empty Properties Task and Finish Group Appendix 1 - Empty Property Strategy Appendix 2 - Private Sector Financial Assistance Policy amendments Appendix 3 - Local Authority Action on Empty Homes
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1. RECOMMENDATIONS

- 1.1 That the Committee consider the findings and recommendations of the Empty Properties Task and Finish Group, as set out in the report attached at Appendix A.**
- 1.2 That the Committee endorse the report for onward referral to the next Cabinet meeting.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Business Management Overview and Scrutiny Committee, 7 October 2013, [Item 10 - Task and Finish Group Updates](#) – the Committee resolved that a Task and Finish Group review of Empty Properties be convened to complete by the end of March 2014.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 The Overview and Scrutiny Committees, Panels and Task and Finish Groups must ensure that the work of Scrutiny is reflective of the Council's priorities.
- 3.2 The three key priorities set out in the 2013-16 Corporate Plan are:
 - Supporting families and individuals that need it – promoting independence, learning and wellbeing,
 - Improving the satisfaction of residents and businesses with the London Borough of Barnet as a place to live, work and study,
 - Promoting responsible growth, development and success across the borough.
- 3.3 In relation to the Empty Properties Task and Finish Group, the following corporate priorities, outcomes and targets are relevant to the work of the Group:
 - Create the right environment to promote responsible growth, development and success across the borough- Bringing empty properties back into use preserves the housing stock and improves its energy efficiency. Renovating existing homes has around a 33% smaller carbon foot print than building new homes.
 - Support families and individuals that need it, promoting independence, learning and well-being:- The additional housing secured through Landlord Empty Property Assistance will assist in reducing the number of persons in nightly purchased accommodation used by Barnet Homes. This will enable more homeless families to be provided with secure accommodation which will enable stability in schooling, health care etc.
 - Improve the satisfaction of residents and businesses with the London Borough of Barnet as a place to live, work and study- The nomination rights secured through Empty Property Financial Assistance will provide more housing security for some of Barnet's most vulnerable residents. Empty properties can be a magnet to criminal behaviour leading to increased crime in the local area. Bringing empty properties back into residential use will reduce crime and reduce the fear of crime for local residents which will increase residents' satisfaction with their local community.

- 3.4 Barnet's Housing Strategy 2010-2025 key objective is to increase the housing supply, including family sized homes, to improve the range of housing choices and opportunities available to residents. This review contributes to this by making recommendations which:
- Improve the sustainability of the existing housing stock.
 - Support the objective for securing nomination rights to house people in housing need

4. RISK MANAGEMENT ISSUES

- 4.1 Failure to address issues of public concern through the overview and scrutiny process may result in reputational damage to the Council.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 Pursuant to the Equality Act 2010 ("the Act"), the council has a legislative duty to have 'due regard' to the need to: eliminate unlawful discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; advancing equality of opportunity between those with a protected characteristic and those without; and promoting good relations between those with protected characteristics and those without. The 'protected characteristics' are age, race, disability, gender reassignment, pregnancy, and maternity, religion or belief and sexual orientation. The 'protected characteristics' also include marriage and civil partnership, with regard to eliminating discrimination.
- 5.2 In addition to the Terms of Reference of the Committee, and in so far as relating to matters within its remit, the responsibility of the Committee is to perform the Overview and Scrutiny role in relation to:
- The Council's leadership role with respect to diversity and inclusiveness; and,
 - The fulfilment of the Council's duties as employer including recruitment and retention, personnel, pensions and payroll services, services, staff development, equalities and health and safety.
- 5.3 Task and Finish Groups will need to take into account equalities considerations throughout the lifecycle of the review and through the on-going monitoring, via the Scrutiny Office, by implementation of accepted recommendations.

6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

- 6.1 Task and Finish Group reviews have the scope to consider value for money issues which identify how well the Council is managing and using its resources to deliver value for money and better and more sustainable outcomes for local people.
- 6.2 Task and Finish Group reviews must take into consideration value for money considerations when conducting their work, including the costs and benefits (both financial and non-financial) associated with any recommendations made by the Group. The costs associated with administering the Task and Finish Group review has been met from existing resources within the Governance Service budget.

- 6.3 If the Committee is minded to endorse the report, Cabinet will be required to identify an appropriate funding stream to enable the implementation of any recommendations which have financial implications.
- 6.4 In relation to recommendation 1, at this stage it is difficult to estimate the financial implication of implementing a grant scheme over the existing loan scheme as this depends on uptake. However, it is anticipated that, in line with neighbouring boroughs' schemes, a competitive Barnet scheme will become more attractive with a resultant increase utilisation of funds and consequent increase in New Homes Bonus received.
- 6.5 Officers have advised that the approximate cost of implementing recommendation 3 will be £10,000.
- 6.6 Recommendation 5 suggests that sustainable arrangements may be supported through reinvestment of funds received by the Council as a result of work to bring empty properties back in to use.
- 6.7 Recommendation 6 asks that staffing resources for the identification of empty properties be made permanent. An indicative cost for maintaining the current temporary team in a permanent format would be £190,000 per annum (including on-costs). This includes one Technical Officer, one Technical Support Officer and 2.5 FTE Principal Environmental Health Officers. For 2012-14 these posts have been funded through £120,000 capitalisation and £260,000 from reserves.
- 6.8 Costs for implementing recommendation 7 will be mitigated by a benefit to the Council on receipt of additional income from New Homes Bonus should referrals result in properties being brought back in to use over and above projected performance.
- 6.9 Evidence from the review suggests that the overall benefit for the Council in financial and non-financial terms is likely to significantly outweigh the cost. Overall financial implications of the recommendations could be funded from the New Homes Bonus.

7. LEGAL ISSUES

- 7.1 Under Section 21 of the Local Government Act 2000, the Council's executive arrangements are required to include provision for appointment of an Overview and Scrutiny Committee with specified powers, including the power to make reports or recommendations to the authority or the executive with respect to the discharge of any functions which are the responsibility of the executive.

8. CONSTITUTIONAL POWERS (Relevant section from the Constitution, Key/Non-Key Decision)

- 8.1 The scope of the Overview & Scrutiny Committees is contained within Part 2, Article 6 of the Council's Constitution.
- 8.2 The Terms of Reference of the Overview & Scrutiny Committees are set out in the Overview and Scrutiny Procedure Rules (Part 4 of the Constitution).
- 8.3 The Budget and Performance Overview & Scrutiny Committee Terms of Reference states that one of their responsibilities is to:

“To scrutinise the overall performance, effectiveness and value for money of Council services, including the planning, implementation and outcomes of all corporate improvement strategies.”

9. BACKGROUND INFORMATION

- 9.1 At the Business Management Overview and Scrutiny Committee meeting of 3 October 2013 it was agreed that a Task and Finish Group should be convened to review Council's approach to tackling empty properties.
- 9.2 The Group held its first meeting on 14 January 2014 to discuss the scope of the review. In order that recommendations emerging from the review could be considered at the 2 April Cabinet meeting, it was agreed that the review be conducted over two meetings at Hendon Town Hall during January. At the meeting, it was agreed that review would focus on the policies and actions being taken to identify empty properties in the borough and the challenge of returning them to residential occupancy, with balanced and evidence-based recommendations made to the Budget & Performance Overview and Scrutiny Committee and Cabinet.
- 9.3 At its meeting of 23 January 2013, the Group considered evidence from Officers on the empty property journey, resources dedicated to the investigation and management of empty properties, the accuracy of the database of empty properties in Barnet, the impact of the current Empty Properties Strategy and Private Sector Financial Assistance policy. The Group made enquiries on enforcement action and the factors that may limit success in returning empty properties back to residential use. This was followed by consideration of a statement received from the National Landlords Association in relation to Empty Properties.
- 9.4 A final meeting took place on 30 January 2014, at which the Group made further enquiries with Officers from Barnet, Reg. Ltd and Barnet Homes, received case studies of neighbouring local authorities' approach to tackling empty properties, considered the impact of recent council tax reforms and reviewed consultation arrangements.
- 9.6 The Group's findings and recommendations are set out in the report at **Appendix A**.

10. LIST OF BACKGROUND PAPERS

- 10.1 None.

Cleared by Finance (Officer's initials)	JH
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