



**REPORT of
DIRECTOR OF PLANNING AND REGULATORY SERVICES**

**to
OVERVIEW AND SCRUTINY COMMITTEE
14 FEBRUARY 2018**

TACKLING EMPTY HOMES

1. PURPOSE OF THE REPORT

- 1.1 To propose a variation to the Council's approach in tackling empty homes.

2. RECOMMENDATIONS

- (i) That the Council should amend the way that it monitors the level of empty homes by showing this as a percentage benchmarked against regional and national averages; and
- (ii) More attention should be given to those properties that have been empty for the longest periods in particular those that are abandoned and may not be classified as 'empty homes' by some definitions.

3. SUMMARY OF KEY ISSUES

- 3.1 The Council has made good progress in tackling empty homes over the last decade, defined as those that have been empty for six months or more and are not second homes or buildings that have been abandoned and become derelict. The majority of empty homes that are now being recorded and dealt with are those that are still within the housing market but may be delayed from being brought back into use due to issues such as probate, renovation or owners just taking time to decide whether to sell or rent. Officers have looked at recent performance and reviewed recent studies and good practice to see if there is more that could be done. A copy of the Empty Homes Agencies report from 2016/17 is provided as a background paper to this report.
- 3.2 Experience of the Council reflected by regional trends is that the number of empty properties has reduced throughout the East of England with the exception of some local 'hot spots'. In comparison with other areas, the Maldon District has below average numbers and percentages of empty and long-term empty homes according to the Empty Homes report. Although the number of homes being brought back into use has declined from year to year recently, looking at this current year, so too has the number of empty properties. It is therefore misleading to see a reduction in the number of homes being brought back into use as the complete picture of activity and level of empty homes in the District. Reporting the number as a percentage against the regional or national average is a better indication of performance in comparison with

other local authorities and would also indicate the extent to which the level of empty homes are becoming a problem as opposed to being within expected levels.

- 3.3 The number of empty homes being reported comprises two elements: the majority which although empty for more than six months are unlikely to remain empty for significantly longer periods, especially with encouragement from the Council, and a much smaller number that have been empty for much longer periods, in some cases more than 10 years. Another aspect mentioned in the Empty Homes report is the distinction between properties that are recorded as being 'empty' using Council Tax definitions and homes that are empty but may not be recorded as such because they are second homes, derelict or abandoned. To the public, such distinctions are immaterial, a property that is empty and abandoned can be a cause for concern to the local community irrespective of whether or not Council Tax is liable, it is a second home, or deemed to be derelict.
- 3.4 Although it is only a minority of properties that fall into this category, these are the type of buildings that can attract most attention. It is therefore proposed that more active work is directed towards enforcement against owners whose properties are abandoned, derelict and are likely to be beyond economic repair to bring these buildings back into use as homes. In most cases these will also be properties whose owners have failed to engage with the Council or at most, showed little intention of addressing the problems caused by their buildings being empty for such long periods.
- 3.5 Officers will continue to work with owners of homes that remain empty beyond six months, targeting advice and support to those where they remain unoccupied beyond a year as in practice we have found that this is the sector where early intervention can be most effective. Preparing to take enforcement action against those buildings that have been empty for the longest periods would also send a clear signal to all owners that the Council is prepared to take action should owners fail to take responsibility for their property in the longer term. This may help encourage some other owners to take more seriously the Council's requests to cooperate in making best use of existing properties and accept offers of help and advice.
- 3.6 The powers of enforcement that could be used vary depending on the particular nature of the problems a property is causing and can include the need to meet housing demand, risk of harm, appearance and impact on the neighbouring community.
- 3.7 Officers would create a matrix for the assessment of all properties that have been empty or abandoned for more than five years, taking into account for example the number of complaints, location and risk, in order to objectively prioritise those that should be considered for possible enforcement action. It is possible that in some cases, the owners lack capacity or ability to deal with their properties, in these cases the preparation for enforcement would highlight this and help them get additional help and support to manage their affairs. In other cases, notification of the fact that enforcement is being considered may be incentive to deal with the problem.

4. CONCLUSION

- 4.1 The proposal to give more attention to abandoned properties would be a sensible way to escalate action taken to bring empty homes back into use in a proportionate way,

directing resources to those buildings that are likely to cause most concern to local residents even if they are not technically defined as ‘empty homes’.

- 4.2 Current performance in bringing empty properties back into use is as good if not slightly better than most other local housing authorities in the region, suggesting that there is little need to significantly alter the way that the Council is dealing with most cases but it is concerning that despite these improvements, there has been hardly any change to those that have been empty for the longest time. Developing a policy for tackling homes that have been abandoned highlights the fact that this cuts across the conventional split between ‘empty homes’ and ‘second homes’ and is about targeting those buildings that are not only empty but falling into disrepair through neglect and a dereliction of the owners’ duties.
- 4.3 Preparing to move towards enforcement to tackle the owners of these buildings also highlights the Council’s intention to support responsible property owners and landlords and address matters that are a concern to local communities and tenants. Preparing for enforcement action will help build capacity and ability to also address other matters such as rented properties that fall into disrepair and poor standards of property management at all levels, improving the overall condition of the District’s housing stock and the quality of housing for local residents.

5. IMPACT ON CORPORATE GOALS

- 5.1 Protecting and Shaping the District – empty properties in a state of disrepair has an impact on the surrounding area.
- 5.2 Creating opportunities for growth and prosperity – providing housing, including the building, renovation and repair of homes, creates opportunities for employment and has been shown to have a positive effect on the local economy.

6. IMPLICATIONS

- (i) **Impact on Customers** – local residents will benefit from seeing the removal of abandoned homes which blight local areas.
- (ii) **Impact on Equalities** – in some cases, homes may be abandoned because the owners lack the ability or capacity to manage their property responsibly. If this is found to be the case, appropriate steps can be taken through the process of planned enforcement to help others provide help assistance to vulnerable owners managing their estate.
- (iii) **Impact on Risk** – the Council could be held accountable for failing to take appropriate action should a building fall into serious disrepair and create a risk of harm or nuisance.
- (iv) **Impact on Resources (financial)** – there would be a financial cost in taking enforcement, this varies dependent upon the actual process but in some cases, such as works carried out in default, these costs can be recovered either from the owner or from the estate itself.

- (v) **Impact on Resources (human)** – this would require additional officer time; the assessing and prioritisation of properties can be done within existing resources as could the basic preparation prior to enforcement. A decision would then need to be made by managers and the Director as to the most effective way to resource the final stages.
- (vi) **Impact on the Environment** – tackling abandoned homes has a positive impact on the environment and if successful in bringing buildings back into use or providing sites for alternative housing, this can also provide a sustainable way to meet housing need.

Background Papers: Empty Homes in England (2016) Empty Homes / Cobweb Consulting

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