

Sevenoaks District Council

Empty Homes Strategy 2023-2028

Introduction

Sevenoaks District Council is committed to bringing long term empty homes back into use. The Empty Homes Strategy has been developed to help achieve this. The success of this Strategy will make a continued contribution to the prosperity of the District and an increase in the supply of homes across the District which will help reduce homelessness, increase availability and provide a good standard of accommodation that residents can enjoy.

Why a Strategy is needed

Empty Homes are a wasted resource in terms of housing available for people to live in and they can have a negative impact on their surrounding communities including:

- Attracting unwanted attention including vandalism, fly tipping and anti-social behavior
- Causing damage to and reducing values of neighbouring homes
- Being an eyesore, having overgrown gardens and encouraging pests
- Requiring extra resources from Council Services and the Police
- Adding to the pressure for new housing provision

The Council is committed to tackling the blight of empty homes and to assist owners in returning their home back in to use through a coordinated and sustainable approach which will deliver clear economic and social benefits

The Council will seek to tackle the problem of other empty properties such as those classified as being for commercial or business use on a case by case basis

Focus of the Strategy and reasons why homes become and remain empty

Many homes are left empty in the short-term during the process of sale, rent or refurbishment. This strategy focuses on those homes which have been left empty for over 6 months and/or are causing problems to the local neighbourhood.

Some of the reasons that homes are left empty include:

- Residents moving into residential care
- Change of ownership
- Death of owner and estate in Probate
- Mental Health problems
- Lack of funding available

- Owners unaware of options available to them
- Emotional attachment following bereavement
- Major refurbishment required
- Restrictive covenants
- Owners waiting for an upturn in the market
- Perceived problems with renting

Objectives of the Strategy

The overall objectives are to:

- Engage and encourage owners and landlords to bring empty homes back into use
- To stop empty homes attracting crime, anti-social behavior, vandalism, fly-tipping
- Devise and explore new and innovative solutions to reduce the impact of empty homes on local communities and bring them back into use
- Develop a coordinated approach to help identify and tackle empty homes

Who benefits from bringing Empty Homes back into use

Homeowners

- Increased capital value
- Reduction in costs of insurance, repairs and maintenance
- Reduced risk of squatters and vandalism

Community

- Reduction in negative impact on neighbourhood house prices
- Prevents anti-social behaviour including vandalism, arson, burglary, fly-tipping and drug miss use
- Regeneration of an area

Council

- Increased housing supply
- Reduced costs/resources in dealing with complaints about empty Homes
- Increased income from Council Tax
- Reduction in homelessness
- Reduced need for development

Implementing the Strategy

The Council will:

1. Assemble, maintain and improve the accuracy of empty homes data

This will be updated regularly to enable us to monitor the current state of the problem and the effectiveness of the strategy

2. Provide advice and assistance and promote the One Council approach

There are a number of enforcement tools available to officers of the Council to deal with empty homes. Officers from the Council's Private Sector Housing Team will work with other Council teams from Legal, Council Tax, Environmental Health, Planning, Building Control and Community Safety to enable different forms of enforcement and coordinate enforcement activities to maximize the effects and minimize the cost to Council taxpayers

Owners of empty homes will be contacted to clarify their intentions. If the owner does not wish to retain the home, advice and assistance can be provided. If an owner wishes to retain the home, Council officers will discuss options and provide advice and assistance wherever practicable.

Information is available through the Council's website (www.sevenoaks.gov.uk) and through officers of the Sevenoaks District Council.

3. Prioritise empty homes for enforcement action

Where practical support has not resulted in the improvement of a home and it being brought back into use, the Council has a range of legal options to exercise.

Details of those options are set out in Appendix 1.

4. Participate in coordination across Kent

Empty homes cause problems nationwide but local solutions can be shared to the benefit of all Kent councils. The Council is a member of the Kent Housing Group which brings together housing officers with different specialisms from across Kent, to work together and disseminate information and good practice.

The Council will promote and seek extra funding available from public sources, for example the Kent No Use Empty initiative to support the Council's efforts to bring empty Homes back into use as dwellings.

On a case by case basis, the Council will consider the provision of an interest free loan to enable owners to refurbish and then sell or let their home. Loans are facilitated through the Kent No Use Empty (KNUE) initiative and are repayable after a term of 3 years for a rental home and 2 years if the owners wish to sell the home, or upon the sale of the home or a breach of loan condition.

Further information is available through the Council's website (www.sevenoaks.gov.uk) and through officers of the Sevenoaks District Council

5. Raise awareness of the Empty Home issue

It is important to ensure the public, elected Members, Council staff and customers know how and where to report empty homes, and to understand the scope of

remedial actions available to the Council. Provision of up to date information on the Council's website, information sharing at events, for example the Landlords Forum, and annual reporting to Members at the Housing and Health Advisory Committee, will be utilised to this end.

6. Empty Homes Premium

The Council will make use of the powers conferred by the Local Government Finance Act 2012 and the Rating (Home in Common Occupation) and Council Tax Act 2018 to levy a premium rate of Council Tax as an incentive to owners of long term empty homes to bring these back into occupation by sale, letting or renovation.

From 1 April 2021, there is no discount available for residential homes that are unoccupied and unfurnished. Council tax will be charged at the full rate. If a residential home remains unoccupied and unfurnished for two years, a premium will be charged as follows:

- If the home is still unoccupied and unfurnished after two years, 200% Council Tax will be charged
- If the home is still unoccupied and unfurnished after five years, 300% Council Tax will be charged
- If the home is still unoccupied and unfurnished after ten years, 400% Council Tax will be charged

Certain exemptions apply, as set out on the Council's [website](#)

Monitor and Review

In order to deliver the Empty Homes Strategy successfully, the Council will utilise all available resources across its own services and its external partners.

The Council will keep records of the number of empty Homes returned to use and the period of time they remained empty. The Strategy will be applied for five years. The accompanying Action Plan (see Appendix 2) will be reviewed and updated annually.

Contact Information

Telephone: Private Sector Housing Team 01732 227000

Email: empty.homes@sevenoaks.gov.uk

Legal Powers and Requirements

Dangerous or dilapidated buildings or structures

Building Act 1984, Sections 77 and 78

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) (may include demolition of whole or part, see also section 80)

Unsecured properties posing a risk of unauthorised entry

Building Act 1984, Section 78

Allows the Local Authority to fence off the property (where there is a risk of trespass, vandalism, arson or similar)

Local Government (Miscellaneous Provisions) Act 1982, Section 29

Requires the owner to take steps to secure a property or allow the Local Authority to board it up in an emergency

Unightly land & property affecting the amenity of an area

Town & Country Planning Act 1990, Section 215

Require the owner to remedy the condition of land causing harm to the amenity of the neighbourhood because of the state of the gardens or the external appearance of a property

Public Health Act 1961, Section 34

Require the owner to remove waste from the property

Building Act 1984, Section 79

Require the owner to take steps to address a ruinous or dilapidated property adversely affecting the amenity of an area

Vermin (where present or likely to be attracted)

Public Health Act 1961, Section 34

Require the owner to remove waste so that vermin are not attracted to the site

Prevention of Damage by Pests Act 1949, Section 4

To require an owner to take steps to keep land free from rats and mice
Blocked or defective drainage or private sewers

Local Government (Miscellaneous Provisions) Act 1976, Section 35

Require the owner to address obstructed private sewers

Building Act 1984, Section 59

Require the owner to address blocked or defective drainage

Public Health Act 1961, Section 17

Require the owner to address defective drainage or private sewers

Statutory Nuisance (repair, dampness, refuse)

Environmental Protection Act 1990, Sections 79, 80

Require the owner to take steps to abate the nuisance or carry out works where a premises is in such a state as to be prejudicial to health or a nuisance (eg causing dampness to a neighbouring property)

Building Act 1984, Section 76 (accelerated Statutory Nuisance procedure)

Council's notice of intention to remedy where a premises is prejudicial to health or a nuisance, and where there would be unreasonable delay if section 80 Environmental Protection Act 1990 were used

Breach of Housing Health and Safety Rating System Standards

Housing Act 2004, sections 11, 12

If Officers assess that there are Category 1 breaches of the housing health and safety rating system then Compliance Notices may be served for rectification of these breaches

Where all else fails: Enforcement Orders for Empty Properties

Compulsory Purchase Order (CPO)

Under the Housing Act 1995, Section 17 the local authority has the power to compulsorily acquire land and property under certain circumstances, in order to satisfy local housing need

Empty Dwelling Management Order (EDMO)

This power introduced in the Housing Act 2004 is pursued through a Residential Property Tribunal (RPT) which must be satisfied that there is no reasonable prospect of the dwelling being returned to use in a reasonable timescale without an EDMO. If approved the Local Authority takes management control, initially for one year under an interim EDMO and then for seven years under a final EDMO

Empty Homes Action Plan 2023-2028

Aim 1: Assemble, maintain and improve the accuracy of Empty Homes data					
Monitor	Action	Success Criteria and Outcomes	High, Medium or Low Priority	Lead Officer/Team Responsible	Progress
1.1	Maintain an empty homes database containing information provided by Council Tax (quarterly) and ongoing monitoring of actions and communications	Council Tax database on empty home provided twice per year	H	Empty Homes Officer	
1.2	Surveys distributed to empty home owners to establish the reasons for being empty and to inform strategic direction	Annual Surveys regarding long-term empty homes on a quarterly basis Targeted Surveys sent regarding high priority homes Survey of owners completed and analysed to establish reasons	H	Empty Homes Officer	

		or barriers to re-occupation			
Aim 2: Provide advice, assistance and promote the One Council approach					
Monitor	Action	Success Criteria and Outcomes	High, Medium or Low Priority	Lead Officer/Team Responsible	Progress
2.1	Letters issued to empty home owners with links to relevant assistance and support	A letter issued annually as a minimum	H	Empty Homes Officer	
2.2	Make full use of the Council's social media platforms to promote and share information about the assistance available	Full information for the owners/landlords on options for addressing empty homes on the Council's website	H	Empty Homes Officer/Communications	
2.3	To inform home owners of the options available	Referrals regarding selling or leasing homes Circulate lists of relevant homes to interested parties Issue letters to enable home owners to pay	H	Empty Homes Officer	

		reduced VAT on renovation work			
2.4	To promote the availability of the No Use Empty scheme to empty home owners and property developers	Occupation of empty homes as a result of regeneration financial assistance	H	Empty Homes Officer	
2.5	Continue to support cross service information sharing and monitoring of empty homes. This is supported by the established Empty Homes Working Group who meet periodically to review progress and to agree solutions to issues encountered	Regular Empty Homes Working Group Meetings. Information and action on identified empty homes shared between teams	H	Housing Strategy Manager/Private Sector Housing Team Leader/ Empty Homes Officer	
2.6	To review the external visual appearance of long-term problem empty homes and refer for relevant enforcement action if required	Regular Empty Homes Working Group Meetings. Information and action on identified empty homes shared between teams	H	Housing Strategy Manager/Private Sector Housing Team Leader/ Empty Homes Officer	

2.7	To develop the availability of an inhouse agency service for carrying out works in default	Work in default arranged and supervised by the Council	H	Housing Strategy Manager/Private Sector Housing Team Leader/Property Compliance and Maintenance Manager	
2.8	Develop a 'matching service' in partnership with Registered Providers and empty home owners with a view to lease or purchase of empty homes for social housing	Completion of lease or purchase of empty homes	M	Housing Strategy Manager	
2.9	Collaboration with neighbouring local authorities to share expertise and resources for Compulsory Purchase Order action	Periodic meetings with neighbouring local authorities	M	Housing Strategy Manager/Planning Enforcement/Legal Services	
Aim 3: Prioritise Empty Homes for enforcement action					
Sub Ref	Action	Success Criteria and Outcomes	High, Medium or Low Priority	Lead Officer/Team Responsible	Progress
3.1	In response to investigations undertaken by the	Successful use of s215 notices, or the warning of	M	Private Sector Housing Team Leader/Planning	

	Empty Homes Officer/Private Sector Housing Team (as well as public complaints), issue Section 215 Notices when the external condition of a property has a negative effect on the amenity of the area	imminent issue of s215 notices to bring about improvements to the external condition of empty homes		Enforcement/Environmental Health/Community Safety	
3.2	Investigate the use of and agreed procedure for Enforced Sale for empty homes	Review additional resources required and consider options moving forward	M	Housing Strategy Manager/Council Tax and Recovery Manager/Legal Services	
3.3	Investigate the use of and agreed procedure for Compulsory Purchase Orders and Empty Dwelling Management Orders	Review additional resources required and consider options moving forward	M	Housing Strategy Manager/Council Tax and Recovery Manager/Legal Services	
Aim 4: Participate in coordination across Kent					
Sub Ref	Action	Success Criteria and Outcomes	High, Medium or Low Priority	Lead Officer/Team Responsible	Progress
4.1	Participate in Kent Housing Group and	New best practice	H	Head of Housing/Housing Strategy Manager/Private	

	relevant subgroups to learn from and share best practice	initiatives considered and implemented		Sector Housing Team Leader/Empty Homes Officer	
Aim 5: Raise awareness of the Empty Homes issue					
Sub Ref	Action	Success Criteria and Outcomes	High, Medium or Low Priority	Lead Officer/Team Responsible	Progress
5.1	To promote the Action Plan within the Council to other teams, service areas and elected members	Presentation to relevant teams and service areas on the Empty Homes Acton Plan, information section available on Council's intranet	H	Housing Strategy Manager/ Private Sector Housing Team Leader/Empty Homes Officer/Communications	
5.2	To promote the Action Plan within the community via social media and other communications	Circulate information with links to the Action Plan and assistance available Present information in Landlord Forums and other relevant groups	H	Housing Strategy Manager/ Private Sector Housing Team Leader/Empty Homes Officer/Communications	
5.3	To monitor and evaluate the action plan	Annual review of action plan reported to Housing and	H	Housing Strategy Manager	

		Health Advisory Committee			
Aim 6: Empty Homes Premium					
Sub Ref	Action	Success Criteria and Outcomes	High, Medium or Low Priority	Lead Officer/Team Responsible	Progress
6.1	Ensure the empty homes premium is applied in all applicable instances and relevant data shared with the Empty Homes Officer	Collection of the premium maximised	H	Council Tax and Recovery Manager	
6.2	To present a business case for utilising monies received from the empty homes premium to fund the Empty Homes Officer post for a 3 year period, 2024 to 2027	Business case accepted and Empty Homes Officer post funded	H	Head of Housing	