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# Empty Homes Strategy 2021–2026

Housing and Social Inclusion

# Introduction

This strategy sets out the steps Southend-on-Sea Borough Council will take to reduce the number of empty homes in the borough, maximise the re-use of empty homes and tackle issues surrounding empty homes.

The Council is strongly committed to reducing the number of empty homes, facilitating and assisting the creation of good quality and affordable homes in the borough and to making best use of existing housing stock.

Working in partnership with empty property owners, residents and partner agencies is integral to the successful delivery of the strategy.

This strategy seeks to support Southend 2050 'Safe and Well' and 'Active and Involved' visions by contributing towards:

- People in all parts of the borough feel safe and secure at all times.
- We are all on our way to ensuring that everyone has a home that meets their needs.
- A range of initiatives help communities come together to enhance their neighbourhood and environment.



The strategy also seeks to support and complement the Council's [Housing, Homelessness and Rough Sleeping Strategy 2018–2028](#), in particular to 'prioritise the supply of safe, locally affordable homes' and 'encourage good quality housing design, management and maintenance'.

This strategy sets out three key aims and associated actions which will help the Council continue to bring empty homes back into use. Working in partnership with empty property owners, residents and partner agencies is integral to the successful delivery of the strategy.

Councillor Ian Gilbert

Leader of the Council and Portfolio Holder for Housing

# Aims

Over the next five years the strategy will help bring empty homes back into use and prevent properties empty for more than six months to slip into deterioration and long-term vacancy.

This will be achieved by the following aims:

**Aim 1: Reduce the amount of long-term (those empty for two years or more) empty homes in the borough.**

**Aim 2: Work with owners early on to prevent properties becoming empty for a prolonged period.**

**Aim 3: Utilise legislative tools to bring long term empty properties back into use in a timely and effective manner.**

## Associated actions

Please refer to the action plan (**appendix 1**) for full details of how aims will be achieved, including timescales and outcome measures.

## Legislation

The strategy sets out a range of tools to engage and support owners to bring an empty property back into use.

Once informal routes have been exhausted the Council will undertake enforcement action using applicable legislation, to include (but not limited to):

- Housing Act 2004
- Building Act 1984
- Environmental Protection Act 1990
- Local Government Act 1976
- Public Health Act 1961
- Prevention of Damage by Pests Act 1949
- Town and Country Planning Act 1990
- Enforced Sale Procedure
- Empty Dwelling Management Order (EDMO)
- Compulsory Purchase Orders (CPO)

For full details of the type of problem, legislation used and power granted see **appendix 2**.

## **Enforcement**

The Council will utilise legislative frameworks to the fullest, including undertaking enforcement action where applicable.

Once the Council becomes aware of an empty home, it will assess the property and take the necessary steps to address, for example, any hazards, anti-social behaviour or pest control associated with the property.

Where empty home owners are not working with the Council to rectify identified issues, the Council will undertake corrective take action on the owner's behalf and then adopt robust cost recovery plans.

Where cost recovery plans are unsuccessful and/or owners continue to not rectify identified issues with the property, the Council will undertake further enforcement action. This can include undertaking legal proceedings such as EDMOs, CPOs or enforced sales.

# Background

## Empty home definition

A property which has been empty for two years or more is considered to be a long-term empty home. Under the Housing Act 2004 and associated legislation government encourages councils to take action to bring empty homes back into use.

Southend-on-Sea Borough Council has historically used the following definitions to classify an empty home:

- The property is a domestic dwelling.
- The property has been empty for at least two years.

In addition to these definitions, the Council will also include:

- Homes empty for a period of six months will have action taken to bring them back into use.

## Why homes become empty

There are a number of reasons leading to empty properties which may include:

- The property is difficult to sell or let.
- The property is undergoing renovation.
- The owner is finding it difficult to manage the property.
- The property has been repossessed.
- A lengthy probate process.
- The owner is being cared for elsewhere/is in hospital.
- The property is classified as a second home.

The Council will take a proactive approach to empty properties, understanding the reasons behind individual empty homes so that we can work with owners, offering advice and guidance to help bring properties back into use.

## The impact

Empty properties have an increased risk of vandalism and crime and may require costly repair works to ensure the property meets the current Housing Standards.

Homes empty for a period of six months will have action taken to bring them back into use.

Empty properties can also have a direct impact on adjoining properties through damp, structural issues, looking unsightly and may impact neighbouring house prices.

Abandoned or long term empty properties can have an impact on the local community in terms of economic depreciation of adjacent properties.

They may cause additional pressures on the housing market, supressing market 'churn' and resulting in additional pressures on social housing and private rented accommodation.

Bringing properties back into use in a timely and cost effective manner will therefore have a positive impact on neighbourhoods, resident safety and increase the quality and volume of housing stock in the borough.

# Local and National Perspective

## National context

The number of long term empty homes in England has risen by 5.3% to 216,186 in the last 12 months to October 2019.<sup>1</sup> According to government statistics, there are now over 216,000 long-term empty homes in England.

Engaging owners early on and signposting to the range of available options is anticipated to support bringing empty homes back into use in a timely manner.

The volume of empty properties are growing in two thirds of all local authorities, in both high and low value areas, with empty homes in the top and bottom council tax bands.

Action on Empty Homes highlight in their report '*empty homes in England 2019*<sup>2</sup>' rises in London (up 11%), the South East (up 9%) and the East (up 11%). They report the highest regional occurrence of empty homes is in the North East where one in every 72 homes is long-term empty.

## Local context

The latest population estimates for Southend indicate 182,500 residents across approximately 80,180 properties, of which 630 were long-term empty as of 2019 as per the latest government figures.<sup>3</sup>

This compares with 596 empty homes in 2018 and 615 in 2017<sup>4</sup>. These figures are based upon government 'live tables on dwelling stock (including vacants)' which use different criteria to classify an empty home and may not represent all properties under investigation as an empty home and/or subject to enforcement action.

Engaging owners early on, signposting to a range of available options and utilising legislation frameworks to the fullest will support bringing empty homes back into use in a timely manner.

The aim of such is to prevent properties being empty for a prolonged period and lessening the overall impact such as the need for major refurbishment or structural works.

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<sup>1</sup> <https://www.gov.uk/government/statistical-data-sets/live-tables-on-dwelling-stock-including-vacants>

<sup>2</sup> <https://www.actiononemptyhomes.org/publications-and-research>

<sup>3</sup> <https://www.gov.uk/government/statistical-data-sets/live-tables-on-dwelling-stock-including-vacants> table 615

<sup>4</sup> Ibid

## Working in partnership

Partnership working continues to be an integral aspect to the effectiveness of empty homes actions undertaken within the borough. In this manner, key stakeholders include (but are not limited to):

- Council Tax
- Community Safety
- Strategic Housing
- Regulatory Services
- Trading Standards
- Private Sector Housing
- South Essex Homes
- Waste Management

Therefore, by adopting a robust approach to empty properties and working in partnership with key stakeholders, it is intended to reduce the detrimental effect on neighbourhoods.

While this strategy does not include empty commercial properties, our partnership approach at the heart of the strategy ensures that appropriate agencies are made aware of any empty commercial properties where necessary.

It is important to note that Waste Management or Regulatory Services, for example, will only take action in relation to environmental or public health concerns raised.

The Council will however, seek to, separate from this strategy, utilise any funding or resources available to bring empty commercial properties back into use.

## Council tax

From 01 April 2019 the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018 allows local authorities to increase the stepped approach of council tax charging on empty homes.

In employing this legislation, from 01 April 2019 the Council applied a 100% premium on applicable empty properties.

Introducing a stepped approach to council tax premiums is intended to further support strategy aims and utilise enforcement action to the fullest in order to tackle empty homes in the borough.

Details of any future proposed council tax premiums can be found on the [Southend-on-Sea Borough Council website](#).

## Monitoring

The empty homes database will be used to log and track progress of empty homes as per the empty homes workflow (**appendix 3**). This will help determine priority properties and ascertain the most suitable course of action to bring an empty property back into use.



We will offer updates via the [housing information website](#) of all reported empty homes and properties brought back into use.

The success of the strategy will be measured against aims set out. In addition, government statistical returns will be analysed to monitor and review the prevalence of empty properties in Southend-on-Sea against regional and national trends.

# Our offer

## Interest free loans

Interest free loans are available to individuals and companies (not owner occupiers) to help meet the cost of repairs and improvements to bring a property back into use.

There are two loans available – a **loan to rent** and a **loan to sell**. There are a number of conditions applicable, including:

- The property must have been empty for more than six months.
- Loans are interest free subject to conditions.
- Persons applying for the loan must be the property owner and they must be able to supply security for the loan.
- £25,000 per unit of accommodation is available up to a maximum of £175,000 (subject to funds being available).
- The amount available is dependent on the total cost of the eligible works. These costs will be assessed by the Council to ensure that they are reasonable and present value for money.
- Loan to sell – repayable either, immediately upon sale of the property, or within two years of the dated Loan Facility Agreement (whichever is the sooner).
- Loan to rent – repayable within three years of the dated Loan Facility Agreement, or upon the future sale of the property (whichever is the sooner).
- Properties must be brought back into use within the agreed project timescales and made available to rent within twelve weeks after the project has been completed (or marketed for sale).
- An administration fee will be required as a contribution to the costs of processing an application.

For further information and to make an application for a loan, visit the housing website.

## Advice and guidance

In addition to interest free loans and the increased utilisation of legislative frameworks, the Council will offer an enhanced advice and guidance service to property owners, borough residents and multi-agency professionals to help bring empty properties back into use.

This includes awareness and signposting to national, regional or local initiatives that support strategy aims and working with owners on a case by case basis to identify available options.

The empty homes database will be used to monitor progress, track trends and identify best practice examples to enhance and improve service delivery going forward, including the range of information and guidance sought and offered.

A new [empty homes website](#), offering a comprehensive suite of advice and information, will complement the range of guidance available and offer a 24 hour information hub, signposting to wider resources where possible.

## **Acquisitions**

The Council currently operates an Acquisitions Programme which aims to purchase properties from the market to be utilised for Affordable Housing.

The Strategic Housing Team, in partnership with Assets and South Essex Homes aim to identify suitable properties on the market for acquisition, to be brought up to appropriate lettings standards and let via the Choice Based Lettings system at Affordable Rents (80% market) capped by Local Housing Allowance levels.

The acquisitions programme may be able to purchase empty dwellings subject to investigation to determine value for money (purchase and on-going management costs), subject to funds being available.

For more information and to discuss the Acquisitions Programme further, visit the housing website.

## **Further information**

For further information on any of the content in this strategy or to report and empty property, please visit the [empty homes website](#).

Alternative format versions of this strategy are available upon request.

# Appendix 1: Empty Homes Action Plan

Aim 1: Reduce the amount of long term empty homes in the borough			
	Action	Timescale	Outcome measure
1.1	Implement an updated RAG rating system to support a reduction in long term empty homes in the borough.	January 2021	Empty homes impact assessment in place and used to RAG rate properties.
1.2	Introduce a revised 'empty homes database' to capture core information, including all actions to date and forthcoming to provide a live project plan.	January 2021	Database in place and updated with every action undertaken.
1.3	Introduce a revised workflow detailing timeframes and appropriate courses of actions for empty properties.	January 2021	Workflow in place and available on the Council website.
1.4	Update all standard templates of correspondence to owners in line with workflow and priority rating.	January 2021	New templates in place and used in accordance with workflow.
1.5	Monthly updates of council tax database to ensure all empty homes are correctly classified and included in the empty homes database.	January 2021 and ongoing	Monitor council tax data and ensure the correct premium is applied.
1.6	Bi-annual updates of empty homes data on the Council website.	July 2021 and ongoing	Empty property data is collated and updated on the website.

Aim 2: Work with owners early on to prevent properties becoming empty for a prolonged period			
	Action	Timescale	Outcome measure
2.1	Ensure every identified property follows the workflow timeframes and is RAG rated to determine the appropriate course of action taken.	January 2021 and ongoing	Log all activity on database and every empty property is RAG rated.
2.2	Work with council tax and key partners to identify empty properties from six months empty on, with monthly updates received.	January 2021 and ongoing	Monthly quality assured data from council tax to support strategy.

<b>Aim 2: Work with owners early on to prevent properties becoming empty for a prolonged period (continued)</b>			
<b>2.3</b>	Introduce an empty homes website to: report an empty; apply for a loan; offer advice and guidance; FAQs; quarterly updates of empty property data.	January 2021	Website in place and utilised by owners, residents and professionals.
<b>2.4</b>	Run a media campaign to raise awareness of empty homes, encourage reporting and advertise options available to owners.	January 2021	Initial media campaign in place and periodic reminders.
<b>2.5</b>	Support and guide owners to access wider Council schemes such as landlord incentives, private sector leasing and acquisitions programme.	January 2021 and ongoing	Log all activity on database and report outcomes quarterly.
<b>2.6</b>	Ongoing update of the empty homes website with relevant information and guidance to enhance the most up to date knowledge and best practice.	January 2021 and ongoing	Website is updated quarterly.

<b>Aim 3: Utilise legislative tools to bring long term empty properties back into use in a timely and effective manner</b>			
	<b>Action</b>	<b>Timescale</b>	<b>Outcome measure</b>
<b>3.1</b>	Introduce a stepped council tax premium scale for empty homes in line with legislation.	April 2020 and ongoing	Council tax premiums in place and all empty properties taxed accordingly.
<b>3.2</b>	Maintain and monitor costs Council associated with direct works, reclaiming costs and taking further action where necessary.	January 2021 and ongoing	Log all costs and seek to reclaim in a timely manner.
<b>3.3</b>	Following the RAG rating and flowchart of actions, take the appropriate enforcement action.	January 2021 and ongoing	Log all activity on the database and quarterly update of enforcement.
<b>3.4</b>	Using the empty homes website, outline the range of legislative tools available to bring an empty property back into use.	January 2021 and ongoing	Information is available on the website and updated quarterly.
<b>3.5</b>	Monitor the use and outcome of varying legislative tools to ensure the most appropriate and cost effective measures are utilised.	January 2021 and ongoing	Quarterly updates of costs on website.

# Appendix 2: Empty Homes Legislation

Nb. This list is not exhaustive. Alternative legislation may be used in accordance with property circumstances and legislation updates at the time of enforcement.

Problem	Legislation	Power granted
Dangerous or dilapidated buildings or structures.	Building Act 1984 S.77 & S.78	To require the owner to make the property safe (Section 77) or enable the Local Authority to take emergency action to make the building safe (Section 78).
	Building Act 1984 S.79	To require the owner to repair ruinous or dilapidated buildings seriously detrimental to an area.
	Housing Act 2004 Part I	Under the Housing Health and Safety Rating System local authorities can evaluate the potential risks to health and safety arising from deficiencies within properties and take appropriate enforcement action.
Blocked or defective drainage or private sewers.	Local Government (Miscellaneous Provisions) Act 1976, S.35	To require the owner to address obstructed private sewers.
	Building Act 1984, S59	To require the owner to address blocked or defective drainage.
	Public Health Act 1961, S.17	To require the owner to address defective drainage or private sewers.
Unsecured properties (where it poses the risk that it may be entered or suffer vandalism, arson or similar).	Building Act 1984, S.78 Local Government (Miscellaneous Provisions) Act 1982, S.29	To allow the Local Authority to fence off the property. To require the owner to take steps to secure a property or allow the Local Authority to board it up in an emergency.
Vermin (where it is either present or there is a risk of attracting vermin that may detrimentally affect people's health).	Public Health Act 1961, S.34	To require the owner to remove waste so that vermin is not attracted to the site, destroy any infestation and remove any accumulations prejudicial to health.
	Prevention of Damage by Pests Act 1949, S.4	
	Public Health Act 1936, S.83	
	Environmental Protection Act 1990, S.80	
	Building Act 1984, S.76	

Problem	Legislation	Power granted
Unsightly land and property affecting the amenity of an area.	Public Health Act 1961, S.34 (see above)	To require the owner to remove waste from the property (see above).
	Town and Country Planning Act 1990, S.215	To require the owner to take steps to address a property adversely affecting the amenity of an area through its disrepair.
	Building Act 1984, S.79	To require the owner to address unsightly land or the external appearance of a property.
Recovery of debts against a property.	Law of Property Act 1925, S.101 & S.103	To apply for an order of sale of the property to recover council tax debts or debts secured as a legal charge after work in default carried out.
Properties empty for over 2 years and causing nuisance in the community.	Housing Act 2004 S.133 – S.183	To apply for an Empty Dwelling Management Order (EDMO) to enable the local authority to take over the management of eligible empty properties, to bring them back into use.
Long-term empty properties where no traceable owners, or where all efforts to return the property to use have been exhausted.	Housing Act 1985 S.17	To seek to acquire a property under a Compulsory Purchase Order (CPO).

# Appendix 3 – Empty Homes Workflow

Please note, the workflow is indicative of a standard process and may be subject to change, for example, if a response is received but the agreed action/s are then not undertaken by the owner.

