



St Edmundsbury
BOROUGH COUNCIL

E104

Cabinet 10 September 2013

West Suffolk Empty Homes Strategy 2013/2015 (Sept13/01)

1. Summary and reasons for recommendation

- 1.1 This report seeks to ensure the Council continues to proactively target empty homes by using a range of informal and formal measures which encourage property owners to bring properties back into use.
- 1.2 The refreshed joint Strategy capitalises on the successes to date and repositions the empty homes procedures in West Suffolk to bring them in line with current Government Policy.

2. Recommendation

- 2.1 It is **RECOMMENDED** that subject to the approval of full Council, the West Suffolk Empty Homes Strategy 2013/2015, as contained in Appendix A to Report E104, be adopted to ensure that the Council has a robust and transparent strategy for bringing empty properties back into use.

Contact details

Name

Title

Telephone

E-mail

Portfolio holder

Anne Gower

Portfolio Holder for Housing

01440 706402

anne.gower@stedsbcc.gov.uk

Lead officer

Simon Phelan

Head of Housing

01638 719440

simon.phelan@westsuffolk.gov.uk

3. Corporate priorities

3.1 The recommendation meets the following, as contained within the Corporate Plan:

- (a) Corporate priority 1: *'Working together for strong, healthy and diverse communities'*; and
- (b) Corporate priority 2: *'Working together for prosperous and environmentally-responsible communities'*.

4. Key issues

4.1 The new Strategy, as attached as Appendix A to this report, highlights the following key objectives:

- (a) reducing the overall number of empty homes within West Suffolk;
- (b) raising awareness of the issue of empty homes;
- (c) building on the development of the Council's work with private sector landlords;
- (d) providing a range of practical services such as advice on repairs and on the law around letting properties. Landlords will be encouraged to let former long term empty properties through the West Suffolk's Letting Partnership, possibly with the use of a Rent Deposit Guarantee Scheme or rent in advance paid for tenants in certain cases. With the Government heavily promoting empty homes there are also currently a number of empty homes grants available to empty property owners to help bring their properties back in use;
- (e) reducing levels of homelessness and the use of Bed and Breakfast accommodation by providing a suitable and sufficient supply of affordable housing units through the private sector;
- (f) helping to minimise the need for future development of green-field sites and protect the environment;
- (g) implementing the Decent Homes Standard into the design of empty home conversion and renovation projects;
- (h) encouraging the use of redundant commercial premises and disused space above shops;
- (i) promoting continued partnership working with the private and voluntary sectors to bring empty properties back into use; and
- (j) identifying a range of enforcement action options such as enforced sale, Empty Dwelling Management Orders or Compulsory Purchase Orders which could be pursued as a last resort.

- 4.2 In order to achieve these objectives St Edmundsbury Borough and Forest Heath District Councils (SEBC and FHDC) will specifically target empty properties that have been:
- (a) empty for more than 12 months;
 - (b) empty for more than 12 months but there is little prospect of the property owner bringing it back into use without advice and assistance; and
 - (c) empty for more than 24 months and are subject to the long term empty property premium. Since April 2013 properties which have been empty for over two years are now being charged 150% council tax to encourage owners to gain reoccupation as quickly as possible.
- 4.3 A loan facility will be made available to empty property owners through the West Suffolk Homes Assistance Policy. Utilising the £50,000 specifically for Empty Homes in Forest Heath as agreed within FHDC's Strategic Plan and the £75,000 in St Edmundsbury recommended by the Policy and Development Committee in September 2009 and subsequently approved by SEBC's Cabinet and Council.
- 4.4 The Strategy may need to be further revised to bring it in line with the new West Suffolk Housing Strategy, which is currently being developed (see Report E103 contained elsewhere on this Cabinet agenda.)

5. Other options considered

- 5.1 This is a new revised Strategy which has taken into account the latest best practice and has been subject to extensive consultation with partners.

6. Community impact

6.1 Crime and disorder impact *(including Section 17 of the Crime and Disorder Act 1998)*

- 6.1.1 Empty homes are a wasted resource that can cause problems for the owner and the surrounding neighbourhood by reducing property values and attracting crime and anti-social behaviour. However it should also be borne in mind that the number of empty homes with West Suffolk is comparatively small compared to other areas across the country.

6.2 Diversity and equality impact *(including the findings of the Equality Impact Assessment)*

- 6.2.1 Most of the actions to be taken are positive in that the Council will be providing information, advice and assistance to home owners in an effort to make best use of existing dwelling stock. The enforcement steps are not expected to be used frequently and should not adversely impact any particular group.
- 6.2.2 An Equality Impact Assessment of the new Strategy was undertaken in March 2013

6.3 Sustainability impact *(including completing a Sustainability Impact Assessment)*

6.3.1 By assisting home owners in bringing long term empty properties back into use will help reduce the carbon footprint by recycling existing housing stock as opposed to developing new forms of housing on brown and greenfield sites. It could potentially also help to regenerate the look of town centres and neighbourhoods by them no longer being considered a blight on the area.

6.4 Other impact *(any other impacts affecting this report)*

6.4.1 Work on contacting the owners of empty homes and offering advice and assistance continues to be undertaken on a regular basis. This Strategy sets out the range of actions that can be taken to bring empty homes back into use and outlines a simple mechanism to be used to ensure any response is consistent and proportionate. The action plan includes a range of initiatives to improve incentives to owners and ensures improved distribution of information.

7. Consultation *(what consultation has been undertaken, and what were the outcomes?)*

7.1 This Strategy has been sent to all Parish Councils, Registered Providers, Cambridge Sub-Regional Local Authorities and internal departments. It has also been placed on the Councils' websites for public comment. Any comments and suggestions received have been reflected in the final Strategy.

8. Financial and resource implications *(including asset management implications)*

8.1 Most of the actions within the Strategy will be undertaken using existing staff resources and current budget provision.

8.2 A capital budget of £75,000 was approved in 2009 to assist with funding the work necessary to bring empty homes back into use in St Edmundsbury through the new joint West Suffolk Empty Homes and Housing Assistance Policies.

8.3 Where major enforcement action is required such as Compulsory Purchase, a separate report would need to be taken to Cabinet for approval of the necessary funding.

9. Risk/opportunity assessment (potential hazards or opportunities affecting corporate, service or project objectives)

Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Insufficient resources to take forward	High Increase in Empty Properties	Council approved £50,000 capital funding for Forest Heath to help bring empty properties back into use £75,000 made available for St Edmundsbury	Medium
Private Sector landlords unwilling to work with us	High An increase in the number of long term empty properties causing a nuisance and a blight on the community. An shortage of new affordable housing	Dedicated capacity made available within the Housing Service to work more closely with owners Without intervention may affect other strategic priorities of the council	Medium
New Homes Bonus negated; impact on revenue	High Loss of additional New Homes Bonus money	Undertake regular audits of Council Tax database to cleanse number of empty homes An element of money generated could be ring-fenced to proactively work with Private Sector Landlords	Medium

10. Legal and policy implications

- 10.1 Although it is no longer a legal requirement for local authorities to have a Housing Strategy in place, it has been recognised that in order to have a strategic overview of how councils will deliver the range of housing and related assets to communities, it is prudent to develop one. The Empty Homes Strategy is linked to this strategy. The Empty Homes Strategy details enforcement procedures and refers to various powers detailed in the relevant Acts. These powers may be used by the Council as detailed within the Strategy.
- 10.2 The impact of reducing empty homes on the New Homes Bonus Grant is favourable. Every empty property brought back into use will generate additional income for the Council's.

11. Wards affected

- 11.1 The Strategy will affect all wards within Forest Heath and St Edmundsbury.

12. Background papers

12.1 No background papers.

13. Documents attached

13.1 Appendix A: West Suffolk Empty Homes Strategy and Action Plan.

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Appendix A: Empty Homes Strategy and Action Plan

**Forest Heath District Council
and
St Edmundsbury Borough
Council**

**West Suffolk- Working
together**

Empty Homes Strategy

2013 - 15

1. Introduction.....	3
2. West Suffolk	3
3. Setting The Scene.....	4
What Is An Empty Home?	4
Why Do Homes Become Empty?	5
What Are The Benefits Of Filling Empty Properties?	5
4. Empty Homes A Priority.....	5
National Picture	5
Empty Homes In West Suffolk	6
5. Our Approach To Tackling Empty Homes.....	9
Empty Homes Pathway	9
Types Of Enforcement.....	10
6. What We Achieved During The Previous Strategies.....	10
7. Going Forward: Our Commitments.....	13
Action Plan.....	15
8. Monitoring Progress.....	15
Appendix One – Action Plan.....	15
Appendix Two – Statutory Powers In Realtion To Empty Homes	24

1. Introduction

1.1 Forest Heath and St Edmundsbury councils recognise the need to keep the number of empty properties to a minimum. This strategy sets out a shared direction for the future management of empty homes across both councils.

1.2 Long term empty homes¹ are a wasted resource, can cause problems for the owner and the surrounding neighbourhood by reducing property values and attract crime and anti-social behaviour. They can also be a drain on council resources and are a loss in Council Tax revenue. **There are significant benefits of bringing empty homes back into use** for property owners, local residents, the local economy and the wider community.

1.3 Key Empty Homes Priorities Identified

1.3.1 Priority 1: Have the right information available to allow the identification of long term empty properties and the monitor how effective we are in reducing the number of empty properties

1.3.2 Priority 2: Work in partnership with other agencies to reduce the number of long-term empty properties within West Suffolk and bring them back into use.

1.3.3 Priority 3: Improve awareness of how to bring empty properties back into use by proactively identifying empty properties and working with owners to provide potential resources where appropriate.

1.3.4 Priority 4: Use legal remedies as a last resort

2. West Suffolk

¹ A long term empty property is defined as having been unoccupied for a period greater than 6 months.

This strategy covers Forest Heath and St Edmundsbury Councils, which together make up West Suffolk.

We have borders with Cambridgeshire, Norfolk and Essex. We have administrative links with Suffolk County Council and are part of the Cambridge Housing Sub Region.

The two councils are largely rural in nature. Forest Heath has three main towns Newmarket, Mildenhall and Brandon. St Edmundsbury has two; Bury St Edmunds and Haverhill.

The population of Forest Heath is 59,700 and St Edmundsbury is 111,000²



- 2.1 The Cambridge Housing Sub Region Strategic Housing Market assessments (SHMA)³ have identified a substantial need for homes, with affordability also being a key issue. Ensuring empty dwellings* are brought back into use would help contribute to addressing the need for more homes.
- 2.2 Each council, in its role as a strategic housing authority, has the responsibility of influencing private and social housing activity within their area. Our aim is to ensure that every resident has a home that is affordable and suitable to their needs.

3. Setting the Scene

3.1 What is an empty home?

- 3.2 Homes may become empty for a number of reasons and in many cases this maybe only be for a short period. For example, a home may become empty whilst awaiting a sale or let, or may be empty whilst it is renovated prior to reoccupation. These processes are a natural function of the housing market and require no intervention from the Council.
- 3.3 Other homes may remain empty for longer periods of time for no apparent reason and are a wasted housing resource. Homes are defined as being long-term empty if they have not been occupied for a period of six months or longer.

² 2011 Census data

³ The Cambridge Housing Sub Regional SHMA can be found at:
http://www.cambridgeshirehorizons.co.uk/our_challenge/housing/shma.aspx

* Dwelling can mean a house, flat, bungalow or commercial property

This strategy covers all types of empty properties, based on the length of time they have been or will be left empty, the problems they are causing and the reasons why they remain empty.

3.4 The majority of empty homes will require no action, however, properties are prioritised for action and allocation of resources, based on a specific set of circumstances as set out in section 4: Our approach to tackling empty homes.

3.5 Why do homes become empty?

3.6 There are a number of reasons why homes become empty and remain empty for long periods, often they are complex and involve financial and legal disputes. Some of the reasons include:

- Lack of funds for refurbishment
- Reluctance to let on the private rented market
- Bankruptcy, repossession or abandonment,
- Occupier being subject to long term care or hospitalisation
- Homes let through employment
- Probate, estate or legal ownership issues
- Owners unable or not wishing to sell or rent, or
- Lack of awareness of options

3.7 What are the benefits of filling empty properties?

3.8 Bringing empty homes back into use, whilst not a solution in itself, is part of our strategy to provide more housing for households in need. The emphasis is on the better use of existing housing stock and, therefore, the aim to keep the numbers of empty homes to a minimum.

3.9 The two key benefits of bringing empty homes back into use will therefore be:

- Maximising the use of the existing housing stock so that we can minimise the number of new homes that need to be built each year.
- Reducing problems caused by empty homes. Poorly maintained empty properties may attract vermin, cause damp and other problems for neighboring properties and can be magnets for vandals, squatters, drug dealers and arsonists.

4. Empty Homes a priority

4.1 National picture

4.2 In November 2012 The Empty Homes Agency (www.emptyhome.com) estimated that there are 710,140 empty properties in England (of which 69,654 are in the East of England), this represents 2.72% of the total housing stock. Approximately 259,000 of these empty homes have been vacant for longer than six months (of which 23,868 are in the east of England).

- 4.3 The Government is committed to getting empty homes back into use to help towards meeting housing needs, both in the social and private sectors. The aim is to ensure homes do not remain empty for long periods of time and that they are brought back into use as quickly as possible.
- 4.4 The Government is providing funds to assist in bringing empty homes back into use; the last comprehensive spending review identified £100m to assist with this task.
- 4.5 The National Planning Policy Framework (NPPF) (March 2012) recognised the important contribution empty homes can make in delivering a wide choice of homes. The NPPF provides the following guidance "local planning authorities should identify and bring back into residential use empty housing and buildings in line with local housing and empty homes strategies and, where appropriate, acquire properties under compulsory purchase powers."

4.6 Empty Homes in West Suffolk

- 4.7 The table below shows the total number of empty homes for each district, Suffolk and the East of England as a whole. The figure is also expressed as a percentage of the total homes in the district and it is then broken down by ownership type.

	Total Empty Homes	% of total stock empty	Who owns the empty homes?				Homes empty more than 6 months
			Local Council	Registered providers	Other Public Bodies	Private Owners	
Forest Heath	1,051	3.68%	2	19	3	1,027	374
St Edmundsbury	1,055	2.24%	0	40	0	1,015	249
Suffolk	10,196	3.09%	180	184	22	9,810	3,688
EAST OF ENGLAND	69,654	2.72%	2,661	1,380	477	65,136	23,868

Source: Empty Homes Agency November 2012

- 4.8 Forest Heath's figures are higher than St Edmundsbury due to the influence of the Racing industry in Newmarket and the two USAFE air bases within the district. Forest Heath has the highest proportion of rented accommodation within the Cambridgeshire Sub Region at 24% of total dwelling stock⁴ However, compared to the rest of Suffolk, Forest Heath does not have the greatest number of empty homes, as Waveney District has over 2,100 empty homes which represents 3.88% of its total housing stock.

⁴ SHMA Private Rented Market 2010

4.9 According to the latest estimates, over 20% (approximately 12,000) of Forest Heath District's population is made up of non-British residents. The majority of these will be American service personnel, but there is also a significant number of migrant workers in the district serving the horse racing industry, agriculture, food processing and warehouse industries⁵. The transient nature of these individuals means that the figures above are not a fair representation of the number of empty properties in the district as many properties may only remain empty for short periods.

4.10 The following table shows the total number of empty properties at 1st April 2010, 2011 and 2012

4.11 St Edmundsbury

Year	2010	2011	2012
Total	922	1019	1055
Percentage of total dwellings	1.9%	2.1%	2.2%

4.12 Forest Heath

Year	2010	2011	2012
Total	1098	1038	1051
Percentage of total dwellings	4.0%	3.7%	3.7%

Source: Empty Homes Agency November 2012

4.13 The number of empty properties in West Suffolk that have been empty for longer than 6 months (at 1st April) is as follows:

4.14 St Edmundsbury

Year	2010	2011	2012
Total	234	244	249

4.15 Forest Heath

Year	2010	2011	2012
Total	384	398	374

Source: Empty Homes Agency November 2012

4.16 Both Councils monitor the number of empty homes and report this information on a regular basis using the following indicator

⁵ ONS Annual Population Survey 2008

- Total number of empty properties (empty for a period of 12 months or longer) brought back into use

4.17 Our past approach to monitoring empty homes

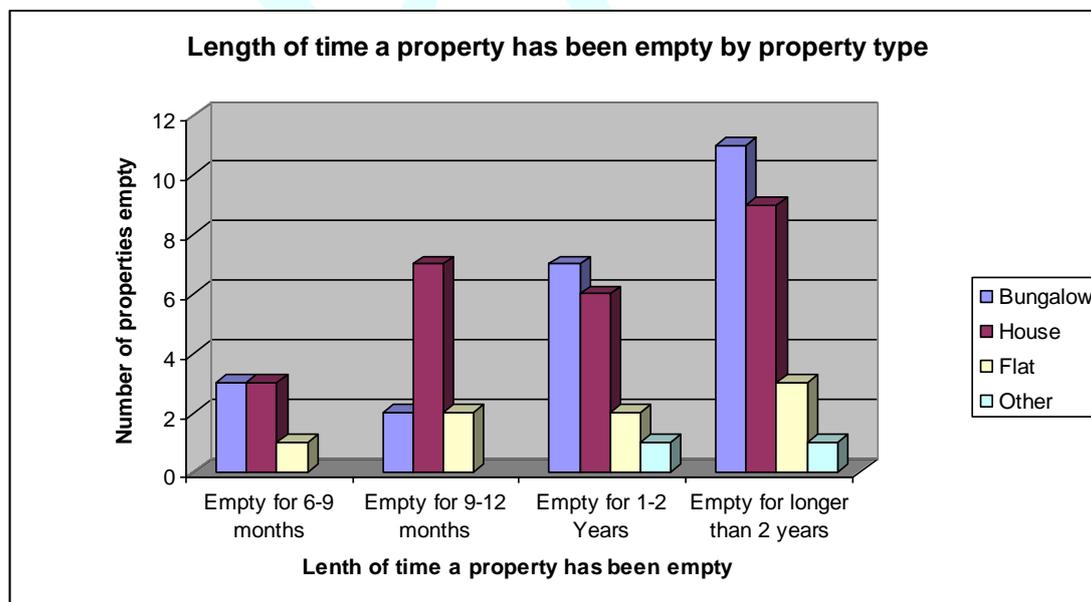
4.18 Forest Heath Empty Homes Survey 2011

4.19 In November 2011 Forest Heath conducted an empty homes survey of 450 homes that were registered on the Council Tax database as empty for 6 months or more. The survey was designed to capture a range of information including the age, type, condition and any evidence of renovation of each empty home.

4.20 From the 450 empty homes surveyed, 125 owners completed the questionnaire and 24 of those were identified as actually being occupied. This indicated that although the homes had been identified as being empty for a period of more than six months, they had actually been returned to use without the need of Council intervention. In most cases homes had been empty whilst being offered for sale, or empty while renovation work was being carried out prior to being re-occupied, thus indicating a significant 'churn' in the District housing market.

4.21 Out of the properties surveyed 20 % were houses, 18% bungalows and 6% were flats. The survey also showed that the majority of long-term empty properties were left empty for one to two years, whilst owners were trying to sell the property or renovate it.

4.22 The table bellows shows the number of dwellings empty for six month or longer by property type.



4.23 Within the district there are no specific concentrations of empty homes or areas of blight that can sometimes be found in urban areas. Assistance has been provided to owners of long term empty properties and in some cases grants have been provided. Other homes have been prevented from becoming empty

by supporting and encouraging the setting up of new tenancies and by providing access to the Council Rent Deposit Scheme

4.24 The key findings of the survey were:

- correct Council Tax classifications need to be applied to each property, so exemptions are identified clearly
- many empty property owners intend to bring their property back into use
- there is a need for the provision of good quality advice and assistance to those owners in this position
- a smaller percentage of owners and potentially those that failed to respond to the survey have no intention of returning their property to use.

4.25 St Edmundsbury Empty Homes Initiative

4.26 St Edmundsbury has been actively focusing on empty properties (empty for longer than 12 months) for a number of years. The Council has a clear process which involves writing to owners of empty properties on a monthly basis with a questionnaire to capture the reasons why the property remains empty and what the owners intend on doing to bring the properties back into use. As of the 1st September 2012, St Edmundsbury had 136 empty properties (longer than 12 months). The chart below breaks down these figures into localities which enables the council to focus on those areas with a high proportion of empty properties.

4.27 Number of empty properties over 12 months as of the 1st September 2012

	<u>Bury St Edmunds</u>	<u>Haverhill</u>	<u>Rural</u>	
Owner is engaged & and Staff are monitoring	11		3	34
Staff aware of reason for empty and are monitoring	4		0	21
Owners not engaged	5		0	11
New on the empty properties list this month	5		5	3
Housing Association properties	3		3	13
Not applicable properties. i.e Annexe	3		1	14
Exempt properties	3		3	10
TOTAL	34		15	106

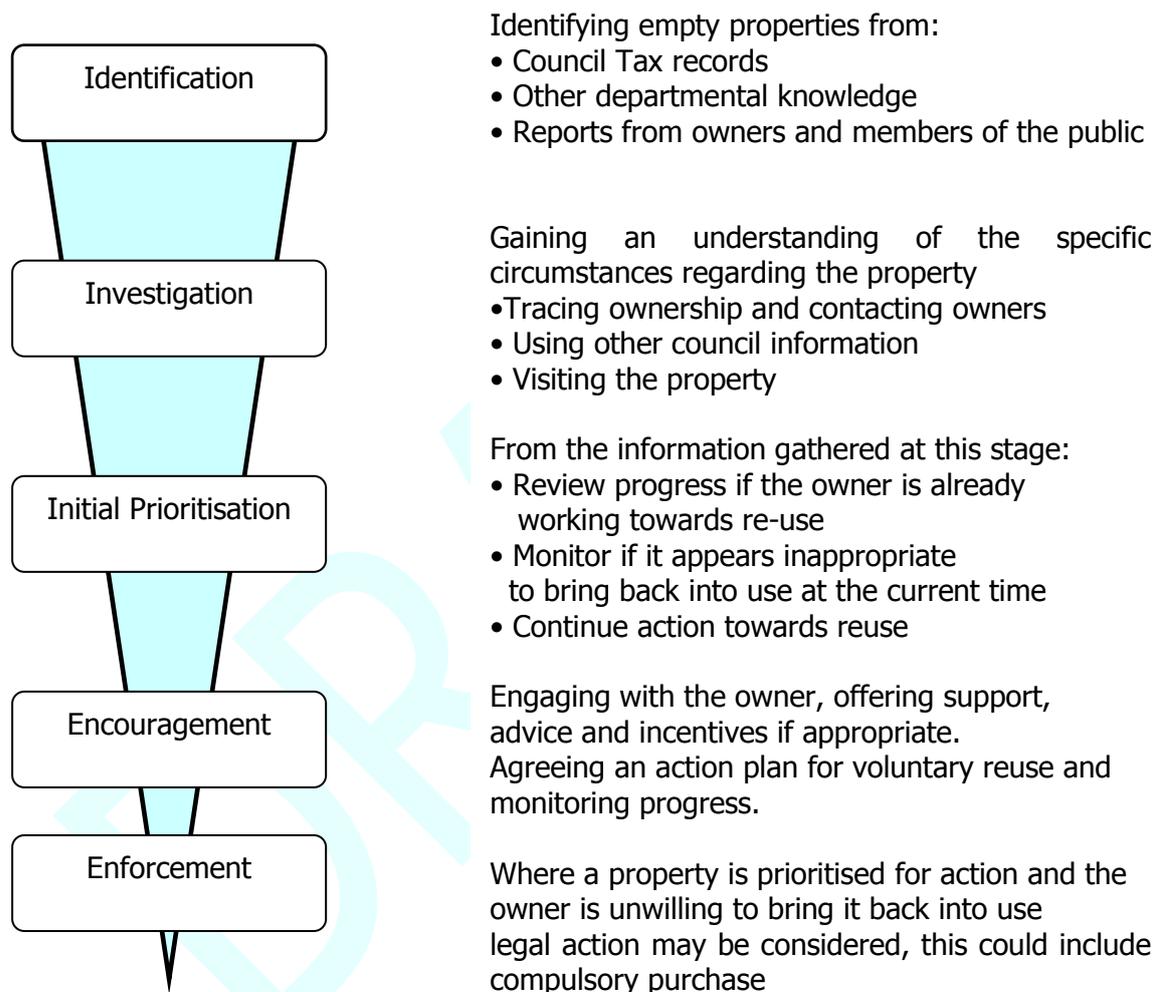
5: Our Future Approach to tackling Empty Homes

5.1 Our approach will be to encourage owners of empty properties to bring them back into use ensuring they have the right advice and information to enable them to make informed decisions on the right option. Where an owner is unwilling to bring the home back into use we will as a last resort consider the use of legal action.

Where legal action is considered to be appropriate the approach will be fair, proportionate, equitable and incremental.

5.2 The diagram below outlines the stages in our approach.

The identification stage is undertaken on a monthly basis, the time taken to complete the other stages will depend upon the individual circumstances of each property, but will be monitored on a regular basis.



5.3 Types of Enforcement available

- **Improvement works**

5.4 Where a property is in a poor state of disrepair or is affecting a neighbouring property or the surrounding area there are various powers that can be used to bring about improvements (see Appendix 2 for a variety of powers available) Where it is decided that the use of these powers is appropriate, notices will be served on the owners requesting that they carry out the required works. If the owners do not comply with the notices the Council may carry out works in default and subsequently request repayment of our costs from the owner.

5.5 If the owner fails to pay for works that we undertake in default then this may allow us to pursue the next option below.

- **Enforced Sale**

5.6 Where works in default have been undertaken at a property the debt can be secured on the premises by making a local land charge or by registering it as a caution on the land registry certificate. If the owner fails to repay the debt this power enables the Council to recover its debt through the enforced sale of the property.

- **Compulsory Purchase Orders**

5.7 Local Authorities have the power to compulsory purchase land and property under Section 17 of the Housing Act 1985 and Section 226 of the Town and Country Planning Act 1990 to enable these empty homes to be brought into use for housing. Compulsory purchase is a potentially costly and time-consuming process and will be used as a last resort where attempts at encouragement have failed and where other enforcement actions are not seen to be viable.

- **Empty Dwelling Management Orders (EDMO's)**

5.8 Empty Dwelling Management Orders are a discretionary power introduced in the Housing Act 2004 that came into force in April 2006. They allow Local Authorities to take management control of certain empty properties for initially up to 1 year (under an interim EDMO) and then for 7 years (under a final EDMO). EDMO's may be suitable where, despite the Council's best endeavours, owners have failed to bring a home back into use and it is cost effective to do so.

5.9 When considering enforcement options each case will be assessed on its own merits and the most appropriate course of action decided. Where enforcement action is deemed appropriate the relevant Ward Councillors and the Cabinet Member will be informed.

6. What we achieved during the previous strategies

6.1 Similar priorities for managing and reducing the number empty homes were set for both Councils in their previous strategies. The table below summaries the priorities set and the progress made to date:

	Priority	Progress	Status
FHDC	Identify long term problematic empty homes in the district	Working with Council Tax both councils receive data each month relating to empty properties. A robust database as been set up in both councils to allow us to process data and monitor actions relating to empty properties	Achieved Sept 2012
SEBC	Ensure the council has the right information	SEBC has established a internal multi discipline Officer Group to	April

		review information involving, housing, environmental health, legal and Council Tax	2011
FHDC	Provide encouragement and support to empty home owners	Forest Heath has produced an information pack available for empty home owners as well as adopting a Housing Assistance Policy. The Housing Assistance Policy provides advice as well as a range of grants and finance options available to empty home owners. St Edmundsbury routinely writes to all owners of empty properties to establish contact and understand the reason for the property being empty and the plans for bringing it back into use. The outcome of this contact forms the basis of our monitoring and consideration of any further action.	Achieved April 2012
SEBC	Establish good communication with owners		Achieved Nov 2011
FHDC/SEBC	Develop an approach to working with our partners Encourage the use of the private rented sector and access into it	A private Sector leasing scheme delivered approximately 7 homes in Forest Heath and approximately 40 homes in St Edmundsbury over the last 5 years. However partners found it difficult to find a sustainable model to work with and due to the high risk of the scheme decided to discontinue the work in April 2012	Achieved April 2012
FHDC/SEBC		A Landlord Liaison Officer post forms part of the Housing Options Team for both Councils and works directly with the private sector.	Achieved May 2012
FHDC	Raise awareness of our commitment to fill empty homes	Forest Heath has agreed actions to be taken regarding long-term empty properties and has made this a Corporate action to deliver. The Council has agreed to provide resources to tackle empty homes, through financial assistance as well as raising awareness within our Corporate Newsletter. Advice and Guidance on Empty homes is also available on our website.	Achieved April 2012

SEBC	Prioritisation of empty properties	St Edmundsbury has successfully reviewed and agreed actions to be taken regarding long term empty properties via its Empty Homes Working Party Officer Group which includes housing, environmental health, legal and council tax. This Officer Group has shared information and made informed decisions regarding action to be taken.	Achieved April 2012
SEBC	Use legal remedies as a last resort.	St Edmundsbury staff have successfully applied the intended use of Compulsory Purchase Orders to engage with the owners of long term empty properties. This has been applied on 3 occasions, when all other attempts have failed. On one occasion the property was brought back into use and on the other two, renovation works have commenced without formal proceedings being taken.	Ongoing

7. Going forward: Our commitments

Priority 1: Have the right information to allow identification of long term empty properties and monitor how effective we are in reducing the number of empty properties.

7.1 Key actions

- 7.1.1 Work with Anglia Revenues Partnership and members of the public to ensure we have accurate information concerning empty properties in West Suffolk
- 7.1.2 Maintain empty homes databases for each council recording all empty properties, owners details, contact made, actions agreed and outcomes
- 7.1.3 Establish a joint Empty Homes Officer Group. The group will meet regularly to review empty homes and determine necessary actions
- 7.1.4 Regularly report performance to Councillors
- 7.1.5 Actively seek funding opportunities to bring empty homes back into use

Priority 2: Work in partnership with other agencies to reduce the number of long-term empty properties in West Suffolk and bring them back into use.

7.2 Key actions

- 7.2.1 Ensure key stakeholders who have important links with the community such as Councillors, Registered Providers (previously known as Housing Associations), voluntary groups and other public sector organisations are well informed about the need to report empty homes and what action the councils will take to bring them back into use.
- 7.2.2 Review periodically opportunities for partnership working with Registered Providers.
- 7.2.3 Develop links with estate agents, lettings agents and private landlords to ensure private sector empty homes are reoccupied.
- 7.2.4 Investigate models for working in partnership with owners who wish to rent their property to households from the housing register

Priority 3: Improve awareness of how to bring empty properties back into use by proactively identifying empty properties and working with owners to provide financial resources where appropriate.

7.3 Key actions

- 7.3.1 Review and update information on each council's website relating to empty homes, including how they can be reported and how the councils can help bring them back into use. The information on the websites will be reviewed regularly to ensure easy access to advice and information is provided.
- 7.3.2 An information pack will be developed to assist owners of empty homes and inform them of help and support including potential funding opportunities that may be available to them.
- 7.3.3 Ensure key stakeholders are aware of the information available, how to access it and receive regular briefings and updates.
- 7.3.4 Make contact with owners at the earliest opportunity and provide advice and assistance as required regarding options for bringing their property back into use.
- 7.3.5 Follow up initial contact as appropriate and record decisions on a database.
- 7.3.6 The councils may receive payments in lieu of affordable housing on some developments. Where appropriate, the Councils will look to using such payments to support local Registered Providers in purchasing empty homes from the open market.

- 7.3.7 Where the opportunity presents itself both councils will work proactively with Registered Providers to bring empty homes back into use. Additional money may be available to support partners in the lease and repair of a property.
- 7.3.8 Provide financial assistance to owners where appropriate to facilitate the property being brought back in to use as set out in the joint Housing Assistance Policy. www.stedmundsbury.gov.uk/housingassistancepolicy
- 7.3.9 Following the Governments 'Technical Reform for Council Tax 2012' both Councils have agreed an increased premium of 50% for all unoccupied and substantially unfurnished properties which have been empty for two years or longer.

Priority 4: Use legal remedies as a last resort.

7.4 Key Actions

- 7.4.1 Where owners do not engage with the council and the property remains empty, the owner will be advised in writing that the Council acquiring a Compulsory Purchase Order⁶ could be the next step.
- 7.4.2 After all other options have been exhausted; decisions regarding the possible use of compulsorily purchase legislation⁷ will be taken by the Officer Group for each Council.
- 7.4.3 Investigate other legal powers available and evaluate their effectiveness in terms of both bringing homes back into use and cost to the council.

7.5 Action plan

- 7.6 A detailed action plan reflecting the priorities and key actions is set out in appendix 1.

8. Monitoring Progress

- 8.1 The success of this strategy will be measured through the number of empty properties that are brought back into occupation using the range of initiatives set out in the strategy and the action plan.
- 8.2 The Action Plan and the way in which we approach the problem of empty homes will be reviewed on an annual basis. However, the strategy will be reviewed on a 3 years rolling programme.

⁶ Local Authorities have the power to acquire land and property compulsorily where the owner is not willing to sell by agreement. This applies to underused or ineffectively used property/land for housing purposes if there is housing need in the area

⁷ The council has a range of legal remedies available if it chooses to exercise its power, Compulsory purchase Orders are considered the most appropriate

Appendix 1: Action Plan

This Action plan sets out how West Suffolk will deliver its Empty Homes Strategy.

Priority 1. Have the right information to allow identification of the long term empty properties and monitor how effective we are in reducing the number of empty properties

Action	Outcome	Milestone	Resources	Lead/ Key Partners	Target Date
Work with Revenues and Benefits to develop and maintain a database of empty property	Establish a clear picture of the number of empty properties in the area	Have in place a procedure to contact empty homes owners within 28 days of receiving the information from Revenues and Benefits	Existing staff resources*	Housing Services	Start July 2012- On going
Develop a joint empty homes database to record and maintain information on empty homes for the purpose of our KPI's	Ability to monitor and record all empty homes provided by Revenues and Benefits.	A traffic light matrix system used to determine which empty properties are priorities to target for intervention. No greater than 2% of the total housing stock are empty homes	Existing staff resources*	Housing Services	March 2014

Set up a Joint Empty Homes Action Group	To determine a set protocol to help bring empty homes back into use in partnership with other service departments	Action Group meets on a six monthly basis to review progress of the Action Plan	Existing staff resources*	Housing Services Private Sector Housing Council Tax (ARP) Legal	March 2013 – on-going
Improve links with other Council Departments through regular meetings with the Empty homes Action Group	To ensure joined up working, share good practice and operate more effectively	Reduction in staff time	Existing staff resources*	Housing Services	Start Jan 2013- on-going
Map Empty Homes using GIS/ SiGnet	To assist in targeting action and resources	Feedback on clustering of empty homes to target for HCA funding	Existing staff resources*	Housing Services	March 2014
Use questionnaires to collect data	To assist with data analysis to determine why properties are empty and proposals to tackle them	Ability to report accurately on KPI's	Existing staff resources*	Housing Services	On going
Produce quarterly empty homes monitoring reports and performance reports	To provide accurate information and data on the work	To assist in achieving an action set within the Action Plan	Existing staff resources*	Housing Services	Oct 2013

	and impact of empty properties				
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Priority 2. Work in partnership with other agencies to reduce the number of long-term empty properties in West Suffolk and bring them back into use.

Action	Outcome	Milestone	Resources	Lead/ Key Partners	Target Date
Encourage bringing empty homes back into use through a Landlords Forum	Landlords are aware of the support the Council can provide in bringing empty homes back into use	To ensure targets set within Key Performance Indicators are met	Housing Assistance Policy HCA Funding Damage Guarantee Bond	Landlord Liaison Officer Private Sector Housing Team Housing Services	Start November 2012- on-going
Produce an empty homes information pack for professionals who may come into contact with empty homes	To assist owners with information to enable them to make informed decisions to facilitate re-use of property	Feedback on the information pack has been received and reported to the Strategic Housing Group	Existing staff resources*	Joint Officer Working Party Group	December 2013
Create a database of owners who wish to sell their empty property. Create an interested	Follow up those expressing an interest to take part in purchase and repair	A means of introducing potential purchasers/ developer to empty home owners looking to sell	Existing staff resources*/ Partner organisation	Housing Services	January 2013

purchaser database	scheme and develop a database that can be accessed by potential purchasers/ organisations				
Create and publish a variety of communication channels for reporting empty properties	Increase knowledge of empty homes in West Suffolk and involvement of the public	Annual press coverage to coincide with 'National Empty Homes week'	Existing staff resources*	Housing Services	December 2013
Establish links with External Agencies and share information with Local Councillors	To ensure best practice and maximise networking opportunities	Raise awareness of empty homes with the public	Existing staff resources*	Housing Services Private Sector Housing Team	Nov 2013 On-going

Priority 3. Improve awareness of how to bring empty properties back into use by proactively identifying empty properties and working with owners to provide financial resources where appropriate.					
Action	Outcome	Milestone	Resources	Lead/ Key Partners	Target Date
Produce literature to highlight the issues of empty homes and options available to owners to return them to use	To assist owners with information to enable them to make informed decisions to facilitate re-use of property	Reduction in the number of long term empty properties	Existing staff resources*	Housing Services Environmental Health Team	Start Feb 2013 - on-going
Provide advice to owners who wish to let or sell their homes	To demonstrate the benefits of letting and selling empty properties and to remove any misconception	Landlord Liaison Officer to co-ordinate all correspondence with empty property owners	Existing staff resources *	Landlord Liaison Officer Housing Services	Start - Sept 2012 - on-going

Develop a Empty Homes page on the Councils website	To act as an access point for all information regarding empty homes, including links to external resources	Information gathered during the first year of implementation of the strategy	Communication and Customer Services	Housing Services	Oct 2013
Explore opportunities for access to the private rented module of the Home-Link CBL Scheme	Liaise with the Sub Regional Home-link Manager regarding the development of the private rented module of the Home-Link CBL scheme and publish through Information packs and Website	To provide a further option for home owners who wish to rent out their property through advertising via CBL Scheme as well as receiving a landlord support package	Sub Regional Home- Link Manager	Housing Services Housing Options Team	Dec 2013
Devise scoring matrix	To enable properties to be prioritised for action	To assist with targeting empty property owners and assist with monitoring of KPI's and ELASH reports	Existing staff Resources*	Housing Service	Dec 2013

Risk assess all empty homes requiring Action	To ensure each property is considered to meet the criteria for accessing the Homes Assistant Grant	To help empty homes owners bring their properties up to a decent homes standard enabling them to let their property through Access to You	Existing staff resources*	Private Sector Housing Team Landlord Liaison Officer	March 2014
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Priority 4 – Use legal remedies as a last resort

Action	Outcome	Milestone	Resources	Lead/ Key Partners	Target Date
Ensure appropriate enforcement policies are in place	A working procedure is in place and enforcement action is able to be audited against the procedure	Procedure is reviewed on an annual basis	Existing staff Resources* Legal services	Housing Services Legal Private Sector Housing Team	Dec 2013
Set up partnership relations with Registered Providers if all actions have failed to bring an empty property back into use and the need for Compulsory	An empty property which has been a blight on the neighbourhood is returned to use.	Outcomes of partnership are regularly reviewed	Existing staff resources*	Housing Services Legal Private Sector Housing Team	March 2014

Purchase/ Enforced sale is necessary					
Set up account to access Land Register on line	To allow information on ownership to be confirmed instantly to aid enforcement	Speed of enforcement action is regularly reviewed	Land Registry	Housing Team	Nov 2013

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Appendix 2: Statutory Powers in Relation to Empty Homes

Dangerous or dilapidated buildings or structures	Building Act 1984, Sections 77 and 78 *	To require the owner to make the property safe (sec 77) or enable LA to take emergency action to make safe (sec 78).
	Housing Act 2004, Section 5 **	Where category 1 hazard/s exist duty to take action
Unsecured properties where there is a risk it may be entered or suffer vandalism/arson, etc	Building Act 1984, Section 79 *	Allows LA to fence off the property if dangerous, this can lead to a demolition notice.
	Local Govt (Misc Provisions) Act 1982, Section 29 **	To require owner to secure the property or allow LA to board up in an emergency
	Anti Social Behaviour Act 2003 part 1A amendment	Closure notice prohibiting entry on premises associated with persistent nuisance or disorder, requires a magistrates order, but the Council can perform necessary action to prohibit access including boarding up.
Vermin (whether present or there is a risk of attracting vermin)	Public Health Act 1961, Section 34 ***	To require owner to remove waste so that vermin not attracted to site
	Prevention of Damage by Pest Act 1949, section 4 Public Health Act 1936, Section 83 ***	To require the destruction of rats and mice or keeping land free from them
	Environmental Protection Act 1990, section 80 ***	Use this power to cure vermin issues, remove waste where there is a nuisance to someone else
Unightly land and property affecting the amenity of an area	Public Health Act 1961, section 34 ***	To require the owner to remove waste from the property
	Town and Country Planning Act 1990, Section 215-219 ****	To require the owner to address unightly land or the external appearance of the property
	Clean Neighbourhoods Act 2005, Anti Social Behaviour Act 2003 ***	To require the owner to remove rubbish and clear graffiti

	Building Act 1984, section 79 *	To require the owner to take steps to address a property adversely affecting the amenity of an area through its disrepair
	Planning (Listed Buildings and Conservation Areas) Act 1990	Empty Listed Building or building in conservation areas that are falling into disrepair the Council can undertake works for their preservation. ****
Properties that have been vacant in excess of 6 months where negotiation has been unsuccessful in returning it back into use	Housing Act 2004, section 134 **	To grant local authority the powers to take over the management of a property initially under an interim EDMO the final EDMO.
Sharing of data from other Council departments	Local Government Act 2003, section 85	Allows the Council Tax department to share the addresses of empty properties, the owners name and contact details.
	Housing Act 2004, section 237	Allows the Council Tax department to share information on debt in relation to empty homes enforcement.
Powers of Entry	Housing Act 2004, section 239	Members of the Council can enter unoccupied premises or land to carry out inspections in relation to its statutory capacities.

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