Maldon District Council

Empty Homes Strategy

2008 - 2012
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Why have an Empty Homes Strategy?

Maldon District Council has set as a corporate priority to increase in the supply of affordable housing. In many cases this may be achieved through encouraging the development of new homes that are built to be rented at affordable rents through Registered Social Landlords (or Housing Associations). It may also include other ‘intermediate’ forms of affordable housing such as shared-ownership or intermediate rent.

We know however that such is the current demand for housing both rented through RSLs or private landlords, as well as bought by either first-time buyers or families moving on into larger or smaller properties, that the scale of the development of new homes will not satisfy demand.

As part of the county-wide Local Area Agreement to increase the supply of affordable housing, the Council has set a target of more than 30 new homes each year from 2008 to 2011. The need for affordable housing identified through the recent Strategic Housing Market Assessment suggested that there may be an annual requirement of around 345 additional homes each year. One of the main reasons for such a variation between local need and the likely supply is because of the realistic assumptions that have to be made about the amount of land or sites that will be forthcoming that can be developed to provide housing of any type in the future.

With this in mind, making best use of the existing housing stock becomes an obvious way to help meet both the Council’s priority and also help address the housing needs of local people.

Although the Council has in the past produced housing strategies, and will continue to do so in the future, working to tackle empty homes has been seen as an issue that justifiably warrants having its own Strategy and this is common with many other local housing authorities for the following reasons:

- It is an issue that many people can relate to and keeping this only within a larger housing strategy makes it less clear how committed the Council is to tackling the problem.

- To be effective, it requires close working relationships across different services within the Council, such as Environmental Health, Housing and Revenue and Benefits and therefore the strategy needs to be shared across these services.

- Owners and neighbours of empty homes may naturally be interested in this particular issue rather than wider strategic housing topics and it is therefore helpful to be able to provide a single, simple document that outlines how the Council proposes to deal with empty homes.

The aims and objectives of the Empty Homes Strategy will be incorporated later into the development of the Council's future Housing Strategy. Together
with the Homelessness Strategy the Council will then have a clear strategic focus on:

- Reducing the most urgent needs for housing through its Homelessness Strategy,
- Making the best use of existing resources to meet housing need through its Empty Homes Strategy, and
- Ensuring that housing issues are appropriately linked with wider issues such as health and well-being, the local economy and the sustainability of local communities through an over-arching Housing Strategy.

Together, these three strategies will ensure that the Council is doing all that it can to meet its priority of increasing the provision of affordable homes.

**What do we mean by ‘Empty Homes’?**

In most cases, this strategy will be aimed at bringing back into use privately owned houses that have not been occupied for at least six months. Often the owner will have notified the Council that no one is living there but in some cases the use of the property will not be so clear.

There may be some homes that are rarely used or occupied but have been bought for use as second homes or with plans to renovate them for future use. In both cases, it is often less likely that the owner will be so interested in making them available for another family and we have to be realistic when looking to see what can be achieved. If however the property is causing problems for others then it could be that the Council has a role to play in taking enforcement action, which in turn could lead to the owner reconsidering their original plans.

As well as privately owned homes, some councils have had success in making better use of homes owned by other public bodies such as the Ministry of Defence, the Health Authority or the County Council. Through this Strategy we shall be looking to include and target examples such as these just as much as privately owned homes but we have to recognise that the incentives and sanctions may not be so appropriate, and different solutions may need to be developed.

Finally, there have also been examples of empty buildings being converted to make homes for people. One of the best known examples of this has been barn-conversions which can be very attractive options for some owners and developers. Other examples have included smaller out-buildings, redundant warehouses and space above shops. As with buildings owned by other public bodies, the solutions may be different (and often require planning consent) but can make a worthwhile contribution to meeting housing need as well as improving the local area.
What is the problem?

Empty homes can present a number of problems which justifies the Council taking a strategic as well as operational approach.

Meeting local housing needs – as mentioned above, it is very unlikely that local housing needs could ever be met just through the provision of new buildings. By not doing what we can to bring empty homes back into use we are not making the best use of resources.

Maintaining and improving the area – an empty home can become an eyesore and create a misleading impression of an area, where two or more homes become empty an area can become blighted in the eyes of some people, giving the impression that it is a less desirable area to live in – otherwise why wouldn’t it have been bought by someone? Conversely, by renovating a home and bringing it back into use can have the opposite effect, promoting a feeling of local pride. In cases where the property may be quite old or unique, it can also be a positive way of retaining local character.

Anti-social behaviour – although many other similar strategies make clear links between this and empty homes, this is thankfully often quite rare. However empty buildings do pose risks both to trespassers, such as young children, and also to neighbours who may be concerned about the risk of vandalism.

Financial loss – it is possible that through the inaction of the owner, everyone could face a financial burden; the condition of the property deteriorates without use and go unnoticed leading to an escalation of problems that otherwise would have been quickly and cheaply rectified. The local authority loses out on revenue through Council Tax as well as the owner not having any income. Other services such as the police may be called to attend reports of vandalism and anti-social behaviour and neighbours may feel that their own homes are de-valued if the property falls into very poor condition.

Understanding the reasons for the property being empty – this is not usually identified as a ‘problem’ in other empty homes strategies but in looking at what is effective in bringing properties back into use, officers have through their own experience and in looking at what works elsewhere identified that the reasons for a property becoming empty (or rather staying empty) are closely linked with the individual wishes, views and understanding of each owner. Time and other resources can be wasted if there is not an appreciation of the need to work with the owner and learn how best to develop a positive, constructive approach. This does not mean that ultimately sanctions such as enforcement action should not be considered but starting out with this approach can make the process adversarial and less likely to lead to a successful outcome. We are therefore seeking to work in a more innovative way than elsewhere so as to be more effective in tackling the problems that owners as well as others face.
As we can see already, in developing a strategy to tackle empty homes we need to recognise that there can be a wide range of variation:

- in the type of properties that have to be considered
- the problems that they present
- the reasons why they are still empty and
- the needs and expectations of the owners.

What is the scale of the problem?

There are few cases where an empty home in the District presents an urgent problem requiring immediate attention, which naturally leads us to this being mainly an area of strategic working. In cases where there is a need to intervene quickly, for example to address serious risk to health or safety, the regulatory and enforcement role of Environmental Services will have a crucial role to play with regard to empty homes as well as the strategic input from Housing.

In terms of encouraging owners to make better use of their homes, this is an activity that fits well within the Council’s strategic role as a local housing authority and can be covered through its Housing Team. Although this helps to plan and implement an effective way of tackling long-term empty homes, there is a risk that progress can be ‘lost’ amongst other competing priorities which is why, through linking this with the priority of providing affordable housing, we plan to be able to maintain the profile of this Strategy throughout its lifetime.

We should however be realistic as to the aims that are set for bringing properties back into use. Previously in some areas, Empty Homes Strategies have almost been seen as a way of increasing the supply of affordable housing and as great as this need is, it would be unrealistic to expect this to be the main outcome of the Strategy, or the only measure of success. There is currently a shortage of housing of all types of tenure, so applying the very basic rules of supply and demand, any property brought back to use as a home helps to ameliorate the housing situation in a sustainable way.

As has been outlined above, tackling other problems such as attracting anti-social behaviour, creating an eyesore, or preventing further deterioration are also successful outcomes. The ability of an empty home to provide an affordable home (i.e. one that can be offered to a local family in housing need for less than market rental) is therefore a bonus and whilst we seek to achieve this as best as possible, it will not be the sole criterion to judge the effectiveness of this strategy.

As of July 2008 the number of recorded 'empty homes' was 860. Of these, 460 had been empty for six months or more.
In many cases, we can reasonably assume that of these 460, some are in the process of being brought back into use and therefore need no advice or encouragement to the owner. On the other hand, a small number of homes have been recorded as being empty for a number of years and may be at risk of falling into serious disrepair.

This information is based upon Council Tax records and we have to understand that there are two other factors that also need to be considered alongside this data:

*Second homes* – some properties are recorded as being used as second homes and this is understandable in a rural, coastal district. Although in fact there could be a small number that are rarely if ever used, the fact that the owners choose to record them as being a second home as opposed to an empty or unoccupied home can be an indication as to their willingness to make better use of the property.

*Unrecorded empty homes* – it is not unknown for owners of empty properties to continue to pay a full rate of Council Tax, and consequently these properties would not be included within the existing data.

Whilst this makes it very difficult to accurately assess how well all the existing housing stock is used across the District, we can already see that there is a significant number of homes not being used.

**What are the solutions?**

**Identifying empty homes**

The first step to successfully tackling empty homes has to be identifying those properties that we either know, or suspect may be empty. Encouraging owners to consider how to make best use of their properties also extends to working with owners who may be able to make better use of properties that they own, such as creating or bringing back into use space above shops or possibly converting buildings into residential use.

With such a large rural area, we should also make best use of the community to act as our ‘eyes and ears’, promoting the work that we are doing with empty properties and encouraging the public to report any properties that they think may be causing a nuisance, be abandoned or could be put to better use. Very often, such promotion also prompts owners to come forward who would not otherwise be aware of what the Council is seeking to achieve.

The Council will therefore:

- Make best use of existing information to identify homes that it believes to be empty.
- Promote through the local media (press, leaflets, website, and Landlords’ Forum) the aims of this Strategy
• Undertake a survey of shopping areas across the District to find out the extent to which better use could be made of rooms above shops.
• Contact other public bodies such as Essex County Council, the Police, and others to see what properties they may have that are not being used in the District.
• Consult with local RSLs to explore any opportunities to make better use of their own local housing stock and how they may be able to contribute towards providing options to owners of empty homes.

As shown above, there are a number of properties identified as being empty throughout the District. Having recognised both the level of support that owners often need in order to achieve an effective outcome and our own capacity to tackle the problem, we will introduce a system to prioritise which homes we will concentrate on first. This will be done by using a points system so that we can objectively focus and balance resources on properties that may be causing the greatest problems for neighbours and are most likely to meet housing needs.

This does not mean that other empty homes will not be tackled but with potentially several hundred owners to engage and consult with, it would be counter-productive to try and work with everyone at once. Having a points system will also help in explaining to others who may report empty homes when we may be able to begin to take action.

The criteria for prioritising which properties to take action on will include:

• **Length of time a home has been empty for** – those which have been empty for six to twelve months may be in the process of being disposed of by the owner but delayed for reasons such as probate, delays with purchasers, or undergoing renovation, and may not therefore warrant so much attention as others which have been empty for a number of years.

• **Number of complaints** – those homes which have attracted complaints, often to Environmental Health, may present risks in terms of nuisance to neighbours and are often very visible so it is important that the Council is seen to be linking these with this Strategy.

• **Condition and design of property** - we have to recognise that in some cases, properties that are not of conventional construction may present a number of problems in bringing them back into use. This can be made even harder where the home has been empty for a long period and allowed to deteriorate, to the point that in some cases it may not be economically viable to seek to renovate it and bring back into use. In these cases, the options to the owners have to be explained and other enforcement may need to be considered.

• **Type of property** – we know through the Strategic Housing Market Assessment the type of properties that we have the greatest need for;
across the District there is a significant proportion of larger homes and
a shortage of smaller properties that are more affordable. It is therefore
more likely that a smaller property brought back to use would be more
likely to help meet local housing needs, irrespective of whether this
was to be rented at an affordable rent, privately rented or sold on the
open market.

- **Location of the home** – properties that are close to local amenities
  are likely to have a greater appeal to a wider number of people, so
  when looking at meeting local housing need this needs to be
  recognised as a relevant factor.

Please see Appendix One for the Empty Homes Checklist.

In using a points system, we will be able to place any empty home into one of
three bands – high, medium or low priority. This will be helpful when allocating
funding which may be from limited sources, such as the Council’s Empty
Property Loans.

**Working with Owners**

Having identified empty homes and assessed those which may require urgent
attention, we need to have in place a range of options that reflect the fact that
the reasons why a home is empty may have as much to do with the needs
and situation of the owner as the characteristics of the property. It therefore
makes sense if we really want to be effective in bringing homes back into use
to have options that reflect the owner’s situation and needs.

Previously, some strategies have focused on the use of enforcement to bring
empty homes back into use and whilst there is a need to have some sanction
for those owners who are unwilling to co-operate with local authorities to
resolve the problems that their empty homes may cause, many others may be
dissuaded from approaching the Council if they feel that this may be the only
way that we will deal with them.

By adopting a more incremental approach to working with owners,
encouraging them to make the best possible use of their properties, we also
believe that we will be able to learn more from them about the reasons why
other properties may be empty and the sort of options and remedies that
would be most effective. This may include developing new, more innovative
solutions in the future that we may not otherwise have thought of.

The Housing team has developed a structured approach to working with
owners to support this, based upon standard letters and surveys to gain a
better understanding and background information for each property.

Having set as an objective for this Strategy the increase in the use of empty
homes, participation from owners from this process will be the main aim so
time and effort will then be focused on those who do respond, rather than
chasing up those who do not, as we have to recognise the capacity that we have to work with those owners who may need advice and support to help us achieve the aim of bringing empty properties back into use.

In the case of those owners who fail to respond but whose properties are causing a nuisance or a possible health and safety risk, the Council’s Housing service will work with Environmental Services and other services outside the Council such as the local Police. This may involve providing information we may have on the owner, their failure to respond to the letters and other communication and photographic evidence of the condition of the property.

**Options for owners**

Having established contact with the owners, we shall seek to provide advice and support to encourage them to bring their property back into use. Assuming that the property can be brought back into use with little if any renovation, the most straightforward options could be:

- **Sell on the open market** – explaining to owners the current trends in the local housing market as identified through the Council's Strategic Housing Market Assessment may help them to realise that there is a risk to hoping that the value will always be increasing. When coupled with the likelihood that an unoccupied, empty home is often likely to attract lower rather than higher offers and be perceived as a higher risk for purchasers, as well as increasing the risk to the owner of damage through vandalism and higher insurance premiums, some may see that this is a realistic option.

- **Renting through a letting agent** – as above, using the information we have from the current housing market assessment, we can see that there is at present a growing demand for privately rented accommodation. Renting through a letting agent would bring in an income to the owner ensure that the property is maintained in a reasonable condition, without the need to have direct responsibility for the day-to-day management of the property.

- **Renting directly** – some owners may decide to maximise the income they receive through renting out their homes by acting as the landlord rather than use a letting agent. The Housing service can provide basic information as to their responsibilities to tenants and signpost them to other organisations that can provide more specialist guidance and support, including the Council’s own Landlord’s Forum.

The Council is also able to offer financial support:

- **Rent Deposit and Bond Scheme** – for tenants nominated through the Council’s Housing Options Team, financial assistance can be provided to help cover the cost of accessing the property, including a bond to cover damage.
• **Empty Property Loan** – through existing policy, the Council can provide financial assistance specifically to help meet the cost of repairs that may be needed to bring an empty home back into use. (see Appendix Two)

Through this Strategy, we shall seek to increase the options outlined above to include:

• **Private Sector Leasing Scheme** – whereby the owner grants a lease to a Registered Social Landlord who is working in partnership with the Council for a period of three to five years. The owner receives a guaranteed rental income each month and the Council is able to nominate a family to live in the property. At the end of the lease period, the owner may either extend the agreement with the RSL, choose to take over the management of the property themselves, or have it returned to them vacant in the same condition as when they first leased it.

• **Direct Leasing Arrangements** – some RSLs and on occasions Essex County Council may consider leasing properties either to provide accommodation for people they have a responsibility to accommodate either as part of their statutory duty or through partnerships with other organisations. Where the Council is aware of these schemes, we can promote these as another option for owners of empty homes.

• **Purchase and Repair** – Periodically, RSLs have sought to increase their housing stock through acquiring existing buildings as well as through new-build schemes. This is a particularly useful way to increase the the supply of affordable housing in an area where there may be very little opportunity for new developments, or during times when there is a slow-down with the development programme nationally. Having re-established the Council's Housing Partnership and extended it to six RSLs, there may be opportunities to explore this in the future and use this as another option for some empty homes.

• **Sub-regional working** – by combining efforts and resources with other councils in the sub-region, especially our immediate neighbours, it may be possible to secure additional funding for new schemes. An example of this is a proposal that has been submitted to the East of England Regional Assembly (EERA) seeking funding for an innovative partnership between Maldon District Council and Braintree District Council to combine the objectives of improving the condition of privately owned homes (meeting the objectives of the Government's Decent Homes programme), with bringing empty homes back into use and increasing the supply of affordable housing.
Enforcement

Empty Dwelling Management Orders

Ideally we would hope that owners of empty homes would act responsibly and be willing to co-operate with the Council in bringing their properties back into use. This includes us understanding that in some cases there will be valid reasons for a home remaining empty, although the owner should still act responsibly in maintain the condition and security of the building.

It is foreseeable however that there may be exceptional cases where the owners make it clear that they are not willing to co-operate and further action is required.

In April 2006, the Housing Act 2004 introduced Empty Dwelling Management Orders (EDMOs). The intention of EDMOs is to bridge the gap between the range of options that have been outlined above in this Strategy and the existing enforcement procedures, such as compulsory purchase.

There are two types of EDMO; an interim EDMO and a final EDMO. An interim EDMO lasts for a maximum period of 12 months and during this period the Council would not be able to arrange for anyone to use or live in the property without seeking the consent of the owner. In effect, this means that the owner has a final opportunity to reach an agreed solution. Where such agreements cannot be reached, the interim EDMO can be revoked and replaced with a final EDMO.

A final EDMO can last for a period of no more than 7 years and the Council does not require the consent of the owner to grant occupation rights to someone else, so the owner in effect can lose control of the property as a result. In order to bring about an ‘Interim EDMO’ the Council has to make and application to the Residential Property Tribunal. A final EDMO may follow the revocation of an interim EDMO without the authorisation of the Residential Property Tribunal.

To satisfy the requirements of the Residential Property Tribunal, the authority must:

- Notify the property owner that they are considering applying for an interim EDMO;
- Ascertain what steps the property owner is taking, or intending to take, to secure the property is occupied;
- Be satisfied that the property has been vacant for at least 6 months;
- Be satisfied that there is no reasonable prospect that the dwelling will become occupied in the near future,
• Be satisfied that the EDMO will provide a reasonable prospect that the dwelling will become occupied.

Consequently, the proposed approach and options that have been outlined previously in this Strategy, engaging and seeking to work in a constructive way with the owners, and use a systematic way of prioritising which homes to tackle, would also help build the evidence to seek an interim EDMO should the need arise.

The following categories of vacant dwellings can not be considered for EDMOs:

• Dwellings which are the sole residence of the owner who is temporarily resident elsewhere – for example in hospital or having to be cared for by family;

• Dwellings that are holiday homes / second homes;

• Dwellings undergoing repairs or renovations – although it is not intended that owners will merely state this to be the case and some evidence may be required to satisfy the Council that this is actually what is happening;

• Dwellings in respect of which an application for planning permission or building control approval is outstanding; and

• Dwellings which are genuinely on the market for sale or letting.

Interim EDMOs are not to be considered lightly as not only do they have a significant impact on the owner (there is no right of appeal against the making of an interim or final EDMO), it also places obligations upon the Council as it must take steps to ensure the dwelling becomes and remains occupied. It must also secure the proper management of the dwelling pending either the making of a final EDMO or revocation of the interim EDMO. To comply with this duty the Council is entitled to take possession of the dwelling, may appoint a manager, and is entitled to receive rents (any surplus monies after deduction of expenses must be paid to the property owner).

Likewise, when a final EDMO is in force, the Council must also provide a management scheme for the dwelling setting out how it intends to manage the dwelling throughout the 7 year period.

In looking to encourage the provision of a Private Sector Leasing (PSL) scheme in the District as an option for some owners of empty homes, in which a RSL takes over the responsibility for the management of a property, we may also have an appropriate framework in place for the future provision of EDMOs should the need arise, i.e. having been granted an interim or full EDMO, the Council could appoint a RSL to manager the property for the length of the order. This is something that we will be exploring as part of the development of a local PSL scheme.
Compulsory Purchase Orders

To deprive a person of their own property is a serious matter and it is right that public authorities have constraints on this action. Compulsory Purchase Orders (CPOs) are the final sanction available to councils to improve substandard private sector housing. CPOs can be used to return long-term empty properties back to use. Section 17 of the Housing Act 1985 and Section 226 of the Town and Country Planning Act 1990, gives Local Authorities the power to acquire buildings and land through compulsory purchase. Both lead to the same outcome but have slightly different procedural routes that have to be followed and local authorities should consider beforehand under which Act they are seeking to exercise their powers and has to have the consent of the Secretary of State.

Where owners have persistently failed to carry out required improvements, the Council does have the power to take enforcement action against an owner to carry out repair and recover the costs.

Local authorities also have the power to purchase, by agreement, empty homes and then sell them to someone else such as a RSL who intend to provide housing accommodation.

As with EDMOs, the use of CPOs places considerable responsibility and requirements upon the local authority and cases can range from a minimum period of 18 months to over 5 years so careful consideration has to be given as to their use. However, the knowledge or expectation that the Council would be willing, where necessary, to resort to such action does give a very powerful message to those owners who may otherwise believe that there is no real sanction to encourage them to make better use of empty homes.

The Council will not therefore be seeking to rely on EDMOs or CPOs to bring empty homes back into use but we would not rule out the possibility that for the most serious of cases this could be an option that would be considered.

Progress since 2004 – Reviewing the previous Empty Homes Strategy

The Council's Empty Homes Strategy 2004/07 set a precedent, marking the commitment to tackling this problem. A summary and progress of the action plan is provided below:

1. To bring an average of 4 empty properties back into use each year.
   Progress: whilst there was some progress made in identifying owners, progress was disrupted by changes within the Housing team. What have we learnt? There needs to be consistent reporting on the progress of the Strategy with clear accountability that is properly resourced.
2. **To prioritise according to both housing need and local need.**  
*Progress:* as above, and without any clear definition as to what was meant by ‘prioritise’ there is a risk that the team could be faced with a number of competing priorities.  
*What have we learnt?* Being clear as to which homes we will tackle and how we will present owners with their options and choices should make the delivery of this Strategy more effective. A more systematic approach as proposed above would help focus efforts on those properties that are more likely to be brought back into use and whilst it may be tempting to tackle those which have been empty for the longest period of time, this should not be the main criterion as they may be the most challenging.

3. **To establish and publicise an Empty Property Hotline**  
*Progress:* due to technical issues and costs this was not achieved.  
*What we have learnt?* Although helpful at times when there may be a large publicity drive to promote the aims of an Empty Homes Strategy, use by the public of such a service can quickly wane and good promotion of a Strategy that includes contact details of responsible officers can provide a better, more personal service.

4. **To develop a private sector leasing scheme in partnership with a local housing association.**  
*Progress:* Colne Housing Association has secured funding for a pilot scheme through the Housing Corporation.  
*What we have learnt?* Some options can take time to put in place.

5. **To develop a timetable for enforcement action**  
*Progress:* this has been developed and revised to reflect the use of standard letters (see Appendix Three)

6. **To set up a private sector landlords’ forum.**  
*Progress:* this is now well established.

7. **To produce guidance on selling and letting empty properties**  
*Progress:* This was completed but now needs updating.

8. **To explore the possibility of extending the Living Over The Shop scheme.**  
*Progress:* Planning Policy is supportive of encouraging the development of existing space above shops to provide additional residential accommodation.

9. **To explore the potential of working with the Building Preservation Trust**  
*Progress:* due to the limited outputs of the last strategy there has not been an opportunity to see how this could contribute to our aims.  
*What we have learnt?* This should be explored once more as a way of helping to protect our rural heritage.
10. To explore the possibility of utilising Section 106 contributions for empty property work.

*Progress:* there has been no progress with this, however this would in effect take resources away from the provision of affordable housing 'on site'.

*What we have learnt?* We should continue to review how to make best use of resources and include in this an assessment that shows value for money, i.e. the provision of new-build affordable housing against the renovation of existing, empty homes.

In summary, it would be fair to say that the 2004 / 07 Strategy had variable success in achieving what it set out as its main objectives. Having recently restructured the Housing team, we are optimistic that having reviewed both the successes and the failures from the last Strategy we are in a stronger position to tackle empty homes throughout the District.

In developing the Empty Homes Strategy 2008 / 12, officers have taken note of good practice across the region, resulting in a concise plan of action. The factors recognised as being important to the successful delivery of this Strategy are:

- Good quality information and liaison between services within the Council, in particular Housing, Planning, Environmental Health and Revenue and Benefits.
- Recognition of the importance of tackling empty homes – through the setting of the corporate priority to increase the supply of affordable housing, and consultation externally that shows us that this is something that is supported within the community.
- Good partnership working with RSLs, private landlords and neighbouring authorities.
- Good communication about what we are seeking to achieve, the reasons why and the progress we are making.
- An expectation that there will be a need to constantly review not only the progress we are making but the way that we are working and future opportunities that may arise.

All of these factors will be included in the action plan for this strategy to ensure that we maintain these prospects for effective working.

**How will we measure and report our progress?**

The Empty Homes Strategy 2004 / 08 set a target of bringing four empty homes back into use each year. If we are to continue to improve the quality of the service that we provide to the community it is appropriate to try to extend this target, and try and build in an expectation that we will seek to gather momentum throughout the life of the Strategy.
We are therefore seeking to bring back into use an increasing number of homes.

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<th>Properties brought back into use</th>
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<td>2008 / 09</td>
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<tr>
<td>2009 / 10</td>
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<tr>
<td>2010 / 11</td>
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</tr>
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<td>2011 / 12</td>
<td>12</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>30</strong></td>
</tr>
</tbody>
</table>

By reporting progress through the Council's Affordable Housing Programme Board will be able to continue to share information across those services that may have a role to play in supporting Housing with the implementation of this Strategy, and ensure that this is in turn reported through to the Council's Community Services Committee.

The existing indicator – BVPI 64, is often seen as a means of reporting the number of empty homes that are brought back into use. However as this indicator also covers a range of other activities such as families housed through the use of the Council's rent deposit scheme, it is not an accurate indicator for the purposes of the Strategy. Reporting twice yearly on the progress of this strategy in bringing back into use the number of homes shown in the table above would therefore be a far more accurate indicator.

**Resources**

To identify what we need to have in place to tackle empty homes, we have looked at the level of resources needed and what we have available.

The main requirement is an officer with dedicated responsibility for the identification of properties and liaison with owners. This will be undertaken by the Housing Policy & Enabling Officer, reporting to the Strategic Housing Manager.

Enforcement will be the responsibility of Environment Services who will rely in some cases on the evidence gathered by the Policy & Enabling Officer.

The Council’s existing policy for Private Sector Grants covers the provision of Empty Homes Loans (criteria is shown in Appendix 2) and one of the aims of this Strategy will be to review how effective these are and whether there is a need to review or amend the policy in the future.

In order to extend the options to owners of empty homes we shall also be explore with partner RSLs the possibility of developing and expanding the Private Sector Leasing scheme. This may require some additional funding but could provide a framework for the management of homes that are made subject to EDMOs should this be necessary in the future.
Linked to this is a proposal currently being developed to work more closely in partnership with neighbouring local authorities and across the sub-region to make best use of resources. A submission has been made to the East of England Regional Assembly (EERA) for funding to combine the aims of the Decent Homes programme with tackling empty homes. If successful this could help to bring back into use approximately twenty empty homes, ensure that they are used for affordable housing and encourage closer working between Housing and Environment Services as well as across district boundaries.

We shall also clarify the potential costs (both financial and other) involved with implementing EDMOs and CPOs through discussion with other local authorities who have experience of this so that we are fully aware of the implications should we have to resort to this level of enforcement. This will help gain an insight to how other authorities are tackling empty homes and help build up good practice.
<table>
<thead>
<tr>
<th>Action</th>
<th>Outcome</th>
<th>Resources</th>
<th>Responsibility</th>
<th>Timescale</th>
</tr>
</thead>
<tbody>
<tr>
<td>Establish data base and prioritise properties to be investigated</td>
<td>Realistic work-plan of targeted properties / owners</td>
<td>Officer time</td>
<td>Policy &amp; Enabling Officer</td>
<td>October 2008</td>
</tr>
<tr>
<td>Consult with Essex County Council and other public bodies to identify properties that could be brought back into use as homes in the District</td>
<td>Wider range of potential homes that would not otherwise have been identified</td>
<td>Officer time</td>
<td>Policy &amp; Enabling Officer</td>
<td>November 2008</td>
</tr>
<tr>
<td>Carry out survey of local shopping areas to assess potential for making best use of space above shops to provide homes.</td>
<td>Extend options for increasing housing supply in a sustainable way and will contribute to Planning Services assessment of potential housing supply</td>
<td>Officer time</td>
<td>Policy &amp; Enabling Officer</td>
<td>Maldon by December 2008. Heybridge by Feb 2009. Burnham by March 2009 Southminster by April 2009</td>
</tr>
<tr>
<td>Produce leaflet promoting the Council’s empty homes work and distribute.</td>
<td>Better awareness of strategy and encourage reporting of empty properties</td>
<td>Officer time and printing costs</td>
<td>Policy &amp; Enabling Officer</td>
<td>October 2008</td>
</tr>
<tr>
<td>Explore through RSL Forum possibilities for partner RSLs to acquire empty homes</td>
<td>Increase options for owners and provides additional affordable housing</td>
<td>Possible need for grant from Housing Corporation and/or the Council</td>
<td>Strategic Housing Manager</td>
<td>December 2008</td>
</tr>
<tr>
<td>Produce and make available information pack for owners.</td>
<td>Better understanding of options and responsibilities both as owners and possibly landlords</td>
<td>Officer time and printing costs</td>
<td>Policy &amp; Enabling Officer</td>
<td>November 2008</td>
</tr>
<tr>
<td>Establish Colne PSL scheme within the District.</td>
<td>Gives more options to owners</td>
<td>Possible need for funding to cover void-loss</td>
<td>Strategic Housing Manager</td>
<td>November 2008</td>
</tr>
<tr>
<td>Action</td>
<td>Benefit</td>
<td>Timeframe</td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------</td>
<td>-----------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Consult with Mid Essex Historical Building Trust to find out how they may be able to support owners of older empty homes</td>
<td>Protects local heritage To be identified</td>
<td>December 2008</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Promote the aims of the strategy at sub-regional and regional level</td>
<td>Secure additional resources and identify good practice</td>
<td>Officer time Strategic Housing Manager</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Undertake an impact assessment as to the use of EDMOs and CPOs through discussion with other local authorities</td>
<td>Clarify the implications for the Council of using these sanctions.</td>
<td>Officer time Policy &amp; Enabling Officer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Report progress of the strategy to Affordable Housing Programme Board and Landlords’ Forum twice yearly</td>
<td>Consistent monitoring and review of the strategy.</td>
<td>Officer time Strategic Housing Manager</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>February 2009 and ongoing</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>March 2009 and six-monthly thereafter.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Empty Homes Checklist

<table>
<thead>
<tr>
<th>Factor</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Length of time empty</strong></td>
<td></td>
</tr>
<tr>
<td>6 – 12 months</td>
<td>5</td>
</tr>
<tr>
<td>1 – 2 years</td>
<td>10</td>
</tr>
<tr>
<td>2 – 3 years</td>
<td>20</td>
</tr>
<tr>
<td>3 – 4 years +</td>
<td>40</td>
</tr>
<tr>
<td><strong>Location</strong></td>
<td></td>
</tr>
<tr>
<td>Isolated rural</td>
<td>5</td>
</tr>
<tr>
<td>Edge of village</td>
<td>10</td>
</tr>
<tr>
<td>Within town</td>
<td>20</td>
</tr>
<tr>
<td><strong>Type of property</strong></td>
<td></td>
</tr>
<tr>
<td>1 / 2 bed flat</td>
<td>10</td>
</tr>
<tr>
<td>2 bed house</td>
<td>20</td>
</tr>
<tr>
<td>3 bed house</td>
<td>15</td>
</tr>
<tr>
<td>4 bed +</td>
<td>10</td>
</tr>
<tr>
<td><strong>Type and design</strong></td>
<td></td>
</tr>
<tr>
<td>Ground floor access with garden</td>
<td>30</td>
</tr>
<tr>
<td>Ground floor access w/o garden</td>
<td>20</td>
</tr>
<tr>
<td>First floor access</td>
<td>10</td>
</tr>
<tr>
<td>Traditional brick / good condition</td>
<td>30</td>
</tr>
<tr>
<td>Other / moderate deterioration</td>
<td>20</td>
</tr>
<tr>
<td>Timber frame / significant deterioration</td>
<td>10</td>
</tr>
<tr>
<td>Not built for residential use</td>
<td>5</td>
</tr>
<tr>
<td><strong>Other factors</strong></td>
<td></td>
</tr>
<tr>
<td>Complaints</td>
<td>50</td>
</tr>
<tr>
<td>Approached by owner</td>
<td>50</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
</tr>
</tbody>
</table>
Appendix Two

Criteria for Empty Home Loans

Eligibility for a loan

Landlords are able to apply for an empty property loan in respect of properties that have been empty for at least 6 months.

As a condition of receiving the loan, the landlord will be required to sign a 10 year tenancy nomination agreement (or, alternatively, a 10 year leasing agreement), ensuring that the property can be used by people who are homeless or living on a low income. Rent levels will be restricted to an amount that can be met by Housing Benefit.

Qualifying works

To qualify for assistance, a property will be considered unfit for habitation and have hazards, which pose significant risks to health and safety, as determined by the Housing Health and Safety Rating System (HHSRS) under the Housing Act 2004.

To receive a landlord empty property loan, the landlord must agree to carry out all of those works that the Council identifies as being necessary in order to make the property fit for habitation and suitable for letting. Details of these works can be found in the (Operational Guidelines).

Amount of loan payable

The maximum landlords empty property loan that can be provided is £10,000.
Appendix Three

Flow chart of enforcement

**INPUT**
To return a target number of properties back into use

Enter details onto data base

Check with HB / Council Tax / Land registry for owners details and update data base.
Check with Environmental Health to see if they have had any dealings with it.

**INPUT**
Details received from Council tax (3 monthly) / anonymous call / neighbour

Enter details onto data base

Check with HB / Council Tax / Land registry for owners details and update data base.
Check with Environmental Health to see if they have had any dealings with it.

Update data base to show what options apply

Inspect properties on data base, photograph and allocate priority

Yes and interested in Empty Homes scheme

Send Letter 1 with information sheet and questionnaire

Landlord responds within 4 weeks

No response

Yes and has valid reason why property is empty (see chart)

Remove property from data base

Send letter 2

Landlord responds within 14 days

No response?

Verify owner and if confirmed

Send letter 3

No response

Verify contact details and consider enforcement