

Teignbridge District Council

Committee name Overview and Scrutiny and Executive

Meeting date 22nd June 2021 and 5 July 2021

Part i

Report Title EMPTY HOMES POLICY

Purpose of Report

To advise the committee of the work being carried out by the Authority on Empty homes and to consider the draft Empty homes policy (Appendix A) and make comment on issues, or actions that have been proposed as part of this work.

Recommendation(s)

The Committee RECOMMENDS to the Executive that the Empty homes policy (Appendix A) is adopted.

Financial Implications

Please refer to Section 3.1 of the report

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Legal Implications

The policy has been updated to ensure compatibility with the public rights to enjoyment of private property and to meet the policy objectives (i.e. the protection of residential amenity and encouraging the residential occupation of otherwise vacant homes particularly in areas of housing need).

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Risk Assessment

See attached Equality Impact Assessment (Appendix B)

Environmental/ Climate Change Implications

Environmental implications associated with developing policies to reduce empty homes in Teignbridge may be influenced by a number of factors including: the impact of empty homes on the demand for new accommodation, the impacts of building neglect on increased maintenance requirements, carbon emissions arising from enforcement (increased travel etc.) and whether or not homes continue to consume energy when empty.

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Appendices/Background Papers

1. Introduction

- 1.1 The Council recognises the importance of returning empty homes back into use through its contribution to the Councils Teignbridge Ten programme "A roof over our head" and its recently adopted Housing Strategy 2021-2026. It also recognises the importance of reducing the number of empty homes to maximise income from New Homes Bonus (NHB). Performance is reported on the number of empty homes impacting on NHB and the number of long term empty homes brought back into use through the Councils intervention.
- 1.2 The Empty homes policy deals with homes that have been empty and details the aims and objectives to reduce long term empty homes and an action plan of how these objectives will be met.
- 1.3 Working collaboratively, several departments, including Council Tax, Environmental Health, Planning, Building Control all play a role in bringing empty homes back into use.

2. REPORT DETAIL

- 2.1 Homes may become empty for a number of reasons and in most cases this is a short term or temporary situation, for example awaiting sale or letting or to be renovated prior to occupation. The financial and personal circumstances of owners influences whether the property is brought back into use in a timely fashion. However empty homes are a waste of valuable resource and sometimes can be a source of serious nuisance to those who live near them.
- 2.2 Empty homes are classified by Council Tax depending on why and how long they have been left empty. This includes for example, owners in hospital or receiving care, unresolved ownership matters (usually following the death of the owner), financial matters such as bankruptcy etc. and may be exempt from paying council tax. Appendix 1 of the empty homes policy demonstrates the categories of dwellings which are exempt from Council tax payment.
- 2.3 Owners of unoccupied and substantially unfurnished empty properties receive a discount of 100% for 1 month, followed by 100% Council tax charge.

2.4 Premiums are applied to annual Council Tax charges once properties, falling outside of exemption categories, have been empty for 2 years plus to encourage owners to bring properties back into use sooner, as follows:

- 2 years or more – 100% premium (i.e. twice the annual charge)
- 5 years or more – 200% premium (i.e. three times the annual charge)
- 10 years or more 300% premium (i.e. four times the annual charge)

2.5 It is important to recognise that empty homes work falls broadly within two categories:

- a. “True” empty homes work
- b. New homes bonus work

An empty homes/landlord liaison officer is employed by the Council with 0.5FTE concentrating on empty homes work.

2.6 “True” empty homes work

This work primarily involves dealing with longer term empty homes (more than 2 years). They may not be registered on the Council tax database as they may have been deleted by the valuation office or they may be sufficiently furnished that they do appear on the list for NHB (see below).

There are currently 72 homes that have been empty for 2 years or more, 39 for 5 years or more and 20 that have been empty for 10 years or more; 131 in total. This represents 0.2% of the total housing stock.

Empty homes may be reported from various sources such as neighbours etc. and through a risk based approach the empty homes officers prioritises a “top 20” empty homes to deal with.

Normally these properties require more input from the Council to help bring them back into use and adopting a zero tolerance policy, formal action is pursued, dovetailed with any appropriate incentives.

Complex, and vulnerable owners, as well as complicated legal ownership normally cause difficulty in securing reoccupation in a timely fashion and a variety of enforcement action is required to be taken. The policy details what action can be taken to support reoccupation.

In the last 2 years, the Council has pursued the following formal interventions

- 16 notices served under the Housing Act to gain entry to an empty home
- 19 – owners assisted with loans/grants to help improve the home for reoccupation
- 8 Liability Orders / Charging Orders pursued through Council tax for unpaid Council tax debts.
- 12 improvements or prohibition notices

- 4 notices served under Town & Country Planning Act for untidy land.

2.7 A variety of formal and informal methods has achieved reoccupation without having to resort to more lengthy, time consuming and costly options such as Compulsory Purchase Order, Empty Dwelling Management order and Enforced sale but the threat of these options in some cases have secured reoccupation.

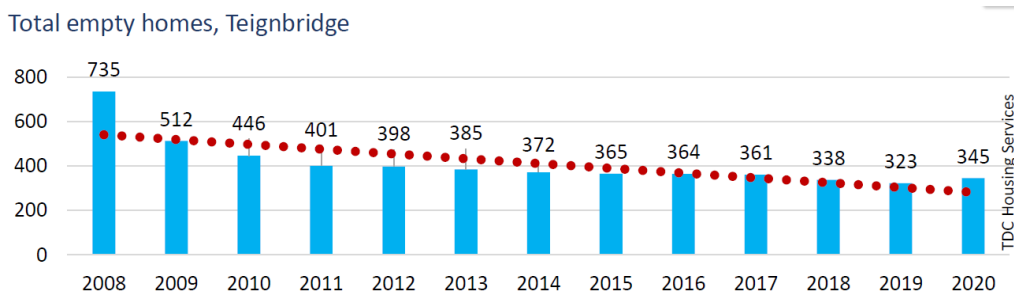
2.8 New Homes Bonus (NHB)

The number of empty homes in Teignbridge impacts on the income that Teignbridge receive from NHB. This involves an extensive exercise of “cleansing” Council tax data so the number of certain classes of empty homes (C, CPrem5 & CPrem5 classes – unfurnished and empty for 6 months or more) are at its lowest at a certain time of the year, usually the first week in October.

2.9 There is a natural churn of properties that move from un-occupation to occupation through, for example the sale or letting of a property. NHB work requires ongoing contact with owners, estate agents/letting agents, valuation office etc. to ensure only those that are physically empty on that date are recorded. Where appropriate Council Tax class changes will be implemented. Because of the importance of the income that this generates for Teignbridge District Council, all empty homes resources within the Housing and Council tax Department are concentrated on this work from July to October to ensure that this number is as low as possible.

2.10 As this is a “data cleansing” exercise it does not necessarily deal with those properties which are “true” empty homes but the importance of this work is recognised as an income generator for the Council.

2.11 Since 2008 the number of empty homes in Teignbridge has steadily reduced from 735 to 345. A slight increase occurred in 2020 due to the impact of the pandemic and house sales/rent movements.



Going forward a government consultation has recently sought the views on the future of the New Homes Bonus, from 2022/23 onwards, including whether the number of empty homes should influence this funding stream.

3. Implications and Risk Management

Committee
Date of meeting

3.1 **Financial** - Whilst it is acknowledged that new homes bonus work is a data cleansing exercise the importance of this work to maximise income for the Council is recognised. This work will continue in 2021/22 and will be reviewed following any Government announcement of any changes to this funding.

3.2 **Legal** - Whilst there are many tools that are available to assist with indirectly bringing a home back into use, it is recognised that options such as compulsory purchase, empty dwelling management order etc. may have a financial implication for the authority on bring these properties back into use. Where all other avenues have been explored a Member decision may be required to pursue these options if there is a cost implication for the authority.

3.3 **Risks** – The risk involved in not having a clear empty homes policy is that the number of empty homes in Teignbridge would increase impacting on income generated through new homes bonus. Long term empty homes would remain empty reducing the number of homes available in Teignbridge and complaints to the Council would increase.

4. **Conclusion**

4.1 Whilst it is recognised that most empty homes can be brought back into use through assistance and direction from the Council it is acknowledged that there are several long term empty homes that require more formal intervention from the authority and through the Councils empty homes policy and working collaboratively across Council departments appropriate action will be taken to secure reoccupation.