

## **Empty Homes Protocol**

### 1.0 Introduction

Empty homes may be identified from the following sources:

- Council Tax records;
- service requests; and
- local knowledge (from officers, Members etc).

Within this protocol an 'empty home' will mean a dwelling house that has been continuously un-occupied for a period of six months or more as verified by council tax records or local knowledge.

Empty homes are a wasted housing resource and can cause negative impacts on the neighbourhood, such as anti-social behaviour, adverse visual impact and possible lowering of the value of neighbouring homes.

One of the Council's key priorities is to "promote a continuing supply of homes in the borough, including affordable homes across all tenures, and work to prevent homelessness". Bringing empty homes back into use is an important element of this priority and also supports the following priorities:

"Achieve a cleaner, smarter, better maintained and more sustainable environment"; and "promote and provide opportunities to improve the health and well being of individuals and communities".

A corporate approach is essential if the Council is to be effective in bringing empty homes back into use and this is demonstrated in section 4.0.

### 2.0 New Homes Bonus

The Government funded 'New Homes Bonus' scheme started in April 2011 to incentivise local authorities to provide additional new homes and bring long term empty properties back into use. Under the scheme the Government match fund the additional council tax raised for each new property and the empty property returned to occupation tax valuation, over a six year period.

The grant is split between two tier authorities; 80 per cent to the Borough Council and 20 per cent to the County Council. It is not ring fenced and local authorities may determine how the bonus will be spent based on local circumstances.

The Bonus is calculated using data from the Council Tax Base return in October each year. The calculation is based on the total number of dwellings on the valuation list minus the sum of the number demolished in the previous period October to September and the number of long term empty dwellings.

The resulting net dwelling figure is compared year on year and the difference is used to calculate the bonus in April each year. The Bonus will be based on the national average council tax for the band of the properties that have come back into use or are new. It is therefore important that council tax records are kept up to date with regard to the classification of empty homes.

### 3.0 Kent No Use Empty initiative

The Council joined the 'Kent No Use Empty' initiative in January 2008 and works in partnership with Kent County Council (KCC) and other Kent district councils to reduce the number of empty properties by bringing them back into use. The initiative offers the following benefits:

- allows the Council to participate in the 'No Use Empty' publicity campaign highlighting the negative impact of empty properties in the borough and what can be done to bring them back into use;
- the Council receives specialist support on empty property projects and assistance with the effective delivery of our empty homes work;
- the Council can potentially access a partnership fund for works undertaken as part of enforcement action, compulsory purchase orders and direct purchase funding to fund a housing association or developer partner to purchase an empty property and carry out works to bring it up to the Decent Homes Standard. It is then retained within the housing association or sold and the funding repaid. The partnership fund utilises Kent County Council capital funding and is managed by Kent County Council on a first come first served basis; and
- allows owners of empty homes in the borough who wish to let or sell on their empty home to access a loan over a maximum 3 year period (maximum £25,000) to renovate their property. The empty home owner may apply to the Council for a grant to fund the interest on the loan, maximum of £5,000, which is subsequently recovered by the Council from KCC.

### 4.0 Corporate Approach to Empty Homes

#### 4.1 New empty homes identified from council tax records

The private sector housing (PSH) empty property database is updated quarterly using information provided by Council Tax from those empty homes identified on the council tax discount list. Biannually a standard letter is produced by the PSH team for 'new' long term empty dwellings giving empty homes advice regarding the potential housing resource, signposting owners to the No Use Empty initiative and requesting the owner to advise why the property has been left empty. Appropriate advice on how the empty property

can be brought back into use will be provided to owners where requested. The findings from the mail out are recorded on the empty property database.

If no response to the initial letter is received a follow up reminder letter is sent.

Where the owner advises the property is no longer empty, Council Tax is advised.

### 4.2 Empty property service request

Where the Council receives a service request regarding an empty home, in the first instance it will be investigated by the private sector housing (PSH) team. A flowchart identifying how an empty property enquiry is processed is identified in Annex 1A.

The private sector housing team will look at the property history and check with Council Tax what information they have regarding the property and the person liable for council tax. The PSH officer will visit the property to check on the following:

- a. Is the property secure?
- b. Does the property appear to be in a dangerous condition?
- c. Is the condition of the garden and the property potentially detrimental to the visual amenity of the area?
- d. Is the property the subject of anti-social behaviour, for example rubbish being dumped or targeted by vandals?
- e. Is the property in poor structural repair, which is impacting on neighbouring properties or public health and safety?

The PSH officer will then refer any individual issues to the appropriate lead department as per the flow chart in Annex 1A and will write to the person liable for council tax to inform them of the issues found, offer advice and signpost to the 'Kent No Use Empty' initiative.

The lead departments will investigate the individual issues and may take enforcement action, where appropriate, as identified in the enforcement toolkit in Annex 1B.

The PSH officer will review the progress of the empty property regularly and liaise with other departments to co-ordinate working together to bring about the empty property being returned to occupation.

Unfortunately the actions taken to deal with the individual issues at the property may not result in the property becoming re-occupied. For those properties where the property continues to not be occupied and no effort is made by the owner to let or sell the property the PSH team in liaison with other lead departments will look at the previous history and the issues identified at the property to target those most problematic empty properties first and take them through the complete process of bringing them back into

use. This complete process may include taking enforcement action to improve the condition of the property and recovering any debt through the enforced sale process; or compulsory purchasing the property or obtaining an empty dwelling management order to let the property. This complete process can be resource intensive and can take up to a year or longer. As a result only limited numbers of highest priority empty properties can be taken through this complete process at any one time.

When taking these empty properties through the complete process the welfare needs of the owners will need to be considered and particularly with regard to any likely equality implications. An equality impact assessment will be required for these individual cases.