

<b>Committee(s):</b> Environment, Enforcement & Housing Committee	<b>Date:</b> 20 September 2021
<b>Subject:</b> Empty Homes Strategy	<b>Wards Affected:</b> All
<b>Report of:</b> Greg Campbell, Corporate Director (Environment & Communities)	<b>Public</b>
<b>Report Author/s:</b> Name: Greg Campbell, Corporate Director (Environment & Communities) Telephone: 01277 312738 E-mail: greg.campbell@brentwood.gov.uk	<b>For Decision</b>

### Summary

The current Empty Homes Strategy expired in 2020 and an updated document and delivery plan is required to take forward action in this area.

The Council can have anywhere from between 300 to 450 empty homes at any one time. Many of these are in transition from being moved into, redecorated, rebuilt etc. The aim of this strategy is to have a process in order to tackle the longer term empty homes and create a path to bring them into occupation.

An updated strategy document (Appendix A) and delivery plan (Appendix B) have been created based on good practice.

### **Recommendations**

**Members are asked to:**

**R1. Approve the Empty Homes Strategy and action plan.**

**R2. Approve the recruitment of a part time empty homes officer**

### Main Report

#### **Introduction and Background**

The current Empty Homes Strategy expired in 2020 and this paper brings before members an Empty Homes Strategy for agreement (Appendix A).

The council has a general obligation to consider the provision of housing in its area, The provision of an appropriate Empty Homes Strategy assists in fulfilling this obligation.

The Council can have anywhere from between 300 to 450 empty homes at any one time. Many of these are in transition from being moved into, redecorated, rebuilt etc. The aim of this strategy is to have a process in order to tackle the longer-term empty homes and create a path to bring them into occupation.

Until recently the responsibility of chasing and pursuing the re-occupation of empty homes fell on Environmental Health officers as another part of their role. This has proved difficult to progress because of the number of competing priorities these officers have and therefore although some action has been taken it has not proved successful so far. The Council is therefore seeking to recruit the services of an empty homes officer (part time) to take on the delivery of the strategy.

### **Issue, Options and Analysis of Options**

The present process was reviewed not only because it had expired but also to consider how the strategy can assist to facilitate bringing longer term empty homes back into occupation.

We work with our Revenues and Benefits Service in the initial stages of the process who undertake the following initial intervention work:

- A monthly list that provides information on the empty homes is created which includes information on:
  - those which have been empty for 6 months to 2 years,
  - those over 2 years and
  - those which are empty and unable to be filled (Class D).
  - This list also contains information as to why the properties are empty.
- undertake initial reviews and site visits including empty home spot checks.
- credit checks are undertaken to see if they are in operation and
- letters of intent are sent to the owners.

To assist, a snapshot of the empty homes information that Revenues and Benefits provide is listed below. Considering the figures provided and looking at the highest figure of 412 empty homes in March 2021, this represents 1.2% of homes in Brentwood based on 33,000 homes and of these 0.86% are between 6 months and 2 years. And only a small percentage 0.33% of these homes in Brentwood are over 2 years.

	As @ 15/03/2021	As @ 21/05/2021
Empty for between 6 months and 2 years	286	266
Empty for more than 2 years	108	113
Empty and uninhabitable	18	17
<b>Total</b>	<b>412</b>	<b>396</b>

In order to keep the figures low the work undertaken by revenues and benefits is listed below. The sample used is from the week of 17/05/2021 - 21/05/2021.

- visited **478** identified empty properties (including those under 6 months).
- In doing so they confirmed that 248 remained empty,
- there were **172** which could not be established as to whether they were empty or not
- so further investigations would take place including credit reference checks and letter of intention sent.
- **58** of the properties visited were identified as occupied and canvass letters sent to capture the residents/owners details as well as credit reference checks for these if required.

Empty property visits are carried out every 4 to 6 weeks as well as ad hoc when required. The Revenues & Benefit Team manage the administration of this function, including all post, evidence, phone calls, emails and referrals to the Valuation Office Agency.

Further it should be noted that many of these empty homes continue to pay their Council Tax which increases over a period of time above the normal rate. Some of this Council Tax increases from 100% to 300% and it should be noted that empty property owners continue to pay this inflated amount.

However, of concern are those properties which remain empty for long periods without any occupation or sign of occupation and it is this area the Council will be seeking to tackle through the Strategy and the action plan. In doing so the Council are engaging the services of a dedicated resource for six months on a part time basis to work on the long-term empty homes action plan. This officer will pick up the process after initial work by Revenues and Benefits which will include a tasking group who will determine initially which empty properties to pursue based on time, location and effect on local area.

The following table taken from the proposed strategy identifies the work subsequently from this point.

Objective	Action
<p><b>Identify and prioritise empty properties</b></p> <p><b>Provide advice and support</b></p>	<p>Target empty properties based on the length of time they are empty. Owners are identified and the reason why the property is empty is established.</p> <p>Advice and assistance is provided to the owner to establish the most appropriate course of action to bring the empty property back into use. Where available grant funding can be sought to improve properties so as to bring them back into use.</p> <p>Identify and prioritising empty properties.</p>
<p><b>Monitor property owners' actions</b></p> <p><b>Use of Enforcement Powers</b></p>	<p>Empty domestic properties are monitored to ensure they are maintained so as to avoid detriment to the neighbourhood and where feasible are brought back into use.”</p> <p>Where other interventions have failed, enforcement action is considered and taken where appropriate to ensure the property is brought back into use.</p>

If the process goes as far as Enforcement Action the options available include, but are not limited to:

- **Enforced Sale** – Allows the council to force the sale of a property to recover debts owed to the council that are registered as a charge on the property.
- **Empty Dwelling Management Orders (EDMO)** – Enables the council to secure occupation and responsible management of some privately owned house and flats that have been empty for two years or more.
- **Compulsory Purchase Orders (CPO)** – Enables the council to purchase and sell an empty property for the purpose of providing housing accommodation or facilities connected to housing accommodation.

*(this is not an exhaustive list and other actions are identified in the proposed strategy at Appendix A)*

The dedicated resource will take the process to the legal stage at which point a decision will need to be taken as to whether to pursue or not, taking into consideration

the impact of bringing the property back into occupation, likely outcome of legal action and the cost of legal action.

The Strategy is before members to approve and includes information on when performance will be brought back to this committee for review.

## **Consultation**

Consultation has been undertaken with:

- Section 151 Officer
- Revenues and Benefits Service
- Environmental Health

## **Implications**

### **Financial Implications**

**Name/Title: Jacqueline Van Mellaerts, Corporate Director (Finance & Resources)**  
**Tel/Email: 01277 312500/jacqueline.vanmellaerts@brentwood.gov.uk**

There is currently no budget provision available for a part time officer to deliver this strategy. However, since 2020/21 a Council Tax levy has been applied to long term empty properties. This income is received in the collection fund and Brentwood's surplus/deficit is transferred to the general fund at the end of the following year. With the properties currently being charged this levy, it is expected the Council will collect approximately £134k as the billing authority and Brentwood's share will be approximately £15k. This income could be used to fund the part time officer that has been requested to deliver the strategy. Additional enforcement and legal costs will expect to be spent as part of this initiative, which would be monitored as part of the Council's budget monitoring processes, from existing budgets. A new Job description will be required and undergo a evaluation process to understand the salary grade of the position required.

Although the levy income will reduce the more long term empty properties are turned back into useable housing, the Council Tax base would increase, therefore attributing more Council Tax Income for the borough.

Reduction in long term empty properties will also have an increase in New Homes Bonus funding, however this scheme is subject to change and is currently only being renewed on a 1 year settlement.

### **Legal Implications**

**Name & Title: Amanda Julian, Corporate Director (Law & Governance) and Monitoring Officer**  
**Tel & Email: 01277 312705/amanda.julian@brentwood.gov.uk**

Local authorities are not under a duty to prepare an Empty Homes Strategy, irrespective of tenure. By having a strategy, we can provide a framework of how we deal with empty homes.

### **Economic Implications**

**Name/Title: Phil Drane, Corporate Director (Planning and Economy)**

**Tel/Email: 01277 312610/philip.drane@brentwood.gov.uk**

It is important that the Council reduce the number of empty homes in the borough as much as possible. Fewer empty homes will result in more homes being occupied and those people contributing to the local economy. This will assist with the levels of growth required in the borough for new homes, as was a topic of discussion at recent Local Plan examination hearing sessions.

**Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

### **Background Papers**

#### **Appendices**

Appendix A – Draft Strategy Document

Appendix B - Delivery plan