

**CABINET
6 FEBRUARY 2024**

***PART 1 – PUBLIC DOCUMENT**

TITLE OF REPORT: **Empty Homes Strategy 2024-29**

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EXECUTIVE MEMBER: Cllr Sean Prendergast,
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COUNCIL PRIORITY: PEOPLE FIRST / A BRIGHTER FUTURE TOGETHER

1. EXECUTIVE SUMMARY

This strategy states the objectives North Herts Council (the Council) has set itself so as to endeavour to bring as many long-term vacant homes back into occupation as is practicable. Whilst short-term empty homes are inevitable when linked to house sales, or where the occupier may need to be care elsewhere, these homes pose little or no concern to the local communities, and quickly return to occupation. However, a small but significant number of houses remain vacant for protracted period, and it is these that tend to have a negative impact on their area, and are also the target of this strategy. The Council intends to work with the owners of these premises to initially understand their reasons for keeping them vacant, but to then work with as many owners as possible, to allow this unused resource to better serve the communities, mitigate the negative impact they have, and provide an increased opportunity to meet the Councils housing needs, without the need to build so additional new homes. This strategy sets out the intention and the outline processes to allow the Council to achieve this objective.

2. RECOMMENDATIONS

- 2.1. That Cabinet adopt the Empty Homes Strategy 2024-29.
- 2.2. The Cabinet should note that although there is no legal requirement for the Council to have an Empty Homes Strategy, there have been several significant Government-focussed documents and papers highlighting their importance, including a House of Commons Briefing Paper stating that each local authority should have such a strategy to help reduce the number of long-term empty homes in their districts.

3. REASONS FOR RECOMMENDATIONS

- 3.1. The recommendation and considerations are being made to allow the Council to formerly adopt the 5-year Empty Homes Strategy 2024-29 to allow the Environmental Health service to work directly or with others to identify and deliver the most appropriate intervention programme to allow the Council to aim to bring as many long-term empty homes back into occupation as practicable.

- 3.2. The strategy allows the Council to state its intention to consider every aspect linked to the housing sector to bring into use as many opportunities as it can to meet the district's housing needs , without having to rely solely on new build. Whilst the number of long-term empty homes is small, and the number likely to be brought back into occupation will be smaller still, this strategy does address this sector which would otherwise be omitted from the overall resource potentially available to form our housing stock.
- 3.3. By adopting the strategy, and allowing for the development of a culture of greater awareness of vacant homes, allows for homes which become vacant to be highlighted sooner, and so they can be monitored and their owners challenged at an earlier point, thus also contributing to hopefully having more homes available for the residents of the district.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1. This strategy is the first such for the Council, and sets the basis upon which any future empty-homes interventions will be based. In this capacity, there are no alternative strategies to consider, although within the strategy, it does identify a number of different options potentially available to bring an empty home back into occupation.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1. Following initial consultation with the Executive Members it was recommended that this strategy be made aware to all Members to allow them to contribute to its development and acceptance into the framework for addressing the issues caused by empty homes and to bring as many as practicable back into occupation.
- 5.2. Empty homes can pose challenges for all wards, so Member consultation is not limited.
- 5.3. It is recognised that this strategy is to declare the intentions of the Council to work with owners to reduce the number of long-term empty homes as much as it is to clarify the options that may be used. As such, this strategy does not set procedure or a requirement to address all empty homes and so the scope of consultation has thus far been limited.
- 5.4. All of the Council's services that have, or may have an input into this strategy have been consulted with, and have commented as they have seen fit. Their considered views, where appropriate, have been included in the final version.

6. FORWARD PLAN

- 6.1 This report contains a recommendation on a key Executive decision that was first notified to the public in the Forward Plan on the 15th September 2023.

7. BACKGROUND

- 7.1. Empty homes have been recognised for a long time as being both a loss to the local housing stock thus reducing the options available to people living or wishing to live in an area, and potentially posing a nuisance and eyesore to the local community. As such, there are many reasons to seek to bring empty homes back into occupation.

- 7.2. It is also recognised, that there are very many reasons why homes are allowed to be vacant for a period of time, and in most cases, they do not pose any local concern, for example, as part of a house sale, or when the owner is away, for example, on a long holiday or receiving medical treatment. These homes tend to fall into the category of short-term empty homes, only rarely pose any local concern, and are not the target of this strategy.
- 7.3. The empty homes that this strategy does focus on, are those considered to be long-term vacant, that is those having been empty for more than 6 months, and which pose an actual concern to the local community.
- 7.4. Long-term empty homes are known to have a negative influence on a community, both in relation to the removal of a potential housing opportunity, but also in that they tend to attract an element of anti-social behaviour, even if this is only in the poorer condition they tend to be left in. However, in some cases, the empty home is neglected further such that they become a local nuisance, sometimes becoming a local eyesore or needing the intervention of the local Council to mitigate a nuisance, all of which contributes to the negative impact they can have on the local community. It is this latter group that tends to lead to the greatest number of complaints to the Council services, usually in relation to complaints about over-grown gardens, the presence of household waste or pests, or that they have become insecure and a venue attracting crime.
- 7.5. Although it is difficult to state exactly how many empty homes there are at any one time, either nationally or locally, Council Tax data tends to be the most effective means of keeping track of their number. According to the Council's Council Tax figures, in 2022 there were 1586 vacant homes of which 466 had been vacant for more than 6 months, with over 150 believed to have been vacant for more than 2 years, which is a significant increase from pre-Covid times and before the latest cost of living crisis.
- 7.6. Whilst there are enforcement powers available and used by the Council to deal with certain matters associated with long-term empty homes, the most effective way of bringing them into reoccupation does tend to be through working with the owners, and trying to first understand why the home is vacant, and then trying to reduce the barriers so that the home can be reoccupied. This is the approach that this strategy focusses on, and outlines the preferred options that will be considered over time.
- 7.7. The House of Commons Briefing Paper also goes on to say that local authorities should seek funding and allocate resources to help address the issue, including potentially buying and refurbishing these homes, and although this is not a proposal in this strategy, it does highlight the recognition by Parliament of the challenges long-term empty homes do post, and the benefit bringing them back into occupancy can offer.

8. RELEVANT CONSIDERATIONS

- 8.1. The full draft of the strategy is provided in appendix 1 with this report for due consideration.
- 8.2. The strategy outlines the how the Council will target the long-term empty homes with the intention of bringing as many homes as possible back into use. The Environmental Health service already has a staffing resource (0.5 FTE) specific for this work, and the strategy will enable to service to target this resource and the work better towards this objective.

- 8.3. This report requests Members consider the strategy it refers to, and if in agreement, adopt it.

9. LEGAL IMPLICATIONS

- 9.1. Whilst there is no statutory provision requiring the Council to have or adopt an Empty Homes Strategy, the Government has set out the principles encouraging Councils to identify and then reduce the number of long-term empty homes in their district. Provisions in the Council's financial powers allow us to vary the amount of Council Tax payable for empty homes, resulting in a discount for short-term vacant homes covering those pending the completion of house sales and a premium for long-term empty homes in an attempt to encourage the owner to reoccupy them. Identifying the role played by long-term empty homes has also been identified in the draft Housing Strategy 2024-29 and this too highlights the need to reduce their number by returning more back to habitation.
- 9.2. A number of the long-term empty homes also pose a financial draw on the Council's resources, whether through the non-payment of Council Tax or via the accrual of costs incurred mitigating any negative impact they may have. The Council does have a statutory role in reducing the negative impact caused by empty homes, section 12 and appendix C of the strategy details this, and all of these provisions impose some degree of legal implications on the Council.
- 9.3. As the likelihood of empty homes to be present in all wards of the Council is high, and initially outside the knowledge and control of the Council, it has been considered appropriate that all Members be able to consider and contribute to this strategy. As such, it is appropriate that this is presented to Members at Council level. Funding for the administration of this strategy is already in place, but due to the potential financial options available to deliver it, knowledge by Members of these would be beneficial. As such, the strategy is to be presented to Council in due course.
- 9.4. The strategy has been considered widely by those services within the Council and amendments have been made to accommodate the appropriate recommendations forwarded by those services, including legal implications that may arise.
- 9.5. The Terms of Reference of Cabinet at 5.7.1 of the Constitution provides that Cabinet will exercise the following function: "To prepare and agree to implement policies and strategies other than those reserved to Council."

10. FINANCIAL IMPLICATIONS

- 10.1. This strategy outlines the intentions of the Council to work to reduce the number of long-term empty homes in the district, and although it refers to legal obligations under specific legislation, it does not directly identify or impose any additional financial obligations on the Council.
- 10.2. The Council has already approved 0.5 FTE of an officer to facilitate the work required to fulfil the objectives of this strategy, and it is intended that this post will be filled during the year 2024-25.

- 10.3. Due to the recognised negative impact some long-term empty homes have on their communities, regulatory services of the Council may be required to intervene to mitigate the worst of these effects. This intervention costs the Council so any reduction in the number of long-term empty homes is likely to reduce this demand thus reducing the costs to those regulatory services. This would be an indirect benefit of implementing this strategy, although one which would be difficult to financially quantify.
- 10.4. The Council may see a reduction in Council Tax income as long-term empty properties which are currently charged a Council Tax premium, and upon reoccupation this would be lost, but as a number of long-term empty homes also carry a charge owed to the Council of various reasons, this charge is likely to be either repaid, or written off as part of the sale if it is deemed non-recoverable.
- 10.5. Currently, for every house brought into occupancy, the Council receives a New Homes Bonus, which although restricted in what this can be committed to, does allow the Council offset some of its costs. This bonus is likely to be removed entirely, although it is rumoured that an alternative new home incentive may replace this, but that may exclude long-term empty homes being brought back into occupancy from the provision.

11. RISK IMPLICATIONS

- 11.1. This strategy seeks to define how the Council will meet the challenges posed locally by long-term empty homes, especially with respect to trying to bring as many as practicable back into occupancy. Although this has been highlighted as a desirable obligation Councils should strive for, producing and adopting a strategy is not a requirement in itself.
- 11.2. Whether a long-term empty home causes a local nuisance or not is not influenced by this strategy, and similarly, when such a home does pose a potential breach of a statute, e.g., provide harbourage to rats, or allows for the accumulation of household waste even if dumped by someone else, these breaches remain actionable by the regulatory service authorised to act. The presence of an adopted strategy does not influence these interventions.
- 11.3. Long-term empty homes, even where there is no statutory detriment to the area, i.e., they are still well maintained, are known to have a negative impact on a neighbourhood. Whilst this is unlikely to pose a direct impact on the Council, can be a source of dissatisfaction and complaint by local residents, and risk lowering the acceptable standards otherwise present in the community.

12. EQUALITIES IMPLICATIONS

- 12.1. In line with the Public Sector Equality Duties, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2. Given that this policy targets empty homes, and seeks to bring them back into occupation, the status of the owners of these is not taken into consideration, and as such, in regard to this aspect, there are no negative equalities implications.

- 12.3. It is however, recognised that some owners of empty homes keep their homes vacant for personal, psychological or emotional reasons, and where this may be the reason, this strategy highlights the intention to work with current owners to understand their reasoning and for them to bring the property back into occupation willingly.
- 12.4. The benefit of having a greater number of homes available for occupation, including via a reduction in the number of empty homes, is that more people, including those currently homeless will have a greater opportunity for their own home. This strategy therefore has positive implications for this aspect of equalities.
- 12.5. To highlight the equalities impact of this strategy, an equalities assessment is included as an appendix.

13. SOCIAL VALUE IMPLICATIONS

- 13.1. The Social Value Act and “go local” requirements do not apply to this report, although where officers of the Council are able to work with the owners of empty homes, they will take into consideration the foreseeable benefits of using local businesses and advocate these accordingly.

14. ENVIRONMENTAL IMPLICATIONS

- 14.1. Empty homes are recognised as posing, or being able to pose a negative environmental impact, both directly as potentially being a source of local pollution including due to the home deteriorating or offering a dumping site, but also indirectly, in being an unused commodity requiring an alternative home to offer the housing amenities. This strategy seeks to mitigate this impact by bringing as many empty homes back into occupation as practicable.

15. HUMAN RESOURCE IMPLICATIONS

- 15.1 The Council already has in place the funding for a part-time officer to implement this strategy, and by adopting this strategy, this will allow the employment of that officer to deliver the stated aims of this Council to reduce as much as practicable, the number of empty homes. Given that the funding is already in place, the strategy will not pose any initial human resource implications, in its delivery.
- 15.2 As the deleterious impact of empty homes in an area is recognised as placing additional burdens of local regulators, by adopting this strategy, it is foreseeable that the demands posed on the Council by empty homes should decrease, thereby freeing this resource to focus on other matters affecting the respective communities.

16. APPENDICES

- 16.1 Appendix 1 – The North Herts Strategy for Empty Homes
- 16.2 Appendix 2 – The Equalities Impact Assessment

17. CONTACT OFFICERS

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18. BACKGROUND PAPERS

18.1 None presented.