

# Eiddo Gwag - Sir Gar

## Empty Properties - Carmarthenshire



**Leighton Evans**  
Cydgysylltydd Eiddo Gwag  
Empty Property Co-ordinator

**Yana Thomas**  
Ymarferydd Iechyd yr Amgylchedd  
Environmental Health Officer

# Beth yw Eiddo “Gwag”? / What is an “Empty” Property?

- Mae preswylfa wag yn wag o bobl. Nid yw hyn yn cynnwys:
  - Ail gartref neu gartref gwyliau
  - Preswylfa sydd newydd gael ei chwblhau ac sy'n disgwyl i bobl ei meddiannu
  - Preswylfa bresennol sy'n cael ei haddasu neu ei moderneiddio
  - Preswylfa sy'n cael ei defnyddio ond nid at ddibenion preswyl
- Ym marn Llywodraeth Cymru:  
Preswylfa yn y sector preifat sydd wedi bod yn wag am fwy na 6 mis ar 1<sup>af</sup> Ebrill, ac sy'n dal i fod yn wag.
- Ar hyn o bryd, mae 2665 o eiddo gwag yn y sector preifat yn Sir Gaerfyrddin (Ebrill 2014)
- A vacant dwelling is vacant of people. This excludes:
  - A second or holiday home
  - A newly completed dwelling that is awaiting occupation
  - An existing dwelling that is being converted or modernised
  - A dwelling that is in use but for non-residential purposes
- Welsh Government consider:  
A private sector dwelling that has been vacant for more than 6 months at 1<sup>st</sup> April, and is still empty.
- Carmarthenshire currently has 2665 private sector vacant properties (April 2017)

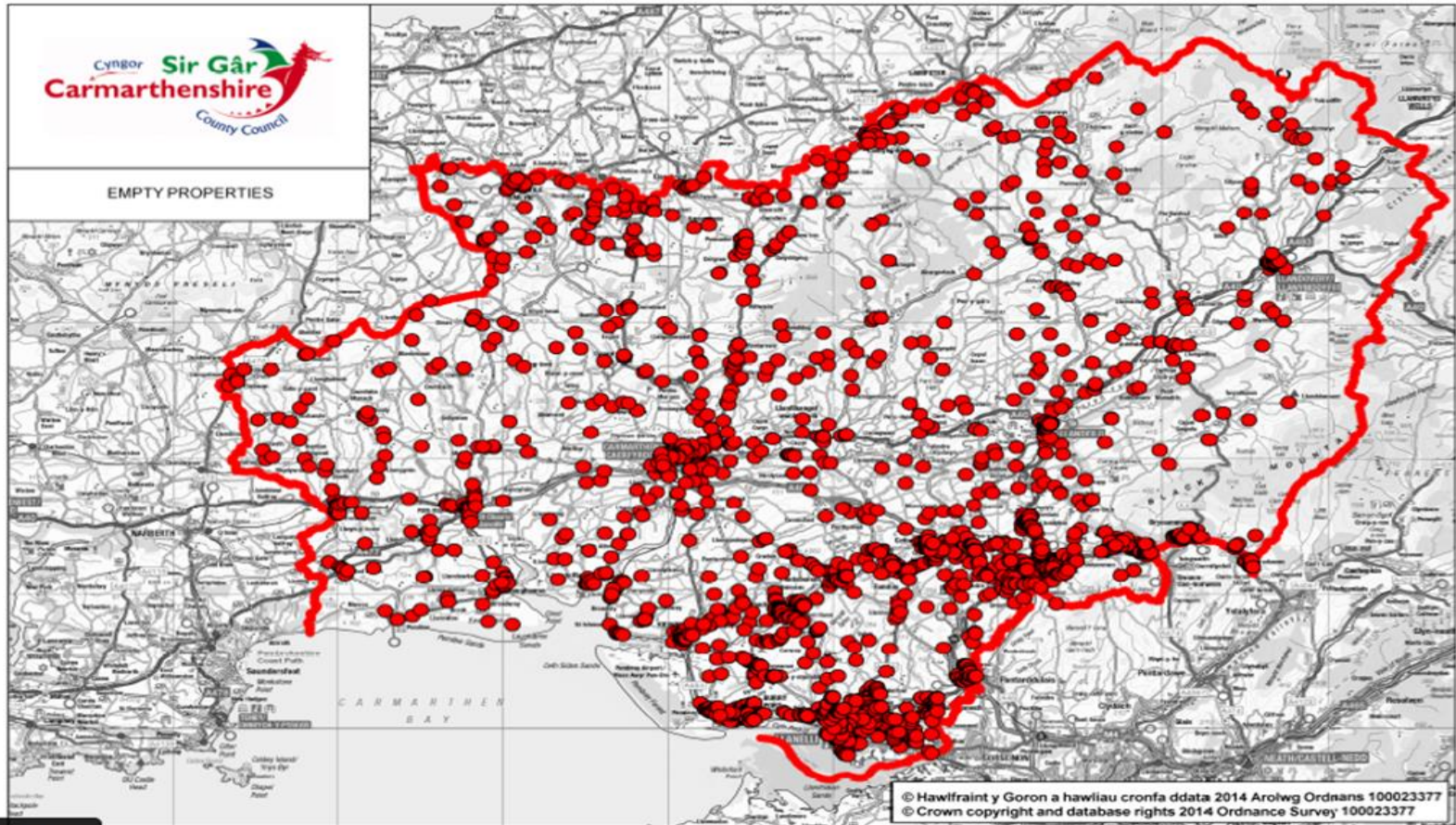
# Pam mae Eiddo Gwag yn broblem? / Why are Empties a problem?

- Denu gweithgarwch gwrthgymdeithasol, gan gynnwys troseddau, fandaliaeth a llosgi bwriadol, gan arwain at gynnydd mewn ofn troseddau i'r cymdogion
- Amharu ar yr ardal o gwmpas a chreu problemau amgylcheddol
- Gostwng gwerth eiddo cyfagos
- Atal rhagor o fuddsoddi yn yr ardal, gan beri i'r gymdogaeth ddirywio
- Costio arian sylweddol i'r perchennog (treth y cyngor, colli incwm rhent a'r eiddo'n dirywio), mae'n cael ei amcangyfrif y gall gostio cymaint â £9 - £11,000 y flwyddyn i'r perchennog.
- Attract anti-social activity, including crime, vandalism and arson, resulting in an increased fear of crime for neighbours
- Blight the surroundings and create environmental problems
- Decrease adjacent property values
- Discourage further investment in the area, leading to neighbourhood decline
- Cost the owner significant money (council tax, loss of rental income and deterioration of the property), it is estimated that the overall cost to the owner can be as much as £9 - £11,000 a year.

# Golwg gyffredinol / Overview

- Mae tua 25,200 o eiddo gwag yn Nghymru (LC – Hyd.2015)
- Mae dros 78,000 o gartrefi yn Sir Gaerfyrddin
- Mae 2667 o eiddo yn y sector preifat wedi bod yn wag am 6 mis neu fwy
- Mae'r galw am dai fforddiadwy yn Sir Gaerfyrddin yn dal i gynyddu tra bod y cyflenwad yn lleihau ar gyfradd sy'n golygu na allwn ddiwallu'r anghenion o ran tai yn effeithiol mwyach.
- Approximately 25,200 empty properties in Wales (WG – April.2017)
- There are over 78,000 private sector homes in Carmarthenshire
- 2667 private sector properties have been empty for 6 months or more
- The demand for affordable housing in Carmarthenshire continues to increase while supply is falling at a rate that means we can no longer meet housing needs effectively.

# Ble mae ein Heiddo Gwag? / Where are our Empty Properties?



# Pam y maent yn wag? / Why are they Empty?



- Poor Condition – Financial restrictions
- Sentimental Reasons (Family Home)
- Elderly Owner in Care Home
- Untraceable Owner
- Property Above a Commercial Premises
- Difficult to Sell – condition / access / locality
- Property Inherited – No Money / No Direction

- Cyflwr gwael – dim arian ar gael i wella'r eiddo
- Y perchennog yn oedrannus ac mewn cartref gofal
- Nid oes modd dod o hyd i'r perchennog
- Mae'r eiddo gwag uwchlaw eiddo masnachol
- Yn anodd ei werthu - oherwydd ei gyflwr / mynediad / yr ardal
- Eiddo a etifeddiwyd - dim arian ar gael / dim amcan beth i'w wneud



# Ymholiadau / Ymchwiliadau / Enquiries / Investigations

- Cwynion ynghylch Eiddo Gwag - dirywiad gweledol
- Cwynion Niwsans Statudol – Lleithder
- Cymorth Ariannol / Troi Tai'n Gartrefi
- Cynghorwyr / Aelodau Lleol
- Cofnodion Treth y Cyngor
- Is-adrannau Cynllunio / Rheoli Adeiladu / Iechyd y Cyhoedd
- Gwybodaeth gan swyddogion
- Rhestr darged o Eiddo Gwag
- Cais am Gyngor ac Arweiniad
- Achredu / Safonau Tai
- Cyngor ynghylch Treth / TAW
- Empty Property Complaints – Visual Detriment
- Statutory Nuisance Complaints – Dampness
- Financial Assistance / Houses into Homes
- Councillors / Local Members
- Council Tax Records
- Planning / Building Control / Public Health Depts.
- Officer knowledge
- Target List of Empty Properties
- Advice & Guidance request
- Housing Standards / Accreditation
- VAT / Tax Advice

# Ein Dull Ni o Weithredu / Our Approach

- Derbynnir ymholiadau yn ganolog gan y Cydgysylltydd Eiddo Gwag
- Mae pob ymholwr yn derbyn cydnabyddiaeth ysgrifenedig
- Ymweld â'r eiddo a chynnal asesiad risg
- Chwiliadau perchenogaeth (ymholiadau rhesymol)
- Cyfeirio pobl at adrannau eraill
- Pennir sgôr a band ar gyfer yr eiddo (A, B ac C)
- Penderfynir ar gamau gweithredu, ar sail y bandiau
- Enquiries received centrally by Empty Property Coordinator
- Each enquirer receives written acknowledgement
- Properties are Visited and Risk Assessed
- Ownership searches (reasonable enquiry)
- Referral to other Departments
- Properties are scored and banded (A, B & C)
- Course of action decided, based on banding



# Meini Prawf Aseu Risg / Risk Assessment Criteria

- Am ba hyd y bu'r eiddo'n wag?
- Golwg yr Eiddo a'r Gymdogaeth
- Niwsans / Diffyg / Strwythur
- Y farchnad /A oes modd byw yn yr eiddo?
- Y potensial o ran darparu tai
- Perchenogaeth
- Camau Gorfodi Tebygol
- Effaith Gymdeithasol



- Length of time Vacant
- Appearance
- Nuisance / Defect / Structure
- Market / Habitability
- Housing Potential
- Ownership
- Likely Enforcement Action
- Social Impact

# Bandiau / Banding

- **Band C (0 – 49)**

- Nodwyd mân ddiffygion
- Llythyr at y perchennog yn cynnig cyngor cyffredinol
- Monitro'r ymholiad (bob chwe mis)
- Dim camau pellach



- **Band C (0 – 49)**

- Minor defects identified
- General advice letter to Owner
- Enquiry monitored (6 monthly)
- No further action

- **Band B (50 – 99)**

- Nodwyd diffygion
- Anfonir llythyr at y Perchennog
- Llythyr dilynol a chais ffurfiol (RFI) os na fydd ymateb
- Cyflwyno atodlen waith ar gyfer cydymffurfiaeth anffurfiol
- Monitro'r camau a gymerir o ran y gwaith



- **Band B (50 – 99)**

- Defects identified
- Advice letter sent to Owner
- Follow up letter and RFI if non-responsive
- Schedule of works presented for informal compliance
- Progress of works monitored

- **Band A (100 +)**

- Nodwyd diffygion sylweddol
- Cynhelir archwiliad ffurfiol
- Cymerir camau gorfodi priodol
- Monitro'r hysbysiadau gorfodi i sicrhau cydymffurfiaeth



- **Band A (100 +)**

- Significant defects identified
- Formal inspection carried out
- Appropriate enforcement action taken
- Enforcement notices monitored for compliance

# Cyngor, Canllawiau a Chymorth / Advice, Guidance & Support

- Cyngor ar Gwaith Gwella / Gwaith Cynnal a Chadw
- Cyngor a Atgyfeiriadau Cymorth Ariannol
- Rhestr Adeiladwyr ac Asiantau / Penseiri
- Cyngor o Gosod yn y Sector Preifat
- Cyngor ac Atgyfeirio ar gyfer Cofrestru a Hyfforddiant Rhentu Doeth Cymru
- Mekanwaith Cyfeirio ar gyfer y Cynllun Prydlesu Cartrefi Fforddiadwy / Asiantaeth Gosod Cymdeithasol
- Cyngor ar Gwerthu Eiddo
- Mekanwaith Atgyfeirio ar gyfer Arwerthiannau Cyhoeddus
- Paratoi llythyrau consesiwn TAW
- Cyfeirio i wahanol Adrannau (Rheoli Adeiladu, Cynllunio ac ati)
- Advice on Improvement / Maintenance Works
- Financial Assistance Advice & Referrals
- Builders & Agents/Architects List
- Advice of Private Sector Letting
- Advice & Referral for Rent Smart Wales Registration and Training
- Referral Mechanism for Affordable Home Leasing Scheme / Social Lettings Agency
- Advice on Property Sales
- Referral Mechanism for Public Auctions
- VAT concession letters
- Signposting to various Departments (Building Control, Planning etc)

# Cyngor / Cyfarwyddyd / Ocsiwn / Advice / Guidance / Auction

Cyn / Before



Ar ôl / After



# Gorfodi / Enforcement

- Deddf Diogelu'r Amgylchedd 1990 - Niwsans Statudol
- Deddf Tai 2004 , Rhan 1 - Safonau Tai
- Deddf Adeiladu 1984 - Peryglus , Adfeiliedig & adfeiliedig
- Deddf Cynllunio Gwlad a Thref 1990 - Andwyol Tir sy'n Effeithio Cyfagos Amwynder
- Atal Drwy Difrod Erbyn Deddf Blâu 1949 - Atyniad a Lloches
- Deddf Iechyd y Cyhoedd 1961 - Budr a Ferminog
- Deddf Llywodraeth Leol ( Darpariaethau Amrywiol ) 1982 - Diogelu Adeiladau
- Environmental Protection Act 1990 – Statutory Nuisance
- Housing Act 2004, Part 1 – Housing Standards
- Building Act 1984 – Dangerous, Ruinous & Dilapidated
- Town & Country Planning Act 1990 – Land Adversely Affecting Neighbouring Amenity
- Prevention By Damage By Pests Act 1949 – Attraction & Harbourage
- Public Health Act 1961 – Filthy & Verminous
- Local Government (Miscellaneous Provisions) Act 1982 – Protection of Buildings

# Gorfodi / Enforcement

Cyn / Before



Ar ôl / After





# Astudiaeth Achos Rhif 1 / Case Study No.1

## Cwynion

- Cymdogion
- Yr Aelodau Lleol

## Chwiliadau perchenogaeth

- Ymholiadau rhesymol

## Arolygiad

- Deddf Tai 2004, Rhan 1

## Camau Gweithredu yn dilyn yr arolygiad

- System Graddio Iechyd a Diogelwch Tai
- Atgyfeiriad Cynllunio



## Complaints

- Neighbours
- Local Members

## Ownership search

- Reasonable enquiry

## Inspection

- Housing Act 2004, Part 1

## Actions following Inspection

- HHSRS
- Planning referral

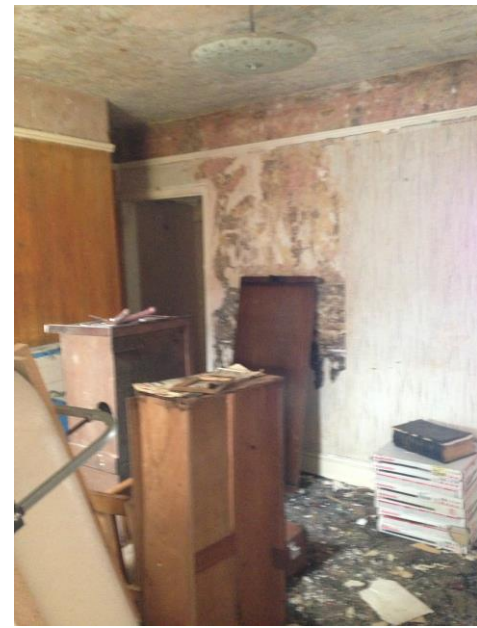


## Gorfodi

- Cyflwynwyd Hysbysiad (Deddf Tai 2004, Adran 11 ac Adran 12)
- Costau'r Gwasanaeth (Deddf Tai 2004, Adran 49)
- Cyfnod Apelio yn dod i ben
- Pridiant Tir Lleol

## Dulliau Adfer

- Apêl 21 diwrnod am gostau
- Cofnodwyd y ddyled â Sundry Debtors
- Cofrestrwyd y ddyled fel Pridiant Tir Lleol



## Enforcement

- Notice served (HA.2004, S.11 & S.12)
- Costs for service (HA.2004, S.49)
- Appeal period expiry
- Local Land charge

## Means of Recovery

- 21 Day appeal for costs
- Non-payment registered with Sundry Debtors
- Debt registered as Local Land Charge

## Methu â chydymffurfio

- Ffordd orau o weithredu

## Gwerthu Gorfodol

- Cofnodwyd y dyled fel tâl y Gofrestrfa Tir â chyfyngiad
- Adran 103 o lythyrau, Deddf Cyfraith Eiddo 1925
- 3 mis o rybudd
- Heb dalu

## Gwerthu Eiddo

- Cyfarwyddwyd Arwerthwyr
- Cyfarwyddwyd yr Adran Gyfreithiol – Pecyn Cyfreithiol
- Gwerthwyd yr eiddo, cafodd y ddyled a'r costau eu hadennill
- Dilëwyd y tâl ariannol

## Perchnogaeth Newydd

- Ymgysylltwyd yn dilyn yr arwerthiant
- Cefnogaeth â chyngor ac arweiniad

## Non-compliance

- Best course of action

## Enforced Sale

- Debt registered as a Land Registry charge with Restriction
- S.103 letters, Law of Property Act 1925
- 3 Months notice
- Non-payment

## Property Sale

- Auctioneers Instructed
- Legal Dept. instructed – Legal pack
- Property sold, debt & costs recovered.
- Financial charge removed

## New Ownership

- Engagement following auction
- Support with advice & guidance



## Troi Tai'n Gartrefi

- Benthyciad di-log, yn benodol i eiddo gwag
- uchafswm o £25,000, benthyciad i'w osod

## Adeiladu

- Rheolwyd y gwaith adnewyddu gan y Cyngor
- Eiddo wedi gwella i gyflwr digon da i'w roi ar osod
- Cydymffurfiwyd â'r hysbysiad a dilëwyd

## Houses into Homes

- Interest free loan, specific to empties
- max £25,000, loan to let

## Construction

- Council project managed renovation
- Property improved to lettable standard
- Notice complied with and removed



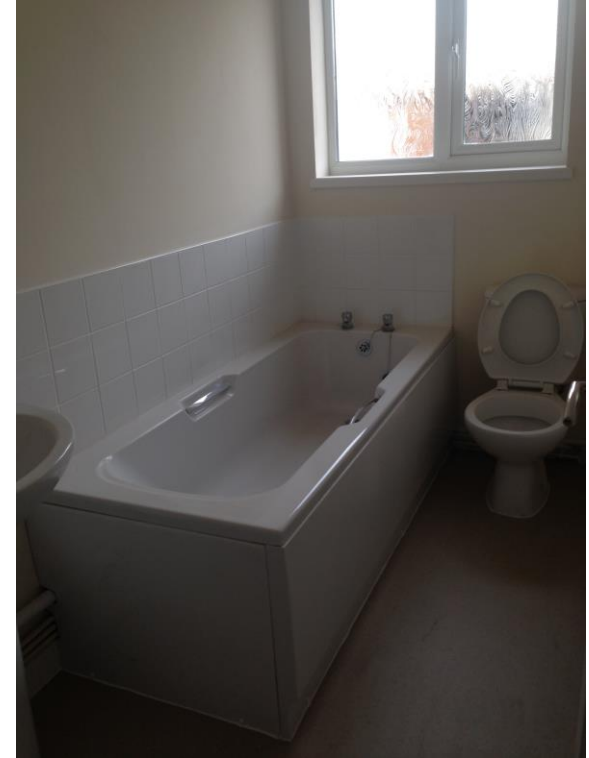
## In-House Management Agency

- Council instructed by Owner on full management package
- Tenants selected from Housing Choice Register
- Property let at LHA rate
- Property remains with Simple Lettings Agency, 4 years later, as an affordable home.



## Asiantaeth Rheoli Fewnol

- Cafodd y Cyngor ei gyfarwyddo gan y perchennog ynghylch y pecyn rheoli llawn
- Dewiswyd y tenantiaid o'r Gofrestr Dewis Tai
- Gosodwyd yr eiddo ar gyfradd Lwfans Tai Lleol
- Eiddo yn parhau dan reolaeth Asiantaeth Gosodiadau Syml, 4 mlynedd yn ddiweddarach, fel cartref fforddiadwy



# Astudiaeth Achos Rhif 2 / Case Study No.2

## Cwynion

- Cymdogion
- Yr Aelodau Lleol

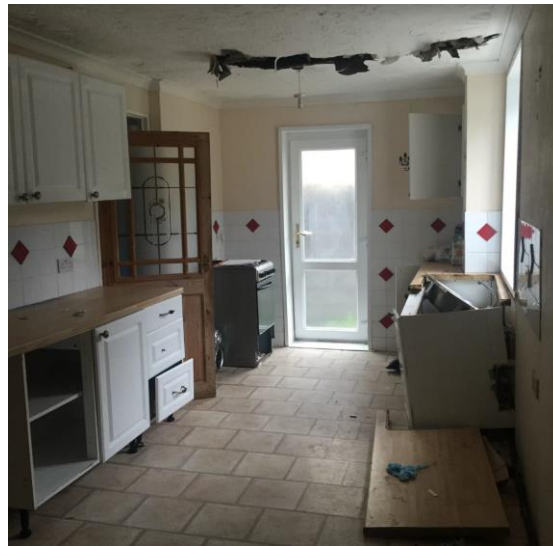


## Complaints

- Neighbours
- Local Members

## Ymgysylltiad

- Trafodaeth (Troï Tai'n Gartrefi/ Gosod Syml)
- Arolygiad Ymgynghori ac Amserlen
- Ni chafodd y meini prawf ar gyfer benthyciad eu bodloni
  - Archwiliwyd opsiynau amrywiol
  - Ffordd orau o weithredu Gorchymyn Rheoli Anheddau Gwag



## Engagement

- Discussion (HTH / Simple Lettings)
- Advisory Inspection & Schedule
- Loan criteria not met
  - Various options explored
  - Best course of action - EDMO





## Arolygiad

- Deddf Tai 2004, Rhan 1 a 4
- System Graddio Iechyd a Diogelwch Tai
- *Pam na ddefnyddiwyd Gorchymyn Rheoli Anheddau Gwag yn syth?*

## Gorfodi (drwy gytundeb)

- Cyflwynwyd Hysbysiad (Deddf Tai 2004, Adran 12)
- Costau'r Gwasanaeth (Deddf Tai 2004, Adran 49)
- Cyfnod Apelio yn dod i ben
- Pridiant Tir Lleol
- Perchennog yn cadarnhau nad yw hi'n gallu cydymffurfio



## Inspection

- Housing Act 2004, Part 1 & 4
- HHSRS
- *Why not straight for an EDMO?*

## Enforcement (by agreement)

- Notice served (HA.2004, S.12)
- Costs for service (HA.2004, S.49)
- Appeal period expiry
- Local Land charge
- Owner confirms she cannot comply

**EICH CYNGOR arleinamdani**  
[www.sirgar.llyw.cymru](http://www.sirgar.llyw.cymru)

**YOUR COUNCIL doitonline**  
[www.carmarthenshire.gov.wales](http://www.carmarthenshire.gov.wales)



## Non-compliance

- Best course of action – Works in Default
- Written consent to proceed with EDMO
- HA.2004, S.31 & Schedule 3 notice
- Council project manage renovation works
- Demand to Recover Expenses - Schedule 3, para.9
- Financial charge & restriction - Land Reg.



## Methu â chydymffurfio

- Ffordd orau o weithredu – Gwaith heb ei gyflawni
- Caniatâd ysgrifenedig i barhau â Gorchymyn Rheoli Anheddau Gwag
- Deddf Tai 2004, Adran 31 a Hysbysiad Atodlen 3
- Rheolwyd y gwaith adnewyddu gan y Cyngor
- Galw i Adennill costau – Atodlen 3, paragraff 9
- Tâl ariannol a chyfyngiad – Cofrestrfa Tir



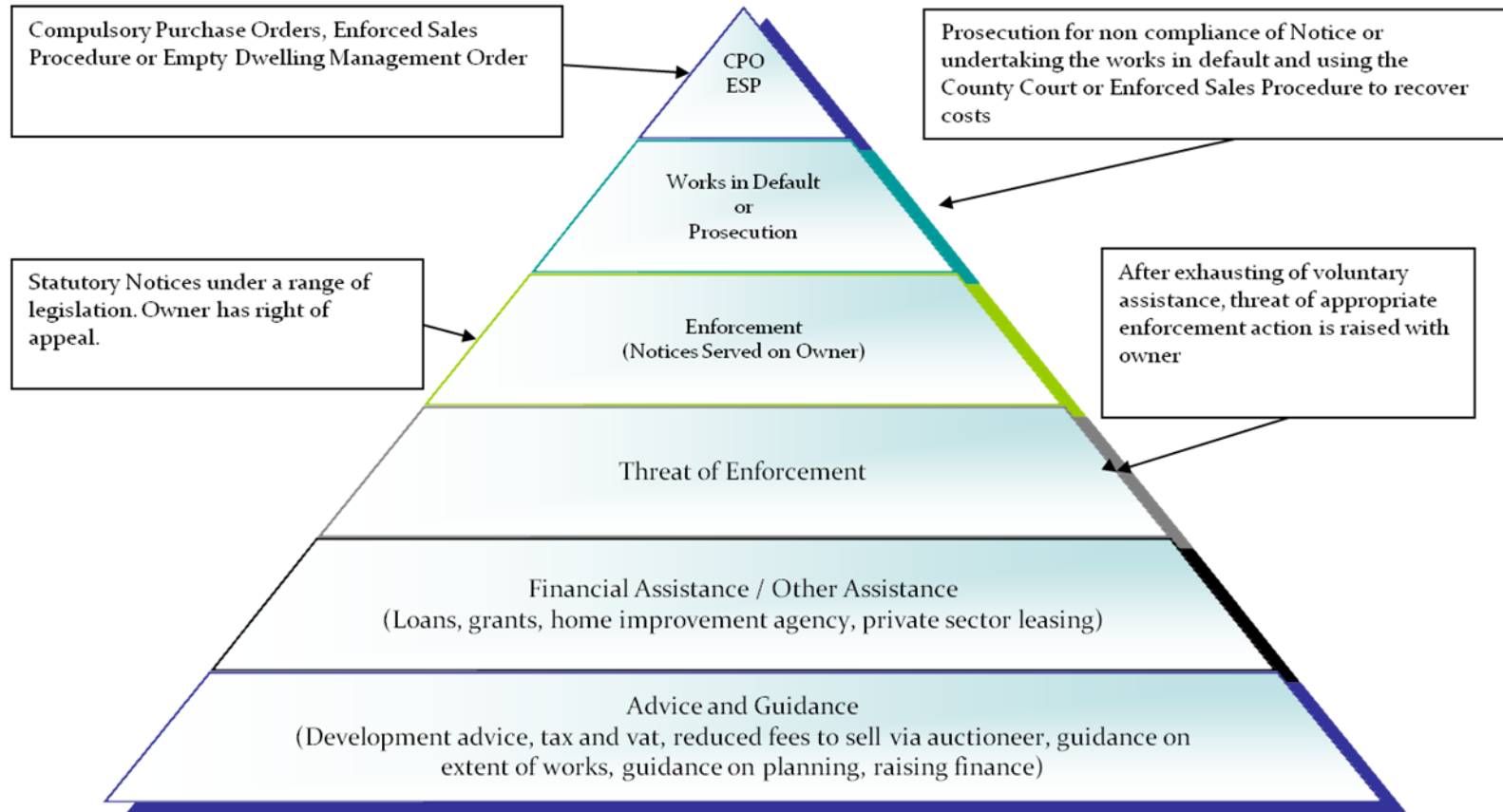
## Gorchymyn Rheoli Anheddau Gwag

- Cyflwynwyd cais ffurfiol dan Ddeddf Tai 2004, Adran 134 i'r Tribiwnlys Eiddo Preswyl
- Caniatâd i gyflwyno Gorchymyn Rheoli Anheddau Gwag dros dro
- Rhoddwyd yr eiddo i'r asiantaeth Gosod Syml ar gyfer ei ddyrannu i denantiaid ar y Gofrestr Dewis Tai
- Cynllun rheoli – Gorchymyn Rheoli Anheddau Gwag Terfynol

## Empty Dwelling Management Order

- Formal application under HA.2004, S.134 submitted to RPT
- Consent to serve an Interim EDMO
- Property handed to Simple Lettings for allocation to tenants on Housing Choice Register
- Management scheme – Final EDMO

# Yr Hyn a Gyflawnwyd fesul Dull Gweithredu / Achievements by Approach



# Cwestiynau? / Questions?

