



OFFICIAL REPORT
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Local Government and Communities Committee

Wednesday 15 May 2019

Session 5



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LOCAL GOVERNMENT AND COMMUNITIES COMMITTEE

14th Meeting 2019, Session 5

CONVENER

*James Dornan (Glasgow Cathcart) (SNP)

DEPUTY CONVENER

*Alex Rowley (Mid Scotland and Fife) (Lab)

COMMITTEE MEMBERS

*Annabelle Ewing (Cowdenbeath) (SNP)

*Kenneth Gibson (Cunninghame North) (SNP)

*Graham Simpson (Central Scotland) (Con)

*Alexander Stewart (Mid Scotland and Fife) (Con)

*Andy Wightman (Lothian) (Green)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Shaheena Din (Scottish Empty Homes Partnership)

Derek Logie (Rural Housing Scotland)

CLERK TO THE COMMITTEE

Peter McGrath

LOCATION

The James Clerk Maxwell Room (CR4)

Scottish Parliament

Local Government and Communities Committee

Wednesday 15 May 2019

[The Convener opened the meeting at 09:45]

Decision on Taking Business in Private

The Convener (James Dornan): I welcome everyone to the 14th meeting of the Local Government and Communities Committee in 2019. I remind everyone to turn off their mobile phones.

Agenda item 1 is consideration of whether to take items 3 to 5 in private. Are we agreed?

Members indicated agreement.

The Convener: Thank you.

Empty Homes

09:45

The Convener: Agenda item 2 is our first evidence session in our inquiry into empty homes in Scotland. I welcome Shaheena Din, who is the national manager at the Scottish empty homes partnership, and Derek Logie, chief executive of Rural Housing Scotland.

Given the time that we have available, we will move straight to questions, and I will start. What are the main reasons why homes become and remain empty?

Shaheena Din (Scottish Empty Homes Partnership): We have evidence from the annual surveys that we have sent out to empty property officers every year since 2010 that there are many reasons why properties become empty, and they can be complex. Often, a person has passed away or the owner has gone into residential care. Perhaps the property has been repossessed or a person no longer has the funds to refurbish it. Often, it is due to life situations rather than to people desiring to leave their homes empty.

Derek Logie (Rural Housing Scotland): Those issues apply in rural and urban locations. Reasons that are specific to rural areas include changes to working practices on estates meaning that there are fewer staff. That can affect cottages that have historically been let, or tied cottages. There can be issues to do with agricultural tenancies. Many empty cottages are part of farm tenancies and are therefore covered by them. The length of a farm tenancy will determine whether the tenant wants to spend any money on doing up the houses. They may well think that there is no possibility of a return and therefore leave them empty.

The Convener: Is that part of the reason why there are more empty homes in rural areas?

Derek Logie: It can be. In some areas there are issues to do with historical depopulation. However, many communities are looking to rectify those through their activities, and using empty properties is part of the solution because it creates opportunities for young people, in particular, in those communities.

Shaheena Din: The other reason is market failure. Economic trends in specific areas often have an impact, leading to properties lying empty where owners do not see a solution that will enable them to bring their property back into use.

The Convener: Is a particular tenure of housing most affected, such as the private rented sector or the owner-occupied sector?

Shaheena Din: It is a broad brush that sweeps across all types of buildings. We deal only with private sector empty homes, so we do not touch on the social sector.

Derek Logie: There are very few empty properties in the social rented sector or in council housing in rural Scotland.

The Convener: I will let Graham Simpson in in a moment.

What impact do you see empty homes having on local communities?

Shaheena Din: They can have a massive impact on communities. It depends where they are. If people live next door to an empty property, they can experience overgrown gardens, antisocial behaviour or fires, and such things can have a real impact on communities. If people see run-down houses when they are wandering around, it is not pleasant and it is not good for the sense of place.

There are also economic impacts. Somebody who is living in a property is likely to be paying council tax and spending money in local shops and in the community. Even if they spend money in a big multinational store, it is likely that it employs local people, so that spending has an impact on the community.

There is also an impact on sustaining populations, with regard to the rural issues that Derek Logie will talk about. If just two empty properties are brought back into use, that could sustain a school or a post office.

The Convener: What role does your partnership have to ensure that what you have described does not happen to empty homes between them becoming empty and being reused?

Shaheena Din: The partnership's role is to share best practice and encourage empty properties being brought back into use at local authority level. The best way to do that is to have a dedicated empty homes officer who can engage with owners to ask about the issues and discuss the options that are available to bring properties back into use. Our partnership has matchmaker schemes in some areas, in which it works with developers to link with owners of potentially empty homes, and it can give owners information on VAT discounts. The empty homes partnership is there to share knowledge and best practice.

We also look at the barriers that our empty homes officers say they face. An example is probate cases, which can take a while, so we are considering an investigation into the touch points, how long the cases are expected to last and whether there is a policy solution.

Derek Logie: I agree that there is an impact on communities. In many rural communities, the permanent population might be in half the houses in the area. In the north isles of Orkney, for example, about 17 per cent of houses are empty, and other houses are empty because they are not occupied full time. That impacts on sustainability of services, such as schools and shops, and how people feel about their community—some communities have a strong “dark villages” idea because the whole place can be dark in the winter with no one living there. Empty homes contribute to those issues quite considerably in some places.

The Convener: Would Graham Simpson like to come in on that point, before asking his questions?

Graham Simpson (Central Scotland) (Con): With regard to empty homes in rural areas, is there a difficulty with bringing older privately rented properties up to scratch? If the cost is too much, are properties left empty?

Derek Logie: That is definitely an issue. Schemes have been developed through the empty homes officers about whom Shaheena Din spoke. Argyll and Bute Council, for example, will put in up to £20,000 to help an owner to bring the property back into use for letting, provided that the let is contracted to the local housing association for 10 years. There are ways to tie grants into leasing, so that there is a quid pro quo—the more the grant, the longer the leasing scheme.

Leasing schemes have been around for a long time. Way back in the late 1980s, rural leasing schemes were a bread-and-butter approach. They were pioneered by Shelter and were very successful in delivering small numbers of affordable houses.

Graham Simpson: Do the grants come from councils?

Derek Logie: Yes, they do.

Shaheena Din: Dumfries and Galloway Council has something similar with its town centre living fund. It offers grants to bring properties back into use where there is a strategic housing need. Such schemes work, but an investment from the council is required.

Derek Logie: The Scottish Government previously had such things as the lead tenancy scheme, through which housing associations got involved in that sort of work, which was funded through a housing association grant. As far as I know, that is no longer possible.

For a time, there was also the rural empty property grant. Occasionally, we see reports that one or two examples of that are in existence, but it is not promoted and is not necessarily available.

Graham Simpson: That is interesting. You have already mentioned two councils that offer grants schemes. Are there any others?

Shaheena Din: Perth and Kinross Council has a loan and grants scheme. I am just trying to think about the councils in all the rural locations. Perth and Kinross Council, Argyll and Bute Council and Dumfries and Galloway Council are definitely the ones that we regard as using best practice.

The Convener: I will let Annabelle Ewing in now, as she wants to ask a supplementary question.

Annabelle Ewing (Cowdenbeath) (SNP): Thank you, convener. Good morning, panel, and thank you for coming in.

I want to pick up on a technical point that Shaheena Din made about what occurs when a property is empty following a death and forms part of an estate that is being wound up. In due course we will have a conversation about the need to obtain much more data about which homes are empty, and the circumstances surrounding them, but for the moment I say simply that it would be interesting to have the reasons. That is perhaps a line of questioning that will come from my colleagues.

I want to look at the current position, which Shaheena Din said the Scottish empty homes partnership is considering. Of course, from a technical perspective, in Scotland, where a deceased person has left a heritable property—a home—confirmation to their estate must be obtained in order to convey title to that property. In that process, the solicitor who is winding up the estate will seek to identify all the deceased's assets, so that they are included in the application for confirmation, as is required. That can be the time-consuming part of the process; the house might be the easy bit, in that the solicitor can see the title to it and include that in the application. They would not normally seek confirmation just for the heritable assets; they would apply for it for all assets, which could take some time. What potential solutions to that are you considering in your discussions?

Shaheena Din: We are at a very early stage. As you said, we are looking to increase our knowledge on empty homes. We have got to the point where the partnership is quite mature, so we are now looking at policy solutions. Previously, the partnership did not have a policy officer, but we recruited to the post last September, and such solutions form part of that officer's work. To be honest, I do not know what they might be.

Annabelle Ewing: I can see that there would be difficulties in seeking to progress your objective, given the level of work that would be required. It can be quite time consuming to identify assets and

then get sufficient details so that they can be included in the application. That is an important area to look at, but I return to my point about it being interesting to see—in due course, when further data has been gathered—whether such a scenario applies to a significant number of empty homes, or whether other sets of circumstances are more significant.

Shaheena Din: For us, the starting point was to map out the entire process so that we—and officers—could see where it was getting stuck. Sometimes there is a disparity between views. We could see that clearly on repossessions, where officers tell us that mortgage lenders are not getting rid of properties quickly enough, but the lenders say that they have an obligation to achieve the best price. When we spoke to the Council of Mortgage Lenders, it told us that that was its position, but officers said that that was not what was happening on the ground.

Therefore we are applying a similar process to the one that we have for probate cases. We map out the process, so that we can determine where it is getting stuck. Does that happen because an officer thinks that a property has been repossessed, but it has not actually gone through the entire process? For example, a calling-up notice might have been served, but decree has not yet been granted. As we do with probate cases, we want to apply timescales so that officers can be empowered to know the time that a process would typically take, so that they can move on to something else, and consider whether we need to encourage such timescales to be quicker.

Graham Simpson: I want to ask both witnesses about use of compulsory purchase powers and the difficulties that councils encounter on that. Are those powers in widespread use?

10:00

Shaheena Din: We recently hosted a compulsory purchase workshop, because empty homes officers had told us that they did not know exactly what their role was in compulsory purchases. They have a significant role in compulsory purchase of empty properties, but they were not confident about that. We therefore ran a workshop last month, in collaboration with the Scottish Government, in which we talked through the process, what an officer should look out for and how they should prepare cases and gather evidence if they think that there is a blight on a community. That is the significant point: the property has to blight the community, and public interest has to trump private human rights.

Graham Simpson: From what you are saying, it sounds as if not many councils have been confident enough to use the powers.

Shaheena Din: Some councils are confident, but others are absolutely not. Councils that are not confident will say that it is a resource issue because of conflicting priorities for legal services. The workshop explored how the empty homes officer can do as much of the work as possible to get the case to the point at which there is a limited requirement for legal services. That should assist in bringing forward a compulsory purchase order.

Often, the issue is time. A proposal will go to the legal team, which will say that one step or another has not been taken. The council will then be behind in the process. We have tried to empower empty homes officers to do that work.

There is also the issue of cost and the need to keep money aside in case someone makes a claim. Councils say that that is a significant barrier.

Derek Logie: I do not have much to add to that. In my time working in that field, councils did not use CPOs for housing. They used them for everything else, but housing seemed to be too hard.

Graham Simpson: Does Shaheena Din have any more evidence on who is using the powers and who is not?

Shaheena Din: Recently, there was a housing CPO in Roseangle in Dundee—I remember that because I grew up in Roseangle. Falkirk Council and Stirling Council have used CPOs for empty homes, and Argyll and Bute Council did so recently. That was showcased in a case study at our recent workshop. The power is therefore being used, and we are promoting its use as one of the available options. We are promoting the idea of empty homes officers doing the legwork in most cases so that the evidence is there already.

Graham Simpson: Is there a difficulty in tracing the owners of properties?

Shaheena Din: Definitely. That issue comes up a lot. Empty homes officers will tell us that they cannot find the owner. The empty homes advice service has a case in which we are finding it difficult to trace an owner. It involves a property in Edinburgh that has been lying empty for over 10 years. It was previously a fish shop with accommodation above it. We cannot trace who owns it. The search comes to a halt at a point.

Graham Simpson: What is the sticking point or barrier to finding out the information?

Shaheena Din: The person who said that they owned the property has a bit of paper that says that they have the title, but they are not convinced that they own it. I am not the expert in the field, but I can find out and give the committee more information about that case.

Graham Simpson: That would be good. The council cannot possibly use a CPO if it does not know who owns the property.

Shaheena Din: Absolutely. We are looking at using a private genealogist to try to trace the owner. It is difficult. There is not a significant volume of cases—from memory, the figure is about 13 per cent, but I could be wrong about that. We are getting our annual survey results back, and I will report on that. The numbers may not be significant, but those cases cause significant issues, because we cannot bring the buildings back into use if we cannot engage with the owners.

Graham Simpson: Thirteen per cent is still quite a number, is it not?

Shaheena Din: Yes—absolutely.

Graham Simpson: What about the idea of having compulsory sale orders? Do you have any thoughts on how effective they might be?

Shaheena Din: We have pushed for compulsory sale orders as a recommendation from the Scottish empty homes partnership, and we have been assured that they will happen through the programme for government. That approach will be better, because it will force the property to market and will stop the need for a back-to-back agreement with either a developer or a housing association to take it over. It will eliminate the risk for the local authority. That is what local authorities are telling us at the moment.

Derek Logie: We are a member of the Scottish empty homes partnership, and we supported the compulsory sale orders proposal. They are a useful tool to add to the armoury of carrots and sticks that is available, alongside the community's right to buy vacant and derelict land or land that is detrimental to the community.

Graham Simpson: Is there a potential human rights issue in that someone who owns an empty house might just want to keep it that way for whatever reason?

Shaheena Din: That is why you would have to evidence the blight on the community. I do not think that it would be appropriate to go for a compulsory sale order in all cases in which a property is lying empty, but it is an appropriate measure if the property is having an economic impact on the community or is causing another property to flood, and if people have tried unsuccessfully to engage with the owner. However, I stress that all the advice would have to be taken first.

Derek Logie: There could be a concentration of empty properties; people could leave several properties empty in a community. In some rural communities in which drainage capacity is an

issue, all the empty properties would take up capacity in the system and, in some respects, prevent further development.

Graham Simpson: I have one more general question. Is the range of powers that councils have effective enough and, if not, what else would you like to see?

Shaheena Din: Councils do not have a great range of powers. They have amenity notices and works enforcement notices, but councils tell us that they need resources to enforce, they do not have those resources, and enforcement can take time.

Having an empty homes officer in every local authority in Scotland would be a good starting point. They could start to work with the owners. Some local authorities now have two empty homes officers. That is where we should be going. If somebody can give owners particular advice, properties are more likely to be brought back into use.

Derek Logie: I totally agree with that. Empty homes officers fulfil an enabling function in creating solutions using the tools that exist.

I would put in a good word for leasing schemes, whether voluntary or compulsory, to use as a less nuclear option—I used that phrase in my evidence. Communities, councils and others do not necessarily want to take on properties, but they would like to see them being used. Perhaps there could be a leasing arrangement as a less strenuous and less stringent piece of enforcement.

Graham Simpson: Is that the kind of thing that you mentioned earlier?

Derek Logie: Yes.

Andy Wightman (Lothian) (Green): Thank you for your written evidence, which has provided useful background information for the inquiry. I want to ask about the council tax levy. You have talked quite a bit about what the levy was intended for. It is, of course, up to local government to decide for itself how to use it. Will you elaborate on how it is being used and its potential impact?

Shaheena Din: Definitely. Cases have come to our empty homes advice service from local authority areas in which there is no empty homes officer. A blanket approach to the charge has been implemented recently so that homes that have been empty for more than 12 months are immediately charged 200 per cent. Such an approach often prevents properties from being brought back into use because of the additional cost factor.

Good practice is for councils to apply discretion and use the carrot-and-stick approach. They can say, “Okay, you are evidencing to us that you are

bringing this property back into use. We will give you a bit of discretion and might reduce the charge to 90 per cent while you do that.” Once the property is brought back into use, the council will get 100 per cent of the council tax. We see that as a good way to use the charge. To us, the blanket approach is not what is intended.

The message that I give to local authorities is that, if they use the charge with discretion, they will encourage properties to be brought back into use. When the blanket approach is used, properties often fall into arrears. Although councils can put an inhibition on the property to regain arrears if it is sold, at that moment the charge is not in the council’s interest.

Andy Wightman: Just to be clear, do councils have the discretion to give relief on one property and do something completely different with the property that is immediately next door?

Shaheena Din: Yes—absolutely. It is up to councils how they vary the charge, and there is guidance.

Andy Wightman: You have said that you do not support the blanket approach, but is there evidence that it has had less effect than a discretionary approach?

Shaheena Din: A case came through to our empty homes advice service in which a guy was refurbishing a property to move into it. He had quite a stringent refurbishment budget, and the additional 200 per cent council tax charge impacted on what refurbishments he could make and might have affected when he could move into the house. We supported the gentleman and helped him to draft an appeal to the local authority. That was successful, and the property was brought back into use on time and on his budget.

I do not support discretion at all times. If people choose to leave their property empty and do not want to do anything with it, sometimes the 200 per cent levy should be charged.

Andy Wightman: That evidence is anecdotal. Is there any systematic evidence?

Shaheena Din: Not specifically. We have looked at cases and we are looking at cases at the moment, and we have produced a policy document on how councils are applying the approach. I can send that to the committee if it would be of interest.

Andy Wightman: That would be helpful.

Shaheena Din: The document sets out every council’s policy on the levy, as a starting point.

Andy Wightman: Both witnesses mentioned data in their evidence. I note that, over the past 10 years, the number of empty homes has risen not

hugely, but steadily. In your submission, Mr Logie, you observed:

“Statistics Scotland provide data on empty homes by census datazone—it would be useful to have this as a GIS”—

that is, a geographic information system—

“resource. It would also be useful to know the ownership of properties and the reasons they are empty.”

Is it correct that we have data on each zone, but we do not have a map or data that can be downloaded to identify exactly where everything is?

Derek Logie: As far as I am aware, that is correct. It might be beyond my skills to interrogate statistics Scotland’s website, but it might be possible to download a map, although I could not do so. I think that Shaheena is doing work on that issue.

10:15

Shaheena Din: Over the summer, we are looking at commissioning GIS mapping of empty properties at national level. That will be done not at the granular level, but at the data zone level. We have drafted some questions, and we are doing that through independent researchers. That will give us an idea of where the properties are. We will then be able to look at the solutions to bringing those properties back into use. Are there any trends or things that we do not know already that will influence what we want to do with the empty properties? We hope that that research will be ready for the public in November, at our annual conference.

Andy Wightman: Will that provide data that will allow you to analyse in a systematic way the various reasons that you cite for why homes are empty so that you can compare, for example, different policies on council tax or policies that empty homes officers are adopting for similar kinds of cases across the country?

Shaheena Din: We hope so. We hope that it will give us a much better insight, but it depends on the information that we get. I know that some councils do GIS mapping of their empty properties. Off the top of my head, Angus Council and North Ayrshire Council use GIS mapping—I know that other councils do not use it. What we can look at will depend on the information that we get back.

We also hope to tie that information in with different data sets so that we can get insight on what comes back. The research is similar to something that England did on empty homes. The Empty Homes Agency carried out a similar sort of survey, but we know that we are in a different context, so we are just looking to change the questions that we ask.

Andy Wightman: To go back to the issue of ownership, you talked about the problems with tracing owners. However, to be clear, you do not have a problem with finding the title; the problem is that the name on that title might be from 30 years ago, and you do not know where the person is or whether they are alive.

Shaheena Din: Yes.

Alexander Stewart (Mid Scotland and Fife) (Con): We have talked this morning about some of the successes that you have seen resulting from Government schemes. You have also talked about some of the councils that have done well when they have prioritised and invested, whether in a scheme or in having a dedicated officer who can provide support. I certainly saw that during my time at Perth and Kinross Council when we introduced a pilot scheme that proved to be successful. That success was especially true for the city centre, where we had a number of properties like those that you have identified today, including shops and a property above them, which meant that there were two properties that we wanted to utilise.

There is a role for financial incentives. What do you see that role being? How important is it for councils to use their power to ensure that they can collaborate with the communities that they represent? How does the Scottish Government fit into that process?

Shaheena Din: Many officers tell us that a huge problem with bringing properties back into use is the struggle to finance repairs. There is a role for funding, but I recognise that we are in a time when there are limited funds at local level. Financial incentives would probably speed up the process of bringing properties back into use, although softer measures also work.

There is also a role for other organisations, and we promoted that at our most recent conference, when we looked at a step-change agenda. The YMCA in Glenrothes, for example, has an empty homes programme. It is looking at properties that have been empty for a significant period and for which there would be no financial incentive for a developer to buy them and bring them back into use. The organisation has managed to attract funding from different sources and bring properties back into use.

Such properties are so useful for the YMCA because it provides supported accommodation for young people who are homeless or are at risk of homelessness, and it was looking for follow-on accommodation in the communities where they were already settled. The empty properties seemed an ideal match, and it was able to put in minimal sums to get properties because the rest attracted funding.

There are schemes such as—we mention it in our submission—Leeds Action to Create Homes. LATCH does two things: it uses volunteers to bring properties back into use for affordable housing and it allows empty properties to be used to upskill target groups.

We are looking to set up a project as a strategic partnership, to try to create an operational business model so that we can say, “Look, this is how it works in practice”, and then share that best practice.

Alexander Stewart: As you have identified, if there is a market need, it is possible to marry the two things together, and then the funding will come. In that regard, what role, if any, can the Scottish Government’s housing investment programme play? What impact should it have? What support should it provide? How can it ensure that what you have described takes place?

Shaheena Din: The Scottish Government has given us a small fund that we can allocate as part of a strategic partnership, which we want to pilot. I do not have an answer on what the programme’s role is.

Derek Logie: We have had a role through the rural and islands housing fund by supporting community projects that want to bring properties back into use. In Tarbrax, for example, there are a number of empty properties in the village, and we have worked with the Woolfords, Auchengray and Tarbrax Improvement Foundation, which is the local community trust. That example sums up a lot of the problems regarding empty properties—the worst ones in particular, when either the owner cannot be traced or the person will not sell. The trust ended up having to buy a property that was on the market and doing it up with rural and islands housing fund money, but it was the properties that were really blighting the community that it wanted to get its hands on.

Alexander Stewart: Yes—such eyesores appear in many of our communities. As you have identified, that can be because there is no longer anyone there, a connection has been lost or there is no longer documentation on them. They are the hardest nuts to crack, but when they are cracked, that has a knock-on effect.

Derek Logie: It is particularly galling in places where there is a lack of affordable housing for local people. The first project that I did was in the community of Laggan in Strathspey. Five empty properties came on to the market and we helped the community to buy them and do them up. That community was really suffering from lack of housing and people could not be employed locally because they could not find a house.

Marrying the two things together is crucial, and we can do that either through communities taking

on properties, buying them, doing them up and renting them out, or, conceivably, through communities leasing properties from owners where they do not have the wherewithal—the money or whatever—to do up the properties but the community does.

We need a tool. The rural and islands housing fund could be the tool to enable that, but it has certain rules to do with perpetuity that I would like to be reviewed.

Alexander Stewart: There is a huge opportunity if we broaden the scope and give the organisations that you have identified some leeway. It is not just about houses; it is about the knock-on effects on employment, sustainability, schools, post offices and so on. All that can flow from renovating a number of properties and putting them back on the market so that people can use them. In town centres, shops at street level might be being used while the flat above them is not. We should be trying to convert them, because that will bring some life back into a community.

You identify a very important role that the Government should be taking on, because its doing that would enhance and support what you and councils are trying to do to solve the problem.

Alex Rowley (Mid Scotland and Fife) (Lab): Panel members have highlighted a number of examples of good practice. Is there a good practice guide? Is there a mismatch in how seriously local authorities take the empty homes issue?

Shaheena Din: Definitely. We have knowledge exchange forums across Scotland, including quarterly best-practice meetings. There is one in the central belt and one in the north. Empty homes officers come together and we share best practice. Attendance is quite high—about 22 people come to the central belt meeting and about 15 go to the meeting in the north. We also have an online forum on the knowledge hub. Anyone can be a member of that and can see the best practice that we use and share.

There is an imbalance in terms of how much local authorities dedicate to empty homes work: some local authorities see the benefits more than others. My role is to encourage all local authorities to see the importance of empty homes work. It does not make sense to leave properties lying empty. We have seen good examples of empty homes buy-backs, where former local authority properties, or properties that meet housing need, are being bought back. A good example is a town centre property in North Ayrshire that was causing major issues for its neighbours. The council was able to buy it back for affordable housing supply. In the council’s business plan for affordable

housing supply, the cost of a new build is £128,000. The empty property cost about £60,000, so supply has been added in the strategic priority area of the town centre at half the estimated price. Buy-backs make sense, and that is the message that we share with local authorities.

We are also putting together a value tool. We had one previously that was difficult to read and did not flow. We are putting together another tool, and hope to update our website to show it. It will let local authorities find similar authorities and show what they are doing and what has worked for them.

Alex Rowley: Shelter Scotland talks about their being a housing crisis in Scotland. What contribution can tackling the empty homes issue make to tackling that crisis?

Shaheena Din: It can definitely make a contribution. In some cases, it can increase the supply of affordable housing. Increasing supply more generally in areas of pressure such as Edinburgh, where there is significant pressure on the housing market, by bringing properties back into use for normal supply has a knock-on effect on affordable housing supply.

Alex Rowley: There are 32 local authorities. I accept the need for flexibility, and when it comes to using council tax, I have argued for flexibility in cases where I have represented people. Should a minimum standard apply in local authorities? Andy Wightman talked about GIS mapping, and you said that two councils—North Ayrshire and one other—use it.

Shaheena Din: More councils than that use it—those are the two that I knew about off the top of my head.

Alex Rowley: Should we have minimum standards?

Shaheena Din: Yes, we should. The starting point is for every local authority in Scotland to have a dedicated empty homes officer. At the moment, 21 councils have an empty homes officer or some sort of empty homes service. That is the minimum standard.

Linking empty homes strategies to other policies is also important. We will often feed in to councils' consultations, saying what our strategy is, what we know and understand about the local area and what we think should be in their strategy. Strategies should be linked to local development plans. GIS mapping would be ideal, so that councils can see where properties are. They might have a regeneration project, and the empty homes officer should be involved in that.

10:30

In some areas such as Argyll and Bute, Perth and Kinross and Dumfries and Galloway, councils have working groups in which different departments, including building standards, environmental health and the empty homes officer are brought together around the table. Every single department has a different agenda for an empty property, whereas the empty homes officer wants only to bring that property back into use, so that type of working group works well.

Alex Rowley: That is useful. I have heard people talking about empty homes for years. You have highlighted that there is good practice and that there is progress, but is the progress fast enough? What do we need to do to make things happen?

Shaheena Din: Having a dedicated empty homes officer is the minimum standard from the Scottish empty homes partnership's point of view. The empty homes officer is then in a position to implement the different tools that I have mentioned.

The Convener: Has there been any cost benefit analysis of local authority employment of empty homes officers?

Shaheena Din: There has been some analysis at local level rather than at wider national level. Some local authorities have looked at how much council tax has come in rather than looking at what impact it has on a community. Our value tool, which we will launch shortly, will show value in a different sense at local level, in terms of increasing footfall in a community and sustaining that community.

The average cost to the owner of an empty home of leaving their property empty is between £7,000 and £8,000 in lost revenue, council tax payments and so on. Cost benefit analysis has been done to differing extents in local authority areas.

The Convener: It would be useful for us to see that. Is any wider cost benefit analysis being done in the way that you were suggesting?

Shaheena Din: I do not think that any wider analysis has been done.

The Convener: Is there an intention to do that?

Shaheena Din: Yes, absolutely.

The Convener: Mr Logie—did you want to come in on the last point?

Derek Logie: No—I just wanted to say that the empty homes strategy that Shaheena Din mentioned needs to be a crucial part of local authorities' general housing strategy. In a rural context in particular, one or two empty properties

can deliver affordable housing in places that a housing association would not go to because it would want to build two, four or six houses as a minimum for new-build development; there can also be planning constrictions or drainage constrictions on new-build development. Bringing empty homes back into use for affordable housing supply is a crucial part of the general housing strategy.

The Convener: That makes perfect sense.

Kenneth Gibson (Cunninghame North) (SNP): I am sorry for being late this morning. Good morning, panel.

Best practice is fundamental. The convener touched on cost benefit analysis. To me, the arguments in favour of empty homes officers seem to be overwhelming. I am quite shocked that not every Scottish local authority has such an officer and that cost benefit analyses are not being done by councils in the round—they seem to be looking just at council tax rather than at the impact on the general community. We would welcome a piece of work on that—perhaps we should press the Scottish Government to work with you on that.

Scottish empty homes best-practice groups were mentioned. You said that authorities in Angus, Dundee, Perth and Kinross and so on are doing excellent work; we all want to see that best practice being spread.

You said that local authorities that have an empty homes officers usually just have one, although some have two. Given the scale of the problem, with the tens of thousands of empty homes—figures vary—is one or two officers enough? It seems to me that they must be run off their feet.

Shaheena Din: They are. Yesterday, we looked at the average case load of an empty homes officer: the numbers are in the hundreds. How can anybody have an average case load of that amount and have the needed impact? More definitely needs to be done. We are at a starting point: we are trying to get all the councils to have empty homes officers and then we can push forward with that.

Kenneth Gibson: So you are trying to show councils that it is a win-win.

Shaheena Din: Definitely—and it definitely is a win-win. It just makes sense.

Kenneth Gibson: I know. It seems so obvious to me.

I want to move on to the rural and islands housing funds. Mr Logie, you say in your submission that the £75,000 per unit is restrictive for main fund projects, because it means that

“projects have to focus on smaller, easier to refurb properties, which don’t have the same ambition of scale to make a real difference at a wider level.”

Will you say more about that? What changes would you like to be made in the area?

Derek Logie: I do not think that I—

Kenneth Gibson: I am sorry—that comment is from Shaheena Din’s submission. In that case, it is probably best if I ask her for an answer, Mr Logie, and then come to you for a comment. I will come on to your submission in a minute, though. Yours is only a two-pager—Ms Din’s is much bigger.

Shaheena Din: We have supported some applications to the rural and islands housing funds, but we have noticed that there are some limitations around their size. In one case, the funds were supporting a property being brought back into use; however, there were nine other funders and, when one of them pulled out, the whole project stopped. That was significant. The property in question was a real eyesore—I do not want to say which it was, just in case I get it wrong, but I think that it was in Coldstream. Do you know, Derek?

Derek Logie: I do not know about Coldstream.

Shaheena Din: Anyway, the project had 10 funders, and one pulled out at the last minute, which caused it to fail. If the rural and islands housing funds had had greater capacity, the project would have gone ahead.

Derek Logie: I do not know the details of the Coldstream project, but it did not go ahead. However, there is flexibility in the funds to spend more than £74,000 per unit. That is just the benchmark or average that people are looking for across all their grants; there can be grants of £100,000 or indeed £50,000 per unit. The £74,000 is just an average.

Kenneth Gibson: Cumbrae and Arran are in my constituency, and one of the issues in that respect is that the cost of building on islands is significantly higher than that of building on the mainland. There are concerns about such projects being less economic, because a housing association or local authority might just say, “I can build 100 units on the mainland for the price of 60 or 70 on an island.”

Derek Logie: The average grant per unit is higher for islands, at £84,000 rather than £74,000. I think that Arran is included in the west Highlands with regard to that grant funding.

Kenneth Gibson: Mr Logie, you mention the west of Arran in your submission, saying that

“5.8% of homes are empty almost double the North Ayrshire average of 3%—at the same time 25% of homes are second homes and average house prices significantly higher.”

They are, indeed, significantly higher, and there is a lot of negative equity on the island, but there is also a real shortage of affordable housing. Would compulsory sale orders have an impact on that?

Derek Logie: Yes. I know landowners on Arran who have demolished lots of empty properties to make way for farm buildings and the like, and they have had permission to do so from North Ayrshire Council. Those houses were perfectly serviceable. There might well be compelling farm business reasons for not being able to use those houses in those particular locations, but I find it a bit galling to see properties being demolished in an area that has so much housing need.

Kenneth Gibson: My understanding is that there are other reasons, but I will not go into them now.

I have been an MSP in Cunninghame North for more than 12 years now. There is a house on Kilbirnie Main Street that was empty when I was elected, and it is still empty—the owner is in the Isle of Man. The council has tarted up the house a wee bit, so it is not quite as much of an eyesore as it used to be, but there is real frustration in the community, the local authority and, in fact, everyone who passes by and sees it about the inability to get hold of and do something with the property. I assume that you will be pressing the Scottish Government to introduce legislation this side of the next Scottish Parliament election.

Derek Logie: Definitely.

Kenneth Gibson: Good. I feel the same way, but it is always good also to hear witnesses saying what I think.

Andy Wightman talked about the council tax levy. A number of constituents have come to me who have been quite upset about the council tax levy, because they believe that North Ayrshire Council, which is flexible in many ways, is being strict in applying the levy to maximise its income and is not putting the money back into housing. In some cases, people have bought an empty house without a roof on it and it has taken them a long time to refurbish it. As soon as the time limit has been reached, the council has slapped on the 200 per cent charge. That can make it extremely difficult for people to afford to finish the job. Since 2013, I have had four or five, or maybe even six, such cases but, when I have taken them up with the council, it has just said, “No—we’re sorry.” There has been absolutely no hint of flexibility in those cases. Does the situation vary across Scotland? Is that the norm, or are some councils better than others in that regard?

Shaheena Din: Some are better than others, but there is still more to be done. The Government guidance is only guidance. Perhaps there should be a degree of flexibility. Given that the spirit of the

legislation is to unlock empty homes, if somebody can show that they are bringing a property back into use, perhaps more needs to be done to get the message out to council tax managers that, rather than taking a blanket approach, they should respect the spirit of the legislation. If major structural repairs have to be done, it is enshrined in the legislation that some leeway must be given, but it is often the case that the leeway that is given—six months—is not enough.

Kenneth Gibson: It seems to me that it is the letter of the law rather than the spirit of the law that is applied.

Shaheena Din: I agree. Complaints about that come through to the empty homes advice service.

Annabelle Ewing: Shaheena Din mentioned that 21 local authorities have an empty homes officer, which means that 11 do not. Why is that?

Shaheena Din: I am in conversations with four of them. Those four councils are looking to get an empty homes officer or have completed a business case for an empty homes officer. We are in progressive discussions with those authorities.

Annabelle Ewing: That leaves seven.

Shaheena Din: Yes. There are only so many authorities—

Annabelle Ewing: Which seven authorities are not even discussing the matter?

Shaheena Din: I do not want to name and shame the local authorities concerned.

Annabelle Ewing: Well, perhaps you could write to the committee with the list, because it would be useful to know which councils are not on board with the programme.

Shaheena Din: Absolutely—I can do that.

Annabelle Ewing: The convener rightly raised the issue of a cost benefit analysis, which is a crucial element in determining the success or usefulness of empty homes officers in tackling the problem.

Earlier, I alluded to the issue of data, which is crucial. In your submission, in response to question 8 in the committee’s consultation, you rightly make the point that the National Records of Scotland gives a figure of 79,000 empty properties, but because that

“includes ‘new homes which are yet to be occupied, and dwellings which are empty and awaiting demolition’”,

it overstates the scale of the problem in Scotland. You go on to say:

“In contrast, the main statistics published by the Scottish Government, which report approximately 39,000 properties as long term empty, may do the opposite.”

You point out that the Government's figure excludes properties that are exempt from council tax.

I note that the Scottish empty homes partnership intends to carry out a national empty homes survey later this year. Will you give us a bit more information about when you intend to do that and how you will go about it? It seems to me that the key element in allowing us all to move forward on the issue is to establish the facts: how many empty homes there are and why they are empty. That will enable us to start to consider solutions for each category. It would be interesting to hear about how you intend to go about that crucial piece of work.

10:45

Shaheena Din: At the moment, we are in conversations with independent researchers and we are looking at the data that we already hold. Previously, we used to ask empty homes officers annually one question: why homes became empty and were still empty. However, we have now broken the question down into two questions: we ask why homes became empty; and why they continue to stay empty. This year, we have asked empty homes officers to report back on that in order to give us a deeper understanding.

The questionnaire that we are preparing will look at what local authorities have. We want to establish whether there is a link between the reasons why homes initially become empty and the reasons why they often remain empty. We want to build a greater understanding of what initiatives might work generally to assist in bringing empty homes back into use and to identify areas with high volumes of empty homes where specific or intensive initiatives might be needed.

As I said, the questionnaire is modelled on a similar survey in England, but we are looking at what exists in the Scottish context, as we have some different data sets and sources. On the timescale, we hope to get the questionnaire out to chief housing officers in Scotland in June. We hope to promote the questionnaire and to get the responses back by August in order to give us time to do some analysis and launch that at our conference in November.

On what the questionnaire will look like, we are trying to produce what is called a maptionnaire—I love that word—which is a questionnaire on a map. We hope that officers will be more engaged and will enjoy completing it and that it will give us the information that we need so that we can see where the empty homes in a ward are and draw a red circle around that. That is the intention behind the questionnaire. The data will not be totally at a granular level, but it will be at a local level. We

hope that it will give us insight into whether there are clusters of empty properties and, if so, what can be done about them and whether a particular solution can be applied.

Annabelle Ewing: It is interesting that your timetable will go to November 2019. The committee might want to reflect on that in terms of our work. Data is key here, so will you have discussions with National Records of Scotland and Scottish Government statisticians about the data that they collect so that we can ultimately extrapolate one set of data that covers the same stuff? That would be helpful for everybody in order to make progress.

Shaheena Din: Yes. That is why we chose to go with independent researchers, because they can support that work. Obviously, we have data that we collect on a daily basis. However, the researchers that we have commissioned will work with Scottish Government statisticians.

Annabelle Ewing: Excellent. Thank you.

The Convener: Thank you very much. I think that that will do for today's public meeting. The witnesses provided good answers to a lot of very useful questions.

Kenneth Gibson: Sorry, convener, but I have a question that I should have asked earlier. Is Ms Din working with the Convention of Scottish Local Authorities to press local authorities to employ empty homes officers?

Shaheena Din: I gave a presentation on the matter about a month ago to COSLA's community wellbeing board. There was interest from some councils that do not have empty homes officers and we have since reached out to them.

The Convener: Thanks for bringing that up, Kenny. Can we get a copy of the questionnaire or maptionnaire when it is ready, Ms Din?

Shaheena Din: Yes.

The Convener: As we suggested earlier, it would also be useful to have information about which local authorities have or do not have empty homes officers.

Thank you very much for attending today's evidence session on our inquiry into empty homes in Scotland. The committee will spend the remainder of the meeting in private session, which will include a discussion about the evidence that we have just heard.

10:49

Meeting continued in private until 12:14.

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