

POLICY TITLE

Empty Homes Policy

REVISION DATE

REPLACES POLICY

New Policy

POLICY AIM

This policy aims to target owners of long term empty properties in order to increase the availability of properties to rent or buy, remove potential eyesores in the district, restrict vandalism and generally regenerate the area.

In particular we will aim to:

- reduce the number of long term empty homes (residential properties), and increase housing supply in South Holland by bringing them back into use
- increase the available homes in South Holland by working to bring other empty properties (unused offices and shops) into use as residential accommodation
- minimise the number of properties becoming long term empty (six months plus) by identifying them early and working with owners as soon as possible
- provide a contact point and resource for owners of empty properties
- work in partnership with other agencies to tackle the problem of empty properties.

POLICY STATEMENT

INTRODUCTION

Figures released by the Empty Homes Agency in 2005 show that the number of empty properties in England alone totals over 680,000.

The empty homes issue continues to maintain a high profile with Local Authorities under increasing pressure from Central Government and other external agencies to adopt a robust strategy that will result in a worthwhile reduction in the number of empty properties in their area.

The negative effects of empty properties are now relatively well recognised. These include:

- denying homes to those that are in need
increased pressure for new development on green field sites
wasted financial resources for the Local Authority and owners
increased dereliction, vandalism, litter and, in extreme cases, arson
- reduced market values in neighbouring properties and the wider area, encouraging homeowners to move away from the area before their equity is eroded and thereby contributing to a spiral of decline

- wider multiplier effects, such as impacts on local businesses through reduced demand for their goods and services and, in areas of low demand, knock on effects on the viability of public services, such as schools.

WHAT IS AN EMPTY PROPERTY?

There is no recognised definition of empty property and they are not always easy to identify. Empty properties can take on a number of forms:

- property previously in a residential use, such as a flat or house
- flats above shops which are not in use – possibly as there is no separate access to the upper levels of the shop, or because the lease arrangements for the buildings are not favourable to renting the accommodation out
- unused and hard to let office space, where the potential of developing or renting the space as residential has not been considered.

There are a number of reasons why properties become empty. These include:

- transitional empty properties pending a change of owner
- owners not being aware or understanding the options available to bring properties back into use
- properties which are left empty by the resident moving into residential care
- properties where the owner has died and the estate is awaiting the appropriate legal action
- perceived problems with renting the property
- extensive maintenance problems combined with low value of the property
- owner awaiting an upturn in the market.

THE WIDER PICTURE

This policy is written in the context of South Holland's Housing Strategy. You can view this at www.sholland.gov.uk

The Council's key priorities for housing are:

Priority 1 - To provide more high quality affordable housing

Priority 2 - Target capital expenditure on the Council housing stock to continue to achieve the 'decent homes' home standard

Priority 3 - Reduce the incidence of homelessness

Priority 4 - Work with others in support of the housing needs of the district

Following a recent review of the Corporate Plan, affordable housing has emerged as the Council's biggest priority for the immediate future.

The production of an empty homes policy is contained in the Housing Strategy action plan and is highlighted as a means of ensuring the delivery of more affordable housing. This policy will therefore help deliver the Council's priorities.

MONITORING OUR PERFORMANCE

The Department for Communities and Local Government (DCLG) currently requires all Local Authorities to declare the number of empty properties brought back into use or demolished as a result of action taken by the Council. This performance is monitored under Best Value Performance Indicator 64 (BV64) and is reported annually.

In 2004/5 twenty-five properties were brought back into use and a target of twenty-five properties has been set for each year during the period 2005/6-2007/8.

THE SCALE OF THE PROBLEM

As of 1 March 2006 the number of empty properties in South Holland totaled 1148. This figure was made up as follows:

Premises exempt from Council Tax	695
Second homes	179
Long term empty properties (over 6 months)	274

It is the long term empty properties that we aim to target as part of this policy.

Last year we helped 113 households find suitable accommodation; currently we have 61 households that we have a duty to provide accommodation for. It can therefore be seen that if a proportion of the long term empty properties could be brought back into use this would have a dramatic effect on the number of homeless households.

SOLUTIONS TO THE PROBLEM

Empty property Database

We will identify long term empty properties by liaising with our Council Tax section who already maintain a database of these properties. This database includes all dwellings that have been left empty for six months or longer and it will be used to target the owners of these properties.

Advice and guidance

All owners of empty properties that have been left empty for 6 months will be contacted by us and asked what they are doing and plan to do with the property. We will offer advice and guidance, in the form of information packs and leaflets, on how they can rent property, finding tenants, acceptable housing standards and necessary safety requirements.

Raising awareness

We will also seek to raise the awareness of this issue generally and the aims of this policy by providing information with the council tax bills for long term empty properties, to the Landlords Forum, the local press and the general public. We will ensure that all

information concerning empty properties is available on our website at www.sholland.gov.uk

Working in Partnership

Working in partnership will be important to the success of this policy. We are currently forming partnerships with the following organisations:

- Letting agents/estate agents
- Registered Social Landlords
- The Housing Forum
- The Empty Homes Agency
- Local Property developers

Changes to the Council tax regime

Recent changes to the Council Tax regime could have a beneficial effect and reduce the number of long term empty properties. Historically empty properties have received a discount on Council Tax payments of 50%. However in 2005/6 the discount for second homes was reduced to 10% and as of 1 April 2006 the discount for long term empty properties was reduced to 0%. When these changes were announced, information was given to owners on options available to them including renting the property out.

Rent Deposit & Rent in Advance

Houses can remain empty due to the fact that potential tenants find it difficult to raise the money for the necessary deposit and payment of the first month's rent in advance. Housing Services currently offer both the above grants to assist households in gaining access to suitable accommodation by guaranteeing the landlord these payments. If we offer such assistance, we maintain contact with the tenant to ensure they are repaying the grant and abiding by their tenancy conditions.

Private Sector Leasing

Housing Services occasionally lease properties from private property owners to provide temporary accommodation to homeless households. In these circumstances Housing Services take over the management responsibilities for the tenant and guarantee an income to the owner. Some landlords find these services helpful when letting their properties.

Enforcement Action

If the owner does not respond to us or we are of the opinion that steps are not being taken to bring the property back into use we will consider using one of the following forms of enforcement action:

Empty dwelling Management Order

When a property has been empty for 6 months and we are of the opinion that it is unlikely to be occupied in the near future, we may make an Empty Dwelling Management Order (EDMO).

An EDMO allows us to effectively 'step into the shoes' of the owner of an unoccupied dwelling. There are two types of order - *interim EDMO* and *final EDMO*. They allow us to secure occupation and proper management of privately owned houses and flats that have been unoccupied for a specified period of time and where certain other conditions are met.

An EDMO will be used where the property is habitable, or can be made habitable at a reasonable cost, and is likely to be occupied if an EDMO is made.

Community Housing will work in partnership with Housing Services who will take over the management of any properties that are subject to an EDMO. Those on the Council housing waiting list will be eligible for placement in these properties.

Compulsory Purchase

In cases where other action has failed to bring an empty property back into use, we may decide to pursue a compulsory purchase order. This will be used when the property is in a poor state of repair, is unlikely to be brought back into use by the owner and has been left empty for a considerable period of time. This can be a long process and will only be taken as a last resort.

Other Enforcement Action

Where an empty property is causing a nuisance or is affecting neighbouring property, we will make use of current legislation to minimise the nuisance caused whilst we try to bring the property back into use. We can seek to secure the property and make the owner take action where it is unsafe or it is adversely affecting the amenity of an area through its disrepair.

Empty property Loans/Grants

We do not currently offer any financial assistance to owners in bringing their houses back into a useable condition. We will investigate the cost effectiveness of loans/grants with a view to introducing a scheme if appropriate. There will be a stipulation that any loan/grant aid will be followed by a period of 5 years during which the Council will have nomination rights in order to place persons on the Council House waiting list.

Principles of Enforcement

The overriding principle of Enforcement and that which has been adopted by South Holland District Council is contained within the Enforcement Concordat issued by the former Office of the Deputy Prime Minister. Any enforcement action that is taken has to be in the best interests of the public and the four principles of enforcement are:

- proportionality – the degree of enforcement action taken should be proportional to the risk involved

- consistency – officers should take a similar approach in similar circumstances to achieve similar outcomes
- transparency – making sure that our role is clear to Businesses, Employees and Customers and that any advice given or action taken by enforcement officers is understood
- targeting – inspection priorities are aimed at highest risk areas and we identify those responsible for controlling those risks.

In general our ethos is to work in partnership with owners of empty properties. However, where owners do not co-operate, enforcement action will be taken.

WHO IS AFFECTED BY THE POLICY?

Owners and leaseholders of empty properties and homeless people within the South Holland district.

IMPLEMENTATION

The implementation of this policy will be carried out by the Community Housing Team within Community & Neighbourhood Services. The Community Services Manager, and ultimately the Head of Community & Neighbourhood Services, will be accountable for ensuring the policy is implemented effectively.

However, for the policy to be effective, we recognise that it is necessary to adopt a corporate approach. Services within the Council that will be involved are:

- Community Housing Team
- Anti-Social Behaviour Team
- Safety & Environment Team
- Planning & Development
- Housing Operational
- Customer Services
- Benefits and Revenues Team

MONITORING

The policy will be monitored in the following ways:

MONITORING ACTIVITY	PERSON RESPONSIBLE
Check to see if the policy has been implemented effectively	Head of Community and Neighborhood Services
Review the Policy annually	Community Services Manager
Data Collection Annually (BV64)	Community Services Manager

POLICY CONSULTATION

The draft policy was made available through the SHDC website and on main reception. The general public were invited to comment on the draft via an article published in the local press and interested parties were consulted. A list of consultees is available.

POLICY APPROVAL

This policy was approved by Cabinet on 10 October 2006.

RELATED POLICIES & STRATEGIES

South Holland District Council's:

- Housing Strategy
- Homelessness Strategy
- Regulatory Services Enforcement Policy
- Reduction of Council Tax Discounts on Second Homes and Long Term Empty Properties Policy