

# Public Document Pack

## NORTH HERTFORDSHIRE DISTRICT COUNCIL

### CABINET

**TUESDAY, 6TH FEBRUARY, 2024**

### **SUPPLEMENTARY DOCUMENT**

Please find attached supplementary papers relating to the above meeting, as follows:

<b>Agenda No</b>	<b>Item</b>
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7.	<b><u>EMPTY HOMES STRATEGY</u> (Pages 3 - 60)</b>
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	REPORT OF THE SERVICE DIRECTOR – HOUSING AND ENVIRONMENTAL HEALTH
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Included within the supplementary pack is an update to the Empty Homes Strategy and appendices, with tracked changes highlighting the amended sections.

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## North Hertfordshire District Council

### Empty Homes Strategy

~~2023 - 2028~~

2024 - 2029

**A Strategy for Bringing Empty Homes Back into Use**

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# EXECUTIVE SUMMARY

## PART 1. INTRODUCTION & CONTEXT

### 1 Introduction

- 1.1 This is North Herts Council's (the Council) first Empty Homes Strategy, ~~the~~. The main objective ~~being that of the strategy is to bring~~ empty homes ~~are brought~~ back into use.
- 1.2 This document aims to explain the issues associated with empty homes, the reasons homes become empty, and the help and powers available to bring homes back into use.

### 2 The National Context

- 2.1 The Government classes properties that have been empty for longer than 6 months as long-term empty. It is recommended that local authorities have an empty homes strategy for their area, with the aspiration to reduce the number of long-term empty homes.
- 2.2 Government policy to incentivise the reoccupation of long-term empty homes allows local authorities to vary the amount of council tax payable on some empty homes, with the option of imposing an 'empty homes premium'.
- 2.3 Despite this, long-term empties are now at their highest level since 2011 (excepting 2020's pandemic-related data). There are nearly 250,000 long-term empty homes in England, and over 250,000 people in urgent housing need.

### 3 The Local and Corporate Context

- 3.1 Any empty property can be a problem, and therefore all owners of long-term empty properties will be contacted to encourage the return to use. Many long-term empty homes will be returned to use without continued council intervention. Therefore the focus of more significant work will therefore generally be on those properties that have been empty for more than two years or have received specific complaints. These longer-term empty homes 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.
- 3.2 The Council Tax database is used to determine the number of empty homes in North Hertfordshire.
- 3.3 This strategy aims to verify data, build a database of empty homes, and to encourage and facilitate our residents, officers and Councillors to report suspected empty homes. This will include an article in the Council's newsletter (Outlook), that highlights a

dedicated web page, with an electronic form for residents to report potential empty homes, anonymously if they wish.

- 3.4 Although some empty homes casework can prove lengthy and time-consuming, returning empty homes to use can be the quickest and most cost-effective way to increase the supply of housing, and play an important part in maximising existing housing stock for the benefit of the people of North Hertfordshire.

#### **4.0 Contributing to the Council Plan and Housing Strategy**

4.1 This Empty Homes Strategy supports the current Council Plan and Housing Strategy. One of the priorities in the Housing Strategy for maximising the supply of affordable housing is to reduce numbers of empty homes.

4.2 Whilst, in pursuance of the Housing Strategy, the Empty Homes strategy sets a target and outlines the Council's overall process for tackling empty homes, the number of empty homes that can be tackled, and of those, the numbers that can be brought back into use each year, will depend on available resources. As resources become available, the strategy will support the Council to tackle empty homes in a fair, consistent and effective way.

#### **5.0 Resourcing the Strategy**

5.1 Thus, co-ordination and achievement of the action plan at Appendix A are dependent upon resources becoming available within the Council's Environmental Health and other services.

## **PART 2. BACKGROUND**

### **6 Background to Empty Homes**

6.1 Empty homes can present many problems for the owner and community, and their re-use offers many benefits, including for local housing need.

6.2 There are many reasons why a home may be left empty. When dealing with a long-term empty property, the Council will seek to understand the owner's reasons in order to work with them to best effect.

## **PART 3. AIMS, OBJECTIVES AND APPROACH TO TACKLING EMPTY HOMES**

### **7. Aims and Objectives**

7.1 The over-riding strategic aim is to bring empty homes back into use.

7.2 The three key objectives within the Action Plan are to:

1. *gather relevant, accurate and current information about empty homes in the District;*
  - Develop a database of long-term empty homes and their priority for investigation and action. This database is for empty homes work only and not for publication.

- Initial investigation into homes empty for more than six months.
  - Further investigation into those empty for two or more years, or problematic.
  - Focused action based on an annual prioritisation process.
2. *raise awareness of empty homes in the District and promote the strategy;*
- including publicity and information, and facilitating on-line and telephone reporting.
3. *reduce the number of empty homes and return empty homes back into use, through all available and appropriate means in the District. Specific measures include:*
- Support, and the provision of advice
  - ~~Transparent~~A transparent, graduated approach from assistance to enforcement
  - Targeted appropriate action – to write to owners of all empty homes in the district, offering support, and seeking information to help determine appropriate action and prioritisation
  - Consideration of funding initiatives
  - Council Tax Premiums on Empty Homes
  - Enforcement, to tackle specific problems, and where voluntary re-occupation is not achieved. Options appraisal for range of available powers including compulsory purchase, empty dwelling management orders, and enforced sale. Potential to defer action if the owner progresses with suitable voluntary action, as this is always preferred.

## **8. Performance Monitoring and Review**

8.1 The Service Director – Regulatory Housing and Environmental Health will be responsible for managing delivery of the Strategy, including inputs from other Council services, and every six months, reporting to relevant Executive Members the progress against the action plan. Performance management will in particular:

- Monitor numbers of homes brought back into use,
- Develop knowledge of best practice, and
- Review actions within the strategy's Action Plan.

## **9. Financial Implications**

9.1 The purpose of the Strategy is to bring empty homes back into use. Social benefits often outweigh direct financial income. Potential income streams include New Homes Bonus or other government initiatives, debt recovery, and unclaimed sales income from Compulsory Purchase Orders or Enforced Sales. The Council may see a reduction in Council Tax income as long-term empty properties that are brought back in to use, would see their Council Tax liability reduce from 200% back down to 100%.

9.2 New Homes Bonus has been in place since 2011. It has provided a reward for new homes, which has included long-term empty homes that have been brought back in to use. The level of reward has decreased in recent years, and the intention is that it will be removed



completely. It may be replaced by a new funding stream to reward property growth, but that may not include anything for long-term properties brought back in to use.

## **10. Equalities Implications**

10.1 The strategy has potential for a positive impact across a number of community groups through the increase in availability of accommodation.

## **11. Environmental Implications**

11.1 The strategy provides an environmentally sustainable way to help meet housing demand.

DRAFT

# PART 1. INTRODUCTION & CONTEXT

## 1 Introduction

1.1 This is North Herts Council's (the Council) first Empty Homes Strategy, ~~the~~ The main objective ~~being that of the strategy is for~~ empty homes ~~are to be~~ brought back into use. 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 are available to the owners of empty homes, and how the Council will use the range of powers available to it to return empty homes to use. The objectives of the Strategy are detailed in section 7.1. Tackling empty homes and bringing them back into use will impact positively on our residents, including people in housing need, the wider community for whom empty homes often cause problems, and also for the owners, as the property will re-acquire its intrinsic value to the community as a whole.

1.2 In North Hertfordshire, according to the Council's and Government's Council Tax records, in October 2019 there were 1223 empty homes, of which 349 had been empty for at least six months<sup>1</sup>, and around 109 which had been vacant for 2 years or more<sup>2</sup>. By October 2022, the number of empty homes had increased to 1586, of which 466 had been empty for at least six months. 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, and several exemptions apply, for example derelict or second homes are not classed as empty. These figures will not include any that are receiving an exemption whilst awaiting probate. Once probate is granted and the property remains empty it will then be included within these figures. The definitions of what an empty home is, are given in section 6 of this strategy.

1.3 Empty homes can be detrimental to the lives of local residents and communities, particularly so if not maintained. 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 risk increasing crime and the fear of crime. They may also represent a risk for the emergency services and add pressure on various council teams such as Environmental Health and Building Control. Empty homes can be a drain on their owners' resources also, through their maintenance, insurance and council tax costs.

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<sup>1</sup> MHCLG Table 615: vacant dwellings by local authority district: England, from 2004.

Available at: <https://www.gov.uk/government/statistical-data-sets/live-tables-on-dwelling-stock-including-vacants> Accessed 14<sup>th</sup> Apr 2023

<sup>2</sup> NHDC Cabinet report. Council Tax Premiums and Discounts on empty properties; 28 Jan 2020

Available at: <https://democracy.north-herts.gov.uk/documents/s9775/Council%20Tax%20Premiums%20Discounts%20on%20Empty%20Properties.pdf> Accessed 14<sup>th</sup> April 2023

1.4 The benefits of a strategy to deal with empty homes have been identified in a House of Commons briefing paper as social, regenerative, financial and strategic.<sup>3</sup> A strategy can:

- assist in meeting housing need;
- improve housing conditions;
- assist with a reduction in crime and the fear of crime and antisocial behaviour;
- regenerate and improve the appearance of blighted areas;
- increase Council Tax collection rates and empty home premiums;
- generate additional income, through funding, such as ~~through~~ the New Homes Bonus (NHB) while available, or through other government grants or rent.

1.5 The case for dealing with empty homes is therefore compelling from a community and housing perspective, but (as well as the financial benefits to the owner) there ~~are~~ also could be some financial incentives to not only return existing empty homes to use, but to try to ensure that the number of empty homes does not then increase.

1.6 Whilst acknowledging that there are many reasons why homes are left empty, some of a more personal and emotional nature, bringing more long-term empty homes back into use is a sustainable way to help meet housing demand, and as well as the community and strategic benefits, provides capital or income for the owner.

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<sup>3</sup> Wilson W, Cromarty H, Barton C. Empty Housing (England). Briefing Paper Number 3012. House of Commons Library; 21 Oct 2020. Available at <https://researchbriefings.files.parliament.uk/documents/SN03012/SN03012.pdf>  
Accessed 14<sup>th</sup> April 2023

## 2 The National Context

2.1 ~~For an~~In any effective housing market ~~to operate,~~ there will be properties unoccupied for a short period (of up to 6 months) during the transfer of ownership or between lettings. Therefore, the Government has classified properties that have been empty for longer than 6 months as long-term empty.

2.2 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 2019 at 648,114.<sup>4</sup> Of these, 225,845 were classed as long-term empty homes (i.e., empty and substantially unfurnished for longer than six months). By October 2022 this had increased to 676,304 and 248,149 respectively. Unlike the figures used commonly until 2010/11, which were based on the Housing Strategy Statistical Appendix (HSSA) returns, these figures do not include empty properties where there is an applicable Council Tax exemption, nor do they include empty homes which are substantially unfurnished, which notionally differentiates them from second homes.<sup>5</sup> The figures are based on the Council Tax system which provides specific statutory exemptions from Council Tax for properties left empty for specific reasons, such as when a person goes into care.

2.3 In 2018 'Empty Homes' a national campaigning charity published a report entitled 'Empty Homes in England'.<sup>6</sup> 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 May 2019, (and revised October 2020), Empty Housing (England)<sup>7</sup>:

- Local authorities should have an empty homes strategy for their area, with the aspiration to reduce the number of long-term empty homes.

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<sup>4</sup> MHCLG Table 615: vacant dwellings by local authority district: England, from 2004.

Available at: <https://www.gov.uk/government/statistical-data-sets/live-tables-on-dwelling-stock-including-vacants> Accessed 14<sup>th</sup> April 2023

<sup>5</sup> Department for Communities and Local Government. Council tax information letter: Council tax-definitions of empty homes and second homes. 23 September 2014. Available at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/357791/140923-CTIL\\_on\\_EHP.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/357791/140923-CTIL_on_EHP.pdf) Accessed 14<sup>th</sup> April 2023

<sup>6</sup> Empty Homes. Empty Homes in England. 2018. Available at: <https://www.actiononemptyhomes.org/Handlers/Download.ashx?IDMF=997e1feb-0e93-4805-b505-c655a9105e80> Accessed 14<sup>th</sup> April 2023

<sup>7</sup> Wilson W, Cromarty H, Barton C. Empty Housing (England). Briefing Paper Number 3012. House of Commons Library; 29 May 2019. Available at <https://researchbriefings.files.parliament.uk/documents/SN03012/SN03012.pdf> Accessed 14<sup>th</sup> April 2023

- 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.

2.4 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. In February 2023, the government published the New Homes Bonus allocations for 2023-24,<sup>8</sup> including an element for empty homes brought back into use. However the scheme is now largely phased out; (and Government has stated that it will be fully phased out), and it is currently unclear how itsany replacement will apply to empty homes.

2.5 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 the government's 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'. Point 3.45, below gives the Council current response to this option.

2.6 Government Statistics, collated from the Council Tax Base returns submitted by each billing authority in England, reveal that nationally there were 483,000 empty dwellings as of September 2019 and of these 63,000 dwellings were being charged a premium because the

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<sup>8</sup> Department for Levelling Up, Housing and Communities. New Homes Bonus final allocations 2023 to 2024. Available at <https://www.gov.uk/government/publications/new-homes-bonus-final-allocations-2023-to-2024>  
Accessed 30th March 2023

dwelling had been empty for 2 years or more.<sup>9</sup> The leviable premium was increased from 50% to 100% from April 2019, and 76.2% empty dwellings were charged at this higher premium.

2.7 A campaigning organisation reports that long-term empties are now at their highest level since 2011 (excepting 2020's pandemic-related data), and notes there are nearly 250,000 long-term empty homes in England, and over 250,000 people in urgent housing need.<sup>10</sup>

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<sup>9</sup> Ministry of Housing, Communities and Local Government. Local Authority Council Tax base - 2019 England (Revised), Statistical Release: 20 February 2020. Available at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/867232/Local\\_Authority\\_Council\\_Tax\\_Base\\_England\\_2019\\_Statistical\\_Release.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/867232/Local_Authority_Council_Tax_Base_England_2019_Statistical_Release.pdf)..Accessed 2<sup>nd</sup> Mar 2020

<sup>10</sup> Action on Empty Homes. Empty Homes Data. Available at: <https://www.actiononemptyhomes.org/facts-and-figures>. Accessed 27<sup>th</sup> April 2023

### 3 The Local and Corporate Context

3.1 This strategy highlights how resources can best be targeted to address empty homes in North Hertfordshire, and to tap into the rewards and positive outcomes, both financial and community based, that this approach brings.

3.2 Experience in Hertfordshire has shown that a significant number of properties identified as long-term empty (i.e., that have been empty for at least 6 months) will be back in use within two years.<sup>11</sup> Whilst it is recognised that any empty property can be a problem and therefore all owners of long- term empty properties will be contacted to encourage the return to use in a short timescale, to continue to try to contact unresponsive owners at this stage is resource intensive. The focus of more significant work will therefore generally be on those properties that have been empty for more than two years or have received specific complaints.

3.3 Combining the Council's 2020 Cabinet report with the government's published statistics at that time, reveals that in North Hertfordshire, as at October 2019, around 349 homes had been empty for more than six months<sup>12</sup>, while 109 of these had been empty for more than two years<sup>13</sup>. 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. It appears that 4 longer term (i.e., more than 2 years) empty homes were brought into use between October 2019 and May 2021. Actual numbers of empty homes and the length of time vacant are useful for comparison, but naturally fluctuate over time.

3.4 The following table shows the distribution of these longer- term empty homes as at May 2021.

**Table 1. Empty Properties over 2 years by Parish as at 18.5.2021**

PARISH	NUMBER EMPTY OVER 2 YEARS
Ashwell	1
Barkway	2
Barley	2

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<sup>11</sup> East Herts Council. Empty Homes Strategy 2016-2020. Available at: <http://democracy.eastherts.gov.uk/documents/s31904/Empty%20Homes%20Strategy%20-%20ERP%20C%20Draft%20Strategy.pdf> Accessed 15<sup>th</sup> May 2023

<sup>12</sup> MHCLG Table 615: vacant dwellings by local authority district: England, from 2004. Available at: <https://www.gov.uk/government/statistical-data-sets/live-tables-on-dwelling-stock-including-vacants> Accessed 30<sup>th</sup> Apr 2020

<sup>13</sup> NHDC Cabinet report. Council Tax Premiums and Discounts on empty properties; 28 Jan 2020

Clothall	3
Codicote	2
Hinxworth	1
Holwell	1
Ickleford	2
St Ippolyts	4
Kimpton	3
Knebworth	2
Offley	2
Pirton	1
Radwell	1
Rusden	1
Sandon	3
Therfield	1
Weston	1
Great Ashby	1
Baldock	11
Hitchin	27
Letchworth	21
Royston	12
<b>TOTAL</b>	<b>105</b>

3.5 Since 2013, the Council has charged a Council Tax Premium of an additional 50% in respect of properties that have been unoccupied for more than two years. From April 2020 the Premium was increased to 100%. The properties in question do change from time-to-time as some return to occupation and others exceed the two-year period, therefore any comparisons can only be made from a snapshot in time. The Council receives around 13% of the income from the Premium, (the rest going to the precepting Authorities, i.e., councils from other levels of local government, such as Hertfordshire County Council). The income goes into the Collection Fund and cannot directly fund empty homes work. The additional revenue does eventually flow through to the Council.



3.6 Table 2 below shows the number of properties in North Hertfordshire that were empty, those empty for over six months, and those empty for over two years when the Tax Base Return was submitted to the Ministry of Housing, Communities & Local Government (MHCLG) in October of each year since the measure was introduced.<sup>14, 15</sup>

**Table 2 Empty homes over 6 months and 2 years by year to 2022**

Year	All vacant dwellings	Number empty for 6 months or more	Number empty for 2 years or more
2013	1249	422	70
2014	1116	301	87
2015	1157	299	92
2016	1099	343	89
2017	1219	368	99
2018	1289	398	107
2019	1223	349	109
2020	1277	400	118
2021	1481	798	103
2022	1586	466	158

3.7 The table shows the number of very long-term (i.e. 2 years or more) empty homes has increased in most years, despite the introduction of the Council Tax Premium.

3.8 Table 3 below shows for how long those very long-term vacant properties in 2019 had been vacant.<sup>16</sup> (as reflected in the 2020 Cabinet report) and updated to show the position in 2022.

<sup>14</sup> NHDC Cabinet report. Council Tax Premiums and Discounts on empty properties; 28 Jan 2020

<sup>15</sup> MHCLG Table 615: vacant dwellings by local authority district: England, from 2004.  
Available at: <https://www.gov.uk/government/statistical-data-sets/live-tables-on-dwelling-stock-including-vacants> Accessed 15<sup>th</sup> May 2023

<sup>16</sup> NHDC Cabinet report. Council Tax Premiums and Discounts on empty properties; 28 Jan 2020

**Table 3 Length of time vacant**

<b>Empty Period</b>	<b>Number of Properties in 2019</b>	<b>Number of Properties in 2022</b>
2 – 5 years	70	124
5 – 10 years	25	23
Over 10 years	14	11
<b>Total</b>	<b>109</b>	<b>158</b>

3.9 In October 2020, of the 118 properties which had been empty for more than two years, 83 had been empty between 2-5 years, and 35 had been empty for over 5 years.

3.10 To date the Council Tax database is the only available method to determine the number of empty homes in North Hertfordshire. It is however accepted that this method does not provide a full and accurate account of the number of empty homes in the district. Therefore, this strategy aims to verify data, build a database of empty homes, and to encourage and facilitate our residents, officers and Councillors to report suspected empty homes. This will include an article in the Council's newsletter (Outlook), that highlights a dedicated web page, with an electronic form for residents to report potential empty homes, anonymously if they wish.

3.11 In 2019, Council Tax staff wrote to the 103 owners of the 109 homes which at that time had been empty for more than 2 years, seeking to establish the reasons they had remained empty for so long. Responses were received relating to just 43 of these properties, citing a range of reasons, the most common being that it was undergoing renovation. The responses informed the Council in setting its Council Tax discounts and premiums, and in creating its empty homes database with priorities for action<sup>17</sup>. Council Tax staff currently commission an annual external canvass of Empty Homes (though this is at risk if the financial incentive of New Homes Bonus is removed), and if there is a change the Revenues system is updated accordingly.

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<sup>17</sup> NHDC Cabinet report. Council Tax Premiums and Discounts on empty properties; 28 Jan 2020

3.12 Although some empty homes casework can prove lengthy and time-consuming, 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 North Hertfordshire.

#### 4.0 Contributing to the Council Plan and Housing Strategy

4.1 This Empty Homes Strategy supports the following objectives (which are in bold) of the Council Plan for 2020-2025:<sup>18</sup>

- **Be a welcoming and inclusive council:** the aim to work collaboratively with owners of empty homes fits well with this approach.
- **Respond to challenges to the environment:** bringing empty homes back into occupation helps to protect the built environment and improve community safety.
- **Enable an enterprising and co-operative economy:** empty homes are a wasted resource, for owners and the community. We will seek commercial and investment opportunities where appropriate to invest in empty homes and restore them to use, through proactive engagement.
- **Support the delivery of good quality and affordable homes:** this objective includes the commitment to 'develop and implement a cohesive Empty Homes strategy' (action 55 of the Council Plan). Through bringing empty homes back into use, through all available means, we will enable and support the delivery of good quality and affordable housing in the district, ensuring existing housing is fit for purpose. Purchasing or taking over management of empty homes provides an opportunity to support the Council's aim to build more effective relationships with local housing associations and recognise our role in the fight against homelessness.

4.2 — The Council's 4.2 This Empty Homes Strategy was developed in support of the Council's current Housing Strategy 2019-24, which in turn supported the above Council priorities for 2020-25, most notably action 55 of the Council Plan.

4.3 The Council Plan priorities were reviewed in 2022, to cover the period 2022-2027, with the vision to 'put people first, and deliver sustainable services, to enable a brighter future together'.<sup>19</sup>

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<sup>18</sup> NHDCNH Council Plan 2020-2025. Available at: <https://democracy.north-herts.gov.uk/documents/s11754/Appendix%20B%20-%20Proposed%20Actions%202020.pdf> Accessed 41<sup>th</sup> Nov 2020<sup>17<sup>th</sup> Oct 2023</sup>

<sup>19</sup> NH Council Plan 2022-2027. Available at: [Council Plan 2022-2027.pdf \(north-herts.gov.uk\)](#) Accessed 17<sup>th</sup> Oct 2023

4.4 Action to bring empty homes back into use supports the Council's sustainability priority. These are often long-term actions, which fit well with the Council's priority for a brighter future together, by aiming to secure the best outcomes for people, towns and villages. The aim to develop the Council's website to enable residents to conveniently report concerns about empty homes further contributes to the priority to put people first, and to the theme of 'our services'.

4.5 The Housing Strategy will be renewed for the period 2024 - 2029. The Council's current Housing Strategy for the period 2019-2024 notes that 'there is a constant level of high demand for affordable housing in the district'.<sup>20</sup>

4.36 Bringing empty homes back into use could help meet some of that demand. The Housing Strategy observes that 'those properties which are left vacant for no obvious good reason are an unacceptable waste of resource when demand for homes is so high'. One of the priorities in the Housing Strategy for maximising the supply of affordable housing is to reduce numbers of empty homes.

4.47 To achieve this, the Housing Strategy makes the following commitment:

'We will develop a process for tackling empty residential properties and set a target for bringing properties back into use as part of the annual service planning process'.<sup>21</sup>

4.58 This, the Council's first Empty Homes Strategy, has therefore been developed and adopted in order to meet that commitment. This strategy sets a target and outlines the Council's overall process for tackling empty homes, as promised in the Housing Strategy. The numbers of empty homes that can be tackled, and of those, the numbers that can be brought back into use each year, will depend on available resources for this new (to the Council) area of work. The target in the action plan reflects this.

4.69 Indeed, achievement of any of the actions, and the success of this strategy, are dependent on resources. This strategy has been developed to fulfil the Council's strategic aim to tackle empty homes, so that as soon as resources become available, the Council is ready to tackle empty homes in a fair, well-considered, consistent, and effective way.

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<sup>20</sup> NHDC. Housing Strategy 2019-2024. Para 2.24. Available at: <https://www.north-herts.gov.uk/sites/northherts-cms/files/Housing%20Strategy%202019%202024%20FINAL.pdf>  
Accessed 15<sup>th</sup> May 2023

<sup>21</sup> North Hertfordshire District Council. Housing Strategy 2019-2024. Para 3.28.

## 5.0 Resourcing the Strategy

5.1 There is currently no dedicated resource to carry out or coordinate the tasks in support of the commitment the Council has made in its Housing Strategy in relation to Empty Homes. This severely limits the amount that can be achieved. However there is potential for around 0.15 Full Time Equivalent Housing Improvement (existing) resource to be available for this work.

5.2 The new role fits well in the private sector housing team based in the Council's Environmental Health Service but the strategy extends beyond that service, contributing to corporate aims, ranging from homelessness prevention and community protection to protecting the built environment and income generation. (It may also reduce Council Tax income where 100% premiums are being paid, offset by reduced costs to those services charged with tackling the negative impacts posed by empty homes). While the private sector housing team will require dedicated staffing resource to carry out many of the functions associated with this strategy, successful delivery will also require input and support from other Council services.

5.3 The action plan at Appendix A is dependent upon that capacity being available.

## PART 2. BACKGROUND

### 6 Background to Empty Homes

#### 6.1 What is an Empty Home?

6.1.1 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.

6.1.2 Not all empty homes are located in what might be described as 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.

6.1.3 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, guided by a corporate scoring system.

#### 6.2 Why are homes empty?

6.2.1 There are several reasons why properties become or remain empty, including:

- The property is difficult to sell or let due to its physical state or the price sought;
- 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 owner's 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 persons accommodation for care or support needs. They may choose not to sell the property which may result in it remaining empty.

6.2.2 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.

### **6.3 Challenges Presented by Empty Homes**

6.3.1 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.

6.3.2 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.

6.3.3 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, proceeds of crime restrictions or other legal restrictions.

6.3.4 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 before this requirement may not be registered with the Land Registry and information regarding the property will not be available from this source.

6.3.5 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.

6.3.6 Intentionally Vacant: 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. Others feel unwilling to sell due to emotional/ past family connections with the property. Some owners are reluctant to engage with the Council and believe that as the property is privately owned the Council does not have the right to require action to return it to use. They may be unaware, or have no concern for, the effect 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.

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

6.4.1 The Council receives complaints about empty homes, including those that have been neglected or fallen into disrepair, from local people who rightly object to unsightly disused properties. For properties in this state, there are implications for the Council's Environmental Health and Planning Enforcement teams that have to use staff time and other resources to intervene to deal with pests, dilapidation, overgrown gardens, damage to neighbouring properties and other issues.

6.4.2 For owners, leaving a property empty can become costly and be a source of unnecessary anxiety.

6.4.3 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.

6.4.4 Even the general deterioration of an unoccupied property will result in costs, including those due to works necessary to maintain it even in its vacant state, as well as to enable the property to be brought back up to suitable living standards.

6.4.5 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 empty homes can have a detrimental effect on the neighbourhood, affecting neighbouring house prices and pose an attraction for local crime, including vandalism, breaking into the property for various reasons, and can contribute to a lack of pride in the area.

6.4.6 There is an environmental impact of leaving homes empty- and constructing new homes. To help address the need for new homes, rather than build on 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. Maximising current housing stock will be the first port of call before new development of housing. Houses that neighbour empty homes may be harder to heat as



shared walls may be colder when joined to an empty home. By putting these empty homes into use, neighbours can heat their homes less.

6.4.7 The emergency services, the police and fire service also have to deal with complaints and call outs to empty homes, wasting the finite time and money of these vital services.

## **6.5 Opportunities from Empty Homes**

6.5.1 By renting or selling the property to allow occupation not only are the above issues resolved but, whilst not necessarily problem-free, there is the added advantage of gaining regular rental income or the capital from the sale of the property, and a beneficial impact on local housing needs.

6.5.2 Returning empty homes into occupation can help eliminate many of these issues and ensure that house prices in the immediate vicinity 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.

6.5.3 Empty homes returned to residential use 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 currently overaround 2500 households on the waiting list for social housing, and typically in the region of 70-80100 homeless households in temporary accommodation in the district. The utilisation of empty homes could prevent some of these people from facing issues such as homelessness or overcrowding or provide a first home for a local person.

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## PART 3. AIMS, OBJECTIVES & APPROACH TO TACKLING EMPTY HOMES

### 7 Aims and Objectives Including our Approach to Tackle Empty Homes

#### 7.1 Aims and Objectives

7.1.1 The over-riding aim of this strategy is to bring empty homes back into use and tackle the issues posed by those that are long term vacant, are problematic or could help to meet some of the local housing need.

7.1.2 The starting point for any intervention will be to work with the property owner where possible. Each empty home is different and there are many reasons why they become empty. However, despite these, it is also important to recognise that an empty home is a potential blight on the community and a wasted resource.

7.1.3 The Action Plan for working towards the overall aim is included at Appendix A, but the 3 key objectives are:

1. To gather relevant, accurate and current information about empty homes in the District;
2. To raise awareness of empty homes in the District and promote the strategy;
3. To reduce the number of empty homes and return empty homes back into use, through all available and appropriate means in the District.

#### 7.2 Objective 1: Gathering relevant, accurate and current information

7.2.1 The Council holds records of properties considered 'vacant' through Council Tax information. Environmental Health will develop a database showing key information on all known long-term empty homes in the District including its 'risk rating' and prioritisation for action (7.2.3 gives more detail on the local operational guidelines followed by officers).

7.2.2 The current Council Tax database will assist in identifying most empty homes in the District. Legislation allows the use of information gathered as part of the Council Tax billing process to identify empty properties within an authority's area.<sup>22</sup> As well as these properties, those empty homes that are a source of complaint to the Council will be added to the empty

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<sup>22</sup> Local Government Act 2003, section 85

homes database. Other homes may also come to light when identified by other departments, key partners or other Council officers as being of concern or pose an imminent risk, and these too will be added to the database.

7.2.3 The empty property database will include relevant information about the property, owners, contacts, how long it has been empty, etc., and the prioritisation category for further investigation and action, based on a scoring matrix taking into account such factors as:

- Length of time empty
- Number/spread of complaints received
- Property condition and its visual and physical impact on the neighbourhood
- Property location
- Level of debt owed to the council
- Level of formal action previous undertaken
- Likelihood of return to use without our intervention
- Strategic value, e.g., meeting local housing need.

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. For example, although there are some rural parishes in North Herts with identified housing need, there are other small parishes where additional affordable housing may not be needed. Sources of information which may be considered when corporately shortlisting/prioritising properties for action include rural housing needs/ parish surveys where available, the Strategic Housing Market Assessment and the common housing register for housing needs information.

7.2.4 Council Tax departments provide Central Government with local empty homes statistics, in early October each year. Since 2011, any reduction in empty homes at the time of the snapshot improves the Councils' New Homes Bonus (NHB) award, although this initiative is being reviewed, and it is currently unclear how/whether its replacement (if there is one) will apply to empty homes. Whilst it is common practice to commission an agency to verify empty homes data just prior to the annual October report to government, Council Tax Inspectors no longer routinely visit empty homes at other times in the year. Subject to resources, Council officers including the Empty Homes resource, as appropriate, will carry out 'empty homes' verification and information gathering visits throughout the year to ensure data accuracy, with more focussed assessments also used to consider the longer term/problematic empty homes. An aim of this strategy is for closer working between Council services to share information, enhance data accuracy and assist with identifying and bringing empty homes back into use.

7.2.5 Properties that have been empty for more than 6 months will be subject to an initial investigation. Where properties are empty for two years or more, or are problematic, the earlier investigations will be followed up. We will risk assess those properties and produce a target list of properties for focused action based on an annual process of prioritisation.

### **7.3 Objective 2: Raising Awareness of Empty Homes**

7.3.1 Empty homes have been identified as posing a substantive issue for some while now; television programmes highlighting the waste and blight associated with empty homes have proven popular, and have often triggered debate, even if they have not necessarily been able to address all of the associated issues or causes. In a time of high housing demand, the issue is even more relevant.

7.3.2 The Council will raise the profile of the issue by participating in the National Empty Homes week of action each year (usually October) and using this as a platform to increase awareness both within the Council and with residents of the district. Social media and local press releases may be used to highlight the key issues, good news stories and successful enforcement action when available.

7.3.3 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.

7.3.4 An on-line reporting form will be developed and included on the Council's website for our residents, partners, officers and Councillors to easily report key information about empty properties. In addition, telephone reporting will also be available, where the same information will be collected.

7.3.5 The Empty Homes pages of the Council's website will be updated as and when it is felt appropriate, e.g., change in Council Tax rates.

### **7.4 Objective 3: Specific measures for bringing empty homes back into use**

#### **7.4.1 Support:**

##### **7.4.1.1 Provision of Advice**

7.4.1.1.1 We hope that owners will bring properties back into use voluntarily, so a strong emphasis will be placed on encouragement at all stages of engagement with the owners of empty homes.

7.4.1.1.2 Whatever the situation, the Council will attempt to 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, but to also confirm the implications if the property is not brought back into occupation.

7.4.1.1.3 The options for the future use of the property will be discussed with the owners, including 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, the owners' ability to determine and then carry out the best course of action, as well as the desire on their part to address the empty home issue. The Council will advise and forward relevant information to assist with bringing the empty home back into use.

7.4.1.1.4 In the first instance, we aim to provide help and advice to the owners of empty homes. Advice may be given about refurbishment, sales, legal and other aspects of lettings, finding tenants, health and safety, energy efficiency, accessing other Council services, and help identifying the most appropriate options available for their situation.

7.4.1.1.5 Where an owner agrees to bring their property back into use, we will continue to support them as appropriate and will monitor progress.

#### **7.4.1.2 Transparent and graduated approach from assistance to enforcement**

7.4.1.2 Template letters are being developed to encourage owners of empty homes to return their properties to use and to inform them of the benefits in doing so. Where the owner fails to productively engage with the Council, these communications will potentially 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.

#### **7.4.1.3 Targeted appropriate action**

7.4.1.3.1 NHC aims to write to the owners of all empty homes in the district, offering advice and encouraging them to contact the Council with information about their reasons for leaving the property empty and as to their intentions for the property. We aim to use this information and the prioritisation list to target appropriate action.

7.4.1.3.2 For properties recently identified as having been empty for more than six months, initial letters will be sent to the owners. At this stage we are seeking to:

- make contact with the owner
- confirm that the property is empty

- understand any plans the owner has for the property
- offer help to bring the property back into occupation in partnership with the owner
- advise the owner that enforcement action is a possibility if properties are left empty over a long term.

#### 7.4.1.3.3 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? Does this work need to be referred to the Planning Control service?
- If the owner wants to rent the property out, do they intend to do so privately or through a Leasing Scheme? Consider what schemes are available. (E.g. through a registered provider or Homes England.)
- 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 certain works to empty homes and provide a (chargeable) statement as evidence that the property has been empty to HM Revenue and Customs if needed.
- Do they want to sell the property? The Council can offer guidance on looking for housing associations, 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?

7.4.1.3.4 Further investigation will be initiated once a property has been empty for more than 2 years or where a complaint has been received. In these cases, further contact will be attempted, planning and other available information will be searched, and the properties will be visited to assess their condition and impact on their neighbourhood in preparation for prioritisation.

7.4.1.3.5 On an annual basis those properties scoring highly through this prioritisation will be discussed with other departments and key external organisations as appropriate and a specific target list of properties for further action will be developed.

#### **7.4.1.4 Financial Assistance**

7.4.1.4.1 The Council does not currently have any budgets specifically for Empty Homes work (e.g., to cover costs of Empty Dwelling Management Orders, Compulsory Purchase Orders, Works in Default, or for loans or grants). The Council's Housing Renewal Assistance offer is limited to discretionary Home Repair Assistance Grants of up to £5000 to help owner/occupiers with limited financial means to remedy serious hazards,<sup>23</sup> but eligibility is limited, and is unlikely to apply to works to bring empty homes back into use.

7.4.1.4.2 The Council may be able to consider viability of specific funding initiatives, such as loans ~~or investment linked to reducing homelessness~~, (as part of the Council's Investment Strategy) with possible involvement of a housing association and/or government investment. It is expected that effective corporate liaison arrangements, including for example, involving the Council's ~~Commercialisation~~Enterprise Team, will be developed for empty homes work as opportunities arise during the life of this Strategy.

#### **7.4.1.5 Restrictions on sharing data: supporting contact with other agencies**

7.4.1.5.1 Legislation allows Council Tax data to be shared within the Council for empty homes work,<sup>24</sup> but does not permit disclosure to third parties outside of the authority, such as commercial organisations. Therefore, we will not publish nor disclose addresses or ownership details of empty homes. However, if contacted by a prospective purchaser interested in a specific property, we may offer to pass on the interested party's contact details to the owner.

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<sup>23</sup> North Herts District Council. Housing Grants Policy 2019-2024. March 2019. Available at: <https://www.north-herts.gov.uk/home/housing/advice-homeowners/housing-grants> Accessed 26<sup>th</sup> July 2023

<sup>24</sup> Local Government Act 2003, section 85



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

7.4.2.1 Since April 2013, the Council has implemented a 100% discount for the first 28 days after a property becomes empty. Also, since April 2013, the Council has charged a Council Tax Empty Homes Premium of an additional 50% in respect of properties that have been unoccupied and substantially unfurnished for more than two years. From April 2020 the discounted period increased to 56 days, and the Premium increased to 100%.

7.4.2.2 By virtue of the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018, from 1<sup>st</sup> April 2020, Council Tax payable can increase as follows:

- by 100% for dwellings left empty for more than 2 years, but less than 5 years,
- by 200% for dwellings left empty for more than 5 years.
- From 1<sup>st</sup> April 2021, by 300% for dwellings left empty for 10 years or more.

7.4.2.3 The Council considered these discretions at its Cabinet meeting in January 2020, and decided:

(1) that from 1 April 2020 a 100% Premium is levied on all properties empty for more than two years; and

(2) that the Council creates a locally defined Council Tax Discount of 100% for the first fifty-six days that a property is unoccupied and substantially unfurnished and does not fall into any Council Tax Exemption Class, and zero % for any period after fifty-six days.

7.4.2.4 The reasons for the decisions were:

(1) to support the principle of getting unoccupied properties back into occupation whilst also considering the implications of collection; and

(2) to provide more time to turn around empty properties and reduce the number of small value Council Tax bills produced.

7.4.2.5 In determining the premium, the Council will consider the health of the housing market. The premium will automatically be charged once the property has been empty for two years. When administering the premium, the Council can take into account reasons why properties are unoccupied and unfurnished, including whether they are available for sale or rent and appropriately priced, and decide whether they want such properties to be included in their determination.<sup>25</sup> Where representations are received, we will also take account of individuals

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<sup>25</sup> DCLG. Council Tax empty homes premium: guidance for properties for sale and letting, 2013 p3

who are struggling to complete or to afford renovations that are necessary before the property can be occupied or sold on, and where progress or hardship can be demonstrated.<sup>26</sup>

7.4.2.6 Clearly, these premiums are intended to encourage owners to take steps to bring empty homes back into use. It is recognised that it may however discourage owners from notifying the Council that their dwelling has become vacant. Therefore empty homes discount of 100% will be available for the first 56 days that a property becomes vacant (to encourage reporting and swift action by the owner to bring the property back into use), and the charging policy, including the period of discounting, will be subject to review having regard to this strategy. This charging review will include an analysis of the effects of increasing the Levy rates by 200% and 300% as permitted for very long-term empty homes.

### 7.4.3 Enforcement

7.4.3.1 A voluntary way forward to renovation and re-occupation is the preferred option, and officers will endeavour to encourage and persuade such progress. However, for properties identified on the target list from the prioritisation stage, where owners cannot be traced, where informal approaches fail, or there is a detrimental effect on the community, the Council will consider proceeding with formal action.

7.4.3.2 This demonstrates the Council's determination to bring empty properties back into use, and therefore we aim to initiate enforcement action where appropriate. The Council has significant powers and, subject to available resources, will consider all options including compulsory purchase, empty dwelling management orders and enforced sale where appropriate and as a last resort.

7.4.3.3 Upon the adoption of this strategy, policies and procedures will be developed and written for empty homes enforcement as the need arises.

7.4.3.4 Prior to initiating specific enforcement action an exercise will be undertaken to determine the most appropriate method of enforcement for that particular property. An options appraisal will be undertaken for those properties identified for enforcement.

7.4.3.5 The use of enforcement powers alone may not result in the re-occupation of the property but may help to address any immediate risks or nuisance posed by the property, and may lead

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<sup>26</sup> Sandford M. Briefing paper Number 08273 16 October 2018. House of Commons Library. Available at: <https://researchbriefings.files.parliament.uk/documents/CBP-8273/CBP-8273.pdf>. Accessed 18th Jan 2020

to the opportunity to consider Enforced Sale should any incurred costs not be repaid, and the Council is prepared to consider this measure.

7.4.3.6 Due regard will be given to the Council's Enforcement Policy and to the Regulators' Code before any action is taken.<sup>27</sup> The Regulators' Code provides a clear, principles-based framework for regulators to achieve their objectives in a way that minimises the burdens on those they regulate. The purpose of the Code is to embed a risk-based, proportionate, targeted and flexible approach to regulatory inspection and enforcement.

7.4.3.7 Where enforcement action (other than improvement works) is deemed appropriate the relevant Executive Members and Deputies will be made aware.

7.4.3.8 Always preferring a voluntary solution, if, whilst preparing for and undertaking enforcement action, the owner requests to take suitable voluntary action this will be considered. Enforcement action may be deferred if appropriate but the progress towards re-occupation will be closely monitored, and if does not occur in a reasonable fashion, enforcement will recommence, and consideration given to recovery of incurred costs where appropriate.

7.4.3.9 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.

## **8.0 Performance Monitoring and Review**

8.1 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.

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<sup>27</sup> Department for Business, Innovation and Skills. Regulators Code. April 2014. Available at: <https://www.gov.uk/government/publications/regulators-code> Accessed 26<sup>th</sup> July 2023

8.2 The Service Director – Regulatory Housing and Environmental Health will be responsible for managing the delivery of the Strategy, but, subject to the necessary intervention in each case, effective delivery will require coordinated support from officers in almost every service within the Council.

8.3 Councillors will be encouraged to support the Empty Homes Strategy, not least by reporting empty properties within their wards and discussing the problems associated with them.

8.4 It is essential that the effectiveness of action delivered by the implementation of this strategy is closely monitored and reviewed. In order to develop a good system of performance management it is proposed in particular to:

- Monitor numbers of homes brought back into use,
- Develop knowledge of best practice, and
- Review actions within the strategy's Action Plan.

8.5 This Empty Homes Strategy is supported by a five-year action plan to deliver the strategy's objectives. Progress against the action plan will be monitored internally at least quarterly. Every 6 months the Service Director – Regulatory Housing and Environmental Health will be responsible for providing a progress update to the relevant Executive Members.

8.6 The target for empty homes brought back into use will depend on staffing resources available. With no specialist empty homes staff the aspirational target is 1 each year. With a 0.5 Full Time Equivalent (FTE) Resource the target could be increased to 3 in year 1, 6 in year 2, and 8 thereafter, recognising that there is often a long lead-in time to success. From year 2 of this strategy, the aim is that at least 2 of these should have been problematic, or vacant for more than 2 years. Clearly with a potential resource of 0.15 FTE at time of adopting the strategy, these targets are unlikely to be achieved. At the time of adopting the Strategy, the potential available resource is 0.15 FTE. Therefore, the achievable targets are 1 in Year 1, 2 in Year 2, and 3 thereafter, with the aim that (after the first year of the Strategy) at least 1 of these should have been vacant for more than 2 years, or problematic.

8.7 Within 6 months of becoming aware that a home has been empty for more than 6 months, subject to the adoption of this strategy and the availability of resources, we aim to make at least initial contact in 95% of cases. Also, every year we aim to contact at least 95% of known owners of homes which have been empty for more than 2 years.

## 9. Financial Implications

9.1 The purpose of this Empty Homes Strategy is to bring empty homes back into use. However, there are associated corporate and potentially financial benefits.

9.2 ~~An Empty Homes Strategy if adopted and properly resourced, that are brought back in to use can increase have varying impacts on the amount of Council Tax collection rate and could, if is collected. The owner of a long-term empty home may be paying a 100% premium. A derelict property may not be habitable and therefore not liable for Council Tax. It may not be possible to collect Council Tax (see paragraph 9.7 below). If properties are brought back into use are and can be used to help meet our homelessness duty, it could produce savings on temporary accommodation expenditure.<sup>28</sup> However note that this is not a guaranteed set of consequences.~~

9.3 It may also reduce ongoing costs to those services tasked with reducing the negative impacts posed by empty homes.

9.4 There are three potential income streams associated with bringing empty homes back into use: New Homes Bonus or other government initiatives, debt recovery, and unclaimed sales income from Compulsory Purchase Orders (CPOs) or Enforced Sales; these are summarised below. It may therefore be possible to recover certain costs in delivering this strategy to provide financial as well as community and housing benefits and ensure finance is available to invest to bring additional homes back into use.

~~9.5 Whilst the Council does not currently have a budget specifically for empty homes, the capital budget for Acquisition of Property Investment could be used to buy and improve empty homes, in order to reduce numbers of empty homes and increase available housing.~~

## **9.6 — New Homes Bonus (NHB)**

~~9.6.1 In order to maximise NHB, it is planned to develop a programme of property visits which, when combined with a close working relationship between the various Council services, will allow 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.~~

~~9.6.2 The NHB 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~~

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<sup>28</sup> Wilson W, Cromarty H, Barton C. Empty housing (England). House of Commons Briefing Paper number 3012; 21 October 2020. Available at: <https://commonslibrary.parliament.uk/research-briefings/sn03012/> Accessed 27 July 2023

reliant on this initiative to the detriment of other positive outcomes. The social benefits arising from the reoccupation of vacant premises will often far outweigh the direct financial income received by the Council.

9.6.3 In February 2020, Robert Jenrick, the Secretary of State for the Ministry of Housing Communities and Local Government said the government would consult on the future of New Homes Bonus in Spring with a move to a new, more targeted approach. As yet, details of the proposed replacement initiative are unknown, and it is likely that government funding for bringing empty homes back into use will be reduced.

9.6.4 However, other funding

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

9.5.1 New Homes Bonus has been in place since 2011. It has provided a reward for new homes, which has included long-term empty homes that have been brought back in to use. The level of reward has decreased in recent years, and the intention is that it will be removed completely. It may be replaced by a new funding stream to reward property growth, but that may not include anything for long-term properties brought back in to use. This strategy can not rely on New Homes Bonus as a source of funding.

9.5.2 However, other funding sources, such as Council held commuted sums, may become available. For example, according to a House of Commons Library Research Briefing on Empty Housing in England, published in October 2020, and government schemes, including the Affordable Homes Programme 2021-26 can support bids, provide potential options to bring empty homes into use as affordable housing.<sup>29</sup> The Government prefers a purchase and repair model, but there are also lease and repair options.

## **9.76 Debt Recovery**

9.76.1 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 North Hertfordshire.

9.76.2 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

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<sup>29</sup> Wilson W, Cromarty H, Barton C. Empty housing (England). House of Commons Briefing Paper number 3012; 21 October 2020. Available at: <https://commonslibrary.parliament.uk/research-briefings/sn03012/> Accessed 27 July 2023

and care charges relating to previous occupiers. The pressures on local government finances continue and we should therefore seek to maximise all debt recovery opportunities. The Council will consider utilising the powers of enforced sale to recover unpaid debts and its costs in dealing with empty homes.

9.76.3 All Council Tax debts follow the statutory recovery cycle contained within legislation. There is provision within this legislation, once a liability order has been awarded by the Magistrates Court, that a Charging Order application can be made. The Council generally follows other courses of action first, but some older debts could be considered for this route, subject to available staffing resources to do so.

9.76.4 If forced sale is to be considered as a realistic option, then this measure should be confirmed at as early a stage as possible, so that any measures originating from the Council can be recorded and considered.

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

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

9.87.2 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.

9.87.3 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, nor a reference made to the Upper Tribunal (Lands Chamber), within six years, the claim for compensation will be statute barred.

## **10. Equalities Implications**

10.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment and victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

10.2 Empty homes can often blight local neighbourhoods. In some cases, homes that are vacant for an extended period can sometimes lead or contribute to a rise in anti-social behaviour and related crime associated with vacant properties. This strategy aims to reduce the negative impacts on local communities and minimise the number of properties left empty. The strategy has the potential to create a more positive impact across a number of community groups, including, but not particular to those that have a protected characteristic, through the general increase in availability of accommodation within the district.

10.3 The completed equality analysis assessment notes the potential impact on those who have those protected characteristics.

## **11 Environmental Implications**

11.1-\_\_ 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 attract vandalism and other anti-social activity.

11.2-\_\_ The case for dealing with empty homes is compelling from a community and housing perspective. While action to bring them back into use can sometimes prove lengthy and sensitive, the strategy provides an environmentally sustainable way to help meet housing demand.



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11.3 While bringing an empty home into use again may bring an increase of carbon emissions for the district, the social aspect of providing homes for those in need is of greater benefit. People being in homes is better than not, and therefore considerations of this kind should be weighed up.

11.4 There is an environmental impact of leaving homes empty and constructing new homes. To help address the need for new homes, rather than build on 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. Maximising current housing stock will be the first port of call before new development of housing. Houses that neighbour empty homes may be harder to heat as shared walls may be colder when joined to an empty home. By putting these empty homes into use, neighbours can heat their homes less.

## **12 Legal Implications**

12.1 The Council has several powers and duties which can be used to assist with the empty homes strategy and bring properties back into use.

12.2 The Council's powers and duties in relation to enforcement are contained within statutes which includes the Law of Property Act 1925, Acquisition of Land Act 1981, Housing Act 1985, and the Housing Act 2004. A non-exhaustive list which includes further legislation is attached as Appendix C.

12.3 The Empty Dwelling Management Order was introduced in the Housing Act 2004 and is pursued through the First-tier Tribunal (Property Chamber) Residential Property, which must be satisfied that there is no reasonable prospect of the dwelling being returned to use in a reasonable timescale without an EDMO. If approved the Local Authority takes management control, initially for one year under an interim EDMO and then for seven years under a final EDMO.

12.4 The choice of legislation will be dependent on the specifics of each case.

12.5 Section 4, paragraph 4.4.1(w) of the Council's Constitution notes that the function to make, amend or withdraw Compulsory purchase orders is a Full Council decision.

12.6 Section 8, Appendix 3 of the Council's Constitution – Members planning code of Good Practice notes that within decision making, Members must comply with s38 of the Planning and Compulsory Purchase Act 2004, which refers to consideration of the development plan.

## Appendix A

### Empty Homes Strategy- Action Plan

<u>Objective 1 – To collect and record relevant, accurate and current information about Empty Homes in the District</u>						
<u>Reference</u>	<u>Action</u>	<u>Success Criteria &amp; Outcomes</u>	<u>High, Medium or Low Priority</u>	<u>Start Date</u>	<u>Finish Date</u>	<u>Resource implications</u>
<u>1.1</u>	<u>Update and maintain an empty homes database containing information provided by Council Tax and collected through investigations, complaints and surveys.</u>	<u>Information provided by Council Tax, at least 4 times per year.</u>  <u>Significant changes identified are reported back to Council Tax</u>  <u>A managed list of all known long-term empty homes.</u>	<u>H</u>	<u>Information provided by Council Tax within 4 months of the strategy being adopted.</u>	<u>Database created within 12 months of the strategy being adopted, with ongoing updates.</u>	<u>Council Tax to provide info, Env Health to investigate and integrate database.</u>

<u>1.2</u>	<u>Council Tax Team, in partnership with an external company, will carry out an empty homes canvass on an annual basis. This is part of a county-wide procurement.</u>	<u>Reduction in recorded empty homes within the district and to maintain Council Tax records.</u>	<u>M</u>	<u>Canvass commences in June of each year</u>	<u>Canvass is completed by the end of September of each year, prior to setting the Tax Base.</u>	<u>Council Tax works with the external company to provide data in order to carry out the canvass process.</u>
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<u>Objective 2 – To raise awareness of Empty Homes in the District and promote the Strategy</u>						
<u>Reference</u>	<u>Action</u>	<u>Success Criteria &amp; Outcomes</u>	<u>High, Medium or Low Priority</u>	<u>Start Date</u>	<u>Finish Date</u>	<u>Resource implications</u>
<u>2.1</u>	<u>Create a dedicated web page and electronic form, for empty homes information and reporting</u>	<u>1. Strategy and information provided on Council website</u> <u>2. On-line form enables reporting of problematic empty homes</u>	<u>L</u>	<u>Strategy published on website within 3 months of its adoption.</u>	<u>E-form and current information on website within 2 years of strategy adoption</u>	<u>Availability of Web team and Env Health to create and update, and needs ongoing resource to respond to reports</u>
<u>2.2</u>	<u>Promote the Strategy within the Council</u>	<u>1. Presentation/distribution of information to Councillors and managers.</u> <u>2. Empty Homes Strategy implications considered when Council Tax charging policy is reviewed.</u> <u>3. Corporate prioritisation/working</u>	<u>M</u>	<u>Within 6 months of strategy adoption</u>	<u>Within Year 1 of strategy</u>	<u>1.Councillor consultation during adoption process. Staff Briefing session.</u> <u>2. Consultation for any Council Tax charging review.</u>

		<u>group established and priority properties list agreed.</u>				<u>3. Corporate participation in working group.</u>
<u>2.3</u>	<u>Promote the Strategy within the community</u>	<u>One publicity event or local press article publicising action on empty homes each year (to coincide with the national Empty Homes Action Week)</u>	<u>L</u>	<u>Annual target</u>	<u>Annual target</u>	<u>Liaise with Communications Team</u>

<u>Objective 3 – Return empty homes back into use through a range of measures</u>						
<u>Reference</u>	<u>Action</u>	<u>Success Criteria &amp; Outcomes</u>	<u>High, Medium or Low Priority</u>	<u>Start Date</u>	<u>Finish Date</u>	<u>Resource implications</u>
<u>3.1</u>	<u>Design and produce an empty homes procedure with standard template letters</u>	<u>Properties identified on the list can be investigated and actioned</u>	<u>H</u>	<u>Within 6 months of strategy adoption</u>	<u>Created within Year 1.</u>	<u>Procedure to evolve as Env Health experience gained</u>
<u>3.2</u>	<u>Focused action based on annual prioritisation process</u>	<u>1. Initial contact and investigation into 95% of homes empty for more than six months</u>		<u>1. Initial contact within 6 months of becoming aware of</u>	<u>Annual target</u>	<u>Target is dependent upon adoption of strategy and</u>

		<u>2. Further investigation into those empty for two or more years, or problematic – annual contact with 95% of known owners</u>	<u>M</u>	<u>long-term empty home</u> <u>2. Annual</u>		<u>available resource</u>
<u>3.3</u>	<u>Implement this strategy to tackle individual empty homes</u>	<u>1. At least 1 empty home brought back into use each year as a result of Council intervention</u> <u>2. In addition, from Year 3 of the strategy, at least 1 long term or problematic empty brought back into use</u>	<u>M</u>	<u>Annual targets</u>		<u>Action and targets are dependent upon level of available resource</u>

## Appendix B

### Empty Homes Strategy- Equality Analysis

#### Equality Analysis Template

<u>1. Name of activity:</u>	<u>Empty Homes Strategy</u>			
<u>2. Main purpose of activity:</u>	<u>The Empty Homes Strategy supports the Council's Housing Strategy, and sets out the Council's plans for bringing empty homes in the District back into use over the next 5 years. By understanding the reasons why homes remain empty within North Herts, we will work with owners to encourage and assist them to bring empty homes back into use, to help support the housing needs of the District.</u>			
<u>3. List the information, data or evidence used in this assessment:</u>	<u>Council Tax data on long-term empty homes in the District, included in the Strategy focused on the property rather than the owner. Analysis of enquiries and complaints about empty homes in the District. 25 requests for service were recorded from 5/2017 to 5/2023: most were from near neighbours, and mostly recorded as concerning vermin/pests or accumulations, and 4 recorded merely as Empty Homes. Whilst there was no data as to protected characteristics of those affected, it would seem likely that these reflect the profiles of the District at large, and hence action to alleviate those concerns is likely to be beneficial to residents.</u>			
<u>4. Assessment</u>				
<u>Characteristics</u>	<u>Neutral</u> <u>(x)</u>	<u>Negative</u> <u>(x)</u>	<u>Positive</u> <u>(x)</u>	<u>Describe the person you are assessing the impact on, including identifying: community member or employee, details of the characteristic if relevant, e.g. mobility problems/particular religion and why and how they might be negatively or positively affected.</u> <u>Negative: What are the risks?</u> <u>Positive: What are the benefits?</u>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Negative</u>



<u><b>Community considerations</b></u> (i.e. applying across communities or associated with rural living or Human Rights)				
				<u><b>Positive</b></u> Although owners are the focus, implementation of the Strategy will benefit the wider community as a sustainable way of increasing the overall supply of housing, and reducing the negative impact that neglected empty homes can have on communities such as crime and antisocial behaviour. Occupying empty homes will benefit neighbouring homes as demonstrated in the environmental implications sections due to the reduced need to heat homes next to an occupied home. Increasing the availability of homes will allow a reduction in homeless residents and benefit those in need of permanent accommodation and may increase the social mobility of vulnerable individuals. As this strategy is rolled out, consideration will need to be made as the process in which this is advanced. Processes are in place to assist those who need additional support in communicating with the council. Alternative methods of communication methods (such as translator services, braille transcription and large print facilities), will assist those who require it.
<u>A person living with a disability</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u><b>Negative</b></u> _____
				<u><b>Positive</b></u> The Strategy is inclusive to people with protected characteristics but is not specific to

				them. Returning accessible homes, such as bungalows, or homes suitable to alteration into use will be beneficial to those with a physical disability, or those with potential mobility issues due to increased availability in this type of home.
<u>A person of a particular race</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Negative</u>
				<u>Positive</u>
<u>A person of a gay, lesbian or bisexual sexual orientation</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Negative</u>
				<u>Positive</u>
<u>A person of a particular sex, male or female, including issues around pregnancy and maternity</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Negative</u>
				<u>Positive</u>
<u>A person of a particular religion or belief</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Negative</u>
				<u>Positive</u>
<u>A person of a particular age</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Negative</u>

				<u>Positive</u> Returning accessible homes, such as bungalows/homes suitable for adaptations, into use will be beneficial to those with age related mobility issues due to increased availability in this type of home.
<u>Transgender</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Negative</u> _____ <u>Positive</u> _____
<b>5 Results</b>				
	<u>Yes</u>	<u>No</u>		
<u>Were positive impacts identified?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<u>The strategy aims to increase the supply of housing in a sustainable way and tackle the negative impacts of empty homes on communities.</u>
<u>Are some people benefiting more than others?</u> <u>If so explain who and why.</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<u>The Strategy is inclusive to people with protected characteristics but is not specific to them.</u>
<u>Were negative impacts identified (what actions were taken)</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
<b>6. Consultation, decisions and actions</b>				
<u>If High or very high range results were identified who was consulted and what recommendations were given?</u>				
<u>N/A</u>				
<u>Describe the decision on this activity</u>				
<u>N/A</u>				

<u>List all actions identified to address/mitigate negative impact or promote positively</u>		
<u>Action</u>	<u>Responsible person</u>	<u>Completion due date</u>
As highlighted in section 8.6 of the strategy, success in numbers of houses brought back into use will be dependent on the staffing resources available. The greater the resource, the greater number of homes brought into use. For example the possibility of bringing a bungalow or adaptable house into use may be lower than a normal house without the necessary accessibility for someone with a need as identified in the above analysis. Consideration will be made to each of the addressed protected characteristics. Mitigations will be put in place to demonstrate that the council has shown due regard through the process of putting empty homes into use.	Frank Harrison	5 years after implementation of the Strategy.
<u>When, how and by whom will these actions be monitored?</u>		
N/A		
<b>7. Signatures</b>		
<u>Assessor</u>		
<u>Name: Sheila Winterburn</u>	<u>Signature** Sheila Winterburn</u>	
<u>Validated by</u>		
<u>Name: Frank Harrison</u>	<u>Signature** Frank Harrison</u>	
<b><u>Forward to the Policy &amp; Strategy Team with policy for quality check: eira@dsfire.gov.uk</u></b>		
<u>Signature** E A Hollingsworth</u>		
<u>Assessment date: 30/10/2023</u>	<u>Review date: 30/10/2024</u>	

A copy of this form should be forwarded to the corporate policy team and duplicate filed on the council's report system alongside any report proposing a decision on policy or service change.

## Appendix C

### Empty Homes Strategy- Summary of Relevant Legislation

<u>RELEVANT LEGISLATION</u>	<u>PURPOSE</u>
<u>Law of Property Act 1925, Section 103</u>	<u>Regulation of exercise of power of sale (Enforced Sales provisions)</u>  <u>A local authority can force the sale of a property to retrieve a debt which is registered as a charge on the property.</u>
<u>Public Health Act 1936, Section 83</u>	<u>Cleansing of filthy or verminous premises.</u>
<u>Prevention of Damage by Pests Act 1949, Section 4</u>	<u>Where property is providing or likely to provide harbourage to rodents.</u>
<u>Public Health Act 1961, Section 17</u>	<u>Power to repair or un-block drains etc and recover expenses.</u>

<u>Public Health Act 1961, Section 34</u>	<u>Property or land with rubbish which is seriously detrimental to the amenities of the neighbourhood.</u>  <u>Local authority can require owner to remove nuisance and may do works in their default.</u>
<u>Local Land Charges Act 1975</u>	<u>Where an owner fails to comply with certain Statutory Notices.</u>  <u>Local Authority may undertake works in default of a Notice and recharge the cost of the works to the owner. This debt may be registered as a Local Land Charge.</u>
<u>Local Government Miscellaneous Provisions Act 1976, Section 16</u>	<u>Requiring information from anyone who has a legal interest in an empty home.</u>  <u>Allows local authorities to require information e.g., ownership details from a person with an interest in an empty home.</u>
<u>Acquisition of Land Act 1981</u>	<u>Compulsory purchase Orders</u>  <u>Provides for the local authority to purchase an empty home.</u>

<u>Local Government (Miscellaneous Provisions) Act 1982, Section 29</u>	<p><u>Where an unoccupied building is not effectively secured against unauthorised entry or is likely to become a danger to public health.</u></p> <p><u>Local authority can serve notice and undertake works, and recover expenses.</u></p>
<u>Building Act 1984, Section 59</u>	<p><u>Land or property with drainage which is insufficient, defective, or prejudicial to health or a nuisance.</u></p> <p><u>Requires the owner to make satisfactory provision for the drainage of a property.</u></p>
<u>Building Act 1984, Section 77-79</u>	<p><u>Unightly or dangerous land and property affecting the amenity of an area.</u></p> <p><u>Requires the owner to renovate/demolish a property that is adversely affecting the amenity of an area through its disrepair.</u></p>
<u>Housing Act 1985, Section 17</u>	<p><u>Compulsory Purchase Orders</u></p> <p><u>Provides for the local authority to purchase an empty home, for housing purposes.</u></p>
<u>Housing Act 1985, Section 265</u>	<p><u>Demolition Orders</u></p> <p><u>Issuing a demolition order on an empty home where a category 1 hazard exists.</u></p>

<u>Town and Country Planning Act 1990, Sections 215-219</u>	<p><u>Unightly land and property detrimental to the amenity of an area.</u></p> <p><u>Requires the owner to address unightly land or the external appearance of an empty home. Where the owner fails to comply, the local authority can do the works in default and place a charge on the property.</u></p>
<u>Town and Country Planning Act 1990, Section 226</u>	<p><u>Compulsory Purchase Orders</u></p> <p><u>The local authority can compulsorily purchase an empty home with the authority of the Secretary of State, for development and other planning purposes.</u></p>
<u>Town and Country Planning Act 1990, Section 330</u>	<u>Local authority may serve notice requiring information regarding property ownership or interests in land.</u>
<u>Environmental Protection Act 1990, Section 80</u>	<p><u>Where a statutory nuisance exists or is likely to occur or recur at the property.</u></p> <p><u>Local authority must serve an abatement notice if the property is a statutory nuisance.</u></p>
<u>European Convention on Human Rights – Articles 1, 6, 8 and 14, and Human Rights Act 1998</u>	<p><u>These rights are qualified rights and may be interfered with provided such interference is prescribed by law and is in respect of a legitimate aim, is necessary in a democratic society and is proportionate.</u></p> <p><u>Note that any person/s whose human rights are affected by any Order to acquire land has the opportunity to object to it.</u></p>



<u>Anti-Social Behaviour Act 2003, Sections 43-52</u>	<u>Requires the owner to remove graffiti and flyposting.</u>
<u>Local Government Act 2003, Section 85, and Housing Act 2004, Section 237</u>	<u>Information sharing between local authority departments.</u>  <u>Allows the Council Tax department to share the names of owners and addresses of the empty properties for the purpose of identifying vacant dwellings or taking steps to bring vacant dwellings back into use.</u>
<u>Housing Act 2004, Part 1</u>	<u>Housing conditions, improvements and enforcement.</u>  <u>Local Authority has powers to deal with empty properties with health and safety hazards. If serious (category 1) hazards are assessed, the Council must take appropriate action. The assessment however relates to risks to occupants.</u>
<u>Housing Act 2004, Sections 132- 138 (as amended by The Housing (Empty Dwelling Management Orders) (Prescribed Period of Time &amp; Additional Prescribed Requirements) (England) (Amendment) Order 2012</u>	<u>Empty homes that have been vacant for 2 years or more which are causing nuisance and where negotiations have failed to return the empty home back into use.</u>  <u>To grant the local authority the necessary powers to take over the management of an empty home initially under an Interim Empty Dwelling Management Order (EDMO) (for up to 1 year) and then the final EDMO (for up to 7 years).</u>

<u>Housing Act 2004, Section 235</u>	<p><u>Requiring information from anyone who has a legal interest in an empty home.</u></p> <p><u>Power to require viewing documents from anyone with a legal interest in a property, for example a mortgage provider.</u></p>
<u>Housing Act 2004, Section 239</u>	<p><u>Powers of entry</u></p> <p><u>Local authority staff can use their power of entry to enter unoccupied premises or land to carry out inspections in relation to statutory functions.</u></p>
<u>Equality Act 2010</u>	<p><u>Must always be considered.</u></p> <p><u>The Act provides protection from discrimination in respect of certain protected characteristics.</u></p>
<u>Local Government Finance Act 2012, Section 12</u>	<u>Changes to Council Tax charges on empty homes.</u>

	<u>Local Authorities have been given discretionary powers to raise the amount of Council Tax charged on empty homes.</u>
<u>Anti-Social Behaviour, Crime and Policing Act 2014</u>	<u>For unreasonable, ongoing problems or nuisances which are detrimental to the quality of life in the locality.</u>  <u>Allows the local authority to serve Community Protection Notices where a person (aged 16 and over), business or organisation is committing anti-social behaviour. Can also be used for Dispersal powers, Criminal behaviour Orders, Injunctions, Public Spaces Protection Orders and Recovery of possession of dwelling-houses due to anti-social behaviour.</u>
<u>Housing and Planning Act 2016, Part 7</u>	<u>Allows authorisation of officers to enter land in connection with a proposal to acquire buildings and land through compulsory purchase with the aim of providing additional accommodation.</u>

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