



North Kesteven District Council

Empty Homes Policy 2021 Update

Our Approach to Empty Homes

1.0 Introduction

North Kesteven District Council recognises the importance of bringing empty properties back into use and is committed to this objective. This policy is intended to provide guidance to officers, partners and the general public on the council's work on returning empty homes to use.

This policy sets out the measures the authority will employ to bring empty properties back into use to help meet, the affordable housing and market housing needs which are identified in the 2012-36 Central Lincolnshire Local Plan.

This Policy is primarily focussing on privately owned empty homes that are long term empty. This means homes that have been empty for at least 6 months but with the main focus on homes that have been empty for two years. These two year empty homes have not come back into use with the normal operation of the housing market and are likely to need support or intervention.

However we maintain an interest and oversight of all empty properties in the district including second homes and furnished empties.

1.1 Why it is important to Bring Empty Homes back into use

Not only are empty homes a wasted resource, particularly when considered against the need for housing, these long-term vacant dwellings can have an adverse impact on the local community.

Some of these effects include: community safety issues (e.g. anti-social behaviour and vandalism), unsightliness, environmental issues (e.g. pest and vermin infestations) and reducing the value and ease of sale of neighbouring properties.

By bringing empty properties back into use, the following can be achieved:

- Maximise the existing housing resource
- Increase the provision of good quality, affordable housing
- Minimise adverse environmental, social and local impacts
- Encourage growth, betterment and investment within communities
- Support other corporate priorities, objectives and strategies

2.0 Strategic Links and Council Priorities

Under the 'Our Homes' priority in the 2021-24 NK Plan bringing empty homes back into use is a part of the ambition *"To deliver sustainable housing growth and pursue energy efficient development to meet the current and emerging needs of all our communities"*.

The NK Plan sets out targets relevant to bringing empty properties back into use. These are:

- Bring back into use at least 20 more empty homes annually
- Work with developers to deliver more homes in the District, including at least 100 more affordable homes

Bringing empty homes back into use also supports the 2012-36 Central Lincolnshire Local Plan objectively assessed housing need figure which identifies an overall housing need for 1540 more homes per annum across Central Lincolnshire.

3.0 The Empty Homes issue in North Kesteven

The situation with empty homes is never static as homes are brought back into use and other homes become empty or remain empty for longer periods of time. Government empty homes data released in November 2020 showed that in England there were 268,385 homes registered as Long-term empty. This was a rise of over 42,000 from the previous year which had also seen the first rise in the number of empty homes since 2008.

At the current time May 2021 in North Kesteven there are

- 795 empty private sector homes
of which;

- 409 dwellings are long-term privately owned empty homes (i.e. homes empty over 6 months)
of which;
- 101 empty over 2 years or more

In addition there are empty properties that are not targeted for action to be brought back into use; those owned by the Ministry of Defence and the Crown which are exempt under legislation and derelict properties that have been removed from the Valuation Office residential list and are no longer a dwelling (however other enforcement action may be taken on these if dangerous, infested etc)

The majority of empty homes that have been empty for 6 months or less come back into use within that period of time due to the normal operation of the housing market so are not priorities by the Council .

The Council focuses on 2 year empties which are not likely to come back into use without support and has successfully reduced the levels of 2 year plus long term empty properties which it has concentrated its efforts on resolving, from 130 in 2019 to 101 in 2021.

4.0 Our Approach to Bringing Empty Homes Back into Use

The Council's approach to empty homes can be summarised as:

4.1 Empty Homes Officer

Recognising the importance of returning empty homes to use the Council have an Empty Homes Officer (EHO) whose role is to specifically focus on empty homes and working to return them to use.

4.2 Empty Homes Working Group

As Empty Homes impact on a number of the Council's service areas the EHO is supported by the Empty Homes Working Group (EPWG) which draws together Officers from a range of Council services who come into contact with Empty Homes. These include: _

- Private Sector Housing
- Housing Policy
- Planning Enforcement
- Planning and Planning Conservation
- Environmental Health
- Building Control
- Council Tax

- Community Safety
- Elected Member
- Housing Needs
- Council Housing New Build/Projects including Lafford Homes

Additionally, other officers may attend as needed or as cases develop. These may include:

- Legal services
- Housing Management/ Property Services

The group aims to bring together a range of departments with an interest in housing and whose work includes the issues that can arise from empty homes (for e.g. dilapidation, dangerous structure, infestation, anti-social behaviour). The Group supports the Empty Homes Officer to identify a coordinated approach and mechanisms to bring the property back into use.

In all cases the group will consider the merits and implications of a course of action. This consideration will include;

- Circumstances of the owner and the property
- Actions taken to date
- Other options
- Resource implications
- Risk of action /risk of doing nothing

4.3 Collaboration with Revenues and Benefits Department

The Empty Homes Officer works closely with the Council Tax team as they monitor the overall number of empty homes and the length of time they have been empty.

The numbers of empty homes in North Kesteven are provided on a monthly basis and are produced from Council Tax records (shared in line with section 85 of the Local Government Act 2003).

Homes are empty for a variety of reasons, and subject to varying Council Tax charges. The Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018 allows local authorities to increase the percentage by which a billing authority in England may increase the council tax payable in respect of a long-term empty dwelling. The council tax charges for NKDC are detailed below:

- Empty between 0 and 2 months – 100% discount
- Empty 2 months – 2 years – 100% charge
- Empty 2 years plus – 200% charge

- Empty 5 years plus – 300% charge
- Empty 10 years plus – 400% charge (as from the 1st April 2021)
- In need of structural repair – 75% charge for 1 year
- 2nd homes and furnished empties – 90% charge

In addition properties are exempt for a number of reasons including where the owner is absent to provide care to another person, where the property is in probate, in certain military personnel posting or where the owner is in hospital or in a care home either as a permanent or temporary resident.

Therefore the Empty Homes Officer will investigate properties to establish if we have been correctly notified by the owners about the status of the property. Whilst Council Tax have overall responsibility for notification of changes to charges, the Empty Homes Officer also proactively contacts empty homes owners to advise about potential future increases in Council Tax charging and whether there is any assistance that can bring the home back into use before the increased charges come into force.

5.0 Measures to bring properties back into use

The Council's approach to bring homes back into use is based on four components comprising a staged approach and an ongoing awareness raising programme. This is set out in more detail below:

- **Identification** – proactively investigating and responding to referrals to understand where our problematic long term empty properties are located and who owns them.
- **Support** – developing a package of support for empty home owners to encourage them to bring homes back into use.
- **Taking action** – where providing support has failed, taking appropriate enforcement action to ensure the home is brought back into use.
- **Raising awareness** – ensuring residents, businesses, stakeholders and empty property owners know what they can do and who to contact if they are aware of, or own an empty property.

5.1 Stage One: Identification

Empty homes are identified through:

- Council Tax records
- Referrals from the public via telephone, email, website or post
- Referrals from Parish/ Town Councils
- Owner referrals
- Referrals via other departments within the Council (such as Environmental Health or refuse collection team)

In the first instance an external visual inspection of the property is carried out to determine if the property is actually empty and to assess its impact upon its local community.

All new 2 year plus long term empty properties once inspected and confirmed empty are brought to the Empty Property Working Group for discussion and assessment of options.

5.2 Stage Two: Support for Owners

Our aim is always to provide advice and assistance to the owner to bring the empty home back into use by utilising whichever mechanism suits the particular circumstances of each empty property. For example this could be helping the owner to sell the property, advice and assistance on renting out the homes or identifying what is necessary for the reoccupation of the property by the owner.

Equally it is important the owner is made aware of any issues with the appearance and condition of the property that require actions, such as overgrown gardens, rodent infestation or other nuisances.

Initial contact with the owner is made by letter, employing a three stage template letter process. If no response is received within 28 days of the third letter, the property will be evaluated for potential enforcement action if necessary,

- Support for owners includes:-
 - VAT reduction or exemption for empty 2 year and 10 year properties where owners are refurbishing the property to either rent, sell or living in themselves.
 - Arranging and preparing Schedules of Works inspections to ensure properties are free of category 1 and 2 hazards as described in the Housing Act 2004 to ensure properties will be safe to occupy
 - Arranging pre-planning meetings and assessments for building control approval for proposed works/refurbishments
 - Advice on becoming a landlord or providing information about long term leasing either privately or with the Council's Housing Team
 - Advice finding local estate agents, property auctioneers and online sales websites
 - Advice on managing and employing trades people and building companies to undertake works at their property
 - Since July 2020, the Empty Homes Officer has been working in partnership with E.ON Energy - Empty Homes Solution Team, who offer empty homes owners a property assessment and secure contractor quotations for the necessary works to bring a property back into use as

well as overseeing the delivery of contracted works if the owner chooses to proceed.

5.3 Stage 3 Taking Action

Where the owners are not willing to engage proactively with the Council and the Empty Property Working Group agree that the property and any issues of concern are unlikely to be dealt with voluntarily, the Council will consider taking enforcement action.

There are a wider range of enforcement actions with issues associated with empty homes such as requirements to tidy up the exterior of the property, ensure the building is safe etc

These powers and procedures for the Council include:

- Town and County Planning Act 1990 – section 215
- Planning and Compulsory Purchase Act 2004
- Historic Buildings and Conservation Areas Act 1991
- Building Act 1984 – section 76-80
- Housing Act 2004 – Parts 1-4
- Local Government Act 2003
- Local Government (Misc. Prov) Act 1982
- Local Government Act 2000
- Prevention of Damage by Pest Act 1949 – section 4
- Environmental Protection Act 1990 – Part 2 and section 80
- Anti-Social Behaviour Act 2003 – Part 1

Possible enforcement options include:

- Serving notices such as Section 215 to undertake works to improve the appearance of the property's garden
- Requiring works to be undertaken to the property to ensure it is secure and not dangerous
- Enforced Sale or Order for Sale Procedure
 - Generated due to:-
 - Prosecution leading to a charge against the owner and property
 - Works in Default that have been undertaken by the Council to ensure the property is safe leading to a charge against the property and owner to recover the expense of the work
 - Non-payment of Council Tax

- Compulsory Purchase Orders
- Empty Dwelling Management Orders

Appendix Two provides a flowchart for the potential enforcement actions that may be taken on empty homes by the respective teams that attend Empty Homes Working Group.

5.4 Ongoing Activity: Raising Awareness of Empty Homes

The Empty Homes Officer seeks to raise awareness of the empty homes issue and advise how the Council can assist. This process includes:

- Contact with Town and Parish Councils requesting information on any empty homes issues within their locality
- Publicity about empty homes activities in local media
- Enhanced publicity during national Empty Homes Week which seeks to spotlight the issue across the country
- Annual reviews which include mail outs, phone call or site visits as required. These are intended to identify homes which are no longer vacant, and to promote the support the council is able to offer.
- Referrals and complaints can be received via numerous mechanisms. Referrals are investigated by the Empty Homes officer, and any concerns identified.
- Referrals are sometimes anonymous, and as such no update can be given, however referrals made by neighbours or local residents affected by the empty home are kept up to date regarding progress in line with the General data Protection Regulations.

6.0 Action Plan for Empty Homes

This is an ongoing action plan setting out the activities the project is undertaking to bring empty homes back into use.

1 Identification Activities

- 1.1 Maintain a database of empty homes with owners details, details of the property, including images and what action the Council has taken or is considering.
- 1.2 Provide information for Officers and Council members on how to identify a potential empty home and the means of notifying the Empty Homes Officer.
- 1.3 Provide information to NK residents via website and other NK media outlets on how they can report empty properties to the Authority via email and telephone
- 1.4 Hold monthly Empty Homes Working Group meetings where team members from across the authority can meet to discuss Empty Properties and the actions they are taking within their departments and provide coordination for future actions
- 1.5 Use council tax information to assist in identifying long term empty homes
- 1.6 Plot properties on to a map of the district to provide a visual aid to identifying clusters or trends in empty properties within the district
- 1.7 Provide regular updates on the work of the Empty Homes to Council members and Parish Offices via mail shots or email reports.

2 Support Activities

- 2.1 Contact owners of all long term empty homes on the anniversary of the property becoming empty for 2 years (the three letter approach) with a questionnaire for them to return for more information about their empty property, their plans for it and any support that they may need from the authority to bring the home back into use
- 2.2 Promote the empty home premium council tax rates to encourage owners to take steps to bring empty homes back into use
- 2.3 Maintain a list of interested parties who wish to buy empty homes in the area
- 2.4 To investigate and provide possible grants/loans to empty property owners to bring homes back to a satisfactory standard for habitation
- 2.5 Provide advice identifying the options available to the property owner on how to let a property; how to sell and information on how to renovate a property, including the VAT exemptions

2.6 Identifying external agencies and companies such as E.ON, that could assist an owner with the letting, sell or renovating of an empty home

2.7 Signpost owners to other Council services like planning and building control

2.8 Develop a communications plan to ensure appropriate information is made available throughout the action plan period

2.9 To identify potential properties for use under a lease scheme to provide accommodation for people on the housing register

3. Enforcement Activities

3.1 Take appropriate and proportionate enforcement action regarding the most problematic empty homes.

3.2 Advise officers of the Empty Homes Working Group in identifying which empty homes require action, and agree what action should be taken

3.3 The Empty Homes Working Group to utilise appropriate powers to deal with anti-social behaviour issues caused by long term empty homes

4. Awareness Activities

4.1 Undertake mail out of all Town and Parish Councils annually

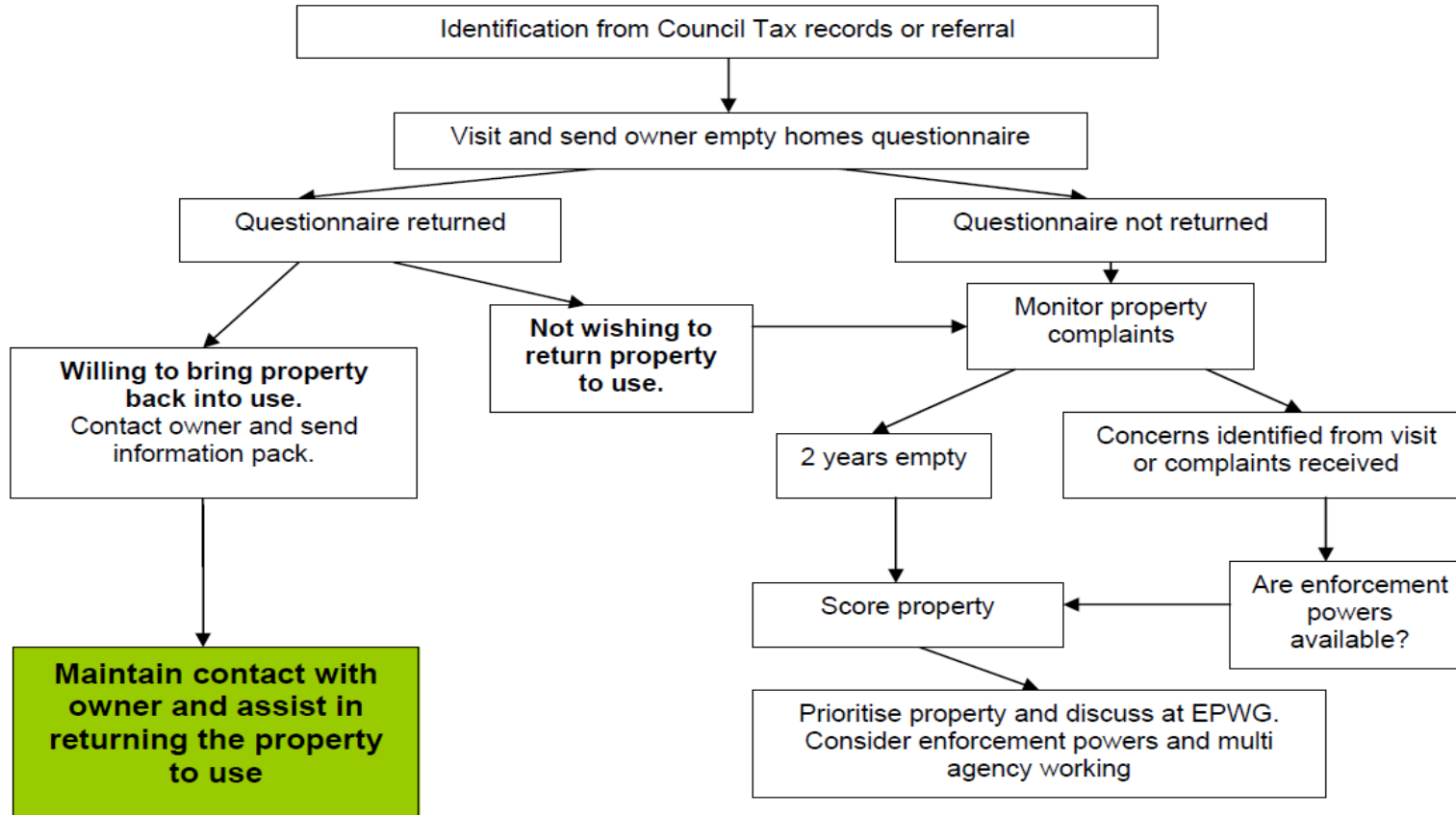
4.2 Develop communication links in Parish Clerks within the Authority

4.3 Develop a communications plan with support from the comms team

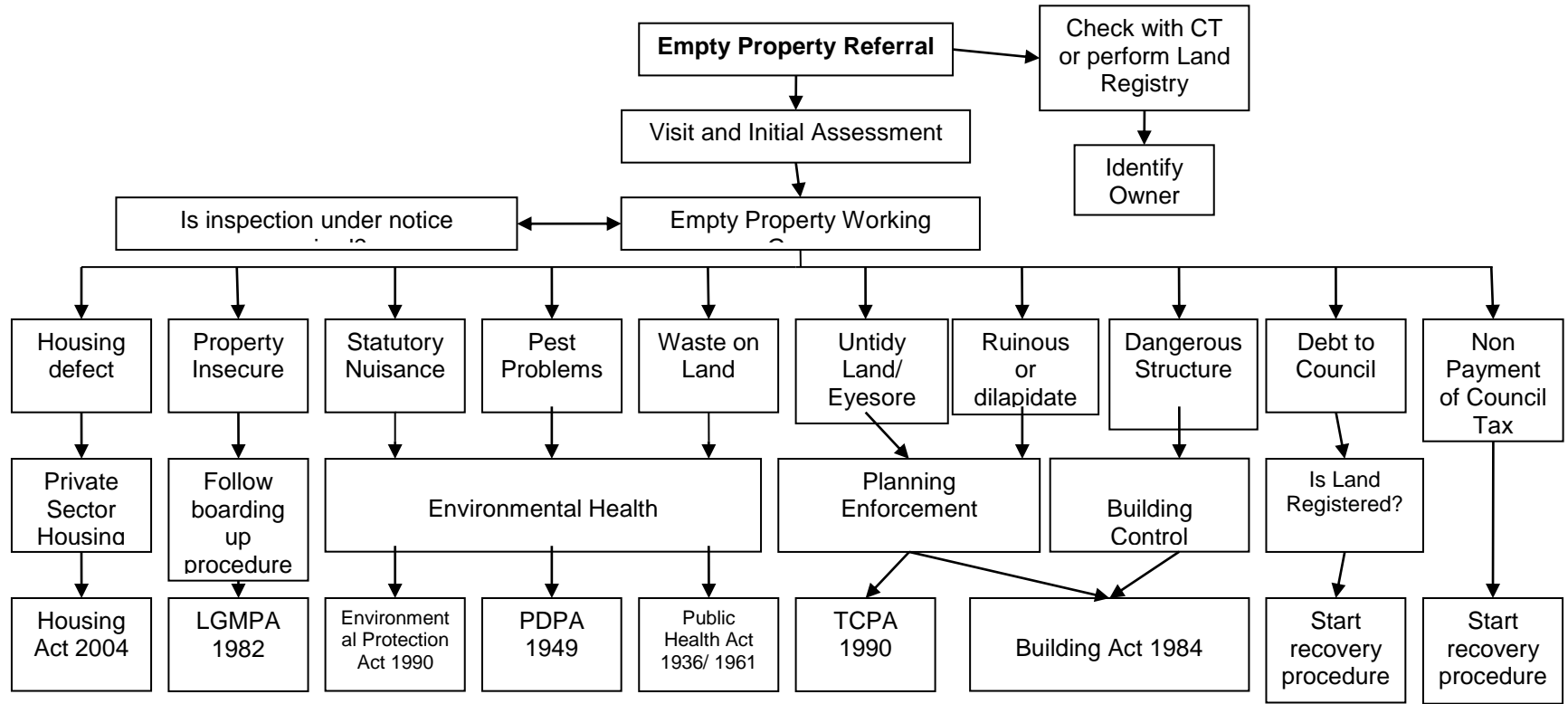
4.4 Review and improve the on-line empty homes notification form with clear precise information so it is easier to report a suspected empty property

Appendix One Flowchart Identification to Action

Flow chart tracking identification to action



Appendix Two Flowchart of Potential Enforcement Actions



Last Resort Options

