

# Empty Homes Strategy

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2019 - 2024

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## **Introduction**

Stafford Borough Council's Empty Homes Strategy sets out what the council will do, with partners, to bring homes back into use, to make best use of housing stock in the Borough and to reduce the negative impact empty homes have on surrounding homes, neighbourhoods and communities.

By having an Empty Homes Strategy and a clear programme of actions and interventions, we can:-

- Improve neighbourhoods and create better environments for local communities.
- Reduce vandalism and anti-social behaviour.
- Improve the health and wellbeing of communities and individuals.
- Help meet housing need by providing additional housing options for the local community.
- Ensure best use of assets.
- Improve housing conditions.
- Increase New Homes Bonus (which can be reinvested into the local area).
- Increase Council Tax income and potentially increase spend on local goods and services from the occupants of formerly empty homes;
- Balance new build with the best use of existing stock.
- Increase income and capital value to home owners and reduce the costs of council tax liability.

Homes are left empty for a variety of reasons and plans to bring properties back into use need to be tailored to each circumstance. This Strategy recognises there is no one simple solution to the problem of empty homes and outlines a range of options to bring properties back into use.

## **Strategic Ambitions**

Stafford Borough Council's vision is to have 'a prosperous and attractive Borough with strong communities'.

Our Corporate Business Plan 2018 – 2021 sets out the Council's key objectives which are:-

1. To deliver sustainable economic and housing growth to provide income and jobs.
2. To improve the quality of life of local people by providing a safe, clean, attractive place to live and work, encouraging people to be engaged in developing strong communities that promote health and wellbeing.
3. To be a well-run, financially sustainable and ambitious organisation, responsive to the needs of our customers and communities and focussed on delivering our objectives.

The Council's vision and each of the three objectives are supported through this Strategy by aiming to bring 50 empty properties back into use each year and 250 in total through the lifetime of the Strategy.

To achieve these ambitions, Stafford Borough Council has invested in an Empty Homes Officer with the sole focus of bringing empty homes back into use.

## **Achieving our Ambitions**

This Strategy will focus on three objectives in order to achieve our ambitions in bringing empty homes back into use. These are: -

1. To bring empty homes back into use using a range of advice, assistance and support.
2. To use enforcement action on bringing long term, problematic empty homes back into use.
3. To better understand why homes are being left empty in the Borough and where possible, prevent homes from becoming empty for long periods of time.

## **Current Position**

There are two types of empty properties – those that are empty for short periods of time and problematic longer term empty properties. The short term vacant properties are re-occupied relatively quickly and are necessary for the housing market to function. These properties rarely require intervention to bring them back into use; they are generally reoccupied within six months.

Longer term problematic vacancies are properties that have remained empty for over six months and usually cause complaints from neighbours or are detrimental to the neighbourhoods; they are the focus of this strategy. The Council is keen to stop short term empty properties from becoming long term, problematic empties.

## **National Context**

There are approximately 23,950,000 dwellings in England<sup>1</sup>. Latest figures show that in 2017, 605,891 dwellings (2.53% of all properties) are classed as empty homes. Of these, 205,293 are long term vacant dwellings (unoccupied 6 months+). This equates to 34% of empty properties and 0.86% of all properties nationally<sup>2</sup>.

The percentage of empty homes has been steadily decreasing since 2013, yet has risen again slightly in 2017. Overall, the number of homes that are long term vacant has decreased by 5% since 2013, from 216,050 to 205,293 in 2017<sup>2</sup>.

## **Regional Context**

In Staffordshire, there are approximately 379,950 dwellings<sup>1</sup>, of which 2.67% are empty homes (10,123). Of these, 3,241 are reported as long term empty (32% of those empty; 0.85% of total dwellings). Staffordshire has a slightly higher percentage of empty homes overall than the national rate. However, from 2013 the percentage of long term empty homes in Staffordshire has decreased and fallen lower than the national average<sup>2</sup>.

## **Local Context**

There are approximately 60,580 homes in the Borough<sup>1</sup>, of which approximately 3.16% are reported as empty. This compares unfavourably to both the regional and national averages of 2.67% and 2.53% respectively. In latest figures, 1,962 properties are listed as empty, of which 670 have been empty for more than 6 months. This equates to 1.08% of all dwellings and 34% of all empty homes in the Borough<sup>2</sup>.

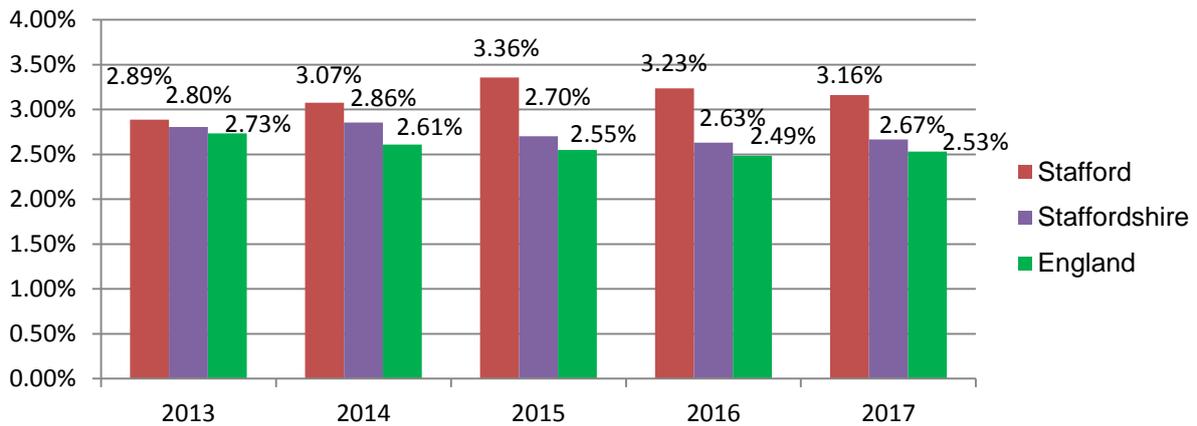
The number of empty homes in Stafford has increased by 16.8% since 2013, from 1,680 empty homes in 2013 to 1,962 empty homes in 2018<sup>2</sup>. The proportion of the Borough's homes vacant for 6 months+ has increased by almost 5% meaning that over a third of empty properties in the area are long term unoccupied. The Council has allocated resources to address the issue of empty properties and is committed to reducing the number of long term empties.

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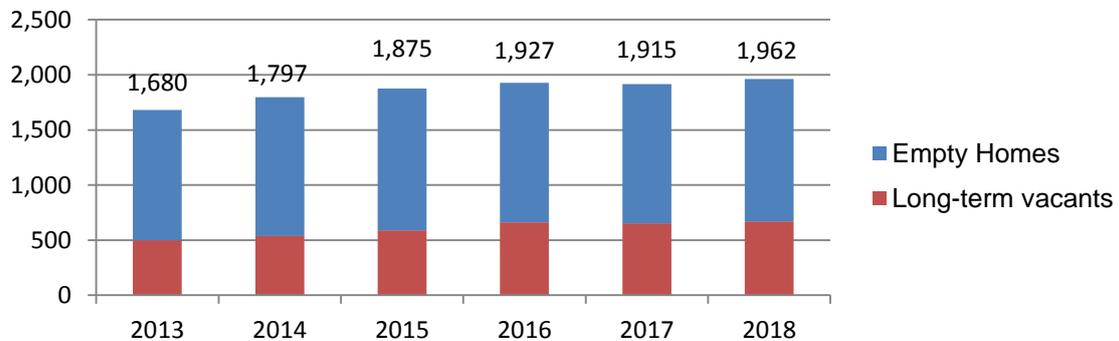
<sup>1</sup> MHCLG Table 100: number of dwellings by tenure and district, England, April 2017, published 25 May 2018

<sup>2</sup> MHCLG Table 615: vacant dwellings by local authority district: England, from 2004, Oct 2018, published March 2019

**Figure 1: Empty Homes as a % of all dwellings**



**Figure 2: Number of Empty Homes in Stafford and proportion long-term vacant**



**Figure 3: Long-Term Empty Properties in Stafford**

Year	Number of Empty Homes for 6 months+	% all homes Long Term Empty	% of empty homes Long Term Empty	Net change in number of Long-Term Empty Homes
2013	500	0.86%	29.76%	-174
2014	538	0.92%	29.94%	+38
2015	589	1.05%	31.41%	+51
2016	661	1.11%	34.30%	+72
2017	653	1.08%	34.10%	-8
2018	670	N/A*	34.15%	+17

\* At the time of reporting, 2018 statistics on number of dwellings had not been released.

## **Going Forwards 2019 – 2024**

Stafford Borough Council wants to improve the current position and bring the percentage of empty properties more in line with the national and regional average; recognising it has no control over these wider figures, the Council has set a target of bringing at least 50 empty homes back into use each year. There will also be a focus on reducing the number of properties that have been empty for long periods of time.

The Empty Homes Officer works closely with all departments within the Council and coordinates activity around empty properties. This ensures that all relevant departments are sharing information on empty homes giving a seamless journey for the customer.

### **Objective 1: To bring empty homes back into use using a range of advice, assistance and support.**

The Empty Homes Officer provides advice and support to home owners on a one-to-one basis and works closely with the owner to understand the reasons the property is empty. With the owner's agreement, the Officer will determine the best course of action to bring the property back into use. An advice and guidance leaflet is available for all empty home owners in the Borough to highlight what the Council can offer.

#### **The different types of advice or assistance available are as follows:-**

- Advice on selling / renting the empty property

The Empty Homes Officer can offer advice on local estate agents, lettings agents or auctioneers who can assist in the sale or letting of the property. The Empty Homes Officer can also inspect the property and assess it according to the Housing Health and Rating System. The Officer will then be able to give the necessary advice as to what the health and safety risks are and how these can be rectified.

- Develop partnership loans

The Council currently offers an interest free loan (up to £10,000) to empty home owners to enable them to complete repairs on their property so they can bring the property back into use. This loan will be reviewed to ensure it meets the needs of home owners and provides good value for money for the Council.

- Bringing properties up to a lettable standard

The Empty Homes Officer, working with the Housing Options Team will explore potential incentives to bring empty properties to a lettable standard in exchange for nomination rights to help households who may be facing homelessness.

- Provide assistance with garden or house clearances

Stafford Borough's StreetScene team can offer a garden and house clearing service for empty home owners. The service includes:- pest control, garden clearances, house clearances, graffiti removal or removing sharps / needles. The team will go out to the property and give a quote for the works. If the owner wants the work to proceed, it is

completed at a time to suit all parties. If the owner is not willing to work with the Council, then the Empty Homes Officer can arrange for the property to be cleared as 'works in default'. Once the work is completed, a charge is placed on property which will be paid when the property is sold.

- Consider Developing a Private Sector Leasing Scheme

A Private Sector Leasing Scheme is where a Council can enter into a lease with a private landlord. The Council will then use the property as an affordable decent home for local households who face homelessness.

- Consider a Tenant Finder Scheme

This scheme is to assist the owner of an empty property through the lettings process whilst providing good quality homes for local residents who need somewhere to live. The scheme will guide the empty home owner through the process of letting their property and assist with finding suitable tenants through our Housing Options Team. The Council will work with established local lettings agents and we will inspect the property to ensure that it is at a lettable standard.

- Signpost to energy efficiency partner agents

The council has a partner agency who can advise empty home owners on the available public grants that they may be eligible for, in order to bring the property up to a suitable standard.

### Case Study

*The empty property is in a popular rural village, it has been empty for four years and the owner has been suffering from various health issues. The property had been the family home and the owner was reluctant to sell the property and the process of dealing with it was overwhelming. The garden was severely overgrown and the house was in a poor state of repair with large amounts of rubbish throughout. There had been many complaints about its condition and the impact it was having on the local area. The Empty Homes Officer was persistent and after numerous failed appointments, finally got to meet the owner. By listening to the owners concerns, being sympathetic and understanding, the Empty Homes Officer was able to support the owner by arranging viewings and estimates by various local auctioneers and estate agents. As the owner was working with the Council, the Auction Company agreed that all fees could be paid after the sale of the property. The property was sold at auction, has been renovated and is about to become the home of a new family.*

### **Objective 2: To use enforcement action to bring long term, problematic empty homes back into use.**

The Council has many Regulatory powers that it can utilise in order to address the impact an empty property has on neighbours and the local area. With the legislation available the Council can serve a notice on the home owner to ensure that these issues are addressed and in, turn, encourage the owner to bring the property back into use.

Where all attempts of intervention has failed or if there is an immediate risk to health or safety, the Empty Homes Officer will consider a number of enforcement options that are

available to them. These options include Compulsory Purchase Orders, Empty Dwelling Management Orders and Enforced Sale.

#### **Compulsory Purchase Orders – Housing Act 1985 Section 17**

When other attempts to work with the empty home owner has failed, the Council can compulsory purchase a property as a last resort. The Council has to prove that it is in the public interest to bring the property back into use and that they have the resources to see the CPO through. In making an application for a CPO, the Council must show what their intention for the property is and that they have made all other attempts to bring the property back into use. This is not a quick process and it can take many months to complete. The owner of a compulsory purchased property may be entitled to compensation for the loss at a level equivalent to the open market value.

#### Case Study of CPO

*Stafford Borough Council had received numerous complaints about an empty mid terrace property which was in a poor state of repair and was creating problems for neighbouring properties because of vermin. The property had been empty for a number of years. Continued attempts were made to work with the home owners including offering the incentive of renting the property to a local registered provider. The owner was not willing to work with the Council and did not comply with any notices served. After persistent attempts over a long period of time, the Council used their enforcement powers and completed a Compulsory Purchase Order. The property was then sold at auction and bought by a private owner who is currently completing the refurbishments needed to bring the property back into use.*

#### **Empty Dwelling Management Orders (EDMOs) – Housing Act 2004**

EDMOs allow local authorities to take management control of certain empty properties for initially up to 1 year (under an interim EDMO) and then up to 7 years (under a final EDMO). Under an interim EDMO the Council can only grant tenancies with the permission of the owner, but under a final EDMO the owner's consent is not required. The local authority must apply to the First Tier Tribunal (Property Chamber) for an EDMO. The Property Chamber must be satisfied that there is no reasonable prospect that the property will be reoccupied in the near future without the imposition of the EDMO and that there is an element of "nuisance" being caused by the property. The Property Chamber will take into account the interests of the community and the effect the order will have on the rights of the relevant proprietor and may have on third parties. There are, however, certain properties that are exempt from an EDMO. These include:

- Second homes
- Holiday lets
- Flats and houses normally occupied by students
- The owner is in prison
- The owner is receiving or giving care
- The owner is in the armed forces
- The relevant proprietor is temporarily residing elsewhere
- The property is on the market for sale or let

#### **Enforced Sale – Law of Property Act 1925**

A local authority has a right to sell a property where, acting under a statutory power, the Council has had to incur costs as a result of works it has taken in default. Provided such costs are capable of being deemed a charge against the property, then a power of sale

arises in favour of the Council. For example, if the owner has large council tax debts and has failed to make payments to clear these arrears then the Council can consider an Enforced Sale. It must be noted though that the owner must have debts owed to the Council which are sufficient enough to warrant enforcement action. However, before such a power can be exercised, the Council must serve a formal notice on the owner demanding payment of the monies owed. If the payment still outstands after the service of the notice, then the Council can proceed to sell the property.

**Objective 3: To better understand why homes are being left empty in the Borough and where possible, prevent homes from becoming empty for long periods of time.**

As well as bringing empty homes back into use, the Council wants to stop properties becoming long term empty in the first place, or reduce the time they are empty. Advice and guidance will be sent out with letters by Council Tax to empty home owners approaching the six month and two year empty date. This will open communication with empty home owners and reduce long term empties in the Borough.

Unoccupied and unfurnished properties are entitled to 6 months exemption from Council Tax, after 6 months, normal charges apply. From April 2019, legislation has enabled councils to charge an extra premium on properties unoccupied and unfurnished for more than 2 years as a way of encouraging property owners to bring them back into use. From April 2019, Stafford Borough Council will charge an additional 100% premium on these properties; therefore the charge will be 200% of normal liability.

The same legislation has enabled a 200% premium to be charged from 2020 for properties empty for between 5 and 10 years and a 300% premium to be charged from 2021 for properties empty for more than 10 years. This legislation will be fully considered by the Council and implemented as appropriate.

**Action Plan 2019 - 2024**

	<b>Action</b>	<b>Organisation/s</b>	<b>Outcomes</b>
1.	Review and revise the advice and assistance available to empty home owners.	<ul style="list-style-type: none"> <li>• SBC</li> <li>• RSL's/Housing Associations</li> <li>• Estate agents</li> <li>• Lettings agents</li> <li>• Auctioneers</li> </ul>	<ul style="list-style-type: none"> <li>• Improved offers of assistance to empty home owners.</li> <li>• Revised empty homes loan scheme.</li> </ul>
2.	Explore opportunities for private sector leasing scheme, Tenant Finder Schemes and social letting.	<ul style="list-style-type: none"> <li>• SBC</li> <li>• RSL's /Housing Associations</li> <li>• Lettings Agents</li> </ul>	<ul style="list-style-type: none"> <li>• Affordable properties for homeless families in the area.</li> <li>• Less demand for temporary accommodation.</li> </ul>
3.	Review the Council's Empty Homes loan.	<ul style="list-style-type: none"> <li>• SBC</li> </ul>	<ul style="list-style-type: none"> <li>• Financial assistance for empty home owners to bring property into use.</li> <li>• Improved assistance for empty home owners.</li> </ul>

4.	Explore opportunities for partnership working with local registered providers.	<ul style="list-style-type: none"> <li>• SBC</li> <li>• RSL's</li> </ul>	<ul style="list-style-type: none"> <li>• Nomination rights for SBC's Housing Options Team.</li> <li>• Additional affordable properties for the local community.</li> </ul>
5.	Develop links with internal and external agencies i.e. lettings agents.	<ul style="list-style-type: none"> <li>• SBC</li> <li>• Lettings agents</li> <li>• Estate agents</li> <li>• Auction houses</li> <li>• House clearance companies</li> </ul>	<ul style="list-style-type: none"> <li>• A seamless customer journey by partnership working with internal departments.</li> <li>• Possible discount incentives for empty home owners.</li> </ul>
6.	Development of policies and procedures of enforcement options which include: Compulsory Purchase Orders, Empty Dwelling Management Orders and Enforced Sales.	<ul style="list-style-type: none"> <li>• SBC</li> </ul>	<ul style="list-style-type: none"> <li>• Clear and consistent approach when considering enforcement action.</li> <li>• Increase in the number of problematic empty homes brought back into use as a result of enforcement action.</li> </ul>
7.	Development of reporting mechanisms for empty homes.	<ul style="list-style-type: none"> <li>• SBC</li> </ul>	<ul style="list-style-type: none"> <li>• Easier access for local residents to report an empty home.</li> <li>• Increased awareness of the service.</li> </ul>
8.	Review mailshots to be sent to Empty Home owners when they are about to reach 6 months and 2 years empty.	<ul style="list-style-type: none"> <li>• SBC</li> </ul>	<ul style="list-style-type: none"> <li>• Increased communication with empty home owners</li> <li>• Possibility of 'quick wins' of bringing an empty back into use.</li> </ul>
9.	Review of Council Tax charging rates for Empty Homes.	<ul style="list-style-type: none"> <li>• SBC</li> </ul>	<ul style="list-style-type: none"> <li>• Council tax charges encourage owners to bring properties back into use.</li> </ul>

### **Delivering the Strategy**

In order to deliver the Empty Homes Strategy, the Council has appointed an Empty Homes Officer to ensure that the three objectives are met, demonstrating the Council's commitment to tackling the nuisance of empty homes.

The Council has set aside funding to carry out the interventions and enforcement actions highlighted in this strategy, but the Empty Homes Officer can't do this alone; close working relationships between other departments in the Council and stakeholders in the Borough will be essential for the objectives of this strategy to be achieved.

### **Data Analysis**

The Empty Homes Officer receives monthly data on empty properties within the Borough. The data is analysed to understand the flows of empty properties including how many become empty and how many are brought back into use. Continued analysis of this data will look at whether there are trends or issues to explore further. For example, it will highlight if

there are certain areas in the Borough that are experiencing higher levels of long term empties than others. The empty homes in Stafford Borough are mapped and will be updated biannually to identify clusters of empty properties that could lead to neighbourhood decline and also to identify whether certain owners have multiple empty properties in specific geographical locations. Each empty property is risk assessed and interventions are prioritised accordingly.

### **Reporting Empty Properties**

The Empty Homes Officer will explore the effectiveness of creating an online reporting tool, so members of the public can report a property in real time and not have to phone, or email the Council. This will ensure that the Council is made aware of any issues quickly and will have all the relevant information at hand.

### **The Vulnerabilities Hub**

The Empty Homes Officer will work closely with colleagues in Community Safety and the Police and will facilitate partnership working on this issue through the Vulnerabilities Hub. The Hub is a multi agency meeting which aims to prevent and reduce harm to vulnerable persons and families and reduce crime and anti-social behaviour in the borough. The agencies that attend these meetings include the police, Probation, Mental Health Team, Housing Options and local registered providers (not an exhaustive list). When it is identified that action is needed on an empty property and concerns are raised regarding possible anti social behaviour at the property, the Empty Homes Officer can work with partners through the Vulnerabilities Hub to develop multi agency solutions.

### **Monitoring and Reviewing the Strategy**

In order for the Strategy to remain effective and relevant, it is important that it is continually monitored throughout the period of the Strategy.

Monitoring the strategy will be carried out by the following means:-

- Monthly data tracking (data received from Council Tax and analysed by the Health and Housing Team).
- Quarterly reporting to the Community and Wellbeing Scrutiny Committee.
- The detailed action plan to be monitored by the Health and Housing Team and reviewed annually to ensure it is relevant and up to date.