

**MINUTES
OF THE MEETING OF THE
COMMUNITIES SCRUTINY GROUP
THURSDAY, 20 JULY 2023**

Held at 7.00 pm in the Council Chamber, Rushcliffe Arena, Rugby Road, West
Bridgford

PRESENT:

Councillors G Williams (Chair), L Plant (Vice-Chair), M Barney, J Billin, S Ellis,
G Fletcher, R Mallender, H Om and H Parekh

OFFICERS IN ATTENDANCE:

D Burch	Service Manager Neighbourhoods
G Carpenter	Service Manager Public Protection
A Cliff	Empty Homes Officer
R Cottee	Revenues and Benefits Principal Officer
E Richardson	Democratic Services Officer

APOLOGIES:

Councillors A Phillips

1 Declarations of Interest

There were no declarations of interest.

2 Minutes of the Meeting held on 16 March 2023

The minutes of the meeting held on 16 March 2023 were approved as a true record and were signed by the Chair.

3 Role and Remit of Communities Scrutiny Group

The Chair presented the terms of reference for the Communities Scrutiny Group to Members noting that the purpose of the Group was to positively and proactively contribute to the ongoing success and good management of the Council.

He said that the Group would achieve this by:

- Reviewing the Council's partnerships to ensure that community needs were being met and the partnership was providing good value for money
- Identifying areas of community concern, exploring how this could be met and make recommendations to that effect
- Consider concerns specific to the local area in terms of health and wellbeing and make recommendations to improve the health and wellbeing of local residents
- Consider projects and initiatives to further the Council's efforts to protect the environment of the Borough and promote environmental

- sustainability to our residents
- Reviewing the Council's policies and strategies as appropriate prior to adoption.

4 Review of the Empty Homes Strategy and Council Tax Implications

The Service Manager for Public Protection presented the report of the Director for Neighbourhoods and noted that as the Empty Homes Strategy was due for renewal at the end of 2023 it was timely for it to be reviewed by the Group today to help shape and form the Strategy going forward.

The Service Manager for Public Protection explained that whilst the empty homes function of Environmental Health work was discretionary, the impact was so great that the Council considered it necessary and valuable. He said that in 2019 there were over 500 empty properties across the Borough and that empty homes could be detrimental to the community through attracting vandalism, fly tipping, criminal and anti-social behaviours and could reduce the value of neighbouring properties.

The Service Manager for Public Protection said that bringing properties back into use assisted in meeting housing needs and improved the housing stock within the Borough and helped to regenerate blighted areas. They also contributed to the Council's income through Council Tax contributions and Empty Homes Bonus.

The Service Manager for Public Protection said that it was not expected that the Government would make any significant changes to legislation, nor did the Council anticipate making significant changes to the Strategy subject to feedback from the Group. He referred the Group to suggested areas for review at paragraph 4.22 of the report.

The Empty Homes Officer explained that the Empty Homes Strategy was first implemented by the Council in April 2019 and at the same time it employed a part-time dedicated Empty Homes Officer. He said that early work involved creating processes and procedures and launching the website to provide a first point of reference.

The Empty Homes Officer highlighted key achievements since 2019, being that:

- 74 problematic homes had been returned into use with intervention from the Council
- 2,400 properties had returned to use without intervention but likely impacted by communications from the Council
- 61 enforcement notices had been issued by the Council
- The Council had developed a comprehensive database of all empty homes across the Borough
- Stricter enforcement procedures had been adopted, one enforced sale had been completed and four further enforced sales were progressing.

The Empty Homes Officer said that the number of long term empty homes had reduced from 511 at 2019 to 465 in 2023 and that on average 10% of long term empty homes were removed from the database every month, with a similar

amount added. He said that the Borough remained below the national average of 1.02% for long term empty home against dwellings, standing at 0.83%.

The Revenues and Benefits Principal Officer provided a summary of Council Tax levies on empty homes, explaining that empty homes were deemed to be where they were not a person's main home. He said that people could own as many homes as they wished but could only live in one main home. He explained that the classification for second homes were homes that were suitable for overnight accommodation but which did not need to be stayed in. He said that second homes were excluded from the premium.

The Revenues and Benefits Principal Officer said that the Council had started levying the premium on unoccupied and unfurnished properties in April 2018 and that the premium was levied on the property and carried forward if ownership changed. He detailed the revenue generated from the premium, of which the Council could retain approximately 10%, and noted a proposed legislative change to bring in the option to charge the premium on second homes after one year.

The Empty Homes Officer informed the Group that the Council currently had 46 properties classified as a high priority, that eight of those were expected to be returned to use within the next three months and the Council proposed pursuing empty property management orders on three properties imminently. He confirmed that the Council was progressing a number of enforced sales, was engaging with owners on a further 20 priority properties and that enforcement action was being progressed for all of the top ten priority cases.

The Empty Homes Officer took the Group through a variety of case studies, including a badly damaged house in West Bridgford which had resulted in a successful enforced sale, from which the Council could recover fees for work and officer time.

The Group thanked Officers for the update and for their excellent work and thought that there was much benefit to the community in bringing houses back into use. The Group asked whether having more resource would be helpful.

The Empty Homes Officer said that his role was reactionary but that more resource would enable more proactive work and an increased number of empty properties being dealt with.

The Empty Homes Officer explained that the unfurnished versus unoccupied distinction was purely for Council Tax purposes and did not impact on whether he would investigate a property as a possible empty home. He added that there was no specific type of reason, nor debt, required for him to initiate inquiry into a property and that investigation could emanate from a reported issue. He said that the Council could take action on any property within the Borough, including those owned by the public sector, although it could not serve notice on itself.

Members of the Group noted that the existing Strategy was working and bringing properties back into use and asked whether there were any changes that could be made to improve that further. The Empty Homes Officer

explained that the Council had to work within the legal frameworks available to it and that it was using all the tools that were available to it currently.

The Group asked about the rates of Council Tax charged and support available for owners. The Revenues and Benefits Principal Officer explained that the Council levied a 50% charge for properties that became unfurnished for 28 days rising to a full charge for up to two years. He said that the Council offered a S13A relief application for owners experiencing exceptional circumstances. The Empty Homes Officer said that the Council carried out extensive research and would tailor its approach for each property and while the Council did not provide financial aid he would signpost to relevant support and associations where applicable, including both internal departments and external organisations.

In relation to the percentage of the premium income received by the Council, the Revenues and Benefits Principal Officer explained that this was determined by the level of precept allocation retained by the Council and similarly for parish councils also.

The Group referred a property becoming classified as empty after six months and thought that this could be due a variety of reasons, such as for renovations. The Empty Homes Officer confirmed that whilst he would write to the owners of the property to ask if they required any assistance, these properties would go the bottom of the list and would only become a priority if still empty after a long period of time.

In relation to furnishing a property to avoid classification as an empty home, the Empty Homes Officer said that it would be possible for the Council to investigate and argue at court that it had been furnished for that reason only.

In response to a question about Empty Dwelling Management Orders (EDMO) the Empty Homes Officer said that an EDMO was one of a selection of tools available to the Council and the only one specifically designed for empty homes compared to others which came, for example, from planning and housing legislation. He explained that to qualify for an EDMO a property had to have been empty for two years and would then need to be refurbished by the Council at its own cost, with costs only recoverable within a seven year period. The Empty Homes Officer said that if the Council thought it unlikely that the rental income within the seven year period would cover the refurbishment costs the Council would look to take a different approach.

The Chair asked about interaction with the Planning Department and the Empty Homes Officer said that he would get involved when there was an issue with a property and when planning permission had been granted but not started, that he could contact the owner to see if they were experiencing any problems and with owners' permission could discuss the application with the Planning Team.

In relation to the website the Empty Homes Officer confirmed that it was continually reviewed and updated but said that it was hard to know how many people were using it. In relation to it generating referrals, the Group were informed that information was received through a wide variety of routes and

sources, including Councillors, residents and partner agencies, often triggered by social media communications and it was noted that 99% of complaints were about properties already known to the Council.

In relation to a decrease in empty homes compared to an increase in charges, the Revenues and Benefits Principal Officer explained that this was due to changes in legislation increasing the premium chargeable.

The Group asked about comparative data from before Empty Homes Strategy to now and the Empty Homes Officer said that prior to 2019 the Council would respond to specific complaints about specific properties, such as to deal with vermin, with no longer term involvement specifically related to the property being empty. The Group was informed that the Council was now able to investigate deeper and have longer term involvement focussed on resolving the empty home rather than just the initial short-term problem.

In relation to probate, the Group was informed that the Council would only become involved six months after a property had gone through probate and recognised that it was important to be sensitive to emotional attachment to a property and to take care in exploring future intentions for the property.

Councillor Billin asked whether the Strategy could place greater emphasis on the fact that the Strategy would resolve housing need.

Members of the Group noted the complexity of some empty homes cases and the time involved and suggested that increasing the amount of resource allocated to this work, perhaps by making the post fulltime, could increase the number of houses brought back into occupation. The Group suggested that the additional resource would generate more revenue for the Council than it would cost. In response, the Service Manager for Neighbourhoods suggested that rather than the Group proposing a full time post he would feedback that the Group would like to see more empty homes dealt with in a quicker timescale and that the Group understood this would need additional resourcing but would need to be considered in the overall priorities of the council and resources available and reminded members that this was a discretionary service.

The Chair summarised that the Group had reviewed and considered the questions set out in the report and had discussed the potential changes to the law for empty home premiums.

The Chair highlighted that the Group asked the Council to consider its resourcing for work on empty homes to review how it could increase the number of properties that could be brought back into occupation more quickly. The Chair asked for feedback to be provided to the Group.

It is **RESOLVED** that Communities Scrutiny Group considered and provided feedback on the information provided to shape forthcoming revisions to the Empty Homes Strategy.

5 **Work Programme**

Councillor Barney referred to the work programme item for Flight Paths

scheduled for the January 2024 meeting and suggested that as this would likely be a large item there would be merit in making this the only agenda item for that meeting. He also suggested that Councillor A Brown be invited to attend the meeting as he represented the Council on the Independent Consultative Committee.

It was RESOLVED that the Group agreed the work programme for the year 2023 – 2024 as set out below, with the recommendation that the Corporate Overview Group review the scheduling of the Community Facilities report in January to see if it could be scheduled for a different meeting.

5 October 2023

- Social Housing Models
- Work Programme

18 January 2024

- Flight Paths
- Use of Community Facilities (TBC)
- Work Programme

21 March 2024

- Carbon Management Plan Update
- Streetwise In-Sourcing
- Work Programme

Action Table – 20 July 2023

Min No.	Action	Officer Responsible
4	the Group asked the Council to consider its resourcing for work on empty homes to review how it could increase the number of properties that could be brought back into occupation more quickly and to provide feedback to the Group	Service Manager for Neighbourhoods

The meeting closed at 8.21 pm.

CHAIR