



Please ask for Martin Elliott
Direct Line: 01246 345236
Email committee.services@chesterfield.gov.uk

The Chair and Members of Cabinet

20 June 2016

Dear Councillor,

Please attend a meeting of the CABINET to be held on TUESDAY, 28 JUNE 2016 at 10.30 am in Committee Room 2 Town Hall, Rose Hill, Chesterfield, the agenda for which is set out below.

AGENDA

Part 1(Public Information)

1. Declarations of Members' and Officers' Interests relating to items on the Agenda
2. Apologies for Absence
3. Minutes (Pages 3 - 14)

To approve as a correct record the Minutes of the Cabinet meeting held on 14 June, 2016

4. Forward Plan (Pages 15 - 28)

Items Recommended to Cabinet via Cabinet Members

Leader and Cabinet Member for Regeneration

5. Publishing consultation documents relating to a Sheffield City Region Mayoral Combined Authority

Chesterfield Borough Council, Town Hall, Rose Hill, Chesterfield S40 1LP

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www.chesterfield.gov.uk

- Verbal report.

Cabinet Member for Housing

6. Housing Revenue Final Accounts 2015/16 (Pages 29 - 44)
7. Empty Property Strategy (Pages 45 - 86)
8. Local Government Act 1972 - Exclusion of the Public

To move “That under Regulation 21(1)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the public be excluded from the meeting for the following item of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972.”

Part 2 (Non Public Information)

Deputy Leader and Cabinet Member for Planning

9. Linacre Road, Ashgate - Project update (Pages 87 - 116)

Cabinet Member for Health and Wellbeing

10. Spirepride D.S.O. Business Plan 2016/17 (Pages 117 - 120)
11. Building Cleaning D.S.O Business Plan 2016/17 (Pages 121 - 124)

Yours sincerely,

A handwritten signature in black ink, appearing to be 'S. Smith', written in a cursive style.

Local Government and Regulatory Law Manager and Monitoring Officer

CABINET

Tuesday, 14th June, 2016

Present:-

Councillor T Gilby (Vice-Chair, in the Chair)

Councillors	T Gilby	Councillors	Ludlow
	T Murphy		Serjeant
	Blank		A Diouf
	Huckle		
Non Voting Members	Bagley		Wall
	Brown		

*Matters dealt with under the Delegation Scheme

18 **DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS RELATING TO ITEMS ON THE AGENDA**

No declarations of interest were received.

19 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Hollingworth and J Innes.

20 **MINUTES**

RESOLVED –

That the minutes of the meeting of Cabinet held on 31 May, 2016 be approved as a correct record and signed by the Chair.

21 **FORWARD PLAN**

The Forward Plan for the four month period 1 July – 31 October, 2016 was reported for information.

***RESOLVED –**

That the Forward Plan be noted.

22 DELEGATION REPORT

Decisions taken by Cabinet Members during July were reported.

***RESOLVED –**

That the Delegation Report be noted.

23 LEADER & CABINET MEMBER FOR REGENERATION PORTFOLIO ACCOUNTS 2015/16

The Chief Finance Officer submitted a report on the Revenue Outturn and the Capital Outturn for the Leader and Cabinet Member for Regeneration Portfolio Accounts for 2015/16. The report provided explanations for significant variations from the Revised Estimates previously approved by Cabinet.

***RESOLVED –**

That the report be noted.

REASON FOR DECISION

To enable the portfolio's Revenue Out-turn to be included in the Council's overall Statement of Accounts.

24 DEPUTY LEADER & CABINET MEMBER FOR PLANNING PORTFOLIO ACCOUNTS 2015/16

The Chief Finance Officer submitted a report on the Revenue Outturn and the Capital Outturn for the Deputy Leader and Cabinet Member for Planning Portfolio Accounts for 2015/16. The report provided explanations for significant variations from the Revised Estimates previously approved by Cabinet.

***RESOLVED –**

That the report be noted.

REASON FOR DECISION

To enable the portfolio's Revenue Out-turn to be included in the Council's overall Statement of Accounts.

**25 CABINET MEMBER FOR BUSINESS TRANSFORMATION
PORTFOLIO ACCOUNTS 2015/16**

The Chief Finance Officer submitted a report on the Revenue Outturn and the Capital Outturn for the Cabinet Member for Business Transformation Portfolio Accounts for 2015/16. The report provided explanations for significant variations from the Revised Estimates previously approved by Cabinet.

***RESOLVED –**

That the report be noted.

REASON FOR DECISION

To enable the portfolio's Revenue Out-turn to be included in the Council's overall Statement of Accounts.

**26 CABINET MEMBER FOR GOVERNANCE PORTFOLIO ACCOUNTS
2015/16**

The Chief Finance Officer submitted a report on the Revenue Outturn and the Capital Outturn for the Cabinet Member for Governance Portfolio Accounts for 2015/16. The report provided explanations for significant variations from the Revised Estimates previously approved by Cabinet.

***RESOLVED –**

That the report be noted.

REASON FOR DECISION

To enable the portfolio's Revenue Out-turn to be included in the Council's overall Statement of Accounts.

27 **CABINET MEMBER FOR HEALTH & WELLBEING PORTFOLIO
ACCOUNTS 2015/16**

The Chief Finance Officer submitted a report on the Revenue Outturn and the Capital Outturn for the Cabinet Member for Health and Wellbeing Portfolio Accounts for 2015/16. The report provided explanations for significant variations from the Revised Estimates previously approved by Cabinet.

***RESOLVED –**

That the report be noted.

REASON FOR DECISION

To enable the portfolio's Revenue Out-turn to be included in the Council's overall Statement of Accounts.

28 **CABINET MEMBER FOR HOUSING GENERAL FUND PORTFOLIO
ACCOUNTS 2015/16**

The Chief Finance Officer and the Housing Manager submitted a report on the Revenue Outturn and the Capital Outturn for the Housing General Fund Portfolio Accounts for 2015/16. The report provided explanations for significant variations from the Revised Estimates previously approved by Cabinet.

***RESOLVED –**

That the report be noted.

REASON FOR DECISION

To enable the portfolio's Revenue Out-turn to be included in the Council's overall Statement of Accounts.

29 **CABINET MEMBER FOR TOWN CENTRE & VISITOR ECONOMY
PORTFOLIO ACCOUNTS 2015/16**

The Chief Finance Officer submitted a report on the Revenue Outturn and the Capital Outturn for the Cabinet Member for Town Centre and Visitor Economy Portfolio Accounts for 2015/16. The report provided

explanations for significant variations from the Revised Estimates previously approved by Cabinet.

***RESOLVED –**

That the report be noted.

REASON FOR DECISION

To enable the portfolio's Revenue Out-turn to be included in the Council's overall Statement of Accounts.

30 GENERAL FUND BUDGET OUTTURN 2015/16

The Chief Executive and the Chief Finance Officer submitted a report on the Revenue Outturn and the Capital Outturn for 2015/16. The report provided explanations for significant variations from the Revised Estimates previously approved by Cabinet and also sought approval for two carry forward requests.

***RESOLVED –**

1. That the General Fund Revenue and Capital Outturn reports for 2015/16 be noted.
2. That the £448k revenue account surplus be transferred to the Budget Risk Reserve.
3. That the General Fund carry forward request for the Forward Planning service, as set out at paragraph 4.8 of the officers' report, be approved.
4. That the General Fund carry forward request for the Learning and Development service, as set out at paragraph 4.8 of the officers' report, be refused, and that officers be invited to make a request for a supplementary estimate to cover the costs of the online learning and development platform in 2016/17, and in future financial years.
5. That the level of General Fund Reserves and Balances as set out at Section 6 and Appendix D of the officers' report, be approved.

6. That the capital financing arrangements as set out in Appendix E of the officers' report, be approved.

REASON FOR DECISIONS

In the interests of sound financial management.

31 EQUALITY ANNUAL REPORT 2015/16

The Policy and Communications Manager submitted the council's Equality and Diversity Annual Report for 2015/16. An annual equalities report was required under equalities legislation as well as being best practice.

The report summarised the council's equalities progress during the year, and covered improvements, achievements and future plans.

***RESOLVED –**

1. That the Equality and Diversity Annual Report for 2015/16 be noted and approved.
2. That the future plans, with regards to the council's equality and diversity activities, as contained in the annual report, be noted and approved.

REASON FOR DECISIONS

To improve knowledge and understanding of equality and diversity issues and implement legislative and good practice requirements.

32 HEALTHY LIVING CENTRE ACTIVITY REVIEW

The Healthy Living Centre Centre Manager submitted a report seeking approval for the creation of a new activities room, improved administration area and new staff facilities at the Healthy Living Centre, Staveley, and to request a capital investment of £46,000 capital investment to enable the improvement works to take place.

The report noted that exercise classes at the Healthy Living Centre were frequently oversubscribed and that there was a need for an additional multifunctional activities room to add capacity to help to satisfy increasing

membership numbers and demand for classes. The report recommended that to help assist with increased demand, the large and underutilised administration office should be converted into an activities room, with the administration section moved to more suitable office accommodation elsewhere in the building. This change would add to capacity for classes, assist to satisfy demand and also help to generate income by providing an improved service.

The £46,000 required for the works had already been included in the council's capital programme, which had been approved by Council on 25 February, 2016 (Minute No. 77, 2015/16).

The report also contained detailed information on projections on how much extra revenue the new activities room could potentially generate, as well as how the extra capacity for classes could assist with the enrolment and retention of members at the centre.

***RESOLVED –**

1. That the creation of a new activities room along with a new administration office and improved staff facilities at the Healthy Living Centre, be approved.
2. That a £46,000 capital investment be made to improve the current customer and staff facilities at the Healthy Living Centre.

REASONS FOR DECISIONS

To provide improved service delivery and capacity for activity classes.

To increase commercial potential.

33 LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

RESOLVED –

That under Regulation 21(1)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972.

34 **SALE OF THE FORMER NEWBOLD SCHOOL SITE, NEWBOLD ROAD, CHESTERFIELD**

The Kier Asset Management Team submitted a report seeking approval for revised terms for the disposal of the site of the former Newbold School.

The report set out revised terms for the disposal of the site to those approved by Cabinet on 22 September, 2015 (Minute No. 79, 2015/16). The revised terms for the disposal of the site had been negotiated in response to the buyer of the site advising the council that after site investigations, it had become apparent that a number of costly on and off site works were required in order to deliver housing on the site, and that these costs were in excess of the buyer's standard build costs. The officers' report contained details the required works, their related costs and of the proposed revised terms for the disposal of the site.

***RESOLVED –**

1. That the site of the former Newbold School be sold on the terms set out in the officer's report.
2. That the Procurement and Contracts Law Manager, in consultation with Kier Asset Management's surveyor and Derbyshire County Council's surveyor, be delegated authority to agree any late amendments to the contract as necessary.

REASONS FOR DECISIONS

To secure a capital receipt for both Councils, to sell an unused brownfield site, and procure much needed housing for the Borough.

To enable last minute adjustments to the contract if necessary without seeking formal approval, which could cause undue delay to the sale.

35 **BUILDING CLEANING DSO FINAL ACCOUNTS 2015/16 & BUSINESS PLAN 2016/17**

The Chief Finance Officer, the Commercial Services Manager and the Interim Environmental Services Manager submitted a report on the Final

Accounts for 2015/16 in respect of the Cleaning of Buildings Internal Service Provider (ISP). It was noted that the production of the Business Plan for 2016/17 had been delayed and would be brought to the next meeting of the Cabinet on 28 June, 2016.

***RESOLVED –**

1. That the Building Cleaning Final Accounts for the 2015/16 financial year be received and that the financial position be noted.
2. That the surplus of £6,025 be transferred to the Budget Risk Reserve, in accordance with the Council's Financial Strategy.

REASON FOR DECISIONS

To enable the financial position of the Building Cleaning D.S.O. to be included within the Council's overall Statement of Accounts for 2015/16.

36 LANDSCAPE & STREETSCENE SERVICES FINAL FOR REGENERATION ACCOUNTS 2015/16 & BUSINESS PLAN 2016/17

The Chief Finance Officer, the Commercial Services Manager and the Interim Environmental Services Manager submitted a report on the Final Accounts for 2015/16 in respect of the Landscape and Streetscene Services. It was noted that the production of the Business Plan for 2016/17 had been delayed and would be brought to the next meeting of the Cabinet on 28 June, 2016.

***RESOLVED –**

1. That the Landscape and Streetscene Final Accounts for the 2015/16 financial year be noted.
2. That the surplus of £211,853 be transferred to the General Fund, in accordance with the Council's Financial Strategy.

REASON FOR DECISION

To enable the financial position of SpirePride to be included within the Council's overall Statement of Accounts for 2015/16.

37 **OPERATIONAL SERVICES ISP FINAL ACCOUNTS 2015/16 & BUSINESS PLAN 2016/17**

The Chief Finance Officer and the Commercial Manager submitted a report on the Final Accounts for 2015/16 and the Business Plan for 2016/17 in respect of the Operational Services Internal Service Provider (ISP).

***RESOLVED –**

1. That the Operational Services I.S.P. Final Accounts for 2015/16 be received and the financial position be noted.
2. That the 2015/16 surplus be set aside, as described in paragraph 3.4 of the officer's report.
3. That the Business Plan forecast for 2016/17 be approved.

REASON FOR DECISIONS

To enable the financial position of the Operational Services I.S.P. to be included within the Council's overall Statement of Accounts for 2015/16.

38 **SECURITY SERVICES DSO FINAL ACCOUNTS 2015/16 & BUSINESS PLAN 2016/17**

The Chief Finance Officer and Head of Contract (Kier) submitted a report on the Final Accounts for 2015/16 and the Business Plan for 2016/17 in respect of the Security Services D.S.O.

***RESOLVED –**

1. That the final accounts for the 2015/16 financial year in respect of the Security Services D.S.O. be received and the financial position noted.
2. That the surplus of £18,309 be transferred into the Budget Risk Reserve.
3. That the Business Plan forecast for 2016/17 be approved.

REASON FOR DECISIONS

To enable the financial position of the Security Services D.S.O. to be included within the Council's overall Statement of Accounts for 2015/16.

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CHESTERFIELD BOROUGH COUNCIL FORWARD PLAN
FOR THE FOUR MONTH PERIOD 1 JUNE 2016 TO 30 SEPTEMBER 2016

What is the Forward Plan?

This is formal notice under The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 of key decisions to be made on behalf of the Council. This Forward Plan sets out the details of the 'key' and other major decisions which the Council expects to take during the next four month period. The Plan is available to the public 28 days before the beginning of each month.

What is a Key Decision?

Any executive decision which is likely to result in the Council incurring significant expenditure or the making of savings where there is:

- a decision to spend £50,000 or more from an approved budget, or
- a decision to vire more than £10,000 from one budget to another, or
- a decision which would result in a saving of £10,000 or more to any budget head, or
- a decision to dispose or acquire any interest in land or buildings with a value of £50,000 or more, or
- a decision to propose the closure of, or reduction by more than ten (10) percent in the level of service (for example in terms of funding, staffing or hours of operation) provided from any facility from which Council services are supplied.

Any executive decision which will have a significant impact in environmental, physical, social or economic terms on communities living or working in one or more electoral wards. This includes any plans or strategies which are not within the Council's Policy Framework set out in Article 4 of the Council's Constitution.

Are any other decisions included on the plan?

The Forward Plan also includes details of any significant issues to be considered by the Executive Cabinet, full Council and Overview and Scrutiny Committee. They are called "non-key decisions". Non-key decisions that will be made in private are also listed.

How much notice is given of forthcoming decisions?

As far as possible and in the interests of transparency, the Council will seek to provide at least 28 clear days' notice of new key decisions (and many new non-key decisions) that are listed on this document. Where this is not practicable, such key decisions will be taken under urgency procedures (in accordance with Rule 15 (General Exception) and Rule 16 (Special Urgency) of the Access to information Procedure Rules). This will be indicated in the final column and a separate notice is also published with additional details.

What information is included in the plan?

The plan will provide a description of the decision to be taken, who will make the decision and when the decision is to be made. The relevant Cabinet Member for each decision is listed. If you wish to make representations about the decision to be made, the contact details of the appropriate officer are also provided. Decisions which are expected to be taken in private (at a meeting of the Cabinet or by an individual Cabinet Member) are marked "private" and the reasons privacy is required will also be stated. Each issue is also listed separately on the website which will show more details including any Urgency Notices if issued.

How is consultation and Community Engagement carried out?

We want all our communities to be given the opportunity to be involved in the decisions that affect them so before a decision is taken, where appropriate, community engagement activities are carried out. The Council's Community Engagement Strategy sets out a framework for how the Council engages with its customers and communities. Details of engagement activities may be found in reports when published. Alternatively you can contact the officer to whom representations may be made.

Notice of Intention to Conduct Business in Private

Whilst the majority of the business at Cabinet meetings will be open to the public and media to attend, there will inevitably be some business to be considered that contains, for example, confidential, commercially sensitive or personal information. This is formal notice under The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 that the Cabinet meetings shown on this Forward Plan will be held partly in private because some of the reports for the meeting will contain either confidential information or exempt information under Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 (as amended) and that the public interest in withholding the information outweighs the public interest in disclosing it.

A list of the reports which are expected to be considered at this meeting in private are set out in a list on this Forward Plan. They are marked "private", including a number indicating the reason why the decision will be taken in private under the categories set out below:

- (1) information relating to any individual
- (2) information which is likely to reveal the identity of an individual
- (3) information relating the financial or business affairs of any particular person (including the authority holding that information)
- (4) information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
- (5) Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- (6) Information which reveals that the authority proposes (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.
- (7) Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

If you would like to make representations about any particular decision to be conducted in private at this meeting then please email: democratic.services@chesterfield.gov.uk. Such representations must be received in advance of 5 clear working days before the date Cabinet meeting itself, normally by the preceding Monday. The Council is required to consider any representations received as to why an item should not be taken in private and to publish its decision.

It is possible that other private reports may be added at shorter notice to the agenda for the Cabinet meeting or for a Cabinet Member decision.

Huw Bowen
Chief Executive

Copies of the Council's Constitution and agenda and minutes for all meetings of the Council may be accessed on the Council's website: www.chesterfield.gov.uk



CHESTERFIELD
BOROUGH COUNCIL

Meeting Dates 2016/17

<u>Cabinet</u>	<u>Council</u>
5 April 2016* 3 May 2016* 17 May 2016 31 May 2016	27 April 2016 11 May 2016
14 June 2016* 28 June 2016	
12 July 2016 27 July 2016	27 July 2016
6 September 2016* 20 September 2016	
4 October 2016 18 October 2016	12 October 2016
1 November 2016* 15 November 2016 29 November 2016	
13 December 2016*	14 December 2016
10 January 2017* 24 January 2017	
7 February 2017* 21 February 2017	23 February 2017
7 March 2017* 21 March 2017	
4 April 2017* 18 April 2017	26 April 2017
2 May 2017* 16 May 2017 30 May 2017	10 May 2017

*Joint Cabinet and Employment and General Committee meet immediately prior to the first meeting of Cabinet each month

Cabinet members and their portfolios are as follows:

Leader and Cabinet Member for Regeneration	Councillor John Burrows	
Deputy Leader and Cabinet Member for Planning	Councillor Terry Gilby	
Cabinet Member for Business Transformation	Councillor Ken Huckle	Assistant Member Councillor Keith Brown
Cabinet Member for Governance	Councillor Sharon Blank	Assistant Member Councillor Mick Wall
Cabinet Member for Health and Wellbeing	Councillor Chris Ludlow	Assistant Member Councillor Helen Bagley
Cabinet Member for Housing	Councillor Tom Murphy	Assistant Member Councillor Sarah Hollingworth
Cabinet Member for Town Centre and Visitor Economy	Councillor Amanda Serjeant	Assistant Member Councillor Jean Innes

In addition to the Cabinet Members above, the following Councillors are voting Members for Joint Cabinet and Employment and General Committee

Councillor Helen Elliott
Councillor Gordon Simmons
Councillor John Dickinson
Councillor Jean Innes
Councillor Maureen Davenport

(To view the dates for other meetings please click [here](#).)

Decision No	Details of the Decision to be Taken	Decision to be taken by	Relevant Portfolio Holder	Earliest Date Decision can be Taken	Representations may be made to the following officer by the date stated	Public or Private	Decision Under Urgency Provisions
Key Decisions							
Key Decision 398	Sale of CBC Land/Property	Deputy Leader & Cabinet Member for Planning	Deputy Leader & Cabinet Member for Planning	Not before 31st May 2016	Matthew Sorby Tel: 01246 345800 matthew.sorby@chesterfield.gov.uk	Exempt 3 Contains financial information	No
Key Decision 495	Local Government Pension Scheme To approve the revised Discretions in accordance with the changes to the Local Government Pension Scheme Regulations	Cabinet Council	Cabinet Member - Business Transformation	28 Jun 2016 27 Jul 2016	Jane Dackiewicz Tel: 01246 345257 jane.dackiewicz@chesterfield.gov.uk	Public	No
Key Decision 77	Risk Management Strategy and in year review	Council	Deputy Leader & Cabinet Member for Planning	27 Jul 2016	Barry Dawson Tel: 01246 345451 barry.dawson@chesterfield.gov.uk	Public	No
Key Decision 584	Purchase of Property under Strategic Acquisitions Policy	Housing Services Manager - Business Planning and Strategy	Cabinet Member - Housing	Not before 31st May 2016		Exempt 3	No

Decision No	Details of the Decision to be Taken	Decision to be taken by	Relevant Portfolio Holder	Earliest Date Decision can be Taken	Representations may be made to the following officer by the date stated	Public or Private	Decision Under Urgency Provisions
Key Decision 616	Demolition of 9 and 9A Wensley Way, Middlecroft Demolition of former Careline office, boiler room and attached property and permission to dispose of the land.	Cabinet	Cabinet Member - Housing	17 May 2016	Alison Craig Housing Tel: 01246 345156 alison.craig@chesterfield.gov.uk	Exempt 1,3 1) Information relating to an individual 3) Information relating to the financial affairs of a particular individual	No
Key Decision 617	Linacre Road, Ashgate - Project update	Cabinet	Deputy Leader & Cabinet Member for Planning	14 Jun 2016	Linda Martin Tel: 01246 345445 linda.martin@chesterfield.gov.uk	Exempt 3	No
Key Decision 618	Action in Respect of Miscellaneous Housing Stock	Cabinet	Cabinet Member - Housing	17 May 2016	Alison Craig Housing Tel: 01246 345156 alison.craig@chesterfield.gov.uk	Exempt 3	No
Key Decision 619	Chester Street Garage Site - to obtain permission to clear garage site and make available for Housing Development.	Cabinet	Cabinet Member - Housing	12 Jul 2016	Alison Craig Housing Tel: 01246 345156 alison.craig@chesterfield.gov.uk	Exempt 3 Information relating to financial or business affairs	No

Decision No	Details of the Decision to be Taken	Decision to be taken by	Relevant Portfolio Holder	Earliest Date Decision can be Taken	Representations may be made to the following officer by the date stated	Public or Private	Decision Under Urgency Provisions
Key Decision 621	Housing Revenue Account Business Plan	Cabinet	Cabinet Member - Housing	17 May 2016	Alison Craig Housing Tel: 01246 345156 alison.craig@chesterfield.gov.uk	Public	No
Key Decision 622	Northern Gateway Revised Scheme Proposals	Cabinet Council	Leader & Cabinet Member for Regeneration	12 Jul 2016 27 Jul 2016	Lynda Sharp Tel: 01246 345256 lynda.sharp@chesterfield.gov.uk	Exempt 3	No
Key Decision 623	Syrian Vulnerable Persons Resettlement Programme	Cabinet	Cabinet Member - Health and Wellbeing	Not before 17th May 2016	Donna Reddish Tel: 01246 345307 donna.reddish@chesterfield.gov.uk	Public	No
Key Decision 624	Re-prioritisation of resources into the health and wellbeing priority Portfolio	Joint Cabinet and Employment & General Committee	Cabinet Member - Health and Wellbeing	14 Jun 2016	Donna Reddish Tel: 01246 345307 donna.reddish@chesterfield.gov.uk	Exempt 1	No
Key Decision 626	Council Plan Outturn 2015/16	Cabinet	Deputy Leader & Cabinet Member for Planning	31 May 2016	Donna Reddish Tel: 01246 345307 donna.reddish@chesterfield.gov.uk	Public	No
Key Decision 627	Policy and Communications restructure	Joint Cabinet and Employment & General Committee	Deputy Leader & Cabinet Member for Planning	6 Sep 2016	Donna Reddish Tel: 01246 345307 donna.reddish@chesterfield.gov.uk	Exempt 1	No

Decision No	Details of the Decision to be Taken	Decision to be taken by	Relevant Portfolio Holder	Earliest Date Decision can be Taken	Representations may be made to the following officer by the date stated	Public or Private	Decision Under Urgency Provisions
Key Decision 628	Empty Property Strategy To adopt a new Strategy for dealing with empty residential properties.	Cabinet	Cabinet Member - Housing	28 Jun 2016	Alison Craig Housing Tel: 01246 345156 alison.craig@chesterfield.gov.uk	Public	No
Key Decision 629	Disposal of 29 Cobden Road	Cabinet	Cabinet Member - Housing	12 Jul 2016	Alison Craig Housing Tel: 01246 345156 alison.craig@chesterfield.gov.uk	Exempt 3	No
Key Decision 630	Leader & Cabinet Member for Regeneration Portfolio Accounts 2015/16	Cabinet	Leader & Cabinet Member for Regeneration	14 Jun 2016	Barry Dawson Tel: 01246 345451 barry.dawson@chesterfield.gov.uk	Public	Yes To enable the portfolio accounts to be signed off by the external auditors in timely manner.
Key Decision 631	Deputy Leader & Cabinet Member for Planning Portfolio Accounts 2015/16	Cabinet	Deputy Leader & Cabinet Member for Planning	14 Jun 2016	Barry Dawson Tel: 01246 345451 barry.dawson@chesterfield.gov.uk	Public	Yes To enable the portfolio accounts to be signed off by the external auditors in timely manner.

Decision No	Details of the Decision to be Taken	Decision to be taken by	Relevant Portfolio Holder	Earliest Date Decision can be Taken	Representations may be made to the following officer by the date stated	Public or Private	Decision Under Urgency Provisions
Key Decision 632	Cabinet Member for Business Transformation Portfolio Accounts 2015/16	Cabinet	Cabinet Member - Business Transformation	14 Jun 2016	Barry Dawson Tel: 01246 345451 barry.dawson@chesterfield.gov.uk	Public	Yes To enable the portfolio accounts to be signed off by the external auditors in timely manner.
Key Decision 633	Cabinet Member for Health & Wellbeing Portfolio Accounts 2015/16	Cabinet	Cabinet Member - Health and Wellbeing	14 Jun 2016	Barry Dawson Tel: 01246 345451 barry.dawson@chesterfield.gov.uk	Public	Yes To enable the portfolio accounts to be signed off by the external auditors in timely manner.
Key Decision 634	Cabinet Member for Housing General Fund Portfolio Accounts 2015/16	Cabinet	Cabinet Member - Housing	14 Jun 2016	Barry Dawson Tel: 01246 345451 barry.dawson@chesterfield.gov.uk	Public	Yes To enable the portfolio accounts to be signed off by the external auditors in timely manner.

Decision No	Details of the Decision to be Taken	Decision to be taken by	Relevant Portfolio Holder	Earliest Date Decision can be Taken	Representations may be made to the following officer by the date stated	Public or Private	Decision Under Urgency Provisions
Key Decision 635	Housing Revenue Final Accounts 2015/16	Cabinet	Cabinet Member - Housing	14 Jun 2016	Barry Dawson Tel: 01246 345451 barry.dawson@chesterfield.gov.uk	Public	Yes To enable the accounts to be signed off by the external auditors in timely manner.
Key Decision 636	Cabinet Member for Governance Portfolio Accounts 2015/16	Cabinet	Cabinet Member - Governance	14 Jun 2016	Barry Dawson Tel: 01246 345451 barry.dawson@chesterfield.gov.uk	Public	Yes To enable the portfolio accounts to be signed off by the external auditors in timely manner.
Key Decision 637	Cabinet Member for Town Centre & Visitor Economy Portfolio Accounts 2015/16	Cabinet	Cabinet Member - Town Centre and Visitor Economy	14 Jun 2016	Barry Dawson Tel: 01246 345451 barry.dawson@chesterfield.gov.uk	Public	Yes To enable the portfolio accounts to be signed off by the external auditors in timely manner.

Decision No	Details of the Decision to be Taken	Decision to be taken by	Relevant Portfolio Holder	Earliest Date Decision can be Taken	Representations may be made to the following officer by the date stated	Public or Private	Decision Under Urgency Provisions
Key Decision 638	General Fund Budget Outturn 2015/16	Cabinet	Leader & Cabinet Member for Regeneration	14 Jun 2016	Barry Dawson Tel: 01246 345451 barry.dawson@chesterfield.gov.uk	Public	Yes To enable the general fund budget outturn be signed off by the external auditors in timely manner.
Key Decision 639	Building Cleaning Restructure	Joint Cabinet and Employment & General Committee	Cabinet Member - Health and Wellbeing	14 Jun 2016	Angela Dunn Bereavement Services Manager Tel: 01246 345881 angela.dunn@chesterfield.gov.uk	Exempt 1, 4	Yes To enable the Commercial Services Manager to implement the proposed restructure of Building Cleaning in a timely manner.
Key Decision 640	Environmental Services Restructure	Joint Cabinet and Employment & General Committee	Cabinet Member - Health and Wellbeing	12 Jul 2016	Angela Dunn Bereavement Services Manager Tel: 01246 345881 angela.dunn@chesterfield.gov.uk	Exempt 1, 4	No

Decision No	Details of the Decision to be Taken	Decision to be taken by	Relevant Portfolio Holder	Earliest Date Decision can be Taken	Representations may be made to the following officer by the date stated	Public or Private	Decision Under Urgency Provisions
Key Decision 641	Security Services DSO Final Accounts 2015/16 & Business Plan 2016/17	Cabinet	Cabinet Member - Town Centre and Visitor Economy	14 Jun 2016	Barry Dawson Tel: 01246 345451 barry.dawson@chesterfield.gov.uk	Exempt 3	Yes To enable the accounts to be signed off by the external auditors in a timely manner.
Key Decision 642	Building Cleaning DSO Final Accounts 2015/16 & Business Plan 2016/17	Cabinet	Cabinet Member - Health and Wellbeing	14 Jun 2016	Barry Dawson Tel: 01246 345451 barry.dawson@chesterfield.gov.uk	Exempt 3	Yes To enable the accounts to be signed off by the external auditors in a timely manner.
Key Decision 643	Landscape & Streetscene Services Final for Regeneration Accounts 2015/16 & Business Plan 2016/17	Cabinet	Cabinet Member - Health and Wellbeing	14 Jun 2016	Barry Dawson Tel: 01246 345451 barry.dawson@chesterfield.gov.uk	Exempt 3	Yes To enable the accounts to be signed off by the external auditors in a timely manner.

Decision No	Details of the Decision to be Taken	Decision to be taken by	Relevant Portfolio Holder	Earliest Date Decision can be Taken	Representations may be made to the following officer by the date stated	Public or Private	Decision Under Urgency Provisions
Key Decision 644	Operational Services ISP Final Accounts 2015/16 & Business Plan 2016/17	Cabinet	Cabinet Member - Health and Wellbeing	14 Jun 2016	Barry Dawson Tel: 01246 345451 barry.dawson@chesterfield.gov.uk	Exempt 3	Yes To enable the accounts to be signed off by the external auditors in a timely manner.
Private Items (Non Key Decisions)							
Non-Key 363 Page 26	Application for Home Repairs Assistance	Cabinet Member - Housing	Cabinet Member - Housing	Not before 31st May 2016	Jane Thomas jane.thomas@chesterfield.gov.uk	Exempt 1, 3 Information relating to an individual Information relating to financial affairs	No
Non-Key 367	Lease of Commercial and Industrial Properties	Deputy Leader & Cabinet Member for Planning	Deputy Leader & Cabinet Member for Planning	Not before 31st May 2016	Christopher Oakes Tel: 01246 345346 christopher.oakes@chesterfield.gov.uk	Exempt 3 Information relating to financial or business affairs	No

Decision No	Details of the Decision to be Taken	Decision to be taken by	Relevant Portfolio Holder	Earliest Date Decision can be Taken	Representations may be made to the following officer by the date stated	Public or Private	Decision Under Urgency Provisions
Non-Key Private Non-Key No. 55	Application for Discretionary Rate Relief	Cabinet Member for Business Transformation	Cabinet Member - Business Transformation	16 May 2016		Exempt	No
Non Key Decisions							
Key Decision Non-key 53	Review of Code of Corporate Governance and Annual Governance Statement	Cabinet Standards and Audit Committee	Cabinet Member - Governance Cabinet Member - Governance	31 May 2016 22 Jun 2016	Jenny Williams Tel: 01246 345468 jenny.williams@chesterfield.gov.uk	Public	No
Key Decision Non-Key 54	Equality Annual Report 2015/16	Cabinet	Cabinet Member - Governance	14 Jun 2016	Donna Reddish Tel: 01246 345307 donna.reddish@chesterfield.gov.uk	Public	No
Non-Key Non-key no. 56	Healthy Living Centre Activity Review	Cabinet	Cabinet Member - Health and Wellbeing	14 Jun 2016	Darren Townsend Operations Manager - HLC darren.townsend@chesterfield.gov.uk	Public	No
Non-Key Non-key no. 57	Scrutiny Annual Report 2015/16 Consideration and endorsement of the Scrutiny Annual Report 2015/16 which details the work of the Council's Overview and Scrutiny Committees and development of the Overview and Scrutiny Function during 2015/16.	Overview and Performance Scrutiny Forum Council	Cabinet Member - Governance Cabinet Member - Governance	10 May 2016 27 Jul 2016	Anita Cunningham Tel: 01246 345273 anita.cunningham@chesterfield.gov.uk	Public	No

Decision No	Details of the Decision to be Taken	Decision to be taken by	Relevant Portfolio Holder	Earliest Date Decision can be Taken	Representations may be made to the following officer by the date stated	Public or Private	Decision Under Urgency Provisions
Non-Key Non-key no. 58	Overview and Scrutiny Programme of Work for 2016/17 Consideration and adoption of the proposed Overview and Scrutiny Programme of Work for 2016/17.	Overview and Performance Scrutiny Forum	Cabinet Member - Governance	10 May 2016	Anita Cunningham Tel: 01246 345273 anita.cunningham@chesterfield.gov.uk	Public	No

FOR PUBLICATION

HOUSING REVENUE ACCOUNT FINAL ACCOUNTS 2015/16 (H000)

MEETING:	1. CABINET 2. CABINET MEMBER - HOUSING
DATE:	1. 28 JUNE 2016 2. 20 JUNE 2016
REPORT BY:	HOUSING MANAGER CHIEF FINANCE OFFICER
WARD:	ALL
COMMUNITY FORUM:	ALL
KEY DECISION REF.	635

FOR PUBLICATION

BACKGROUND PAPERS: NONE

1.0 **PURPOSE OF REPORT**

- 1.1 To report on the Revenue Outturn for 2015/16 and to provide explanations for significant variations from the Revised Estimates approved by Cabinet on 23rd February 2016.
- 1.2 To report the Capital Outturn for the year.

2.0 **RECOMMENDATIONS**

- 2.1 That the report be noted.
- 2.2 That the revenue and capital carry forward requests for £311,870 (paragraph 3.6) and £2,460,900 (paragraph 4.1) respectively, and associated financing be approved.

3.0 **REVENUE OUTTURN**

3.1 The revenue budgets and outturn were as follows:-

	Original Budget £'000	Revised Budget £'000	Actual Outturn £'000
HRA Services (Surplus)/ Deficit	(10,443)	(10,090)	(10,071)
Direct Revenue Financing (DRF)	10,835	7,121	3,097
Other Appropriations	4,599	4,550	4,529
(Increase)/Decrease in HRA balance	4,991	1,581	(2,445)
Change on previous column	-	(3,410)	4,026

3.2 The main variations from the Original to the Revised budget (£3,410) were:

Variances – Original to Revised Budget	
	£'000
Approved carry forwards	235
Net expenditure increase in Housing Management - General	165
Net expenditure reduction in Housing Management - Special	(172)
Increase in Rent, Rates, Taxes & Other Charges	145
Reduction in Contributions from General Fund	40
Net increase in dwelling/non-dwelling rents & service charges	(442)
Decrease in interest receivable	96
DLO surplus lower than anticipated	300
Supporting People Grant higher than forecast	(166)
Anticipated increase in Solar Panel income	(20)
Reduced DRF due to revised capital programme	(3,714)
Bad Debts provision increased	140
Net Miscellaneous	(17)
Total	(3,410)

3.3 The Revenue Outturn of £2,445k surplus represents:

- An increase in surplus of £7,436k against the Original Budget; and
- An increase in surplus of £4,026k against the Revised Budget.

3.4 The following information is attached:-

Annexe 1- Housing Revenue Account Summary

- Annexe 1a - Supervision and Management General Expenses
- Annexe 1b - Supervision and Management Special Expenses
- Annexe 1c - General Fund Contributions
- Annexe 2 - Subjective Analysis
- Annexe 3 - Variance Analysis, revised budget to outturn
- Annexe 4 - Carry Forward Requests
- Annexe 5 - HRA capital expenditure 2015/16

3.5 A detailed analysis of the variances from the revised budget to the outturn is shown in Annexe 3 but the most significant variances are summarised below:-

Significant Variances Revised to Outturn 2015/16	
<u>Description</u>	Overspend / (Under-spend) £'000
Overall decrease in income (mainly rents)	771
Decrease in OSD Surplus	100
Increase in interest on HRA balance	(57)
Reduced Supervision & Management – general costs	(663)
Increased Supervision & Management – special costs	140
Increased Rent, Rates, Taxes & Other Charges	23
Provision for Accumulated Absences	(21)
Under-spend on Repairs and Maintenance	(295)
Reduced Direct Revenue Financing	(4,024)
Overall Reduction in budget requirement	(4,026)

3.6 Housing Services carry forward requests totalling £311,870 have been made, details of which are provided in Annexe 4.

4.0 **CAPITAL OUTTURN**

4.1 Annexe 5 provides a summary of expenditure on capital schemes in the year and indicates those schemes that were not finalised during the year (total of £2,460,900). This sum needs approval to be carried forward from 2015/16 into 2016/17 to enable the schemes to be completed.

4.2 Spend on these schemes has been delayed mainly by procurement issues and late starts on site by contractors (further details are shown at Annexe 5).

4.3 If the delayed schemes are ignored the underspend on the other programmes is £1,311,427 which is 5.99% of the total budget.

4.4 The overall position is a net under-spend of £3,772,327 (17.2%), comprising an overspend of £435,108 and an underspend of £4,207,435.

5.0 **CAPITAL RECEIPTS**

5.1 The movement on useable capital receipts in the year is summarised in the table below. All useable receipts were used in the year.

	Useable Capital Receipts
	£'000
Balance b/fwd 1 st April	700
Add: Receipts in the year	3,835
Less: Housing receipts "Pooled"	(941)
Less: Applied to finance HRA Cap Expend	(2,933)
Balance C/fwd 31st March	661 *

* The balance of £661k represents the retained "one-for-one" element of RTB receipts.

6.0 **BALANCES**

6.1 The effect of the increased surplus on HRA balances is outlined below:

	Revised Estimate £000	Actual Expenditure £000
Balance at 1st April 2015	(18,026)	(18,026)
Direct Revenue Financing	7,121	3,097
Other Appropriations	4,550	4,529
(Surplus)/Deficit in year on HRA Services	(10,090)	(10,071)
Balance at 31st March 2016	(16,445)	(20,471)

The increase in balance at 31st March 2016 results mainly from an underspend on the HRA Capital Programme (£3,772k). See paragraphs 4.1 to 4.4 for details.

6.2 If the carry forward requests outlined at paragraphs 3.6 and 4.1 are approved, this would give a final position at 31st March 2016 of £17,698k. Of this balance a significant proportion has been earmarked to support the Housing Capital programme in future years.

7.0 **RECOMMENDATIONS**

7.1 That the report be noted.

7.2 That the revenue and capital carry forward requests for £311,870 (paragraph 3.6) and £2,460,900 (paragraph 4.1) respectively, and associated financing be approved.

8.0 **REASONS FOR RECOMMENDATIONS**

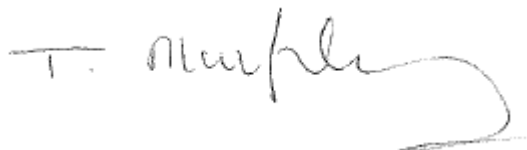
8.1 To enable the HRA revenue outturn to be included in the Council's overall Statement of Accounts.

8.2 To consider the carry forward requests which will allow for the completion of the revenue and capital schemes which were not finalised during the financial year.

A. CRAIG
HOUSING MANAGER

B. DAWSON
CHIEF FINANCE OFFICER

Officer recommendation supported.



Signed:
Cabinet Member

Date: 20 June 2016

Further information on this report can be obtained from Steven Spencer, Accountancy Services (Tel: 01246 345454).

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HOUSING REVENUE ACCOUNT 2015/16
STATUTORY HRA OPERATING ACCOUNT
SUMMARY

2014/15 Actual £		2015/16 Original £	2015/16 Revised £	2015/16 Actual £
	INCOME			
(37,329,717)	Rent of Dwellings	(38,445,000)	(38,933,000)	(38,226,463)
(629,528)	Charges for Services & Facilities	(506,040)	(658,510)	(589,717)
(785,742)	Non-Dwelling Rents	(779,000)	(766,840)	(770,871)
(540,706)	Contributions towards Expenditure	(563,790)	(524,060)	(522,582)
(39,285,693)	Total Income	(40,293,830)	(40,882,410)	(40,109,633)
	EXPENDITURE			
5,321,024	Supervision and Management -General	5,810,430	6,138,900	5,475,467
2,452,399	Supervision and Management -Special	2,472,680	2,301,040	2,440,763
369,188	Rent, rates, taxes and other charges	317,190	462,460	485,615
8,473,201	Repairs and Maintenance	9,166,000	9,238,000	8,943,157
7,183,572	Depreciation, Impairment & Revaluation of Fixed Assets	7,214,030	7,267,070	7,267,508
69,800	Debt Management Expenses	76,630	57,790	57,121
442,238	Increase in Bad Debts Provision	155,000	295,000	295,000
24,311,422	Total Expenditure	25,211,960	25,760,260	24,964,631
(14,974,271)	NET COST OF SERVICES per Authority income & Expenditure Account	(15,081,870)	(15,122,150)	(15,145,002)
20,930	HRA share of Corporate & Democratic Core	23,400	25,360	24,420
(14,953,341)	NET COST OF HRA SERVICES	(15,058,470)	(15,096,790)	(15,120,582)
5,330,395	HRA share of interest payable, premiums & discounts	5,228,040	5,223,060	5,223,145
(178,262)	Interest and Investment Income	(212,510)	(116,260)	(172,973)
(100,000)	Share of DLO/DSO surplus	(400,000)	(100,000)	0
(9,901,208)	(SURPLUS)/DEFICIT IN YEAR on HRA Income & Expenditure	(10,442,940)	(10,089,990)	(10,070,410)
	STATEMENT of MOVEMENT on the HRA BALANCE			
	Increase/(decrease) in HRA balance comprising:			
(9,901,208)	Surplus or deficit on HRA Income & Expenditure Account	(10,442,940)	(10,089,990)	(10,070,410)
0	Capital Expenditure funded from HRA	10,835,000	7,121,260	3,097,403
(4,464)	Transfer to/(from) Reserves	0	0	(21,226)
2,108,100	Provision for Debt Repayment	2,076,480	2,077,230	2,077,228
2,265,999	Transfer to/(from) Major Repairs Reserve	2,523,000	2,473,000	2,472,560
(5,531,573)	(Increase)/decrease in HRA balance for the Year	4,991,540	1,581,500	(2,444,445)
(12,494,668)	HRA Balance Bfwd 1st April	(15,921,078)	(18,026,241)	(18,026,241)
0	Growth from Working Balance	0	0	0
(18,026,241)	HRA Balance C fwd at 31st March	(10,929,538)	(16,444,741)	(20,470,686)

SUPERVISION AND MANAGEMENT EXPENSES

2014/15 Actual £		2015/16 Original £	2015/16 Revised £	2015/16 Actual £
<u>HOUSING SUPERVISION AND MANAGEMENT GENERAL EXPENSES</u>				
<u>Community Housing Department - Cost Centres 0600 to 0604, 0608/9, 0614/5, 0622 & 0960</u>				
2,727,785	Employee Expenses	2,798,250	2,686,450	2,878,473
571,572	Premises Related Expenses	572,680	638,420	567,440
32,196	Transport Related Expenses	36,980	40,260	36,977
523,135	Supplies and Services	661,370	660,030	391,240
105,969	Agency and Contracted Services	108,220	108,040	107,794
(164,162)	Controllable Income	(168,150)	(169,000)	(193,146)
3,796,495	Net Controllable	4,009,350	3,964,200	3,788,778
2,082,594	Central and Departmental Support	2,447,460	2,727,710	2,258,342
(558,065)	Recharge Income	(646,380)	(553,010)	(571,653)
5,321,024	NET	5,810,430	6,138,900	5,475,467
<u>Rent Collection - Cost Centre 0414</u>				
18,830	Employee Expenses	19,460	19,460	19,460
0	Transport Related Expenses	0	0	0
49,630	Supplies and Services	52,810	48,810	41,405
462,166	Agency and Contracted Services	413,340	480,210	478,654
(106,097)	Controllable Income	(92,910)	(97,690)	(123,355)
424,529	Net Controllable	392,700	450,790	416,164
231,672	Central and Departmental Support	233,200	244,960	241,959
(656,201)	Recharge Income	(625,900)	(695,750)	(658,123)
0	NET	0	0	0
5,321,024	TOTAL - GENERAL EXPENSES	5,810,430	6,138,900	5,475,467

HOUSING REVENUE ACCOUNT 2015/16
SUPERVISION AND MANAGEMENT EXPENSES (CONT'D)

2014/15 Actual £		2015/16 Original £	2015/16 Revised £	2015/16 Actual £
HOUSING SUPERVISION AND MANAGEMENT				
SPECIAL EXPENSES				
Warden Schemes - Cost Centres 0619/0620/0621/0631/0633				
1,148,977	Employee Expenses	1,062,080	1,077,330	1,220,262
42,532	Premises Related Expenses	47,670	49,140	45,821
39,660	Transport Related Expenses	47,130	48,700	47,523
141,434	Supplies and Services	229,980	169,130	155,502
4,717	Agency and Contracted Services	4,940	4,940	5,034
(236,414)	Controllable Income	(332,810)	(363,300)	(381,131)
1,140,906	Net Controllable	1,058,990	985,940	1,093,011
54,019	Central & Departmental Support	54,390	55,710	54,792
0	Recharge Income	0	0	0
1,194,925	NET	1,113,380	1,041,650	1,147,803
District/Group Heating Schemes - Cost Centres 0190, 0640-0643/0654-0659/0664-0669				
252,146	Premises Related Expenses	318,770	184,220	152,260
1,313	Supplies and Services	3,440	2,800	17,924
(114,635)	Controllable Income	(112,990)	(71,630)	(63,433)
138,824	Net Controllable	209,220	115,390	106,751
5,228	Central & Departmental Support	5,300	5,280	5,241
(5,228)	Recharge Income	(5,300)	(5,280)	(5,241)
138,824	NET	209,220	115,390	106,751
Maintenance of Grass Areas - Cost Centres 0605 & 0646				
482,880	Premises Related Expenses	479,160	472,290	470,511
44,680	Agency and Contracted Services	45,000	45,410	45,410
33,140	Central & Departmental Support	34,500	36,440	36,597
(20,916)	Controllable Income	(22,940)	(22,940)	(23,571)
539,784	NET	535,720	531,200	528,947
Common Rooms and Areas - Cost Centre 0650				
29,188	Premises Related Expenses	37,580	58,260	47,464
117	Supplies and Services	1,000	500	0
4,808	Agency and Contracted Services	5,040	5,040	5,132
(2,052)	Controllable Income	(3,200)	(2,200)	(1,552)
32,061	NET	40,420	61,600	51,044
Homelessness - Cost Centre 0660				
162,369	Employee Expenses	209,770	165,150	173,223
0	Premises Related Expenses	0	0	0
354	Transport Related Expenses	450	850	974
76,786	Supplies and Services	95,820	96,030	88,191
11,457	Agency and Contracted Services	11,530	11,530	11,555
271	Transfer Payments	100	300	0
(27,190)	Controllable Income	(80,970)	(52,640)	(54,190)
224,047	Net Controllable	236,700	221,220	219,753
52,872	Central & Departmental Support	57,000	54,860	54,329
276,919	NET	293,700	276,080	274,082
Other Community Services - Cost Centres 0670/0671/0675				
153,088	Employee Expenses	139,740	148,130	149,317
98,781	Premises Related Expenses	117,990	102,200	158,257
21,242	Transport Related Expenses	22,450	22,310	25,220
849	Supplies and Services	3,740	2,950	1,536
(7,914)	Controllable Income	(7,630)	(4,750)	(6,294)
266,046	Net Controllable	276,290	270,840	328,036
3,840	Central & Departmental Support	3,950	4,280	4,100
269,886	NET	280,240	275,120	332,136
2,452,399	TOTAL - SPECIAL EXPENSES	2,472,680	2,301,040	2,440,763

HOUSING REVENUE ACCOUNT 2015/16

GENERAL FUND CONTRIBUTIONS
Cost Centres Detail 0371/0372/0373/0374/0375/0376/Summary 0695

2014/15 Actual £		2015/16 Original £	2015/16 Revised £	2015/16 Actual £
(276,919)	Homelessness	(293,700)	(276,080)	(274,082)
(165,480)	Maintenance of Grassed Areas	(167,210)	(167,800)	(168,150)
(8,000)	Social Services - Communal Area Use	(8,000)	(8,000)	(8,000)
(8,000)	Community Rooms-General Fund Use	(8,000)	(8,000)	(8,000)
(49,630)	Private Sector Initiatives	(50,560)	(51,360)	(51,530)
(22,226)	Tenant Participation	(23,500)	0	0
(10,451)	Careline Charge	(12,820)	(12,820)	(12,820)
(540,706)	NET	(563,790)	(524,060)	(522,582)

HOUSING REVENUE ACCOUNT ACTUALS 2015/16
STATUTORY HRA OPERATING ACCOUNT
SUMMARY SUBJECTIVE ANALYSIS

	Original £	2015/16 Revised £	Actual £
<u>EXPENDITURE</u>			
Employee Expenses	4,229,300	4,096,520	4,440,735
Premises Expenses	11,057,040	11,204,990	10,870,525
Transport Expenses	107,010	112,120	110,694
Supplies and Services	1,048,160	980,250	695,798
Agency Services	588,070	655,170	653,579
Transfer Payments	100	300	0
Bad Debts Provision	155,000	295,000	295,000
Central and Departmental Support	2,859,200	3,154,600	2,679,780
Capital Financing Costs	17,118,180	17,098,150	17,097,562
Direct Revenue Financing	10,835,000	7,121,260	3,097,403
	47,997,060	44,718,360	39,941,076
<u>INCOME</u>			
Supporting People Grant	(300,000)	(466,000)	(459,814)
Rent	(38,445,000)	(38,933,000)	(38,226,463)
Fees and Charges etc.	(1,806,640)	(1,743,500)	(1,747,446)
Recharges	(1,277,580)	(1,254,040)	(1,235,017)
Interest	(212,510)	(116,260)	(172,973)
Contribution to/from Reserves	0	0	(21,226)
General Fund Contribution	(563,790)	(524,060)	(522,582)
Transfer from OSD	(400,000)	(100,000)	0
	(43,005,520)	(43,136,860)	(42,385,521)
	4,991,540	1,581,500	(2,444,445)

**HOUSING REVENUE ACCOUNT
VARIANCE ANALYSIS**

Programme Area / Service	Reason	Over/(Under) Spent £'000	Carry Fwd Requests £'000
Rent of Dwellings	Rent Income over-estimated	707	
Charges for Services & Facilities	Supporting People grant and Service Charge income lower than forecast	69	
Non-dwelling rents etc	Income from rent of land and shops higher than forecast	(4)	
DLO Surplus	Lower than anticipated	100	
General Fund Contributions	Mainly due to reduction in Homelessness bed & breakfast costs	(1)	
INCOME		871	0
Supervision & Management - General and Special	Employers Superannuation costs higher than forecast (offset by pension adjustment included in CAC below)	263	
	Short Term Accumulated Absences	60	
	Redundancy costs of Wardens (£64k) and Customer Services Manager (£25k)	89	
	Delays in setting up new Careline Consortium	(31)	31
	Underspend on previously approved growth on IT	(43)	43
	Underspend on approved growth for training for Contract Management Team.	(9)	9
	No spend on approved growth for HRA contribution to Document Management System	(50)	50
	Production of Tenant Handbook delayed.	(35)	35
	Temporary Data Administrative Officers not appointed due to delays in acquiring new system.	(53)	53
	Underspend on Estate Improvement budget due to delays in design and approval process.	(9)	9
	Reduction in CAC charges to offset increased superannuation charge above (£263k), changes to the allocation of architects recharges (£199k) and other reductions (£13k)	(475)	
	No spend on approved growth for new It for mobile working for Asset Management Officers	(10)	10
	Reduction in Homelessness costs of bed & breakfast	(1)	
	Underspend on Supplies & Services on Tenant Participation	(23)	
	Underspend on IT support charges and incidentals	(43)	
	Underspend on Transfer Incentive Scheme	(14)	
Court Costs less than anticipated	(10)		
Underspend on equipment on Sheltered Schemes	(12)		
Utility bills less than forecast on District/Group Heating Schemes	(32)		
Rent, Rates, Taxes	NNDR costs higher than anticipated	23	
Repairs and Maintenance	Planned works; underspends on gas heating improvements (£115k), painting programme (£36k), work managed by non-OSD staff (£131k) and other programmes (£98k)	(380)	
	Responsive works; overspend mainly due to higher incidence of Change of Tenancy repairs	157	
	Provision of a covered area for disabled persons scooter storage due to delays in the planning process	(72)	72
Direct Revenue Financing	Reduced financing resulting from an under-spend of the capital programme.	(4,024)	
Interest Received	More income than anticipated due to higher interest rate on balances.	(57)	
Transfer to/(from) Reserves	Provision for accumulated absences	(21)	
Other Minor Variances	Net of all other variances (mainly supplies & services)	(85)	
EXPENDITURE		(4,897)	312
GRAND TOTAL	Page 41	(4,026)	312

**HOUSING REVENUE ACCOUNT 2015/16
CARRY FORWARD REQUESTS**

Programme Area/Service	Budget Head	Reason	Amount (£)		C-fwd Request (£)
Community Housing	Employee Expenses	Temporary Data Administrative Officers to sort Housing Services paper files and prepare them for input into Document Management System not appointed due to delays in acquiring new system.	Revised	53,070	53,070
			Actual	-	
			Balance	53,070	
Community Housing	Employee Expenses	Approved Growth for training for Contract Management Team (new CDM regs, managing asbestos, IOSH and or NEBOSH).	Revised	10,000	8,460
			Actual	1,540	
			Balance	8,460	
Community Housing	Information Technology	Unused Balance of previously Approved Growth for IT (Keystone).	Revised	42,740	42,740
			Actual	-	
			Balance	42,740	
Community Housing	Information Technology	Approved Growth for the HRA contribution to the upgrade of the Document Management System.	Revised	50,000	50,000
			Actual	-	
			Balance	50,000	
Community Housing	Supplies & Services	Production of Tenant Handbook delayed.	Revised	35,000	35,000
			Actual	-	
			Balance	35,000	
Community Housing	Supplies & Services	Underspend on Estate Improvement work due to delays in design and approval process.	Revised	160,000	9,220
			Actual	150,780	
			Balance	9,220	
Community Housing	Supplies & Services	Careline Consortium setting up costs (equipment, consultancy etc).	Revised	50,000	31,380
			Actual	18,620	
			Balance	31,380	
Community Housing	Supplies & Services	Approved Growth for the provision of new IT for mobile working for Asset Management Officers	Revised	10,000	10,000
			Actual	-	
			Balance	10,000	
Repairs and Maintenance	Supplies & Services	The provision of a covered area for disabled persons scooter storage.	Revised	72,000	72,000
			Actual	-	
			Balance	72,000	
		TOTAL CARRY FORWARD REQUESTS FOR APPROVAL.			311,870

Description	Out-turn 2015/16	2015/16 Budget	Overspend	Underspend	Carry Over 2016/17	Comments/Reasons for Major Underspends
			Against 2015/16 Bud	Against 2015/16 Bud		
Communal Lighting Replacement	1,990.13	10,000.00		8,009.87	0.00	
Fire Risk Works/Bin Stores	128,118.84	447,510.00		319,391.16	0.00	No carry forward as new budget allocation in 2016/17
Fire Risk Assessments	40,600.00	41,000.00		400.00	0.00	
Communal Rising Main (Electricity)	9,360.00	50,000.00		40,640.00	20,000.00	To complete work to blocks showing signs of deterioration
External Wall Insulation	3,136,522.25	3,328,189.00		191,666.75	0.00	Saving made during procurement process, tenders came in under budget.
Structural Works	100,104.96	134,880.00		34,775.04	0.00	
Bacons lane conversion	268.89	269.00		0.11	0.00	
Adaptations	895,479.00	750,000.00	145,479.00		0.00	
Central Heating Replacement	2,820,780.00	2,737,000.00	83,780.00		0.00	Overspend in relation to owner occupiers at Lowgates where disconnected from heating scheme
4G Filters	23,817.00	25,000.00		1,183.00	0.00	
Door Renewals	93,812.44	100,000.00		6,187.56	0.00	
Community room conversion	17,309.48	20,269.00		2,959.52	0.00	
Communal Door Replacement	196,700.76	202,270.00		5,569.24	0.00	
Kitchens & Bathrooms	481,450.89	500,000.00		18,549.11	18,550.00	
Hanging Tiles	121,863.73	147,000.00		25,136.27	25,140.00	To cover cost of work not completed in 2015/16
Sheltered Refurbishment	110,731.39	2,000,000.00		1,889,268.61	1,889,270.00	Late start on site. Carry forward to cover kitchens and rewires.
Windows	1,229,272.94	1,185,070.00	44,202.94		0.00	
Rewiring incl CO retro programme	845,847.19	860,000.00		14,152.81	0.00	
Roof Renewal	2,855,196.32	3,200,000.00		344,803.68	344,800.00	
Pointing General	56,118.52	100,000.00		43,881.48	0.00	
Brick Up Bin Chutes	6,000.00	29,130.00		23,130.00	0.00	
RTB Social Mobility Scheme	40,000.00	400,000.00		360,000.00	0.00	Take up insufficient - reported to Cabinet March 2016
DPC/Damp Works	64,633.19	100,000.00		35,366.81	0.00	
Neighbourhood Action Plan - Barrow Hill	463,567.38	456,000.00	7,567.38		0.00	
Sheltered Scheme - Parkside	2,088,634.86	2,000,000.00	88,634.86		0.00	
Stairlift Replacement	9,942.71	10,000.00		57.29	0.00	
Smoke Detector Replacement	129,747.62	130,000.00		252.38	0.00	
Footpath - Proactive Maintenance	42,104.56	250,000.00		207,895.44	0.00	No carry forward as new budget allocation in 2016/17
Unfilled Cavities	8,793.95	100,000.00		91,206.05	0.00	
Asbestos Works	2,270.00	50,000.00		47,730.00	0.00	
St Augustines Wetlands	8,440.00	8,440.00		0.00	0.00	
Sheltered Scheme Demolition - Heaton Court	11,400.44	12,000.00		599.56	0.00	
Lead Water Pipe/Stop Tap Replacement	0.00	15,000.00		15,000.00	0.00	
Estate Environmental	759,502.39	900,000.00		140,497.61	0.00	No carry forward as new budget allocation in 2016/17
PRC Programme	834,967.27	809,290.00	25,677.27		0.00	
Internal Soil Stacks	106,199.71	100,000.00	6,199.71		0.00	
Fire Safety Sprinkler Systems	60,725.17	45,000.00	15,725.17		0.00	
Demolitions at Court Place & Westwood Avenue	1,865.00	10,000.00		8,135.00	8,140.00	Demolitions due to start September 2016
SKY+ conversion	7,139.75	7,420.00		280.25	0.00	
HRA Property Acquisitions	141,082.56	300,000.00		158,917.44	65,000.00	Agreed repurchase has been delayed
Coniston Road Land Drainage Scheme	6,690.00	6,690.00	0.00	0.00	0.00	
Grange Court Conversion & 47 Paisley Ave	105,931.30	88,090.00	17,841.30		0.00	
Loft Insulation Top Ups	44,379.92	112,000.00		67,620.08	0.00	
New Build Fees	15,827.56	30,000.00		14,172.44	0.00	
Refurb 11/13/15 King Street North	0.00	90,000.00		90,000.00	90,000.00	Acquired late in 2015/16 and conversion to family homes delayed until 2016/17
Total All Schemes	18,125,190.07	21,897,517.00	435,107.63	4,207,434.56	2,460,900.00	

Net Position - (UNDER)/OVER-SPEND (3,772,326.93)

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For publication

PRIVATE SECTOR EMPTY HOMES STRATEGY (H010R)

Meeting: Cabinet
Date: 28 June 2016
Cabinet portfolio: Cabinet Member for Housing
Report by: Housing Manager - Alison Craig

For publication

1.0 Purpose of report

- 1.1 To seek approval for the adoption and publication of the Council's Private Sector Empty Homes Strategy 2016 – 2020.
- 1.2 To seek approval for the delegation of legislation, relating to empty homes, to the Health and Wellbeing Manager and Private Sector Housing Manager.

2.0 Recommendations

- 2.1 That Cabinet approves the adoption and publication of the Chesterfield Borough Council Private Sector Empty Homes Strategy 2016 - 2020.
- 2.2 That Cabinet approve the delegation of legislation, relating to empty homes (set out in **Appendix B**), to the Health and Wellbeing Manager and Private Sector Housing Manager.

3.0 **Background**

3.1 Chesterfield Borough Council's Empty Homes Strategy, was last reviewed in 2004 and incorporated Private Sector, Council and Housing Association owned empty properties.

3.2 Since 2004 there have been many changes to funding, legislation, housing policy and practice. Some of the changes that have occurred since 2004 have included:

- The Housing Act 2004
- The Decent Homes Standard
- New Homes Bonus.

3.3 In addition, much of the finance that was previously available to empty home owners to enable them to bring properties back into use is now no longer available.

3.4 The Council would always prefer to find a voluntary way forward when trying to bring a property back into use. However, on occasion this approach is unsuccessful and the use of available enforcement action must be considered, this can include:

- Compulsory Purchase
- Enforced Sale
- Empty Dwelling Management Orders.

3.5 The Private Sector Empty Homes Strategy 2016 - 2020 (attached at **Appendix A**) will highlight why it is necessary to have such policies in place and recommend that associated delegations are given to the Health and Wellbeing Manager and the Private Sector Housing Manager in order to secure an effective robust Private Sector Empty Homes Service.

3.6 Traditionally the delegations for legislation that can be used in association with empty homes have sat with other departments. Equipping the Health and Wellbeing Manager and Private Sector Housing Manager with delegated powers in relation to the legislation as

listed in **Appendix B**, will allow the Private Sector Empty Homes Service to operate in an efficient manner, avoid duplication and provide a robust service.

- 3.7 It should be noted that the request for the extension of delegated powers to the Private Sector Housing Team, does not infer that these powers would be removed from the services that currently hold these delegations.
- 3.8 The 2016 – 2020 Private Sector Empty Homes Strategy will focus on national policy, funding opportunities and the development of best practice. It will also highlight the Empty Homes Teams role in securing additional affordable housing, reducing demand on other council services and the positive impact that the service can have on general housing supply, New Homes Bonus income and debt recovery. These elements are crucial in a time of increased housing need and reduced budgets.
- 3.9 Chesterfield Borough Council’s Housing Strategy includes a Strategic Objective to make best use of the existing stock and actions to reduce the numbers of long term empty properties in the Borough. The Private Sector Housing Empty Homes Strategy is a dedicated strategy that helps to achieve this objective.

4.0 **Human resources/people management implications**

- 4.1 All administration and enforcement of legislation in connection with Empty Homes will be carried out within the existing resources of the Private Sector Housing Team. A restructure of this team took place in 2015 which has taken account of the implementation of the Private Sector Empty Homes Strategy 2016 - 2020.

5.0 **Financial implications**

- 5.1 The Private Sector Empty Homes Strategy will be delivered within the existing General Fund Budget.

6.0 **Legal and data protection implications**

6.1 Local authorities are not under a duty to prepare an Empty Homes Strategy, irrespective of tenure.

7.0 **Risk management**

7.1 The actions contained within the Strategy concern the implementation of statutory and good practice performance requirements. All relevant documents and reports have to be published and available for public scrutiny. The individual risks associated with the implementation of any proposal will be considered as part of any specific report brought on that

8.0 **Equalities Impact Assessment (EIA)**

8.1 The new Private Sector Empty Homes Strategy will not discriminate against any residents within the Borough under the protected characteristics listed below as the strategy is aimed at all privately owned empty properties and is aimed at reducing the negative effects that an empty property can cause to surrounding houses and communities. A preliminary EIA is attached at **Appendix C**.

9.0 **Alternative options and reasons for rejection**

9.1 It is not a statutory duty for an authority to produce an Empty Homes Strategy. However, without such a strategy it would be difficult for an authority to adopt an effective approach towards empty homes within their Borough.

10.0 **Recommendations**

10.1 That Cabinet approves the adoption and publication of the Chesterfield Borough Council Private Sector Empty Homes Strategy 2016 - 2020.

10.2 That Cabinet approves the delegation of the legislation as listed, relating to empty homes, to the Health and Wellbeing Manager and Private Sector Housing Manager.

11.0 **Reasons for recommendations**

- 11.1 To allow the Private Sector Housing team to investigate complaints, take necessary remedial action and provide the team with the necessary authorisation to implement a robust and practical approach towards the reoccupation of empty homes within the borough.

Decision information

Key decision number	628
Wards affected	All
Links to Council Plan priorities	The Private Sector Empty Homes Strategy links in the Council Plan priority to ‘Improve the quality of life for local people’ and within this the objective: ‘To increase the supply and quality of housing in Chesterfield Borough to meet current and future needs’.

Document information

Report author	Contact number/email
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Background documents	
Appendices to the report	
Appendix A	Private Sector Empty Homes Strategy 2016 – 2020
Appendix B	Provision of Delegations to the Private Sector Housing Team
Appendix C	EIA

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Chesterfield Borough Council

Private Sector Empty Homes Strategy

2016 -2020

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1. Foreword

Nationally the demand for housing continues to increase as does the number of people living in housing that is unsuitable for them and their families. Chesterfield is no exception to this.

The case for returning empty homes to usable housing accommodation is compelling. Returning long term empty properties to use, would not solve the boroughs housing problems, but it would certainly have a positive impact.

Empty homes can cause many problems for the community. They can be a magnet for criminal activity and anti-social behaviour. Neglected empty properties can have a negative impact on local house prices and can contribute towards urban decline and blight. Empty homes can also present a risk for the emergency services and place added pressure on Environmental Health and Anti-Social Behaviour Teams.

In addition the Governments 'New Homes Bonus' now provides a strong financial incentive to not only return existing empty homes to use as this attracts additional income, but also to try and ensure that the number of empty homes does not increase, as this attracts an equivalent penalty. At the same time a fully operational Empty Homes Service can help to recover the considerable debt owed to other Council departments, associated with empty properties. At a time of unprecedented cuts to local government funding, these additional funding streams become an important factor to take into consideration.

Chesterfield Borough Councils previous strategy was last reviewed in 2004. Since then there have been many changes to housing policy, legislation and funding. The new Empty Homes Strategy is an updated document that will focus on the situation here in Chesterfield today and will seek to maximise the potential community, financial and economic benefits that a successful strategy can bring to the residents of Chesterfield.

Councillor Tom Murphy

Cabinet Member for Housing.

2. Executive Summary

The last Empty Homes Strategy published by Chesterfield Borough Council, was last reviewed in 2004 and incorporated Private Sector, Council and Housing Association owned empty properties.

However, since 2004 there have been many changes to funding, legislation, housing policy and practice. Some of the changes that have occurred since 2004 have included:

- The Housing Act 2004
- The Decent Homes Standard
- New Homes Bonus.

In addition much of the finance that was previously available to empty homes owners to enable them to bring properties back into use is now no longer available.

In Chesterfield there are approximately 490 empty properties. Conversely there are approximately 1500 applications currently on the Councils housing waiting list. This fact immediately highlights the wasted resource that empty homes represent.

The New Homes Bonus Scheme was introduced by Central Government in 2011. This scheme rewards local authorities for a reduction in the number of empty properties and penalises them for an increase. This highlights the importance of a robust empty homes service, not only as an income generator, but also to prevent the authority from being penalised financially.

Chesterfield Borough Council would always prefer to find a voluntary way forward when dealing with empty property owners. In many cases this approach has proven very successful. However, on occasion this approach is unsuccessful and the use of available enforcement action must be considered, this can include:

- Compulsory Purchase
- Enforced Sale
- Empty Dwelling Management Orders.

The 2016 - 2020 Empty Homes Strategy will focus on national policy, funding opportunities and the development of best practice. It will also highlight the Empty Homes Teams role in securing additional affordable housing, reducing demand on other council services and the positive impact that the service can have on general housing supply, New Homes Bonus income and debt recovery. These elements are crucial in a time of increased housing need and reduced budgets.

3. Aims and Objectives

The strategic objectives of the 2016 – 20 Empty Homes Strategy are described in more detail in section 8, however to summarise, the strategy has the following key objectives.

1. To achieve a year on year reduction of the number of empty properties within the borough.
2. To continue to raise awareness of the Empty Homes issue
3. To identify and maximise funding streams and income opportunities for Chesterfield Borough Council including New Homes Bonus and debt recovery
4. To ensure Empty Homes information held by Chesterfield Borough Council is accurate.
5. Wherever possible to secure a voluntary reoccupation of a property.
6. Take appropriate and proportionate enforcement action where necessary to secure occupation where informal action has failed to secure reoccupation.
7. Explore the viability of setting up a Tenancy Management Service that would be available for the owners of empty properties.
8. Encourage owners of empty properties to let their properties to applicants on the Chesterfield Borough Council housing waiting list or to clients to whom the Council has a homelessness duty.

NB: Objectives 7 and 8 above may assist Chesterfield Borough Council to discharge their homelessness duty if certain criteria are met.

4. Introduction

Historically, dealing with empty homes (which although recognised by local authorities as an issue) was traditionally under resourced. For the benefits outlined below, it is now recognised that an effective Empty Homes Strategy can:

- Maximise available revenue to the local authority and prevent it from losing income, through New Homes Bonus, Council Tax Revenue etc.
- Help to support corporate policies, objectives and strategies.
- Provide additional good quality affordable housing to help bridge the gap between housing demand and available housing.
- Reduce the need to build on Greenfield sites.

The demand for suitable and affordable housing continues to grow at a time when the availability of good quality affordable housing continues to fall. Whilst the reoccupation of empty homes will not entirely resolve this problem, it is acknowledged that a robust empty homes service can make a significant contribution to tackling the issue on a local level.

Additionally, local authorities cannot ignore the potential income stream that empty homes can provide. Primarily this is by way of the New Homes Bonus scheme which rewards authorities for a reduction in empty homes and imposes a financial penalty for any increase in empty properties.

For those living in close proximity to an empty home, the issues that an empty home presents can be significant. These include:

- Reduction in property value of surrounding properties
- Vandalism and other anti-social behaviour
- Increase in levels of crime and fear of crime.

To conclude, empty homes have a negative impact on the community and local authority. They represent a wasted resource when left vacant, but if tackled can represent considerable opportunity.

4 Policy Context

4.1 Defining an Empty Property

Empty homes occur for a variety of reasons. Some are empty for short periods of time and tend to come back into use relatively quickly; others may be empty for a significant period of time and are not likely to come back into use until the underlying reason for the vacancy is addressed.

Research has indicated that there are two main types of empty homes:

Transitional Vacancies

Properties that are re-occupied relatively quickly and are necessary for the mobility of the housing market are classed as transitional vacant dwellings. These properties seldom require the intervention of the council in order to ensure that they are brought back into the housing stock within 6 months of being vacated. Transitional vacancies include properties which are for sale on the open market or under offer, or properties that are being renovated with the intention to sell, rent or occupy on completion

Problematic Vacancies

Properties that are inactive in the housing market and have remained empty for over six months are classed as problematic vacancies and are targeted for action within this strategy. Also targeted are properties that have been highlighted by complaints either from members of the public, other organisations or council departments. These properties may not have been empty for over six months.

4.2 Why Do Properties Become and Remain Empty?

There are various reasons why properties become empty, the main ones being as follows:

- Low Demand for accommodation in an area
- Inheritance – awaiting completion of Probate
- Transitional, short term empty - normal aspect of an active housing market.
- Awaiting demolition – by local authority, Gov't department or individual.
- Lack of finances – ill health, redundancy etc, resulting in delay in renovations.
- Owner in institutional care
- Investment opportunities – left empty because of market conditions “buy to leave”
- Lack of interest – apathy on part of owner.
- Planning consent – waiting for or lack of.
- Prohibition orders – Made under the Housing Act 2004
- Repossessions – Empty whilst finance company place property on market.
- Lack of information and advice
- Family disputes/Divorce settlements – awaiting completion before decision to reoccupy or place on market.

4.3 The Impact of Empty Homes on the Community

- An empty home may pose a direct risk of damage to adjoining properties through structural defects, damp etc.
- Boarded up windows and doors, overgrown gardens and rubbish dumping can affect the value and marketability of neighbouring properties
- It may attract petty crime and anti-social activity ranging from fly-tipping to graffiti and other public health problems
- It may attract more serious criminal activity, ranging from vandalism to drug-dealing and arson
- The longer a property is left empty and unattended, the more difficult it may be to guard against illegal entry.

4.4 The Benefits of Bringing Empty Homes Back into Use

Considering the wide range of costs that may be directly attributed to empty homes, it is clear that any policy which aims to bring these properties back into use can be expected to have considerable benefits to the homeowner, community and the local authority.

There are many financial and social benefits and opportunities to successfully dealing with long term empty homes and returning them back into occupation:

- A saving to the owner of Council Tax fees.
- Potential for rental income.
- Financial gain to owners of neighbouring properties Community pride and sustainability, particularly in areas where large numbers of homes are vacant.
- An increase in available housing for local people, which will help to reduce and prevent homelessness, therefore minimising the use of temporary accommodation.
- Acts as a measure to reduce crime and disorder and to allay the fear of crime
- Promoting and providing well-managed and maintained private sector housing will enable a better standard of living and will assist in meeting the Decent Homes Standard for all tenures.

4.5 National Context

The previous Government's "Programme for Government" included a commitment to "explore a range of measures to bring empty homes into use." Specific funding was made available for this purpose, including £156 million allocated between 2012 and 2015 under two rounds of the Empty Homes Programme (part of the Affordable Homes Programme). An additional £60 million was allocated as part of the Clusters of Empty Homes Programme, which aimed to tackle concentrations of poor quality empty homes in areas of low housing demand.

In 2011, Government confirmed that councils could attract additional funding under the New Homes Bonus scheme for bringing empty properties back into use. Under the scheme, the Government matches the Council Tax raised for each property brought back into use for a period of six years. The Autumn Statement of 2015 announced that this period would be reviewed.

The Government also made a number of other changes concerning empty properties. This included changes to planning policy, Council Tax measures, and the appointment in April 2012 of George Clark as the Government's Empty Homes Advisor.

The Affordable Homes Programme 2015-18 does not include separate funding for empty homes. The current Government has said that the £216 million of funding provided between 2012 and 2015 was intended to "provide a push in the right direction" and that there are no plans to provide additional funding.

4.6 New Homes Bonus

From a local authority perspective, the key policy in regard to empty homes is the New Homes Bonus (NHB). This policy recognises the fact that empty homes returned to use provide additional accommodation in the same way that new build properties do. An empty home returned to use is rewarded in the same way as a new home, via a payment of the equivalent council tax income to the local authority for six financial years following its return to use.

NHB not only encourages local authorities to invest in empty homes work to reduce the number of empty homes, it also ensures that this investment remains and that the problem of empty homes is contained. In the same way as a reduction in the number of empty homes attracts a bonus, an increase in the number of empty homes attracts a penalty, eating into any NHB that may be payable on new build properties.

It is in the interests of the local authority to not only reduce the number of properties left empty but also to ensure the number remains as low as possible.

Scenarios

Possible Local Authority NHB income is illustrated by the following examples, calculated using the online NHB calculator provided by Communities and Local Government "CLG". For reasons of simplicity, all qualifying properties are assumed to be in council tax band B.

Scenario 1

300 new properties are built in Chesterfield in 2015/16

There is no change to the number of empty homes.

The total NHB payable over six years = 2,077,012

Scenario 2

300 new properties are built in Chesterfield in 2015/16

100 empty houses are reoccupied in addition to the 300 new builds

The total NHB payable would be 2,769,349

Additional NHB award = £692,337

Scenario 3

300 new homes are built in Chesterfield in 2015/16

This should attract an NHB payment of £2,077,012 over six years.

However, the number of empty homes increases by 100.

Actual NHB payable over six years is reduced to £1,384,675

Total lost NHB income in 2015/16 = £692,337

New Homes Bonus and the Housing Market

Criticism has been levelled at NHB because it is difficult for a local authority to directly influence the prevailing housing market. However, in all scenarios, an effective empty homes service can be seen to either earn NHB or minimise the loss of NHB for the Council.

Scenario 4:

300 new homes are built in Chesterfield in 2015/16

The Empty Homes Service have bought 100 properties back into use.

However, the housing market contracts in 2015/16 and the overall number of empty properties in the borough increases by 200.

Without empty homes work in the above scenario, no NHB would be payable.

The 300 new builds would have been cancelled out by the 300 increase in the number of empty homes. However, the 100 empty properties bought back into use results in an overall NHB payment of £692,337.

Formula Grant.

From 2014, all NHB awards will be made from Formula Grant, meaning that those local authorities who do earn NHB will do so wholly at the expense of those who do not. It serves to minimise the impact of any further downturn in the housing market and also maximise any upturn that may occur.

4.7 Council Tax exemptions and premiums

Council Tax is usually payable on an empty home, but the local authority can decide to give a discount - the amount is at the authorities discretion.

Empty Homes Premium

From 1 April 2013 local authorities have also been able to set an 'empty homes premium' for long-term empty properties. Properties which have been unoccupied and substantially unfurnished for over two years may be charged up to 150% of the normal Council Tax. (unless it is an annex or the owner is in the armed forces).

Exemptions

If an empty property is being sold on behalf of an owner who has died, Council Tax is not payable for up to 6 months from the day probate (the right to deal with the estate) is granted.

Some homes do not get a Council Tax bill for as long as they stay empty. They include homes:

- of someone in prison (except for not paying a fine or Council Tax)
- of someone who has moved into a care home or hospital
- that have been repossessed
- that cannot be lived in by law, eg if they're derelict or prohibited by the LA.
- that are empty because they've been compulsory purchased and will be demolished

Properties Undergoing Refurbishment

If the property has been undergoing major home improvements. The authority will issue a 'completion notice' that states the date that Council Tax payments must be commenced.

Discounts may be available if the house is undergoing major repair work or structural changes, eg walls are being rebuilt.

Derelict Properties

A property is only considered derelict if it:

- it is uninhabitable, eg because it's been damaged by weather, rot or vandalism

- would need major structural works to make it 'wind and watertight' again

An application can be made to the Local Valuation Office to get a derelict property removed from the Council Tax valuation list.

4.8 Value Added Tax (VAT)

Renovation and refurbishment work on existing homes is generally subject to VAT while new-build housing is zero-rated.

Reduced Rate VAT

If work is carried out to an existing building it will normally be subject to VAT at the standard rate. However, VAT may be charged at the reduced rate of 5% if renovations or alterations are taking place where:

- an eligible dwelling that has not been lived in during the 2 years immediately before your work starts, or
- premises intended for use solely for a 'relevant residential purpose' that have not been lived in during the 2 years immediately before work is commenced.

Zero Rated VAT

To qualify for zero rated VAT the property must have been empty for at least 10 years immediately before renovation work is started and it must be used for residential purposes afterwards by the owner or their family. Any works of repair, maintenance or improvement that is carried out to the fabric of the building can be considered for a VAT reduction but items such as built-in wardrobes and carpets cannot. **For HMRC purposes residential properties that have been empty for over 10 years are considered to be conversions.**

4.9 The current Government's approach

In October 2015 a parliamentary question asked whether the Government intended to introduce a scheme similar to the Empty Homes Programme. In response, the Housing and Planning Minister, said that the Government had no plans to introduce additional funding, stating that: The Government set a new direction in tackling empty homes and property to ensure their value and opportunity was realised. It provided £216 million direct funding to local authorities, registered providers and community groups between 2012- 2015 and 9,044 homes were created from empty property. Of these 5,722 homes were brought back into use as affordable housing. The remaining 3,322 were brought back to use in line with local demand and the requirements of the neighbourhood as part of the Clusters of Empty Homes Programme.

This funding was intended to provide a push in the right direction, we have no plans to provide more. The Government has achieved a year on year reduction in long-term empty homes and the number of homes that stand empty for more than six months is now at its lowest level since records began.

4.10 Planning policy

The National Planning Policy Framework (March 2012) replaced previous Planning Policy Guidance. With regard to empty homes, the Framework states:

Local planning authorities should identify and bring back into residential use empty housing and buildings in line with local housing and empty homes strategies and, where appropriate, acquire properties under compulsory purchase powers. They should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.

5 Local context

5.1 Chesterfield Borough Council

The role tackling Empty Homes can play in meeting wider objectives of the Council is crucial. Through tackling the issues of empty homes this strategy can help deliver on wider council priorities and objectives.

Chesterfield Borough Council Plan 2015-2020

Tackling empty homes plays will play an important part helping the Council achieve key objectives within the Council Plan and Housing Strategy. The vision for the Plan is 'putting our communities first' and within that there are two priorities where tackling empty homes can help achieve objectives.

- **To improve the quality of life for local people**
 - To increase the supply and quality of housing in Chesterfield Borough to meet current and future needs
 - To reduce inequality and support the more vulnerable members of our communities
- **To provide value for money services.**
 - To become financially self-sufficient by 2020, so we can continue to deliver the services our communities need.

Chesterfield Borough Council Housing Strategy 2013-16

The Housing Strategy 2013-16 included an objective 'Making better use of the existing stock. Recognising that while new housing supply plays a key role in meeting identified housing needs in Chesterfield it only represents a small proportion of housing in comparison to the existing stock. Enabling more effective use of the existing housing stock will play the main role in meeting the majority of residents housing needs.

5.2 Council Tax Discounts and Exemptions

Under section 11A of the Local Government Finance Act 1992, from 1st April 2013, Chesterfield Borough Council has decided that the Council Tax discount applicable to certain properties will be:

- Nothing for second homes (unoccupied furnished properties)
- 100 per cent for up to 12 months for discounts that replace the current Class A exemption (unoccupied and substantially unfurnished properties which require or are undergoing major repair works to make them habitable or homes undergoing structural alterations). No discount will apply after this period.

- 100 per cent discount for up to 3 months for properties that are unoccupied and substantially unfurnished (currently Class C). No discount will apply after this period.
- A change in owner does not create a further discount period.

Note: For the changes that relate to empty homes, the previous rule which stipulated that empty status cannot be interrupted by notice of short term occupations for less than six weeks will continue to apply

Empty Homes Premium

When a dwelling has been unoccupied and unfurnished for 24 months or longer an additional 50 per cent surcharge will become payable. This means that a 150 per cent Council Tax charge will apply to properties that have been unoccupied and unfurnished for 24 months or longer.

If a dwelling is furnished but is no-one's main home, a full Council Tax charge will apply.

5.3 Debt Recovery

There are several types of debt that can be associated with empty homes, the most common being unpaid council tax, works in default costs and residential care charges for previous occupiers.

The pressures on local government finances since 2010 continue and we therefore seek to maximise all debt recovery opportunities. It is appropriate that all efforts to recover debt associated with empty property are undertaken to recover public money from this wasted resource.

5.4 New Homes Bonus

In order to maximise NHB, the Council has developed a programme of property visits which, allows the data that is used to calculate NHB award to be as accurate as possible at the time of the data snapshot – usually early October. This ensures that NHB income to the council is maximised each year.

6 Chesterfield Borough Council Empty Homes Service Overview

Locally within Chesterfield Borough Council, the responsibility and resources available for Empty Homes has changed significantly. The previous Empty Property Strategy was last reviewed in 2004. In 2008 the responsibility for Empty Homes within the private sector was transferred to the Private Sector Housing Team, however some of the enforcement powers remained with other services. Initially this function was absorbed within the existing resources of the Private Sector Housing Team, however in 2011 funding was utilised to secure a temporary Empty Property Officer Post for three years within the team. The officer left this post after two years and although officer was recruited to the post, the funding for the post ceased in 2014.

The temporary post concentrated on ascertaining a true picture with regard to empty properties in the borough, ie number of empty properties, how many were causing significant issues. The officer was then tasked with tackling the most problematic properties that had been identified. During the period between 2011 and 2014 the team were bringing up to one hundred empty properties back into use per year. This figure was vastly reduced between the period 2014 and 2015 when the team received no Empty homes funding to approximately 10% of the previous years statistics.

6.1 Private Sector Housing Team Restructure 2014

Between 2014 and 2015 the Private Sector Housing Team underwent a significant restructure. The team now consists of the Private Sector Housing Manager, a Senior Housing Officer, three Housing Officers, a Technical Assistant and an Administration Support Officer.

In the period between the Empty Homes Officer post ending and the Private Sector Housing restructure being completed, little work was carried out with regard to Empty Homes as there was neither, the necessary skill set or officer numbers within the team to devote to the project.

The newly formed team have now assigned officer time to recommence work with regard to Empty Homes. The team are again working to ascertain the number of empty Homes within the borough, are in the process of visiting the properties to confirm their condition and to carry out a risk assessment. Those properties presenting the highest risk with regard to condition, anti-social behaviour or nuisance will be dealt with as a priority. All other empty properties will be written to on an informal basis to encourage the owner to return them to use.

6.2 Enforcement

Whilst the team are now equipped with the necessary officer competency to deliver the empty homes service, a further issue has come to light. As a council we now need to develop the necessary enforcement package to deal with those empty

homes that we are not able to return to use via voluntary means. In cases such as these it is necessary to have a robust enforcement policy and delegation of the appropriate enforcement powers within the team. This would allow the council if necessary, to carry out work in default of a legal notice or as a last resort to consider the compulsory acquisition or management of the property through:

- Compulsory purchase the property
- Enforced Sale.
- Empty Dwelling Management Orders (EDMO;s)

6.3 Empty Homes Strategy

Given that since the publication of the last Empty Homes Strategy in 2004, there has been significant change both in national policy, legislation and local resource that has been allocated to the issue of Empty Homes, the 2016 -2020 strategy is realistic in that it will focus on ascertaining the extent of the issue within Chesterfield and will work towards making the service robust and efficient. In particular, the 2016 - 2020 Empty Homes Strategy will focus on national policy, funding opportunities and the development of best practice. It will also highlight the Empty Homes Teams role in securing additional affordable housing, reducing demand on other council services and the positive impact that the service can have on general housing supply, New Homes Bonus income and debt recovery.

6.4 Empty Homes Database

All empty homes that have been identified or referred to the service are now added to a database (M3). It is the usual practice for all properties empty for more than six months to be automatically added to our database and actioned.

However, where a property is a source of complaint, or when the property is identified by other departments or ourselves as being of imminent danger or concern, the length of time empty becomes irrelevant. If the property is not already being investigated, it is added to our current workload immediately and prioritised accordingly.

6.5 Website Presence and Referral Forms

The Empty Homes pages of Chesterfield Borough Councils website will shortly be updated to provide an overview of our activities and give the public the opportunity to report an empty home. This can be submitted anonymously.

7 Recommendations

This strategy will make the following recommendations to ensure that the service is efficient, effective and robust.

7.1 Extension of Delegation To The Private Sector Housing Team:

Extend delegated powers in respect of the following legislation to the Private Sector Housing Team. This will enable the team to investigate complaints, take necessary remedial action and provide the team with the necessary authorisation to implement a robust and practical approach towards the reoccupation of empty homes within the borough. Please note that the request for the extension of delegated powers to the team, does not infer that these powers are removed from the services that currently have delegation.

- Town & Country Planning Act 1990, section 215: Where the condition of an empty home is detrimental to the amenity of the area.
- Building Act 1984, section 59: Where the condition of the drainage to the building is prejudicial to health or a nuisance
- Building Act 1984, section 76: Defective Premises.
- Building Act 1984, Section 77 and 78: Dangerous and dilapidated buildings.
- Building Act 1984, section 79: Where an empty home is in such is seriously detrimental to the amenity or of the neighbourhood.
- Environmental Protection Act 1990, section 80: Where a statutory nuisance exists, is likely to occur or recur at the property.
- Prevention of Damage by Pests Act 1949, section 4: Applied where the condition of the property is such that it is providing or likely to provide harbourage to rodents.
- Public Health Act 1936, Section 83: Filthy and Verminous premises.
- Public Health Act 1961, Section 17(1) (as substituted by Section 27 Local Government (Miscellaneous Provisions Act 1982): - Repair of a water closet, waste pipe, or a drain.
- Public Health Act 1961 Section 17(3) (as substituted by Section 27 Local Government (Miscellaneous Provisions Act 1982): – Remedy stopped up drain, water closet, waste pipe or soil pipe.
- Local Government (Miscellaneous Provisions) Act 1982, section 29: Allows the council to act if a property is open to unauthorised access.

- Housing Act 1985 section 17 and the Acquisition of Land Act 1981 form the basis for the compulsory purchase of land/buildings for the provision of housing accommodation
- Local Government (Miscellaneous Provisions) Act 1976, section 15: Allows authorisation to be given for officers to enter land (and property on that land) in connection with a proposal to acquire a compulsory interest in that land (and property on that land).
- Law of Property Act 1925, section 101: The basis for enforced sale.

7.2 Creation and Implementation of Policies and Delegation of Relevant Authority

It is recommended that consideration is given to the introduction of the following policies that would be administered by the Private Sector Housing Team to enable the team to operate an effective and robust Empty Homes Service.

Compulsory Purchase of Empty Private Sector Homes

CPO's can be made under S17 of the Housing Act 1985 or under S226 (as amended by Planning and Compulsory Purchase Act 2004) of the Town & Country Planning Act 1990. CPO's are considered a "last resort" where owners have refused or failed to co-operate. Where the Secretary of State confirms such an Order, the acquiring authority would normally be expected to dispose of the properties acquired.

Enforced Sale

The Law & Property Act 1925 (S30) allows local authorities to recover charges through the sale of the property. This option can only be utilised where there is a debt to the local authority registered as a charge on the property. Council tax debts or works in default can be charged to the property in many cases, allowing the enforced sale process to begin.

Empty Dwelling Management Orders

The law relating to EDMO's is contained within, The Housing Act 2004 Sections 133 -138 and The Housing (Empty Dwelling Management Orders) (Prescribed Period of Time and Additional Prescribed Requirements) (England) (Amendment) Order 2012. An EDMO can be made where a property has been empty for over two years and the owner appears to have no intention of returning it to use. The Council undertake the management of a property for a set period of time, up to seven years, with the EDMO reviewed after that time. EDMO's are open to appeal at any stage.

8 Monitoring, Resources and Review

The purpose of this strategy is to acknowledge the empty homes work that has previously been carried out by Chesterfield Borough Council, to explain the current situation with regard to empty homes both on a national and local basis and to set out the Council's future plans with regard to empty homes work.

The Private Sector Housing Team has responsibility for delivering the Empty Homes Strategy.

The Strategy clearly sets out that where possible, the team will try and ensure a property is returned to use by voluntary means, but that the team should be equipped with the necessary enforcement powers to ensure that statutory enforcement action can be used where necessary in order to return a property to use.

The review of the Strategy will be carried out on an operational level in accordance with Table 1 below.

The Private Sector Housing Team will continue to monitor the number of empty homes brought back into use.

Action number	Strategic objective	Action description	Target date	Lead officer
Raising Awareness				
1	Continue to raise awareness of the empty homes issue	Measures to include: <ul style="list-style-type: none"> • Update the CBC website to include an online Empty Homes referral form. • Targeted press releases • Internal and external training and attendance at targeted publicity events. 	Ongoing	Private Sector Housing Manager
Partnership Working				
2	Maintain and improve partnership working	Work with various departments including Council Tax, Housing, Environmental Protection etc. to maximise impact and delivery of the Empty Homes Strategy	Ongoing	Private Sector Housing Manager
Empty Homes Database				
3	Ensure compliance and accurate recording of actions in accordance with the Empty Homes procedure	Maintain record keeping on M3 and ensure structured progression through the empty homes procedure	Ongoing	Private Sector Housing Officers
Reduce the Number of Empty Homes				
4	Identify new funding streams and opportunities	Work closely with HCA and CLG on emerging policy and funding arrangements for empty homes.	Ongoing	Private Sector Housing Manager
	Endeavours to secure voluntary reoccupation of properties	Continue and expand upon direct communication with owners of empty homes to minimise need for enforcement	Ongoing	Private Sector Housing Manager
	Consider enforcement activity against prominent nuisance properties where owner is untraceable or non-cooperative	Progress specific properties through CPO, Enforced Sale/EDMO route to generate voluntary progress or secure change of ownership	Ongoing	Private Sector Housing Officers

Action number	Strategic objective	Action description	Target date	Lead officer
	To constantly improve performance in reducing the number of empty homes.	Continuously develop and sustain up-to-date knowledge of best practice through ongoing research and liaison with appropriate external bodies	Ongoing	Private Sector Housing Manager
	Reactively investigate all reports received and continue to monitor known empty properties	Investigation of all reported empty properties and proactive investigation of all identified long-term or particularly problematic empty properties	Ongoing	Private Sector Housing Officers
Income and Debt Recovery				
5	Maximise debt recovery opportunities through both enforcement and informal methods	<ul style="list-style-type: none"> Identify all opportunities for debt recovery Pursue all suitable cases in conjunction with colleagues in legal services Develop the use of Enforced Sale and CPO powers 	Ongoing	Private Sector Housing Manager
	Maximise income through New Homes Bonus through focused visits to all qualifying empty homes	<ul style="list-style-type: none"> Ensure all cases are accurately recorded by council tax prior to closing Complete all necessary visits to allow accuracy in the return that dictates NHB 		Private Sector Housing Manager
Monitor and Review				
5	Annual review of strategy targets, action plan, and resources	Review action plan and targets. Where possible access additional funding to resource new/additional measures	Ongoing	Private Sector Housing Manager

9 Conclusion

This strategy aimed to clearly set out the issues relating to Empty Homes both on a national and local context. It also sets out national and local strategies used to help bring properties back into use, the financial tools available to local authorities and above all it explains how an robust and effective Empty Homes Strategy can not only reduce financial spending for the local authority, but can also be an effective income generator.

The strategy highlights why properties become, remain vacant and also highlights the issues that long term empty properties can cause for both the local authority, local residents and the housing market as a whole.

Returning an Empty Home to use provides an opportunity to achieve homes for those who need them and, at the same time, to provide other benefits to the community as a whole, to individual property owners and has a positive impact on the resources of the local authority.

The most effective way to tackle the problem of empty homes is to have an effective and robust Empty Homes Service that aims to return properties to use primarily through voluntary means, but is equipped to use statutory enforcement where merited and where all other methods have failed.

This strategy has highlighted the issues associated with long term empty homes and the Councils commitment to tackle these problems. Crucially it also sets out a series of recommendations which will need to be implemented if the service is to operate at its full potential.

Appendix A: Empty homes Procedure

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Check ownership from Council records

Visit and carry out external survey to assess condition and risk rate.

Property High / imminent risk

Property low / medium risk

Send standard letter and questionnaire.

Owner completes reply slip & discusses options with EHO

No / unacceptable Response (after 7m)

Selling

Moving In

Private Let

Financial Assistance

Conversion to other use

No concrete plans

Visit property. LR search. 2nd letter

If not sold within 6m send 2nd letter

If not moved in within owner's given timescales send

If not let within owner's given timescales send second letter

If owner defaults on timetable send second letter

If not completed within owner's given timescales send second letter

* If no/unacceptable response within 28d visit & take photos for potential

If not sold within 6m

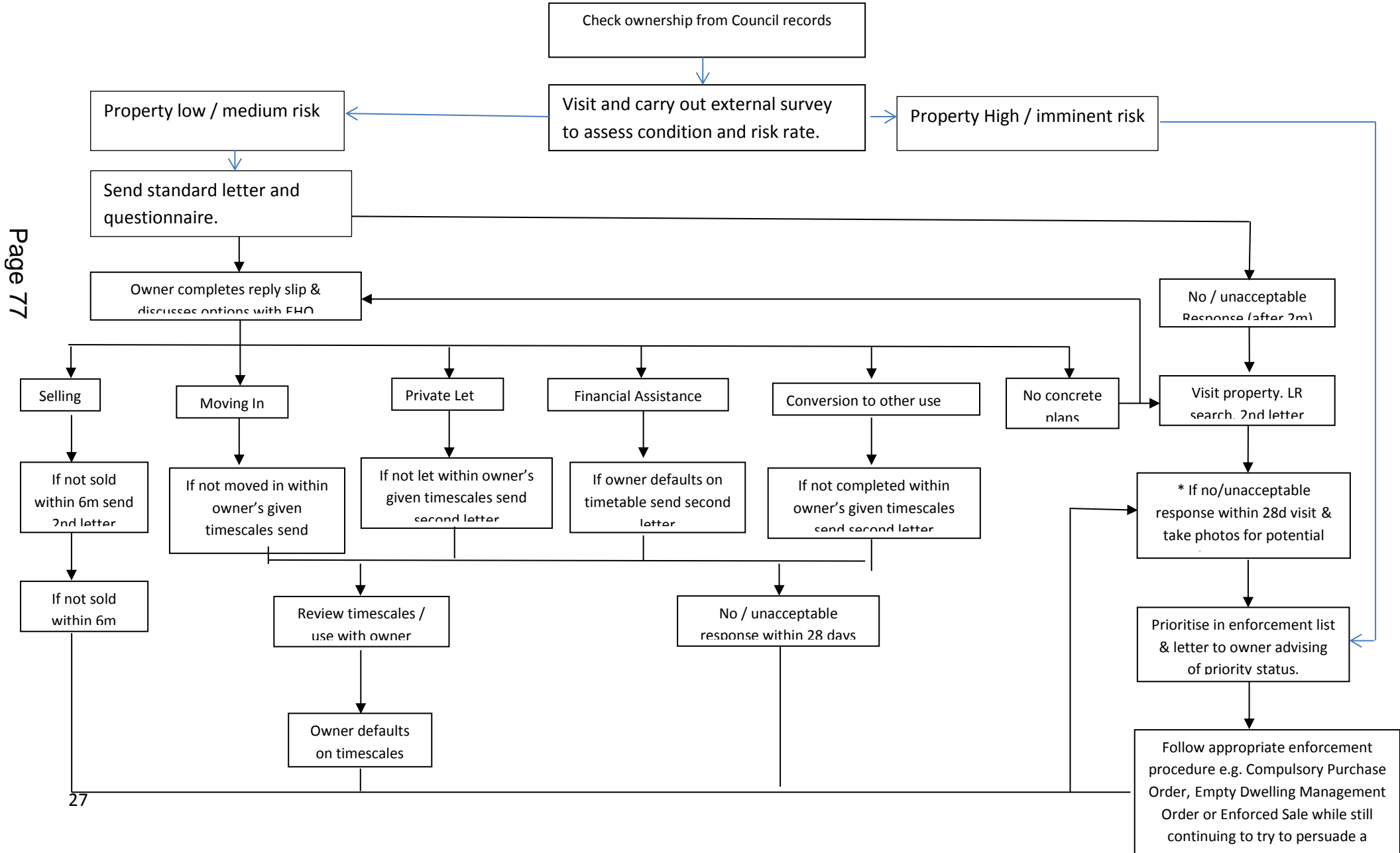
Review timescales / use with owner

No / unacceptable response within 28 days

Prioritise in enforcement list & letter to owner advising of priority status.

Owner defaults on timescales

Follow appropriate enforcement procedure e.g. Compulsory Purchase Order, Empty Dwelling Management Order or Enforced Sale while still continuing to try to persuade a



Appendix B Main Statutory Enforcement Options – Empty Homes

- Town & Country Planning Act 1990, section 215: Where the condition of an empty home is detrimental to the amenity of the area.
- Building Act 1984, section 59: Where the condition of the drainage to a building is prejudicial to health or a nuisance
- Building Act 1984, section 76: Defective Premises.
- Building Act 1984, Section 77 and 78: Dangerous and dilapidated buildings.
- Building Act 1984, section 79: Where an empty home is in such is seriously detrimental to the amenity or of the neighbourhood.
- Housing Act 2004, sections 11, 12, 20, 21 and (46 which substitutes section 265 of Housing Act 1985): Where the condition of a property is defective such that its use needs to be prohibited, works are required for improvement or the property requires demolition.
- Environmental Protection Act 1990, section 80: Where a statutory nuisance exists, is likely to occur or recur at the property.
- Prevention of Damage by Pests Act 1949, section 4: Applied where the condition of the property is such that it is providing or likely to provide harbourage to rodents.
- Public Health Act 1936, Section 83: Filthy and Verminous premises.
- Public Health Act 1961, Section 17(1) (as substituted by Section 27 Local Government (Miscellaneous Provisions Act 1982): - Repair of a water closet, waste pipe, or a drain.
- Public Health Act 1961 Section 17(3) (as substituted by Section 27 Local Government (Miscellaneous Provisions Act 1982): – Remedy stopped up drain, water closet, waste pipe or soil pipe.
- Local Government (Miscellaneous Provisions) Act 1982, section 29: Allows the council to act if a property is open to unauthorised access.
- Local Government (Miscellaneous Provisions) Act 1976, section 16; and Town & Country Planning Act 1990, section 330 – this is served where confirmation or further information regarding property ownership or interests is required
- Housing Act 1985 section 17 and the Acquisition of Land Act 1981 form the basis for the compulsory purchase of land/buildings for the provision of housing accommodation
- Local Government (Miscellaneous Provisions) Act 1976, section 15: Allows authorisation to be given for officers to enter land (and property on that land) in connection with a proposal to acquire a compulsory interest in that land (and property on that land)

- Housing Act 2004 Part 4: Empty Dwelling Management Orders (EDMO)
- Law of Property Act 1925, section 101: The basis for enforced sale.

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Powers Applicable to Empty Homes

- Town & Country Planning Act 1990, section 215: Where the condition of an empty home is detrimental to the amenity of the area.
- Building Act 1984, section 59: Where the condition of the drainage to a building is prejudicial to health or a nuisance
- Building Act 1984, section 76: Defective Premises.
- Building Act 1984, Section 77 and 78: Dangerous and dilapidated buildings.
- Building Act 1984, section 79: Where an empty home is in such is seriously detrimental to the amenity or of the neighbourhood.
- Environmental Protection Act 1990, section 80: Where a statutory nuisance exists, is likely to occur or recur at the property.
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- Law of Property Act 1925, section 101: The basis for enforced sale.

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Chesterfield Borough Council

Equality Impact Assessment - Preliminary Assessment Form

The preliminary impact assessment is a quick and easy screening process. It should identify those policies, projects, services, functions or strategies which require a full EIA by looking at negative, positive or no impact on any of the equality groups.

Service Area: Business Planning and Strategy – Housing Services

Section: Private Sector Housing

Lead Officer: Head of Housing

Title of the policy, project, service, function or strategy the preliminary EIA is being produced for: Private Sector Empty Homes Strategy 2016 - 2020

Is the policy, project, service, function or strategy:

Existing

Changed

New/Proposed

Q1 - What is the aim of your policy or new service?

To implement the 2016 – 2020 Private Sector Empty Homes Strategy.

Q2 - Who is the policy or service going to benefit?

The strategy could benefit in the following ways:

- Owners of private sector empty homes
- Occupiers of properties in close proximity to empty homes
- Residents of the borough currently unable to secure appropriate accommodation.
- CBC by way of debt recovery and additional Council Tax revenue

Q3 - Thinking about each group below, does, or could the policy, project, service, function or strategy have an impact on protected characteristics below? You may also need to think about sub groups within each characteristic e.g. older women, younger men, disabled women etc.

Please tick the appropriate columns for each group.

Group or Protected Characteristics	Potentially positive impact	Potentially negative impact	No impact
Age – including older people and younger people.	A robust policy, that prevents empty homes from deterioration / anti social behaviour etc may have a positive impact on those living locally, which may include those with protected characteristics. Additionally, bringing empty homes back into use, will provide additional accommodation which may be accessed by those with protected characteristics.	None	
Disabled people – physical, mental and sensory including learning disabled people and people living with HIV/Aids and cancer.		None	
Gender – men, women and transgender.		None	
Marital status including civil partnership.		None	
Pregnant women and people on maternity/paternity. Also consider breastfeeding mothers.		None	
Sexual Orientation – Heterosexual, Lesbian, gay men and bi-sexual people.		None	
Ethnic Groups		None	
Religions and Beliefs including those with no religion and/or beliefs.		None	
Other groups e.g. those experiencing deprivation and/or health inequalities.		None	

If you have answered that the policy, project, service, function or strategy could potentially have a negative impact on any of the above characteristics then a full EIA will be required.

Q4 - Should a full EIA be completed for this policy, project, service, function or strategy?

Yes
No

Q5 - Reasons for this decision:

The Private Sector Empty Homes Strategy will not have a negative impact on any of the protected characteristics of those mentioned above.

Please e-mail this form to the Policy Service before moving this work forward so that we can confirm that either a full EIA is not needed or offer you further advice and support should a full EIA be necessary.

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