

EMPTY HOMES STRATEGY REPORT

Executive Summary

This report provide an update to the Overview and Scrutiny Committee of the action taken to bring empty homes back in to use.

Recommendations

The committee notes the report.

Background Papers: None.

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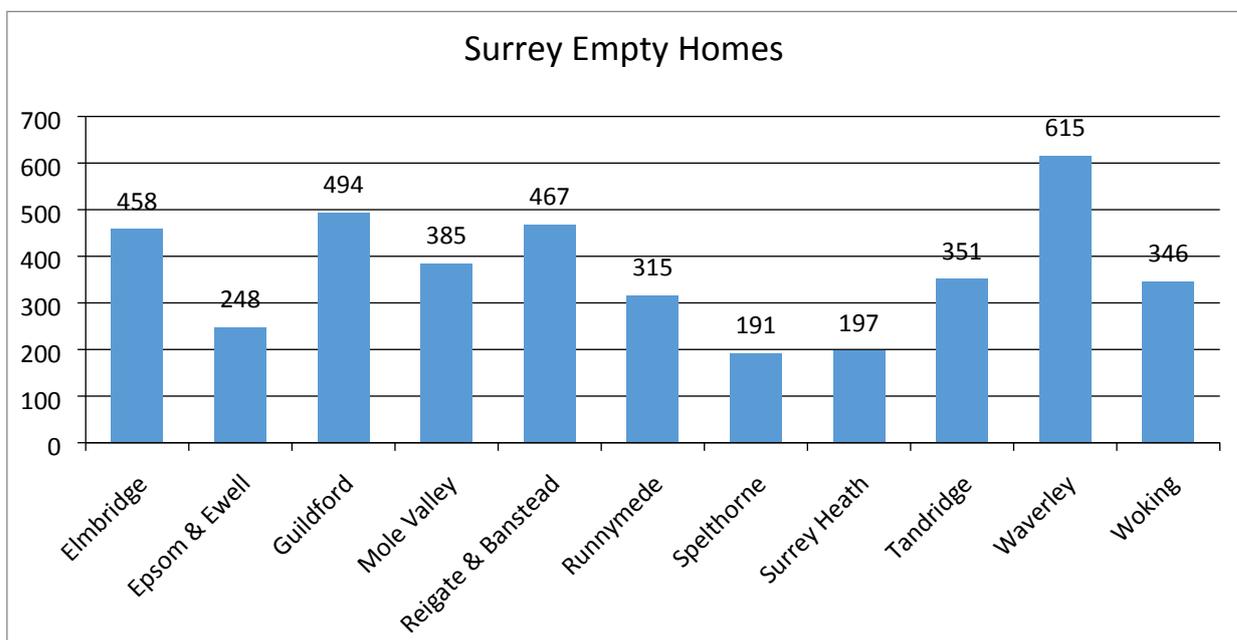
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1.0 Introduction

- 1.1 There are a variety of reasons why properties become empty. There are short transactional reasons or the owner may be unable to organise works required to refurbish, they may have inherited a second property and are unable to move on or the owner may have moved away from the area.
- 1.2 Officers prioritise empty homes interventions according to the length of time a property has been empty, the property condition and whether it attracts nuisance.
- 1.3 The Private Sector Housing Team works with colleagues across the Council in the Council Tax Department, Environmental Health, Housing Standards, Legal and Planning Enforcement. The team also works with Thamesway Housing Limited where a property is identified that may be of use to them and the owner is willing to sell.

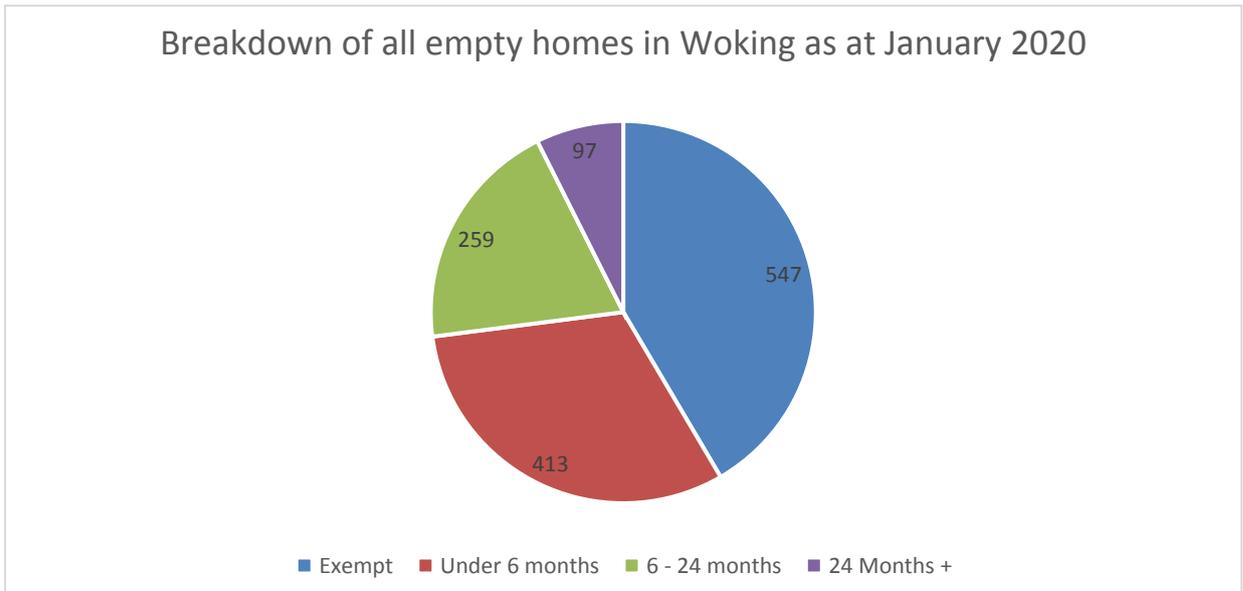
2.0 Current Empty Homes Number

- 2.1 As at 27 January 2020 there were 97 long term premium properties (empty over 24 months), and 259 long term empty (between 6 and 24 months). The latter includes 126 properties in Sheerwater which are deliberately empty and will be brought back in to use through the regeneration project.
- 2.2 The January 2020 numbers are a 28% reduction from October 2019 when there were 416 long term and 82 long term premium empty.
- 2.3 In 2018¹ Woking was in the bottom half of Surrey wide empty homes returns.



- 2.4 As at 27 January 2020, there were a total of 1316 empty homes in the Borough including those that fall under different categories and Council Tax exemptions.

¹ These are the latest available Government figures. The 2019 statistics will be released on 11 March 2020.



2.5 The exempt empty properties do not generally attract empty homes enforcement action. The main exemptions are where the owners are:

- waiting for probate to be granted
- left empty by someone who has gone to live in a hospital, nursing or residential care home
- left empty by someone who has gone to live elsewhere (not a hospital or care home) to receive care because of old age, disablement, illness, drug or alcohol dependency or mental disorder
- left empty by someone who has gone into prison or other place of detention, such as hospital under the Mental Health Act
- left empty by someone who has moved in order to provide personal care for another person

2.6 Properties empty under 6 months are usually transactional and are in the process of being sold, tenanted or refurbished whilst the property is empty. The majority will be brought back in to use within the 6 month period without any intervention from Officers and are very unlikely to attract complaints from neighbours regarding their condition.

2.7 Officers generally focus on long term empty properties which are more difficult to bring back in to use and may attract complaints from neighbours regarding their appearance, particularly where gardens can become quickly overgrown and the general fabric of the properties can become unsightly and affect the street scene and impact on property values of adjacent and nearby dwellings.

3.0 Interventions

3.1 Long term premium properties are often empty due to complex reasons and require long term casework to gain the owners trust or establish where the owner is. The team is currently working with at least three owners with hoarding disorders. Other reasons are bereavement, absentee owners, disputes between joint owners, and occasionally abandonment where the owner has left with substantial Council Tax owing.

Empty Homes Strategy Report

- 3.2 A list of long term empty properties is extracted from the Council Tax database and an enquiry form is sent quarterly to empty home owners at their home address (when known) requesting information on why their property has been left empty and includes assistance available from the Council as well as sanctions available to the Council to force owners to bring their properties back into use. A tailored letter is sent instead of an enquiry form requesting an update if a previous response has advised the property is to be refurbished or sold etc.
- 3.3 Empty homes reports also come from the general public via the Council's 'Report it' online form and from other colleagues or Members on behalf of their constituents. These properties are sometimes classed as a 2nd home so may not have been identified as needing the quarterly enquiry.
- 3.4 Officers check Land Registry, visit properties to assess their condition, take photos and speak with neighbours to ascertain further information to inform decisions on steps that can and cannot be taken to bring a property back in to use by the Council. On occasion Officers have found that a property is not empty at all and have offered the occupier assistance with repairs. Tracing agents are also used to track down empty home owners that have disappeared.
- 3.5 Where efforts have failed to persuade the owners to bring their properties back into use, a number of legal measures are open to the Council to force owners to improve the state of their property, or to ultimately bring the empty property back into use.

4.0 Measures available to the Council

- 4.1 Since April 2019 long term premium empty properties (empty for more than two years) attract a 100% Council Tax premium.
- 4.2 Further legislation allows Councils to charge a higher Council Tax rate for longer periods from April 2020 and April 2021. The Council will implement the changes from the applicable dates as follows:

Premium rate	Properties affected	Date from
100%	Properties empty for between two and five years	April 2019
200%	Properties empty for between five and ten years	April 2020
300%	Properties empty for over years	April 2021

- 4.3 Let's Rent – the Council's private rented sector access scheme is promoted as a way to let a property and provide the owner with an income and support the Council to end its homelessness duties.
- 4.4 Repayable loan – the Council can provide funds to complete renovation works. The loan is recouped via a rent reduction when leased to Council via Let's Rent.
- 4.5 Support and advice is provided to sell or let their property. This occasionally includes taking owners to and from the empty property, regular telephone calls to build trust and liaising with the police and Adult Social Care.
- 4.6 S.215 notice Town & Country Planning Act 1990 – time restricted Planning Powers to instruct the owner to make good anything that has an adverse effect on the area e.g., cut back hedges, replace broken windows etc.. Works are carried out in default and a charge placed on the property if the owner fails to comply with the notice. This is a way to make contact with owners that meet the s.215 notice threshold that may not otherwise engage with the Council.

Empty Homes Strategy Report

- 4.7 Empty Dwelling Management Order (EDMO) – the property must have been empty for 2 years and before applying for an EDMO the Council must give 3 months' notice to the owner before making an application, the property must have caused a nuisance to the community and local residents support an EDMO. The Council would then carry out a minor refurbishment and let the property. The Council would collect the rent and after recouping costs, the remaining rent is passed to the owner. This option could have a financial impact on Council resources.
- 4.8 Compulsory Purchase Order (CPO) – this can be used where there is a proven housing need in the area and owners refuse to take action to bring a property back in to use or if the owner cannot be traced or if the property is causing a nuisance or is dangerous. A strategy to sell or let the property must be established as part of the CPO.
- 4.9 The Council has previously used the Local Government (Miscellaneous Provisions) Act 1982 to secure an empty property and considered using the Prevention of Damage by Pests Act 1949 amongst other enforcement legislation available.
- 4.10 The Enforced Sale, EDMO and CPO routes are considered once a more informal approach has been exhausted.
- 4.11 Day to day a useful and cost effective enforcement method is the s.215 notice which usually produces a response even from owners that have not previously engaged with the Council.

5.0 Empty Homes Plan

- 5.1 A timetable of key housing strategies was presented to the July 2019 Housing Task Group. The Housing Strategy is next to be reviewed and is the parent strategy for all other housing policies including the Empty Homes Plan. It is envisaged that the Empty Homes Plan will be reviewed in late 2020 / early 2021.
- 5.2 The existing Empty Homes Plan 2015 – 2018 has three priorities which are still current.
- Priority 1 – To minimise the number of empty homes through the Council's interventions
- Priority 2 – To maximise the opportunities for returning empty homes back into use through initiatives and incentives
- Priority 3 – To use innovative interventions to bring empty back
- 5.3 The number of empty homes brought back in to use had a dip in performance when the Selective Licensing Scheme was introduced. The work was returned to the team previously responsible for empty homes and performance has increased.
- 5.4 Additional resource for the Let's Rent service has been introduced with the new Housing structure and an additional officer will primarily be focused on Let's Rent but will also increase capacity within the team to address empty homes.

6.0 Conclusion

- 6.1 Areas to be reviewed
- Any successes could be advertised to encourage owner engagement.
 - Review more routine use of s.215 notices.
 - Members to continue to alert officers of any empty homes they are aware of.

Empty Homes Strategy Report

- Explore the case for voluntary purchase at market value plus compensation taking in to account CPO guidance.

REPORT ENDS