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| Committee: | Cabinet | Date: | |
| Title: | Empty Homes Policy | | Thursday, 18 April 2024 |
| Portfolio Holder: | Cllr Arthur Coote, Portfolio Holder for Housing and Equalities | | |
| Report Author: | Marcus Watts, Environmental Health Manager - Protection mwatts@uttlesford.gov.uk Tel: 01799 510595 | Key decision: | No |

Summary

1. Making best use of existing homes is a key action in the Council's Housing Strategy 2021 -2026. The Council has a strong commitment to bringing long-term empty homes back into use. Each empty home denies a household somewhere to live and returning empty homes to use has social, environmental, and financial benefits.
2. The proposed Empty Homes Policy reflects the local and national perspective and outlines all available options to bring empty homes back into use.
3. The Council recognises that there are different reasons why properties remain empty and likewise there needs to be a range of options available to owners of empty homes to bring them back into use. The Council will initially work informally with owners, however formal enforcement options are available when this approach fails.

Recommendations

- I. That Cabinet approves the attached Empty Homes Policy document.

Financial Implications

4. There remains a financial incentive for returning empty homes to use, as these continue to be rewarded via the New Homes Bonus grant system.
5. Funding to support empty homes work is supported by external funding managed by a consortium of local authorities.

Background Papers

6. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

- **Corporate plan 2021 -2025**
- **Housing Strategy 2021 – 26**
- [Local government finance policy statement 2023-24 to 2024-25 - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Impact

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|---------------------------------|---|
| Communication/Consultation | This is an internal policy and therefore has not been subject to consultation |
| Community Safety | There are community safety benefits of returning empty properties back into use |
| Equalities | Returning long-term empty homes to use will impact on a small number of owners. Owners of empty homes come from across all strands and do not make up a specific group. This policy will not disadvantage any specific group. |
| Health and Safety | There are no Health & Safety considerations, other than those encountered by inspecting officers |
| Human Rights/Legal Implications | There are human right and legal implications that need to be considered. Enforcement decisions will be made on a case by case basis taking into account representations made by the property owner |
| Sustainability | Bringing back into use empty properties has a positive sustainable impact when compared to new builds. |
| Ward-specific impacts | None |
| Workforce/Workplace | This is managed within existing resources. However, it is a non-statutory function so will be prioritised against statutory duties |

Situation

8. Making best use of existing homes is a key objective in the Council's Housing Strategy. The Council has a strong commitment to bringing long-term empty homes back into use. There is a national shortage of residential accommodation available as housing demand outstrips housing supply. There is a shortage of accommodation available to buy or occupy at a reasonable rent.
9. Each empty home denies a household somewhere to live and returning an empty home to use has social, environmental and financial benefits.
10. In recent years the council's approach to empty homes has come under close scrutiny and a policy on this non statutory service is overdue. The proposed policy seeks to provide clarity on the councils formal and informal approach to successfully bring empty homes back into use. It is important to engage positively with owners of empty homes and neighbours who are also affected by them to raise general awareness of the Councils commitment.
11. Homes lying empty not only deny individuals and families somewhere to live they can also impact on the environment and cause neighbourhood problems including attracting antisocial behaviour and other nuisances.
12. Returning empty homes to use has a significant benefit for owners, neighbours and the local economy. Removing rundown eyesore properties can positively improve the neighbourhood and reverse a feeling of neglect.
13. Furthermore, there are financial benefits to the authority. The New Homes Bonus (NHB) includes a financial incentive to the Council for returning empty homes to use. Although the future of the NHB remains uncertain, the government has committed to continuing with it for 24/25.
14. The Council recognises that there many are different reasons why properties are left vacant and will explore these issues as part of the process to return empty homes into use. As a consequence, the Council has developed a number of options available to owners of empty homes to bring them back into use. Although there is no dedicated resource for this work, officers within the Environmental Health (Protection) Service will initially work informally with owners to re-use homes. However formal enforcement options are available when the informal approach fails.
15. As the reasons why a property remains empty can be complicated and difficult to resolve, a level of officer discretion will need to apply when judging action to be taken to bring a property back into use.
16. In all cases an informal route will be pursued in the first instance. This includes provision of advice and assistance to owners as well as financial assistance can also be offered in the form of loans to refurbish empty homes to bring them up to a habitable standard.
17. There is no current capital budget to offer financial assistance to owners in the form of loans to refurbish empty homes and bring them back into use. However, some financial assistance is offered through the PLACE scheme of

loans. This scheme is made up from a consortium of local authorities who historically won government funding for empty homes renovation. This funding can be used to support enforcement, but in the main is used to provide interest free loans of up to £25,000 to renovate a dwelling to the decent homes standard in order for it to be let or sold.

18. The availability of loans is dependent on UDC reserves within the PLACE budget. Currently the availability of loans has been suspended due to the costs incurred from the Compulsory Purchase of a Property in 2021. However, we expect these reserves to be part replenished on the sale of this property allowing UDC to once again offer these loans.

19. By offering a selection of informal options to the owners of empty homes the Council hopes to avoid using compulsorily purchase powers. The Council recognises that this power must be used only as a last resort, in exceptional circumstances where funding has been identified and when all other options have been exhausted.

20. Empty Dwelling Management Orders (EDMO's) are a power that is available under the Housing Act 2004. This is an option that is less likely to be used as homes have to have been empty for at least two years before the order can be issued. Furthermore, and more importantly, the administration of these orders is very time consuming with on-going resource obligations requiring the council to act as management agents. Only a small number of these orders have been made nationally, and for the reasons given above it the service is unlikely to pursue this enforcement option.

21. Where Empty homes are in such a condition that they are detrimental to the local community the council can use its powers under the Town and Country Planning Act 1990 to clear the land. Other action can be taken to deal with pest infestations and unsecured dwellings.

22. Failure to comply with notices when pursuing enforcement action can result in works in default being undertaken by the Council, which in turn can lead to enforced sale of the home to repay the charge. This is an option that is available to the Council and has been used successfully to bring empty homes into use in other parts of the Country.

Risk Analysis

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| Risk | Likelihood | Impact | Mitigating actions |
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| 2. There are risks of financial and reputational damage should the council chose | 2. The service is able to meet its obligations with existing resources. | 1. There is little to no impact from the | None required |

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| not tackle empty homes. | expertise be absent | approval of this policy | |
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1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.