

Briefing Note Empty homes

The Government encourages local authorities to create more new homes, either by facilitating new builds or bringing long term empty properties back into use. The New Homes Bonus Scheme Grant Determination commenced in April 2011, and will match fund the additional council tax raised for new homes and empty properties brought back into use, with an additional amount for affordable homes, for the following four years. Below shows Swale's income derived during last three years.

	2014/15	2015/16	2016/17
New Homes Bonus	£'000s	£'000s	£'000s
Net additions to housing stock excluding empty homes	360	416	657
Empty homes brought into use	114	101	-47
Total for housing units	474	517	610
Affordable homes premium	32	25	51
Total New Homes Bonus	506	542	661
2014/15	506		
2015/16	506	542	
2016/17	506	542	661
2017/18	506	542	661
2018/19		542	661
2019/20			661

The Scrutiny Committee made a number of recommendations in January 2013.

R1: The council's Private Sector Housing and Council Tax teams should work more collaboratively and ensure effective sharing of data on empty homes.

The private sector housing and council tax teams are now under the same Head of Service which has enabled closer working. The sharing of data still remains a challenge and it has not been possible, as yet, to resolve the IT issues. Therefore it remains a labour intensive exercise to update data.

R2: *The council should explore the opportunities to fund additional resources to bring long term empty homes back into use through the New Homes Bonus.*

No additional staff resources have been put into this. The council does not have a dedicated empty home officer. However, empty homes does remain a priority within the private sector housing service plan and the target to bring empty homes back into use has increased each year and has been met despite challenging external conditions. The Revenues team have used an external company to carry out a review of our empty properties in 2014/15 and 2015/16. This resulted in 117 residents informing us that their properties were now occupied. As the council now charges council tax after a property has been empty for 1 month residents do not always inform the council tax section when they have moved into a property. The reviews ensure our records are up to date. If the reviews had not been carried out the council would have received a lower amount of New Homes Bonus.

Year	Target	Actuals
2013-14	50	84
2014-15	65	86
2015-16	70	71

R3: *The council should continue to tackle empty homes on a proportionate basis using the range of advice, incentives and powers as appropriate.*

The Council continues to encourage owners to return homes by a variety of ways as illustrated below.

R4: *The council take account of this report and implement recommendations 1, 2 and 3.*

How empty properties are brought back into use

Properties are brought back into use by a mix of persuasion, advice and enforcement under a range of statutory Acts. The Private Sector housing team work closely with With colleagues in council tax who pass on details of long- term empty homes (6months+)

An officer from the private sector housing team endeavours to make contact with the owner to see if they can help return the property back into use. Sometimes this can be difficult because the only known address of the owner is the empty property itself. Attached is a copy of the flyer that is sent to the owner or sent to the empty house to encourage them to contact the team.

Council tax also periodically carries a review of the empty properties to check the properties remain empty and to seek their intentions with the property. Members have agreed to surcharge owners of empty properties that have been empty for more than two years. This equates to a 150% Council Tax.

Financial incentives to owners

Swale is part of the Kent wide partnership offering No Use Empty loans to help pay for the renovation costs needed to bring a property back into use. The scheme is run in partnership with Kent County Council who offer loans of up to £25,000 to owners to help renovate their property. The properties must be sold when completed (Maximum 2 years loan) or if let after three years.

Encourage sale

If owners are not interested in renovating the home, they are encouraged to sell the house. Reduced auction fees have been negotiated with Clive Emson Auctioneers (1.5% instead of 3%). The Council is also willing to consider voluntary purchase with a view to selling on once the Council has carried out essential works needed to remove any nuisance. The Council also has a list of existing landlords/developers interested in acquiring long term empty homes and the Council can put the owner in touch with them.

Encourage rent

The housing options team can advise owners on renting out their homes and can assist in providing tenants which can prevent homelessness and discharge the homelessness duty.

Enforcement action

The principal statutory enforcement powers available are set out below: These powers are dealt with across a number of council departments.

- Housing Act 2004 - enforcement action for housing safety or repair where HHSRS Cat 1 or Cat 2 hazards exist.
- Town and Country Planning Acts 1990 - sec 215 enforcement action to remedy property issues detrimental to a neighbourhood
- Local Government (Miscellaneous Provisions) Act 1982 - action to board up or secure properties
- Empty Dwelling Management Orders sec 134 HA 2004 - give power to local authority to take over the management of the property
- Building Act 1984 – sec 77 & 78 Serve notice on dangerous or dilapidated buildings
- Environmental Protection Act 1990 - action on rubbish accumulations and nuisance.
- Prevention of damage by Pests act 1949 – action to control rodent infestations
- Enforced Sale sec 103 Law of Property Act 1925 – recover local land charges or debts to the Council
- Compulsory Purchase Orders sec 17 HA 85 - allow Council to purchase long-standing underused homes and bring back for housing
- Compulsory Purchase Orders sec17 TCPA 1990 - allow Council to purchase to allow improvements/redevelopment
- Public Health Act 1961 –section 34 to remove waste from the garden

Government guidance makes clear enforcement action is to be taken as last resort and there are a number of restrictions in place to protect civil liberties e.g. Empty Property Management Orders can only be taken if a property has been empty for two years and there are a number of exemptions such as no action may be taken if the owner can demonstrate he is attempting to sell the property.

