

# Rushcliffe Borough Council Empty Homes Strategy 2019 - 2024



<b>Contents</b>	<b>Page</b>
<b>1. Introduction</b>	<b>1</b>
<b>2. The National Context</b>	<b>2</b>
<b>3. The Local and Corporate Context</b>	<b>4</b>
<b>4. Background to Empty Homes</b>	<b>7</b>
<b>5. Aims and Objectives Including our Approach to Tackle Empty Homes</b>	<b>10</b>
<b>Appendix A: Action Plan</b>	<b>18</b>
<b>Appendix B: Empty Home Scoring and Rating System</b>	<b>23</b>
<b>Appendix C: Main Statutory Enforcement Options</b>	<b>25</b>

## **1 Introduction**

- 1.1 This is Rushcliffe Borough Council's first Empty Homes Strategy. This document aims to give an understanding of the issues empty homes can cause and how they impact the local community. It looks at why homes become empty, what advice and assistance is available to empty home owners, and how the Council will use the range of powers available to it to return empty homes to use. Tackling empty homes and bringing them back into use will impact positively on our residents, including people in housing need and the wider community for whom empty homes often cause problems.
- 1.2 In Rushcliffe, according to Council Tax records there are currently around 900 empty homes, of which 425 have been empty for six months or more and around 100 for 2 years or more. However, this information is limited as it is recognised that there are a number of empty homes where full Council Tax is being paid and the property has not been registered as being empty.
- 1.3 Empty homes can be detrimental to the lives of local residents and communities. Even a single empty home can blight a whole street or community, reducing the values of surrounding properties and causing nuisance to local residents. Empty homes can also attract vandalism, fly-tipping and other criminal activity, ranging from the minor to the extremely serious, but all increasing crime and the fear of crime as well as having a detrimental impact on the local community. They also represent a risk for the emergency services and put added pressure on various council departments such as Environmental Health.
- 1.4 The benefits of a strategy to deal with empty homes can be identified as social, regenerative, financial and strategic. A strategy can:
- assist in meeting housing need;
  - improve housing conditions;
  - assist with a reduction in crime and the fear of crime;
  - regenerate blighted areas;
  - increase Council Tax collection rates and empty home premiums;
  - generate additional income through the New Homes Bonus (NHB).
- 1.5 The case for dealing with empty homes is therefore compelling from a community and housing perspective, but there are also financial incentives to not only return existing empty homes to use, but to try to ensure that the number of vacant homes does not then increase.

## 2 The National Context

2.1 Since 2010 the Government has placed considerable emphasis on the importance of returning empty homes to use. Statistics published by the Ministry of Housing, Communities and Local Government (MHCLG) put the number of empty homes in England in October 2017 at 605,891. Of these, 205,293 were classed as long-term empty homes (empty for longer than six months).

2.2 In 2018 'Empty Homes' a national campaigning charity published a report entitled 'Empty Homes in England'. This report identified an upward trend nationally for empty homes in 2018 after 10 years of a downward trend. It made several recommendations that have also been published in the House of Commons Briefing Paper No. 3012 June 2018, Empty Housing:

- Local authorities should have an empty homes strategy for their area, with the aspiration to reduce the number of long-term empty homes.
- Local authorities and social housing providers should seek funding and allocate resources to buy and refurbish empty properties for people in housing need.
- Local authorities should take a casework approach with owners of long-term empty properties to encourage, advise and support them to bring homes back into housing use. Employing dedicated empty homes staff can ensure that the council is able to act on information about homes, and build up expertise in working with owners, including taking enforcement action where necessary.
- Local authorities with concentrations of long-term empty homes should look at how they can support community-based neighbourhood regeneration approaches.
- Local authorities, particularly in high value areas, should conduct studies to understand the extent and impact of 'buy-to-leave' empty or hardly ever used. Where it is an issue, they should review the measures they could adopt to incentivise people to sell or rent those properties, or not to buy properties in the first place with the intention of leaving them empty or hardly ever used.

2.3 In 2011, the Government confirmed that councils could attract additional funding under the New Homes Bonus scheme for bringing empty homes back into use. Under the scheme, the Government matched the Council Tax raised for each property brought back into use for a period of six years. The number of years over which payments are made was reduced from six to five in 2017/18 and further reduced to four years from 2018/19.

- 2.4 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 local level. The aim of this policy is to further incentivise the reoccupation of long term empty homes by increasing council tax payable or by removing reductions or exemptions that were previously in place. Local authorities are now able to decide whether to apply a discount for properties empty for up to six months and those properties empty and in need of considerable renovation. There is also the option of imposing an 'empty homes premium' whereby council tax levels for most properties empty for two years or longer are set at 200%.

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### **3 The Local and Corporate Context**

- 3.1 This strategy highlights how resources can best be targeted to address empty homes in Rushcliffe, and to tap into the rewards and positive outcomes, both financial and community based, that this approach brings.
- 3.2 There are around 900 empty homes in Rushcliffe. Many of these are 'transactional vacancies' and are necessary for the normal operation of the housing market, so when used as a headline figure, it needs to be treated with some caution.
- 3.3 However, in Rushcliffe, around 425 homes have been empty for more than six months, while nearly 100 of these have been empty for more than two years. It is these longer term empty homes which cause most concern as they are more likely to remain empty for longer without intervention, and are also more likely to be an increasing source of blight and complaint.
- 3.4 To date the Council Tax database is the only available method to determine the number of empty homes in Rushcliffe. It is, however accepted that this method does not provide a full and accurate account of the number of empty homes in the Borough. The initial phase of the action plan that supports this strategy sets out to deliver a dedicated empty homes database that will take data from all available council sources including Council Tax records, Environmental Health databases, Planning records and customer complaints.
- 3.5 Returning empty homes to use can be the quickest and most cost effective way to increase the supply of housing. While it will not solve the housing problem, it can nevertheless play an important part in maximising existing housing stock for the benefit of the people of Rushcliffe.
- 3.6 This strategy links with a variety of council documents, strategies and plans, as outlined below.

[Rushcliffe's Corporate Strategy 2016 -2020](#)

[Rushcliffe's Housing Delivery Plan 2016 - 2021](#)

[South Nottinghamshire Homelessness Strategy 2017 – 2021](#)

[Rushcliffe Borough Council's Corporate Enforcement Policy](#)

[Rushcliffe Community Strategy: 2009 – 2026](#)

[Rushcliffe 2020 Vision](#)

[Private Sector Housing Enforcement Policy](#)

**Table 1 – Objectives matched to the Council’s Corporate Themes**

<b>Corporate Themes</b>	<b>Empty Homes Strategy Objectives</b>
Deliver economic growth to ensure a sustainable, prosperous and thriving local economy	Objective 5 - Provide advice, assistance and guidance to landlords and property owners
Maintain and enhance our residents’ quality of life	Objective 1 - To collect and record relevant, accurate and current information of empty homes in the Borough  Objective 2 - To raise awareness of the Empty Homes and promote the Strategy  Objective 3 - Reduce the number of empty homes and return empty homes back into use  Objective 5 - Provide advice, assistance and guidance to landlords and property owners
Transform the Council to enable the delivery of efficient high-quality services	Objective 1 - To collect and record relevant, accurate and current information of empty homes in the Borough  Objective 3 - Reduce the number of empty homes and return empty homes back in to use  Objective 4 - To maximise income opportunities including New Homes Bonus and debt recovery

**Table 2 - Links to the Housing Delivery Plan 2016-21**

<b>Supply: delivering housing growth including affordable housing to meet the needs of our diverse communities</b>	
<b>Strategic tasks</b>	Reduce the number of long term empty homes
<b>Community outcomes</b>	Effective working with property owners to bring long term empty homes back into use
<b>Responsible officer</b>	Sarah Cairns, Protection and Safety Manager
<b>Key partners</b>	Private Landlords; Empty Property Forum
<b>Linkages to other policies/strategies</b>	N/A
<b>Measure and targets</b>	A continued reduction in the number of properties with are vacant and unfurnished over 6 months (Baseline 1 April 2015 = 474)

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## **4 Background to Empty Homes**

### **4.1 What is an Empty Home?**

- 4.1.1 A dwelling is considered to be a long term empty home if it has been unoccupied for 6 months or longer. Privately owned long term empty homes are the focus of this strategy, but concerns will be highlighted to Public Bodies and Housing Associations (Registered Providers) where an empty home they own requires attention.
- 4.1.2 Not all empty homes are located in run-down areas, nor are they necessarily semi-derelict, boarded up or causing a problem. There are a large number of homes which naturally become empty for periods of time, perhaps due to the buying and selling process, being between tenants or when an owner passes away and the probate process delays moving the property on.
- 4.1.3 When a dwelling remains empty for a significant period of time, or is attracting unwanted attention, then it would be considered a high priority case in line with the rating system attached as Appendix B.

### **4.2 Why are homes empty?**

- 4.2.1 There are a number of reasons why properties become empty, including:
- The property is difficult to sell or let due to its physical state;
  - It is being renovated;
  - The owner does not have the capacity/finances/time/skills to manage the property;
  - The property has been or is being repossessed;
  - Probate issues - Where there is an issue of unresolved ownership, often as a result of the previous owners' death;
  - Resolving ownership can be a lengthy legal process, during which time the property may remain empty;
  - The owner is being cared for elsewhere/is in hospital;
  - The property has been abandoned by the owner and the owner is untraceable;
  - Property holding, when a property is left empty due to speculative investment, through acquiring a property through inheritance or where partners co-habit leaving the second property empty. Or where the property is adjoined to a business and the owner does not wish to let or sell it;
  - Due to an ageing population, older property owners may move into alternative older person's accommodation for care or support needs. They may choose not to sell the property which may result in it remaining empty for the short or long term.

It is important that the Council understands why individual properties become and/or remain empty so we can work with the owners in the most appropriate way.

### **4.3 Challenges Presented by Empty Homes**

- 4.3.1 Dealing with an empty home is not always straightforward. A property may be used as a second home, and so not occupied on a permanent basis, but is in use. It may be that non-residential space such as that often found above shops is being used for storage or other business related matters and although not immediately obvious it is in use.
- 4.3.2 There may be properties awaiting planning permissions and work is unable to commence whilst this is being sought. A number of these may include specialist permissions if they are a Listed Building or located in a Conservation Area.
- 4.3.3 Ownership Issues: A property may be owned by a number of different people or companies. The property may be subject to legal proceedings such as probate, divorce settlements or proceeds of crime restrictions.
- 4.3.4 Land Registry Issues: Although it is now compulsory in England to register any property which changes ownership or has a mortgage taken out against it for the first time, properties which have not changed ownership since that time may not be registered with the Land Registry and information regarding the property will not be available from this source.
- 4.3.5 Absentee Owner: It may not be immediately evident who the owner of a property is or where they are, as they may have moved away with little information available to trace them.
- 4.3.6 Intentional Empties: Some properties are deliberately kept empty by the owner for specific reasons such as for their children when they leave home or elderly relatives who are in care. Some are kept empty until the owner feels the housing market is suitable to sell the property at the price they want. Some owners are reluctant to engage with the Council and believe that as the property is privately owned the Council do not have the right to require action to return it to use. They may be unaware, or have no concern for, the affect the property has on the local area and surrounding properties. These are properties which are likely to be left empty for many years and fall into disrepair.

### **4.4 Why do Empty Homes Matter?**

- 4.4.1 The Council has to deal with complaints about empty homes from local people who rightly object to unsightly disused properties. There are implications for the Council's Environmental Health team that have to use staff time and resources to intervene to deal with pests, dilapidation, overgrown gardens, damage to neighbouring properties, anti-social behaviour and other issues.
- 4.4.2 For owners leaving a property standing empty can become costly and be a source of unnecessary anxiety.
- 4.4.3 There is an increased risk of vandalism and crime and the property can be difficult to insure, which could result in high repair costs or even mean a complete loss of asset.

- 4.4.4 Even the general deterioration of an unlive in property will result in costs, due to works necessary to enable the property to be brought back up to current Housing Standards.
- 4.4.5 By renting or selling the property not only are the above issues resolved but there is the added advantage of gaining regular rental income or the capital from the sale of the property.
- 4.4.6 For the local community empty homes can have a direct impact on adjoining properties through issues such as damp and structural problems. Alongside this, unsightly properties can have a detrimental effect on neighbouring house prices and can also result in a lack of pride in the area. The possibility of empty homes attracting unwanted attention can also cause anxiety and concern for local residents. The neighbours and those people living nearby find empty properties unsightly; deteriorating empty homes can be a real blight on a street or area. They undermine the communities' confidence in the area; they attract crime, vandalism and anti-social behaviour. Empty properties may also be vandalised and broken into, resulting in problems for neighbouring properties.
- 4.4.7 There is an environmental impact of leaving homes empty: It has been estimated that it would take the equivalent of 12 football pitches of land to build 800 homes. This could be greenfield sites of open land that local people value. It would be much more efficient and sustainable to make best use of the homes that we already have.
- 4.4.8 The emergency services, the police and fire service deal with complaints and call outs to empty homes, wasting the finite time and money of these vital services.
- 4.4.9 Returning empty homes to use can help eliminate these issues and ensure that house prices in the neighbourhood are protected from preventable reductions. Improving an area can also encourage investment in the local economy and a return of any lost pride in the community created by empty homes.
- 4.4.10 Empty homes returned to use as domestic dwellings increase the availability of homes, including potentially affordable homes. Instead of being a source of concern these homes can be transformed from a wasted resource into a home for an individual or family in housing need. There are many individuals and families in housing need and the utilisation of empty homes could prevent some of these people from facing issues such as homelessness and overcrowding, or provide a first home for a local person.

## **5 Aims and Objectives Including our Approach to Tackle Empty Homes**

### **5.1 Aims and Objectives**

5.1.1 The starting point of action on an empty home will be to work with the property owner where possible. Each empty home is different and there are many reasons why they become empty. These reasons can be sensitive and it is important to be understanding of all different situations. However, it is also important to be committed to the principles of the strategy and recognise that an empty home is a blight on the community and a wasted resource. Owners should know that whilst the Council would prefer to work with them, non-action is not an option. By owning a property they have a responsibility for it and must act accordingly.

5.1.2 The Action Plan for working towards the overall aims is included at Appendix A. This identifies 5 key aims and objectives:

- To collect and record relevant, accurate and current information of empty homes in the Borough;
- To raise awareness of empty homes and promote the strategy;
- To reduce the number of empty homes and return empty homes back into use;
- To maximise income opportunities including NHB and debt recovery;
- To provide advice, assistance and guidance to landlords and property owners.

### **5.2 Gathering relevant, accurate and current information**

5.2.1 Although the Borough holds records of properties considered 'vacant' through Council Tax information it does not currently have any form of dedicated empty homes database. The implementation of this strategy will commence with the development of a new database that will hold the key information on all empty homes in the Borough including its 'risk rating' and prioritisation in terms of action. (See section 1.1 and 1.2 of Appendix A and Appendix B).

5.2.2 The current Council Tax database will assist in identifying the bulk of empty homes in the Borough. As well as these properties, those empty homes that are a source of complaint that have been reported to us will be added. Other homes may also come to light when identified by other departments, key partners or other Council officers as being of imminent danger or concern.

5.2.3 The Empty Homes pages of the Council's website will be updated and enhanced to provide an overview of our activities and give the public the opportunity to report an empty home. This can be submitted anonymously.

- 5.2.4 Once the database is built and the addresses added they will be prioritised for further investigation and action, based on a scoring matrix (Appendix B) taking into account such factors as length of time empty, nuisance caused, condition of the building and land. (Although the matrix score will be the principal guide to the order in which properties are dealt with, there may be exceptions based on local circumstances).
- 5.2.5 We will explore further opportunities to work more closely with Council Tax colleagues. This may include 'empty homes' verification visits and information gathering throughout the year to ensure data accuracy. This will occur at the time of the CTB1 snapshot, usually taken in early October, which dictates NHB award.

### **5.3 Raising Awareness of the Empty Homes Issue**

- 5.3.1 Empty homes have been high on the national political agenda for some while now; recent television programmes highlighting the waste and blight associated with empty homes have proven popular. In a time of high housing demand, the issue is even more relevant.
- 5.3.2 The Council will raise the profile of the issue by participating in the National Empty Homes week of action each year and using this as a platform to increase awareness both internally and of the residents of Rushcliffe. Social media, local press and the Council's Rushcliffe Reports publication will publish information on the progress of this strategy and also highlight good news stories when available.
- 5.3.3 The public and our partners will be encouraged to report all empty homes and will be given advice on the tell-tale signs to look out for.
- 5.3.4 The Council will update and enhance its web-presence in relation to empty homes and publish statistics news updates.

### **5.4 Specific measures for bringing empty homes back into use**

#### **Support**

- 5.4.1 In the first instance, we aim to provide help and advice to the owners of empty homes. Advice may be given with refurbishment, sales, legal and other aspects of lettings, finding tenants, health and safety and energy efficiency.
- 5.4.2 Template letters will be developed to encourage owners of empty homes to return their properties to use and to inform them of the benefits. These communications will escalate in seriousness from the first informal advice letter to a final warning actively presenting the possibility of enforcement action being undertaken to ensure the property is returned to use.

- 5.4.3 Template letters are quick to print and send, allowing us to deal with a large volume of empty home owners. In many cases it is anticipated they will be successful, prompting a response from the property owner that leads to assistance that is tailored to suit their requirements. The investigating Officer will organise this aspect of the work and build solid relationships with the empty home owners to secure voluntary reoccupation.
- 5.4.4 If template letters are unsuccessful then visits will be carried out in an attempt to engage with property owners and provide bespoke support. Due to its nature, this work is detailed and can be time consuming, but its successes reduce the need for further enforcement action. If this approach fails to produce the desired outcome, it provides the groundwork and justification for legal action.

### **Council Tax Premiums on Empty Homes**

- 5.4.5 Since April 2018 the Council has implemented the Council Tax 'Empty Homes Premium' of 150% of the normal rate for properties that have been left empty for 2 years or longer. From April 2019 it is intended to increase this premium to 200% in line with central government policy.

### **Enforcement**

- 5.4.6 A voluntary way forward to renovation and re-occupation is the preferred option, and officers will endeavour to encourage and persuade such progress. However, where owners cannot be traced, where informal approaches fail, or a there is a detrimental effect on the community, the Council may consider proceeding with legal action. The Council has significant powers, and will use the powers listed in Appendix C including compulsory purchase and enforced sale where appropriate and as a last resort.
- 5.4.7 Due regard will be given to the Council's Enforcement Policy before any action is taken.

## **Empty Dwelling Management Orders (EDMO)**

- 5.4.8 Available under section 133 of the Housing Act 2004, an EDMO can be made where an owner leaves a property empty and has no intention of securing its voluntary reoccupation. The Council and a partner Housing Association or ALMO undertake the management of a property for a set period of time, up to seven years, with the EDMO reviewed after that time.
- 5.4.9 There are currently only very limited EDMO's in the country, with only 17 reported to have been secured in 2014. EDMO's are open to appeal at any stage and can be administratively burdensome. The end result is the possible return of the property into the same ownership as that which left it vacant and neglected in the first instance.

## **Enforced Sale**

- 5.4.10 The Law of Property Act 1925 allows local authorities to recover charges through the sale of the property. This option can only be utilised where there is a debt to the local authority registered as a charge on the property. Council tax debts or works in default can be charged to the property in many cases, allowing the enforced sale process to begin.

## **Compulsory Purchase Order (CPO)**

- 5.4.11 Nationally compulsory purchase actions on empty homes have been successful, and the outcomes have proven popular with the general public - not least because, in addition to enhancing housing availability, the anti-social and criminal activities which empty buildings can so often attract are also addressed as a consequence of the enforcement.
- 5.4.12 CPO's can play a pivotal role in bringing properties back into use, providing the final sanction to ultimately facilitate the renovation and reoccupation of the most problematic empty homes. CPO's provide the 'teeth' to the empty homes process and strengthen every aspect of this work.
- 5.4.13 CPO's can be made under S17 of the Housing Act 1985 or under S226 (as amended by Planning and Compulsory Purchase Act 2004) of the Town & Country Planning Act 1990, for the provision of housing accommodation or to make a quantitative or qualitative improvement to existing housing.

## **Additional Statutory Powers**

- 5.4.14 Where an empty home is causing a specific problem to a neighbourhood or is dangerous or ruinous for example, a range of enforcement powers are available. The timing and extent of the action taken will be dependent upon the individual circumstances encountered at the property. A detailed list of these measures is attached as Appendix C to this strategy.

## **5.5 Maximise income opportunities**

- 5.5.1 There are three potential income streams associated with bringing empty homes back into use: New Homes Bonus, debt recovery and unclaimed sales income from CPO's or Enforced Sales. The aim is to recover the costs in delivering this strategy to ensure that it is financially viable and that finance is available to invest to bring additional homes back into use.

### **New Homes Bonus (NHB)**

- 5.5.2 In order to maximise NHB, it is planned to develop a programme of property visits which, when combined with a close working relationship with colleagues in the Council Tax team, allows the data that is used to calculate NHB award to be as accurate as possible at the time of the data snapshot – usually early October. This ensures that NHB income to the Council is maximised each year.
- 5.5.3 New Homes Bonus can overshadow other positive outcomes associated with dealing with empty homes. However, it is important to ensure that strategies and policies do not become overly reliant on this initiative to the detriment of other positive outcomes.

### **Debt Recovery**

- 5.5.4 All efforts to resolve debts associated with empty homes should be taken to recover public money from this wasted resource and redirect it to the services that the Council provides for the people of Rushcliffe.
- 5.5.5 There are several types of debt that can be associated with empty homes, the most common being unpaid council tax (including the empty homes premiums), works in default costs and care charges relating to previous occupiers. The pressures on local government finances continue and we therefore seek to maximise all debt recovery opportunities. Rushcliffe will consider utilising the powers of enforced sale to recover unpaid debts and its costs in dealing with empty homes.



## **Unclaimed CPO / Enforced Sale Money**

5.5.6 Where a property has been sold using the enforced sale process the following can be deducted from the sale proceeds:

- the original works in default costs,
- the legal costs in undertaking the enforced sale procedure,
- conveyancing costs in connection with the sale,
- auctioneer's or other marketing costs,
- other officer time in relation to the enforced sale process,
- any other debts owed to the council.

The balance would then be paid to the former owner of the property subject to any other charges or mortgages on the property. If the identity of the owner is not known, the money will be retained by the council.

5.5.7. Where the CPO process is used, the ex-owners will be entitled to compensation once the council becomes the owner of the property. If a claim is not settled, or a reference made to the Upper Tribunal (Lands Chamber), within six years, the claim for compensation will be statute barred.

## **5.6 Provide advice, assistance and guidance to landlords and property owners**

5.6.1 Whatever the situation, the Council will contact the owner, talking to them directly where possible, and outlining the options for their empty home, providing information that may assist them in deciding what to do.

5.6.2 The options for owners are to rent the property out, sell the property or to live in it themselves. How quickly they are able to do any of this will generally depend on the condition of the property, as well as the desire on their part. The Council will advise and forward relevant information.

Certain questions may need to be answered at this stage:

- Does the property require any building work to make it habitable? If so, does the owner intend to fund it directly or are they seeking finance privately?
- If the owner wants to rent the property out, do they intend to do so privately or through a Leasing Scheme? What schemes are available?
- Are they aware of the current VAT rates for developing an empty home? The Council will send a VAT information sheet outlining reduced VAT rates for works to empty homes and provide a statement that the property has been empty to Customs & Excise if needed.
- Is the property a flat over a shop? The Council will send details of the Flat Conversion Allowance – a tax allowance introduced by the Inland Revenue in 2001 and designed to encourage people to develop empty space above shops to rent out.
- Do they want to sell the property? The Council can offer guidance on looking for estate and letting agents locally, details of auctions and dealing with any legal matters.
- Has the property been the subject of any complaints? It may be necessary to take action against an owner if there are issues such as build-up of rubbish, vermin, 'nuisance' to adjoining properties or if the condition of the property is affecting local amenity.
- Is the owner an established landlord? Are they interested in joining an approved accreditation scheme?

## **6.0 Performance Monitoring and Review**

6.1 The purpose of this strategy is to explain the current situation with regard to empty homes both on a national and local basis and to set out the Council's future plans. It is essential that the effectiveness of action delivered by the implementation of the strategy is closely monitored and reviewed. In order to develop a good system of performance management it is proposed to undertake the following actions: -

- Monitor the number of empty homes back into use
- Develop up-to-date knowledge of best practice through research and liaison
- Monitor and review delivery of actions within the Implementation Plan.

6.2 It is proposed to review and update the Implementation Plan on an annual basis.

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## Appendix A – Action Plan

<b>Objective 1 - To collect and record relevant, accurate and current information of empty homes in the Borough</b>						
<b>Sub Reference</b>	<b>Action</b>	<b>Success Criteria &amp; Outcomes</b>	<b>High, Medium or Low Priority</b>	<b>Start Date</b>	<b>Finish Date</b>	<b>Resource implications</b>
1.1	Develop and maintain an empty home database containing information provided by Council Tax and collected through investigations, complaints and surveys	A managed database providing a prioritised list of empty homes for action	H	Feb 2019	Database available and populated by April 2019 and then on-going to maintain	Low: Initial officer time to set up and populate (3 days) then within existing caseload to maintain
1.2	To risk assess known empty homes and identify homes for proactive enforcement	A managed, risk assessed empty home database that generates a prioritised list of empty homes for action	H	Feb 2019	Prioritised list available by May 2019 and then maintained on-going	Low-Medium: 1 day to complete this task for known active cases, and 3-5 days for all long term empty homes (>2yrs) on the Council Tax database

<b>Objective 2 - To raise awareness of Empty Homes and promote the Strategy</b>						
<b>Sub Reference</b>	<b>Action</b>	<b>Success Criteria &amp; Outcomes</b>	<b>High, Medium or Low Priority</b>	<b>Start Date</b>	<b>Finish Date</b>	<b>Resource implications</b>
2.1	To promote the Strategy within the Authority to other departments and elected members	Presentation / distribution of information to elected members and managers	L	March 2019	April 2019	Low: Within existing resources (1 day)
2.2	To promote the strategy within the community	One publicity event or local press article publicising action on empty homes each year (to coincide with the national Empty Homes Action Week)	L	April 2019	On-going each year	Low: within existing resources (1/2 day)
2.3	To develop a web page specific to empty homes and publish this strategy	Members of the public are able to obtain information on the Empty Homes Strategy and report problem empty homes on-line	M	March 2019	April 2019	Low: within existing resources (1/2 day)

<b>Objective 3 - Reduce the number of empty homes and return empty homes back in to use</b>						
<b>Sub Reference</b>	<b>Action</b>	<b>Success Criteria &amp; Outcomes</b>	<b>High, Medium or Low Priority</b>	<b>Start Date</b>	<b>Finish Date</b>	<b>Resource implications</b>
3.1	Design and produce an empty homes procedure with standard template letters	All properties identified on the database are able to be investigated and actioned	H	Mar 2019	April 2019	Low: within existing resources (1-2 days)
3.2	Investigate the use of and review enforcement options for the enforced sale of empty homes	Enforced sale action is able to be taken in relation to empty homes	M	April 2019	July 2019	Low: within existing resources (1-2 days)
3.3	Investigate the use of and review enforcement options for Compulsory Purchase Orders and Empty Dwelling Management Orders	Able to use CPO or management orders to return empty homes back to occupation	M	April 2019	July 2019	Low: within existing resources (1-2 days)
3.4	Develop agreements with local housing associations with a view to them leasing / purchasing empty homes for use as social housing	Agreement in place with at least one RSL to lease or purchase empty homes	L	July 2019	Sept 2019	Low: within existing resources (1-3 days)
3.5	Implement this strategy to tackle individual empty homes	Full enforcement action, including works in default, taken with support from relevant service areas within the Council Bring <b>10</b> empty homes back into use annually	H	Jan 2019	On-going	0.6 FTE Empty Homes Officer  0.2 FTE Principal Officer (EP)

<b>Objective 4 - To maximise income opportunities including New Homes Bonus and debt recovery</b>						
<b>Sub Reference</b>	<b>Action</b>	<b>Success Criteria &amp; Outcomes</b>	<b>High, Medium or Low Priority</b>	<b>Start Date</b>	<b>Finish Date</b>	<b>Resource implications</b>
4.1	Maximise debt recovery opportunities through both enforcement and informal methods	<p>Identify all opportunities for debt recovery</p> <p>Pursue all suitable cases in conjunction with colleagues in Legal Services</p> <p>Use of Enforced Sale powers</p>	M	April 2019	On-going	Within exiting Council resources and the proposed 0.6 FTE Empty Homes Officer
4.2	Maximise income through New Homes Bonus through focused visits to relevant empty homes	<p>Develop and refine existing best practice.</p> <p>Ensure all cases are accurately recorded by Council Tax prior to closing</p> <p>Complete all necessary visits to allow accuracy in CTB1 return that dictates NHB</p> <p>Further develop and refine already strong relationship with Council Tax colleagues to ensure information is suitably recorded</p>	M	April 2019	On-going	Within exiting Council resources and the proposed 0.6 FTE Empty Homes Officer

<b>Objective 5 - Provide advice, assistance and guidance to landlords and property owners</b>						
<b>Sub Reference</b>	<b>Action</b>	<b>Success Criteria &amp; Outcomes</b>	<b>High, Medium or Low Priority</b>	<b>Start Date</b>	<b>Finish Date</b>	<b>Resource implications</b>
5.1	To produce an empty property guide for owners of empty homes and members of the public	Empty Home guide sent to owners of empty homes	L	June 2019	August 2019	Low: within existing resources
5.2	To develop specific web pages for owners of empty homes and assistance available	Full information for the owners/landlords on options for addressing empty homes on the Council's website	L	April 2019	June 2019	Low: within existing resources



## **Appendix B Empty Homes Scoring and Rating System**

Each empty home identified will be assessed using a scoring sheet which considers various criteria. The result of this assessment is that the property will be placed in a category which determines the priority level it is given and the subsequent course of action taken.

Properties will be reassessed when necessary / new information is obtained to ensure they remain situated in the correct categories and the correct level of priority is given.

The categories will be classified as follows:

### **RED – (scores 50 or over)**

Cases which fall into this category will be prioritised. All avenues will be explored with the owner to return their property to use in a way that suits their own needs, the needs of the community and the Council. Where assistance is refused and the owner is unwilling to cooperate, all enforcement options will be considered to establish the most appropriate course of action.

### **AMBER - (scores 25 - 49)**

Cases which fall into this category will be considered a lower priority than those in the Red category. Resources will still be invested in these cases and officers will work with owners in an attempt to prevent empty homes from deteriorating and being reassessed to a higher category. Where necessary, enforcement options will be employed if considered the most appropriate course of action. Cases in this category will be monitored on a more frequent basis than those properties which fall within the Green category and will be reassessed where necessary.

### **GREEN - (scores less than 25)**

Cases which fall into this category will be given a lower priority for action, but owners will be contacted and offered any assistance they may need to return their property back into use. These properties will be monitored for any change and reassessed where necessary.

## Empty Homes Assessment Scoring Sheet

Criteria	Classification	Score
Time Empty	< 1 year 1-2 years 2-5 years 5-10 years > 10 years	0 5 10 15 20
Location	Extremely isolated with no access Isolated property with access Rural residential area Urban residential neighbourhood Prominent position	0 5 10 15 20
Special Interest	Listed Building Located in a Conservation Area	10 5
General Condition	Well maintained Acceptable for surrounding area Noticeably empty/unattractive Extremely unsightly/detrimental to the area	0 5 10 20
Unwanted attention	Attracting criminal activity such as graffiti, fly tipping, vandalism, anti-social behaviour	20
Debts Owed to Rushcliffe Borough Council	No outstanding monies owed < £500 £500 - £2000 £2000 - £5000 >£5000	0 5 10 15 20
Owner Interaction	High level of cooperation Average level of contact & efforts made Minimal contact & little efforts made No contact/untraceable/no efforts made	0 5 10 20
<b>Total Score</b>	<b>Red / Amber / Green</b>	

## **Appendix C Main Statutory Enforcement Options**

Town & Country Planning Act 1990, Section 215: Where the condition of an empty home is detrimental to the amenity of the area.

Building Act 1984, Sections 77-79: Where an empty home is in such a condition to be dangerous or is seriously detrimental to the amenity or of the neighbourhood.

Building Act 1984, Section 59: Where the condition of the drainage to a building is prejudicial to health or a nuisance.

Environmental Protection Act 1990, Section 80: Where a statutory nuisance exists, is likely to occur or recur at the property.

Prevention of Damage by Pests Act 1949, Section 4: Applied where the condition of the property is such that it is providing or likely to provide harbourage to rodents.

Local Government (Miscellaneous Provisions) Act 1982, Section 29: Allows the Council to act if a property is open to unauthorised access and is a risk to public health.

Housing and Planning Act 2016, Part 7: Allows authorisation to be given for officers to enter land (and property on that land) in connection with a proposal to acquire a compulsory interest in that land (and property on that land).

Local Government (Miscellaneous Provisions) Act 1976, Section 16; and Town & Country Planning Act 1990, section 330 – A notice may be served to establish information regarding property ownership or interests in land.

Housing Act 1985 Section 17 and the Acquisition of Land Act 1981: Forms the basis for the compulsory purchase of land/buildings for the provision of housing accommodation.

Housing Act 2004 Part 4: Grants powers to take over the management of a property using Empty Dwelling Management Orders (EDMO).

Law of Property Act 1925, Part III: The basis for enforced sale where certain debts are owed to the Local Authority.

The Anti-Social Behaviour, Crime and Policing Act 2014, Part 4: Allows for enforcement of matters considered to be detrimental to the quality of life to those in the locality.

Public Health Act 1961 Section 34: Deals with the removal of waste from property or land.

Public Health Act 1936 Section 83: Deals with the cleansing of filthy or verminous premises.

Housing Act 2004 Part 1: Housing conditions, improvements and enforcement.