

# **Long Term Empty Homes Strategy**

## **Introduction**

The Long Term Empty Homes Strategy reviews progress and knowledge gained since 2013 and sets out the Council's approach from 2017 onwards.

Homes can become empty for many reasons and in most cases on a short term or temporary basis e.g. when they are awaiting sale, rental or being renovated prior to occupation. These transitional periods are a natural part of the housing market. The great majority of these empty homes will be brought back into use in a reasonable timescale without any involvement of the Council.

Some homes are perceived to be empty when they are, in fact, second or holiday homes or where the owner is in hospital or a care home.

Hence, it is important that the Council adopts a Strategy which sets out clearly its approach towards empty homes.

The focus of attention will be towards those homes which have been empty for more than 6 months and/or where a property is dangerous or has a significant impact on surrounding neighbours and communities.

The Council will endeavour to advise and assist empty home owners where possible. However, the Council will take enforcement action in cases where a property is creating problems for others in situations where it has not proved possible to address the issues by other means.

In implementing the Long Term Empty Homes Strategy, the Council will at all times seek to strike a balance between protecting the interests of property owners whilst acting to ensure that long term empty homes do not adversely impact upon residents in a neighbourhood.

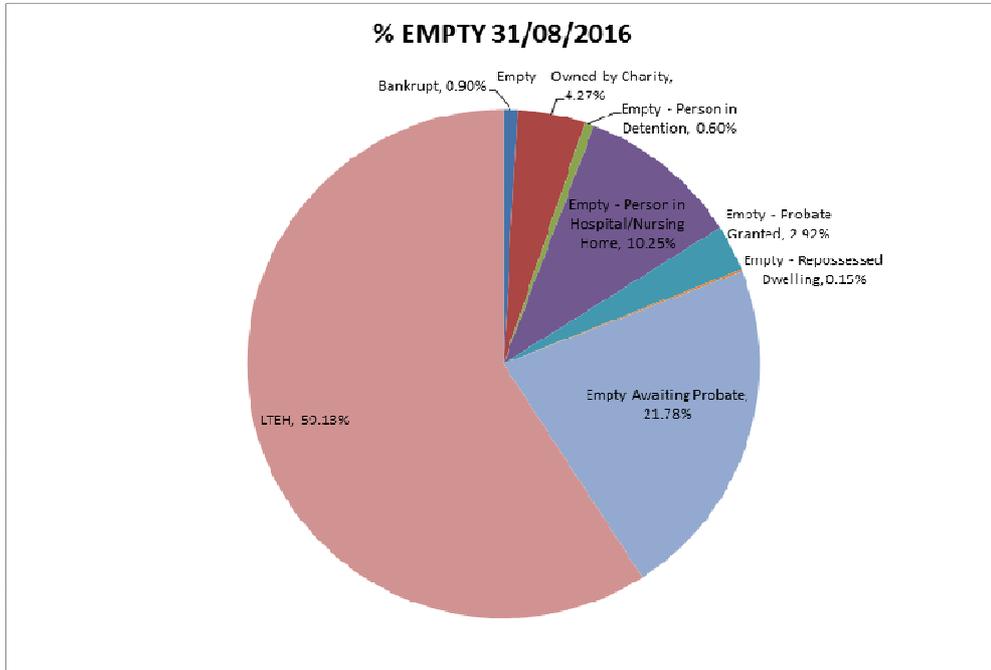
## **The importance of bringing long term empty homes back into use**

There are many benefits to bringing long term empty homes back into use

- Financial benefits to the owner
- Removing any negative impacts an empty home may have in a neighbourhood if it is unsightly or attracting vandalism
- Helping to increase the availability of housing in the area and make best use of the housing stock
- Income to the Council by way of New Homes Bonus

## Empty homes in Kings Lynn West Norfolk – context and progress

- **There are many reasons for homes being long term – empty over 6 months**



This Strategy and statistics specifically excludes the 41% of homes where there are issues such as owner in residential care, probate as shown above and focusses on the 59% where no such issues are present.

- **The number of long term empty homes has reduced**

The number of long term empty homes in the area has reduced between 2013 and 2016.

In June 2013, there were 1026 long term empty homes compared to 846 in January 2017.

Our performance measure looks at the percentage of Long Term Empty Homes as a percentage of our total dwellings in the area – lowest is best.

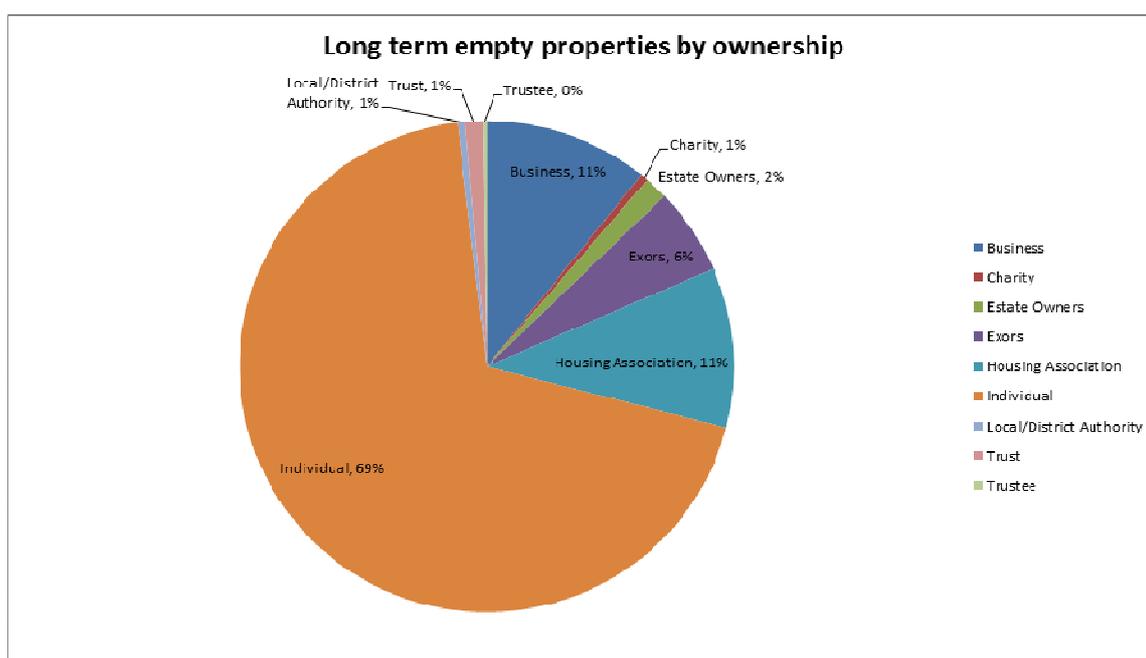
Our baseline in 2012/3 was 1.48% and the figure for 2015/16 was 1.15%. This improvement coincided with the reduction in council tax reliefs/discounts made available to the owners of empty homes.

2012/13	1.48%
2013/14	1.17%
2014/15	1.03%
2015/16	1.15%

➤ **Long term empty homes are fairly evenly spread across the Borough**

Long Term Empty Homes are spread across the Borough. There are no areas with significant numbers of empty homes except in a small number where owners are reviewing their future use or undertaking refurbishment and regeneration schemes e.g. Hillington Square, Kings Lynn.

➤ **Most long term empty homes are owned by private individuals**



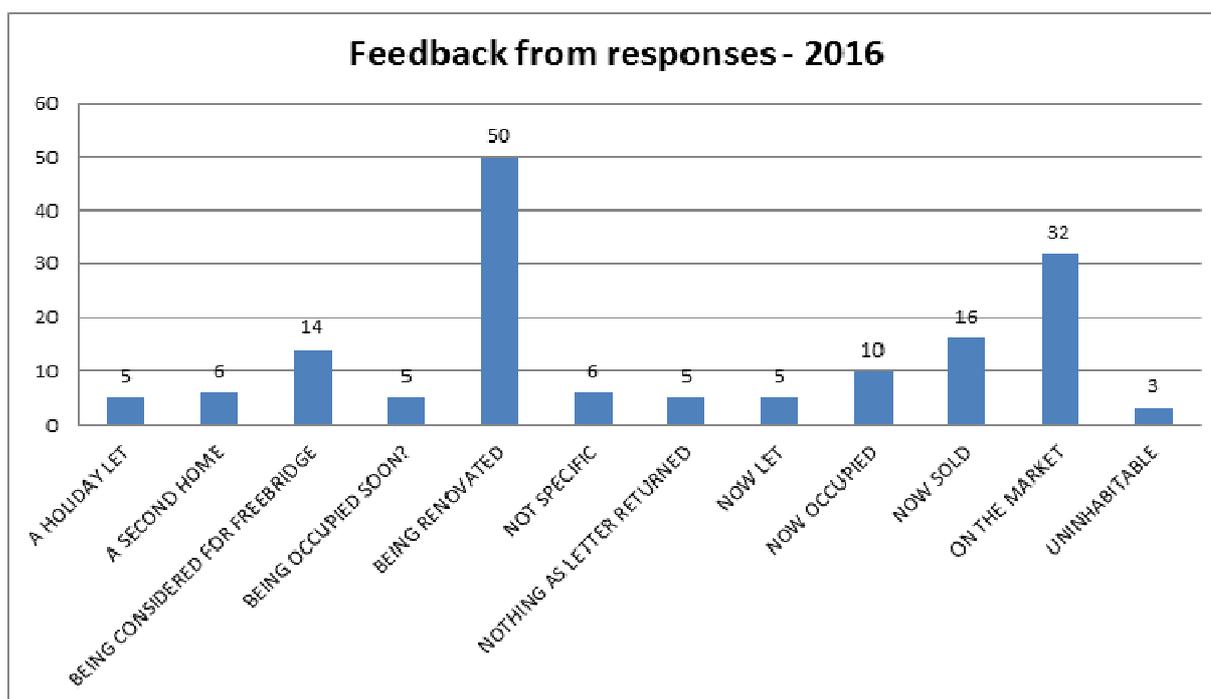
Housing associations own 11% of Long Term Empty Homes. The overwhelming majority of these are where housing association homes are subject to review for future use or awaiting investment.

### **Progress on priorities within the Long Term Empty Homes Strategy 2013 -2016**

#### **1. To gain a greater understanding of why homes remain empty**

Systems and recording have been reviewed and greatly improved since 2013. Detailed empty homes data is produced on a monthly basis. Once empty for 6 months, an owner is contacted to establish if there is any assistance the council can offer.

Feedback from respondents in 2016 showed that



## **2. To raise awareness of empty homes**

An Empty Homes Forum was held in November 2014. Although well received, a small number of owners attended.

The Long Term Empty Homes Strategy is available on the Council's website.

Press releases and information have been issued both in promotional activity when appropriate and in response to media interest.

## **3. To adopt a systematic approach to dealing with empty homes**

New cases where homes have been empty for more than 6 months are reviewed monthly and owners are contacted. This aims to establish if the property is still empty and if there are any ways in which the Council or other organisations could help bring a property back into use.

Empty and unfurnished dwellings pay no council tax for the first three months after the furniture is removed. If the dwelling is still empty after the time the full council tax charge is due. If it remains empty after two years a premium is payable, equivalent to an extra 50% of the annual council tax, so these dwellings pay 150% of the full council tax charge. If it remains empty after two years a premium is payable.

In January 2017 the Council approved an approach to reduce the initial discount period for empty and unfurnished properties. From 2017/18, the full council tax charge will be charged from the second month after the furniture is removed.

Staff within the revenues and benefits teams ensure council tax reductions are correctly awarded and identify fraud and errors within council tax accounts. This includes ensuring discounts for empty homes are correctly claimed. Action is taken where customers have not declared correct information including imposing financial penalties.

Where complaints are made about empty homes, they are assessed in accordance with the criteria set out in the Long Term Empty Homes Strategy and appropriate action taken.

If enforcement action is being considered the need for intervention will be assessed and co-ordinated through the Derelict Land and Buildings Group – utilising a range of powers available across the Council to secure an appropriate outcome.

More information on enforcement actions are detailed at the end of the Strategy

#### **4. To develop pathways to bring empty homes back into use**

Funding was secured for a Private Sector Leasing Scheme with Freebridge Community Housing to create 40 new social homes from empty properties.

The scheme was advertised to attract interested property owners and suitable property owners were identified as empty homes are monitored on a monthly basis.

The scheme proved a success and 40 new social housing properties were made available from empty properties.

As the scheme developed some trends emerged

- Acquisition rather than leasing was a more appropriate and achievable aim and the final outcome was a scheme provided a mixture of properties leased and acquired.
- Bringing flats into use is problematic as the owner may not have a freehold interest and covenants exist in relation to use of the property
- Empty homes may not be suitable for meeting housing need by a social landlord due to housing need in an area and type of property
- Renovation costs could be prohibitive given low availability of grant and rental income that can be achieved

- Properties within conservation areas could additionally increase costs
- Often ex local authority homes provided the most cost effective properties to bring back into use – due to lower market value, renovation costs and ease of future management

### **Future approach from 2017**

The Council will endeavour to advise and assist empty home owners who seek advice on bringing their home back into use.

It will continue to contact empty home owners after 6 months to offer this assistance and to clarify that the property is still empty.

Initially, the priority will be to

- Identify the owner
- Discuss potential solutions
- Resolve immediate issues e.g. dangerous structures, where property is not secure, criminal activity, environmental issues.

Further action is likely to be utilised if

- The property is dangerous and/or poses a risk to the public
- The property is found to have a significant impact on surrounding neighbourhoods/communities.

We will review the need for intervention where a property is deteriorating e.g. following reports by neighbours, councillors or public and it is likely to become problematic if no improvement is brought about.

Enforcement options will only be considered in cases where a property is showing clear signs of creating problems for others in the neighbourhood and only as a last resort.

Before enforcement action would be considered, the individual circumstances would be considered and co-ordinated through the Derelict Land and Buildings Group. The Derelict Land and Buildings Group consists of representatives from Regeneration, Conservation, Planning Enforcement, Community Safety, Council Tax and Housing Standards and meets on a regular basis to review land and buildings that are or are becoming derelict.

The council will attempt to reach agreement with an owner on a suitable outcome but, if that is not possible, enforcement action could include

- Enforced Sale
- Empty Property Management Order
- Compulsory Purchase Order

More details on these actions can be found in the Appendix to the Strategy

## **Future priorities for action**

### **1. To gain a greater understanding of why homes remain empty**

Empty homes data will be reviewed on a monthly basis.

Owners will be contacted once a property shows as empty for 6 months or more asking for feedback from owners.

Responses will be analysed and reviewed to gain understanding of why homes are empty.

### **2. To raise awareness of empty homes**

The Long Term Empty Homes Strategy will be publicised on the council's website.

Press releases and other information will be issued as news or update information develops.

### **3. To adopt a systematic approach to dealing with empty homes**

A targeted approach to owners whose property has been empty for 6 months will continue – this being done on a monthly basis.

Council tax charges on empty and unfurnished property will be applied in accordance with Council policy, including 150% charge if a property has been empty for more than 24 months.

From 2017/18, council tax will be levied for empty/unfurnished homes from the second month they are empty (approved by Council in January 2017).

The Council will also lobby for changes to council tax regulations to enable an additional premium at 12 months.

Checks and investigations will take place to ensure that council tax reductions are correctly awarded and appropriate action will be taken if incorrect information has been supplied or withheld, including financial penalties.

Complaints about empty homes will be assessed in accordance with the Council's overall approach.

Properties which are reported to the Council as causing a nuisance will be assessed and those having a detrimental impact in a neighbourhood as set out in this Strategy will be referred for consideration to the Derelict Land and Buildings Group.

#### **4. To develop pathways to bring empty homes back into use**

No specific funding is currently available to bring long term empty homes into use. Nonetheless, this will be kept under review and suitable properties will be referred to Freebridge Community Housing as well as other Registered Providers to establish if individual properties can be brought into use as social housing.

The Council will also explore initiatives to bring empty homes back into use including consideration of funding a scheme to bring low cost long term empty homes into use to meet housing needs where acquisition and/or remediation costs are not prohibitive.

### **Appendices**

#### **Comparisons across Norfolk**

What are Breckland in particular and Broadland doing (if anything) that produces figures that are so much better than ours?

Authority	Total number of dwellings	% of which are long term empty	
BCKLWN	71881	1.140%	819
Breckland	58000	0.700%	406
Broadland	56124	0.504%	283
Great Yarmouth	47232	1.750%	827
North Norfolk	53590	1.010%	541
Norwich	65022	0.520%	338
South Norfolk	58364	1.330%	776

#### **Enforcement options**

Enforced sale	The enforced sales procedure is an enforcement options carried out by virtue of the Law of Property Act 1925. It can be effective when dealing with a long term empty properties where the owner cannot be traced or is
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	<p>unwilling to work with the Council to address the condition of the property.</p> <p>An enforced sale can only be carried out where the Council has placed a land charge on the property e.g. following works in default or council tax arrears.</p> <p>The owner can settle the debt but if monies are not paid the council can act as mortgagee and sell on the open market – clearing charges on the property with remaining funds being paid to the owner.</p>
Empty Dwelling Management Order	<p>Where long term properties become dangerous or are causing a nuisance, in some cases the landlord can take over direct control (management) of the property.</p> <p>The property must have been continuously empty for over 2 years, the owners must have a minimum of 3 months notice and proof of the nuisance and community support must be provided to a Residential Property Tribunal.</p> <p>There are also interim EDMOs. Any rent collected will be used to offset costs incurred by Council in bringing the property back into use.</p>
Compulsory Purchase Order	<p>The Council has a power under various Acts to compulsory purchase a property. Acts set out rules for compensation. After compulsory purchasing the property the Council is likely to sell it to recover costs</p>

Further powers are available to deal with specific problems associated with an empty home such as nuisance, infestation, fly tipping and dangerous buildings:

Town and Country Planning Act 1990	Notice can be served on owner where a home is considered to be 'detrimental to the amenities of the neighbourhood'
Building Act 1984	Provides powers to tackle 'dangerous and ruinous' structures
Local Government (Miscellaneous provisions) Act 1982	Power to secure empty homes against access where it is considered there is a danger to public health
Environmental Protection Act 1990	Powers to remedy conditions that are detrimental to health or circumstances that constitute a statutory nuisance
Housing Act 2004	Power to serve notice and potentially take action to tackle conditions that pose a threat to health and safety of potential occupiers and visitors