

Draft Empty Homes Strategy 2019

Introduction

This Strategy sets out how the Council will seek to minimise the number of long-term empty homes in the Borough. Properties can sit empty for a number of reasons. A large proportion of empty properties in Solihull naturally come back into use within a year or they present limited opportunities for intervention as they may be in probate or left empty whilst someone is in care for example.

The focus of the strategy is on properties which have been empty for a long period (12 months or more) and which offer some possibility for the Council to advise, encourage or require the owner to bring the property back into use.

Objectives

- To return long term empty homes back to residential use.
- To tackle adverse effects which some empty properties can cause for neighbourhoods.

Definition of a long term empty home for the purposes of this strategy

Around 50 properties do remain empty for 2 years or more and these properties become subject to an additional council tax charge which can encourage owners to sell or occupy their property but some become blights for local communities and are harder to bring back in to use.

Last year around 250 properties were left empty for between 6 months and 2 years.

These are the properties that we aim to target with this strategy

Strategic Approach

Local authority influence on whether an owner takes action to return an empty property to residential use is highly variable. Much depends on the reason why it is empty and on the attitude and resources of the owner (where they are known).

The approach taken by the strategy is to encourage owners to take the necessary action, with advice and assistance where required, before consideration of any intervention using powers available to the Council.

Over the three years of the current strategy intervention by the Council has been successful with 27 quite complex cases, including some properties which had been vacant for many years.

The various components of the approach are set out below.

Recording and Classification

The Council knows when a home has been empty for 6 months or more when this shows up on the Council Tax register.

For the purposes of the Strategy, it is important that there is accurate recording and classification so that an informed picture of the extent of the issue and possibilities for addressing it is provided to elected Members and others. To ensure that this happens consistently the Head of Income and Awards will be responsible for the following:

Identifying homes which have been empty for 6 months or more	Council Tax register
Recording the number of long-term empty homes (LTE) and changes over time (flows on and off the list)	Council Tax register, information from officers
Determining whether a LTE is in or out of scope	Income and Awards, by reference to the categories of Council Tax payers excluded from the Empty Property Premium.

Charging Policy

The Council has recently approved an increase in the Empty Property Premium from April 2019 which is payable on properties which have been unoccupied and unfurnished for two years or more. This involves a small proportion of homes which are classed as LTE by this strategy.

Application of the Empty Homes Premium	Income and Awards
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Assessment and Prioritisation

It is important that resources are directed to the pursuit of properties which present a reasonable chance of success of returning to residential use.

An Empty Homes Group has been established consisting of staff from Income and Awards, Regulatory Services, Managed Growth and Finance.

This will assess the likelihood of success of each in-scope LTE, together with its condition and the effect it is having on its neighbourhood.

There is little or no scope to take effective action on a significant number of properties, such as those in probate or where the owner is in hospital or care. This is also the case where the owner of an empty property is difficult to trace or engage with or has little interest in returning the property into use. In such cases it is recommended that the base position is that intervention is limited to statutory requirements concerned with the repair of the building and its effects on the neighbourhood.

Of particular importance is the deployment of staff in ways which are most likely to be effective rather than direct approaches to owners in all cases.

This strategy therefore proposes that the resources available for this work are targeted on properties and owners which have been empty for a considerable period (12 months or more) and which are most likely to yield success.

The decision on whether and how to apply resources to any particular case will also take into account the need to deal with a particular property, such as its condition or effect on its locality.

Officers have gained experience of owners' propensity to respond to approaches and what might work in which circumstances so there is a firm base of knowledge on which to base actions.

The approach is as follows:-

- Properties empty (unoccupied and unfurnished) 2 years or more – application of the Council Tax premium followed by information to the owner advising them that advice on returning their property to use is available, followed by a direct approach by a member of staff (where the owner is known and contactable).
- Properties empty 6 months – 2 years (unoccupied and unfurnished) – information to the owner but with direct approach by a member of staff (where the owner is known and contactable) where the property has been vacant for 12 months or more.

This process will set the level of intervention for each property as follows:

Information only	General information to owners of empty homes in Council Tax demands and on website advising them how they can act to bring their property back into use and where to get advice and possible assistance	Teams Income and Awards
Personal approach to owner to seek engagement	Where it is assessed that there is some chance of success staff resources could be deployed to initiating contact and possible follow – up to provide advice	Income and Awards
Advice	Field staff can provide general advice on the practicalities of bringing a home back into use, such as clearance, arranging repairs, marketing, etc.	Income and Awards Neighbourhoods Team
Assistance	Subject to assessment of each case and resource availability Solihull Community Housing may be able to offer practical assistance where the owner is willing to consider making the property available to the Solihome scheme	SCH
Enforcement	Where a property is presenting a nuisance it may – regardless of whether it is empty or occupied – be subject to enforcement action by Regulatory Services. However, capacity to meet demand from occupiers is such that there can be no guarantee that action against an owner of an empty home can be prioritised	Regulatory Services

Advice

Owners have been often found to lack the confidence or capacity to initiate a process which will see the desired reoccupation of their property and provision of person- to-person advice by Income and Awards officers has been successful in getting cases progressed.

A particularly important aspect of the strategy is in reassuring owners that they can let their property with confidence, both earning additional income and having the ability to obtain possession of the property at the end of the term. This can include:

Advice on costs and potential income	Income and Awards can advise on the general costs of keeping a home empty (the Premium and average rental income foregone).
Scheduling works and employing a contractor	Solihull Community Housing can offer advice on where the owner can get assistance.
Selling or letting the property	Solihull Community Housing can offer advice on where the owner can get assistance.
Advice on energy efficiency improvements – tariffs, heating system, insulation etc.	Available from the Council's Home Energy Advisor or a referred third party.

Assistance

Where an owner has indicated a willingness to engage in a process that will return a property to use, several options to assist may be available, subject to the circumstances and available resources.

Scheduling works and estimating costs	Through Solihull Community Housing where owner indicates willingness to make the property available to SCH's Solihome scheme and accept a tenant referral.
Assistance on energy efficiency improvements – tariffs, heating system, insulation etc.	Available from the Council's Home Energy Advisor or referred third party
Assistance in clearing, improving or maintaining garden and other space	Arranged through Council's neighbourhoods team, possibly referred to a third sector (voluntary or community) organisation.
Advice and possible assistance in disposing of the property	Available from SCH or a referred third party.

Voluntary Disposal

In some cases owners of empty homes may wish to sell their property rather than bring it back to use themselves. This may be through private sale or by a housing organisation targeting such properties in liaison with the Council.

Solihull Community Housing purchases a limited number of properties each year from the open market to replenish the Council's housing stock. They will, wherever feasible, seek to include long-term empty properties in their portfolio. SCH will also consider assistance by leasing the property through the Solihome Scheme.

Enforcement

Where the property condition is so poor that it is presenting a nuisance, the owner may be subject to enforcement action as would the owner of an occupied property.

An officer will seek to advise and encourage the owner to take the necessary steps to remedy disrepair in accordance with the Council's Enforcement Policy.

If this is not successful and the circumstances warrant it, action can be taken under various building, housing and public health regulations to deal with problems such as unsecured property, dilapidated structure, vermin or 'unsightly' land or property which is adversely affecting the locality.

An empty property may be the subject of an Empty Dwelling Management Order (EDMO) where a number of qualifying conditions are met. It should be noted, however, that the use of these is rare so EDMO should not be considered a likely significant option in terms of numbers.

Enforced Disposal

It is not uncommon for an owner to pay the empty property premium and refuse all offers of advice and assistance. In these cases the Empty Homes Group will conduct a 'case conference' to consider available options involving officers from Legal Services and Regulatory Services.

The cost of enforcement measures to the Council can be significant in terms of time and money so would be recommended only when (a) co-operative approaches have failed, and (b) the cost / benefit of the proposed action as detailed in the business case is reasonable to the Council and (c) the necessary resources of officer time and finance are available.

Consideration of what actions should be recommended will need to include:

- Statutory responsibility
- Likelihood of success
- Condition and effect on neighbourhood
- Representations from police and fire
- Lettability or saleability of property
- Value of property in terms of meeting housing needs
- Costs – money and staff time

In considering the use of any of these options the objective will be to determine the most appropriate means of securing the most cost-effective solution. This will require the preparation of a business case for each proposal for approval by the Cabinet Member for Environment and Housing

In some cases, likely to be exceptional due to the cost and time required, there may be a recommendation to use powers to require the disposal of the property

Enforced sale	This allows the Council to force the sale of a property with a local land charge. Any outstanding charges against the property, including any mortgage, works by the Council over the years to make it safe
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	while it was empty and Council Tax are paid following the sale, and the money remaining (if any) is put into an account for the owner to claim.
Compulsory purchase	Council acquires the property and remove ownership from the current owner. Once an Order has been granted, the dwelling can be developed as affordable housing through agreement with SCH or a housing association. If this is not financially viable, the property can be sold on the open market subject to covenants ensuring the refurbishment and reoccupation of the property.

Other approaches to be developed

To add to the Council's capacity to respond to the challenge of long term empty homes it is proposed that during the coming year the following proposals are investigated:

Scope the possibility of making loans to owners to fund property reinstatement and improvement, subject to accessing a suitable and reliable source of community development finance to allow this with the least call on Council finance	Managed Growth and Communities Policy Lead Advisor (Housing)
Increase involvement with national bodies with interest and expertise in empty homes and their solutions will be deepened. These organisations, notably Action on Empty Homes and the Empty Homes Network, may be of assistance in developing our approach to the issue without increasing the call on Council resources	Managed Growth and Communities Policy Lead Advisor (Housing)
Seek a strategic partner in developing its approach in terms of both capacity and innovation	Managed Growth and Communities Policy Lead Advisor (Housing)

Monitoring and Review

The number of empty homes will continue to be monitored by the Empty Homes Group. Actions under the strategy and their outcomes, particularly homes returned to use, will be reported to you annually by the Assistant Director Stronger Communities.

The strategy will be reviewed annually to reflect changes to legislation, use of resources or changes required to the process.