

**Empty Homes Strategy 2020-2025**

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## **1.0 Introduction**

- 1.1 Empty homes are a wasted resource and can have a detrimental impact on neighbourhoods and the environment, as they can become an eyesore that may also cause problems for neighbours. Empty homes can quickly fall into disrepair and become magnets for antisocial behaviour and vandalism.
- 1.2 With affordable housing in relative short supply in Havant it is necessary to ensure that empty homes do not remain empty unnecessarily and fall into misuse and dereliction.

In light of this it is important that all homes in Havant are occupied as soon as possible, in order to do this, Havant Borough Council are dedicated to providing support and assistance to empty home owners in order to help them bring their property back in to use, and in some cases consideration will be given to using enforcement action to bring the properties in to use.

- 1.3 As of September 2019, the number of homes that have been empty for between 6 months and 2 years in Havant is 140. The number of homes that have been empty for 2 years or more is 97.

## **2.0 What is the definition of an empty home?**

- 2.1 A long-term empty home is a residential dwelling that has been unoccupied for 6 months or more. This can include single-family dwellings, HMOs, flats, and accommodation located above commercial premises.
- 2.2 Empty homes that come to the Council's attention will be assessed and validated before any advice or action is commenced. This will include sending correspondence to the registered owner of the property, consulting with other Council departments, the neighbours in the immediate area, and any other relevant parties.

## **3.0 Reasons why properties remain empty.**

- 3.1 In most cases this is because the owners need assistance, support, information, or encouragement to help return empty homes to use. Although there are numerous other reasons that properties remain empty including:
  - Financial implications.
  - Reluctance to let/sell.
  - Repossession or abandonment.
  - Health issues, long term care or hospitalisation.
  - Requires renovation and/or building work.
  - Probate, estate or legal ownership issues.
  - Inaction of owners or unable to let/sell.
  - Lack of awareness of support options.

This list is not exhaustive, and the reasons can vary in severity. It is important, therefore, that the Council is able to give the appropriate level of support to those who need it on a case by case basis.

#### **4.0 The impact an empty home can have.**

4.1 Empty homes represent a wasted resource and can cause a number of problems for the owner and the surrounding neighbourhood. If left empty properties can:

- Fall into disrepair, and/or become ruinous or dilapidated.
- Become an eyesore in neighbourhood.
- Attract vandalism, anti-social behaviour and crime.
- Cause damage to adjacent properties, and possibly health issues for neighbours through lack of maintenance.
- Reduce the value of the surrounding area as well as themselves
- Become costly to maintain, and a loss of potential income.

Again this list is not exhaustive.

#### **5.0 The benefits of bringing empty homes back into use.**

5.1 There are significant advantages for everyone in the area by bringing empty homes back into use, these include:

- Providing accommodation for others to use.
- For the owners – It unlocks potential capital if the property is sold; it will produce rental income if the property is let and there is the potential for an increase in property value.
- Leaving a home empty increases the risk of vandalism and crime, making the property more costly to insure empty, if it can be insured at all.
- For local residents it reduces the opportunities for vandalism, fly tipping and antisocial behaviour in all its forms.
- For the local economy – bringing an empty home back into use can contribute to the regeneration of an area, increasing spending in the local economy and helping to protect the value of surrounding properties.
- Unsightly properties can often deter investment in an area, which can lead to decline.
- For the wider community returning properties back into use may reduce demands on services such as the Police, Fire and the Council to deal with the associated problems.

#### **6.0 Aims & Objectives**

6.1 The aims and objectives of this Empty Homes Strategy are to introduce measures that will:

- Reduce the number of long-term empty properties in the district
- Encourage owners to participate in bringing empty homes back into use

- Assist with schemes to make empty homes decent and available for affordable housing to prevent properties becoming long-term empty
- Raise awareness to identify empty properties
- Provide positive support and assistance to owners and people within the District affected by empty homes
- Use enforcement powers where necessary, proportionate, and cost effective
- Make positive improvements to housing conditions and to the local environment.
- Increasing the availability of affordable housing

The Council will treat empty homes owned by the Registered Providers of Affordable Housing in the same way as other Private Sector Landlords.

The council do not have any housing stock, so this Strategy would not apply to Council owned buildings.

## **7.0 National Perspective.**

- 8.1 Statistics published by the Ministry of Housing, Communities and Local Government (MHCLG) put the number of empty homes in England in October 2018 at 634,453. This represents a 4.7% increase on the previous year's total. Of the 634,435, 216,186 were classed as long-term empty properties (empty for longer than six months).

## **8.0 Local Perspective.**

- 8.1 The Havant Borough Profile published in January 2018 to support the Havant Borough Local Plan 2036, provides the following key facts:

- The 2011 census recorded the population of Havant Borough as 120,684 people. The most recent 'Small Area Population Forecasts' (SAPF) estimated the population of the Borough as 123,700 people in 2016 and this is expected to rise to 129,300 people by 2023.
- The average house price in Havant Borough was £266,540 in June 2017; an 11% increase from the average price 12 months previously. This is significantly higher than the national increase of 4.9%. Alongside these increases, local incomes are relatively low at just over £27,500 per annum, being around half of what is needed to afford the average home. Alongside this, house prices are rising faster than the national average wage which will make housing even less affordable in the future. To compensate for this, a greater range of homes and tenures will need to be provided which embrace specialist and innovative housing products for young people and an ageing population (see sub-section above on population).
- As detailed in the Havant Borough Local Plan 2036 Pre-Submission Draft, the total objectively assessed housing need for the borough is 9260 homes.

- As of September 2019, there are 1673 applicants on the Hampshire Home Choice waiting list for Havant.

There is an increasing pressure to provide affordable housing in the borough, and for the council to pursue the best use of all existing properties within the district.

- 8.2 As of September 2019, the number of homes that have been empty for between 6 months and 2 years in Havant is 140. The number of homes that have been empty for 2 years or more is 97.

## **9.0 Options that can be used to bring an empty home back into use.**

The Council can offer a range of services in order to give the best support and advice possible to empty homes owners and neighbours, we can offer:

- 9.1 Informal advice and assistance.

The Council will always seek to provide informal advice and assistance to bring empty homes back into use. Initial contact will always be informal providing written advice and information to the owner outlining the options, including establishing why the property is vacant and help the owner return it to use within a reasonable timescale.

- 9.2 Reduced-rating VAT for the renovation or alteration of empty homes. If a property has been empty for at least two years immediately prior to renovations commencing, the Private Sector Housing Team may be able to issue owners with a letter that will prove that they qualify for a reduced rate of VAT on renovation works through builders. This is subject to the builders offering this service, and to the renovations meeting certain criteria.

- 9.3 Sign posting.

The Council will signpost owners to services such as;

- The Councils Housing Team who can offer advice about renting out their properties.
- Local charities looking to lease empty properties.

## **10.0 Enforcement options open to the council that can be used.**

The Council is keen to avoid enforcement action and prefers to work with responsible property owners to rectify issues relating to their properties without the need for formal action, however enforcement action will be used where necessary.

Empty properties will be dealt with on a case by case basis, and as per the attached action plan will be prioritised based on a range of factors including condition, the duration the property has remained empty, and the impact on the community. The Council may look to use formal enforcement powers in the highest priority cases, however through close partnership working the remainder will be addressed by the Council Tax Empty Homes Premium, please see point 11 below. The Council are unlikely to consider an

intervention of any kind until a property has remained empty for 2 years or more.

There is a wide a range of powers available and we use the most appropriate and proportionate powers to resolve empty property issues. Outlined below is the most commonly used legislation which can deal with the problems associated with, or caused by empty properties

10.1 Local Government (Miscellaneous Provisions) Act 1982

If an empty property is insecure and open to access, the Council can serve a notice on the owner giving them 48 hours' notice of the Council's intention to carry out works to secure the property. The cost of this would then be reclaimed from the property owner.

10.2 Building Act 1984

If the empty property has defective drainage, for example gutters, which are affecting the neighbouring properties, the Council can serve a notice requiring the owner to repair them. If the notice is not complied with the Council can prosecute the owner and/or carry out the works in default (do the work themselves). All costs associated with doing the work will be registered against the property, recoverable through enforced sale of the property.

Additionally, if a building is considered to be ruinous and dilapidated or a dangerous structure the Council can serve a notice on the owner requiring them to demolish or repair the building within a set timescale. Again, if the works are not carried out the Council may carry out the works in default. All costs associated with doing the work will be registered against the property, recoverable through enforced sale of the property.

10.3 Environmental Protection Act 1990

If an empty property is in such a state of disrepair that it is causing a statutory nuisance, for example a defective roof that is causing damp to a neighbouring property, the Council can serve a notice requiring the owner to carry out repairs. If the notice is not complied with the Council can prosecute the owner and/or carry out the works in default (do the work themselves). All costs associated with doing the work will be registered against the property, recoverable through enforced sale of the property.

10.4 Compulsory Purchase Order under the Housing Act 1985 (as amended) (CPO)

This is a tool of last resort whereby the Council apply to the Government to acquire a long-term empty property that is causing a serious nuisance or blight to an area. This compulsory purchase is used for long term empty properties in order to return them to use for housing purposes or, to demolish them.

10.5 Town and Country Planning Act 1990

A notice can be served under this act where the appearance of a property or land is causing significant blight to an area and loss of amenity, such as overgrown and untidy gardens, or dilapidated buildings. Again, if the works are not carried out the Council may carry out the works in default. All costs associated with doing the work will be registered against the property, recoverable through enforced sale of the property.

#### 10.6 Public Health Act 1936

Under this legislation the Council can serve a notice on the owner to remove noxious accumulations. It allows 24 hours' notice of the Council's intention to carry out the work and recharge the debt to the owner. All costs associated with doing the work will be registered against the property, recoverable through enforced sale of the property.

#### 10.7 Prevention of Damage by Pests Act 1949

If a property, or a garden, provides harbourage for pests, the Council can serve a notice on the owner requiring them to remove any accumulations that provide this harbourage.

#### 10.8 Enforced Sale Procedure – Law of Property Act 1925

If there is a debt registered against a property, in favour of the Council, the Council can force the sale of the property in order to recoup the outstanding debt.

#### 10.9 Housing Act 2004

Empty Dwelling Management Order's allow local authorities to take management control of an empty property for up to 7 years, carrying out any necessary repairs and arranging for the property to be rented out during this period.

The owner retains ownership and the right to sell the property and receives any surplus income made during this time once management costs and refurbishment costs have been reclaimed from the rental income.

An EDMO is only applicable for properties attracting anti-social behaviour and/or having a significantly adverse effect on the community, with owners unwilling to take action. This will restrict its use to a small number of properties, but they are valuable tool for long-term empty properties having a significant impact on a neighbourhood.

### 11.0 Resource

Generally there are no "quick fixes" in addressing empty properties, and the Council has no financial incentives to offer owners to encourage them to return their empty properties to occupation. The primary thrust to achieve this strategy will be through advice, encouragement, negotiation and persuasion, achieved within current team resources.

### 12.0 Council Tax

Since April 2013, powers previously held by central government to vary the amount of council tax paid on some empty homes has been devolved to District/ Borough level.

These discretionary powers have been extended with effect from 2019. A new 'Council Tax Empty Homes Premium' report recommends that from 1 April 2020, 100% premium in addition to the full council tax charge for each dwelling unoccupied and unfurnished between two and five years, and 200% premium for dwellings unoccupied for more than five years.



The report further recommends that from 1 April 2021, 100% premium in addition to the full council tax charge for each dwelling unoccupied and unfurnished between two and five years, 200% for dwellings unoccupied between five and ten years, and 300% for properties unoccupied for more than ten years.

Approval for this report will be sought from Full Council during 2019.

By introducing additional higher premiums this will incentivise owners of long-term empties to bring them back into use.

This measure is also preventative as it diminishes financial incentives which allows properties to remain vacant and sends a clear message to owners that empty properties are a liability.

### **13.0 Partnership working**

The subject of empty homes is one that spans multiple teams across the local authority, as well as other partner organisations. In the interests of enabling this strategy the council is committed to sharing information between relevant council departments, and on occasion external partners where appropriate, and in line with data protection legislation.

### **13.0 Review of Empty Homes Strategy**

This document was published in April 2020, and will be reviewed every 5 years or sooner. Next review date April 2025

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