



HERTSMERE BOROUGH COUNCIL

HOUSING DEPARTMENT

EMPTY HOMES STRATEGY 2018 - 2022

April 2018

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Foreword

I am pleased to introduce Hertsmere's Empty Homes Strategy for 2018 – 2022.

The Strategy has been updated and follows on from the previous strategy document (2014 – 2017) and is based on robust professional research and analysis of best practice. The Strategy both complements and supports the Homelessness and Private Sector Housing Strategies.

The Strategy contains an action plan with specific actions and measurable targets. It will help the Council stay focussed on the task of bringing empty properties back into use and to tackle the issues that are associated with empty properties within the community.

The Strategy is resident centred with a strong focus on support which is provided to owners in the form of advice and loans. Where necessary enforcement will be considered, but only as a last resort.

The Council's aim is to return long-term empty homes to use in the most appropriate way and in the shortest possible timescale. This Strategy will help us achieve this aim.

Jean Heywood

Councillor Jean Heywood
Portfolio Member for Housing

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1.0 Executive Summary

The Empty Homes Strategy sets out the Council's approach to managing the resource of empty homes within the borough. It should be read in conjunction with the Empty Homes Action Plan that sets out the details of how the council will undertake the work required to return empty homes back into use.

Hertsmere will use a range of financial products, negotiations and enforcement to generate a robust turnaround in the empty property market.

Hertsmere will provide, using the flexibility offered by the Regulatory Reform Order 2002, a range of financial products which will enable the council to efficiently engage with property owners in order to help them bring their properties up to standard and into use.

Definition of Empty Homes:

For the purposes of this strategy we will concentrate on those properties that have been registered with the council tax department as long term empty for over six months or are uninhabitable.

2.0 Statement Of Policy

Bringing empty homes back into use is all about generating the best possible outcomes for all our service users and customers. **The Council seeks to bring empty homes back into use, not as an end in itself, but as a way of achieving its objectives.**

The Council is bound by a range of goals and objectives that have been identified in partnership, through the Community Strategy, and the Council's Vision and Corporate Plan. These goals direct the work of the Council by identifying areas that are important to our partners, the Council and most importantly, local residents.

The Council recognises the importance of reviewing its strategies, policies and practices to ensure that they continue to reflect the Council's vision, corporate goals, and key objectives. The Empty Homes Strategy will be reviewed again in 2020 to ensure it remains effective and takes account of changes in legislation and best practice.

The Council is committed to continuously improving the quality of service delivery to support the improvement of life for everyone in Hertsmere. Returning empty homes into use is a continuous process that helps to deliver lasting improvement.

The Council's strategic vision for Empty Homes is to return long-term empty homes to use in the most appropriate way in the shortest possible timescale.

3. Introduction

3.1 Which type of empty home is this strategy concerned with?

For a housing market to operate, it is necessary for a proportion of properties to be empty to enable transfer of ownership. Generally, these properties are empty for a short period of time, usually less than 6 months. These properties are not a problem, as they have an intended use, and steps have been taken to achieve this. The scope of this strategy covers those properties that have been empty for longer than the transactional period of 6 months (circa 60 to 80 properties 2017) and are not being brought back into use. Second homes of which there are approximately 242 (2017) in the borough are not classified as empty homes and are registered separately with Council Tax so are not included within this strategy.

3.2 Problems associated with empty homes

Long-term empty homes represent a wasted resource, and cause a number of problems for the owner and the surrounding neighbourhood:

- Empty properties are a wasted resource that could provide an additional home in an area of high housing need
- Empty homes attract crime and anti-social behaviour
- They reduce the value of surrounding properties
- They are often an eyesore in the neighbourhood
- They can be costly for the owner to maintain
- And they are costly to the Local Authority to investigate

3.3. Benefits of returning empty properties to use

Returning an empty home to use has benefits for everyone in the area, by:

- Providing additional housing
- Reducing crime and vandalism in the area
- Regenerating the area
- Reducing the need for new developments
- Unlocking potential capital for the owner

There are clear economic and social benefits to bringing empty homes back into use. The quickest and most cost effective way to reduce the negative impact of any empty home is to occupy it; therefore, this is the focus of this strategy.

Building work on a residential property empty for over two years will attract a reduced VAT rate of 5% (conditions apply).

4.0 Objectives

4.1 Key Aim

To return long-term empty homes to use in the most appropriate way in the shortest possible timescale

In doing so it will support Hertsmere's Housing and Homelessness Strategies

- To increase the supply of affordable housing
- Working in partnership
- To deliver a quality service that meets local need
- To provide an efficient and effective service to owners of empty properties
- To ensure that housing needs are met across tenure

4.2 Key objectives

The key aim will be achieved by working towards five key objectives:

1. **Prevent properties from becoming long-term empty-** through proactive engagement with owners to support and assist in identifying the most appropriate use for the property.
2. **Raise awareness of empty homes in Hertsmere –** through effective publicity of empty homes work and marketing of the service to encourage members of the public to report vacant properties in their area, and to encourage owners of empty properties to approach the Council for assistance.
3. **Improve recordings of empty properties-** by maintaining the database that is updated regularly to enable identification of empty properties at the earliest opportunity.
4. **To develop better partnership working across the council –** to establish a corporate commitment to empty homes work.
5. **To continue to investigate the provision of a set of robust financial solutions –** available to homeowners of the borough to enable renovations which will bring their properties up to decent homes standard.

5.0 National And Local Context

5.1 National Picture

High levels of empty properties are recognised as having a serious impact on the viability of communities (House of Commons Briefing paper 3012 9th June 2017). Consequently, it has been identified that dealing with empty properties can have social, regenerative, financial and strategic benefits.

Statistics published by the Department for Communities and Local Government (DCLG) put the number of empty homes in England in October 2016 at 589,766. Of these, 200,145 were classed as long-term empty properties (empty for longer than six months).

Data published by the Department for Communities and Local Government (DCLG) shows that, as of October 2016, there were 589,766 empty homes in England. The number is a slight (1.7%) decrease on the previous year's total and a 21% decrease on the total for 2006 (744,931 empty homes). 200,145 homes had been empty for six months or more in 2016. This was a 1.1% decrease on the previous year's total and a 36% decrease on the 2006 total (326,954 empty homes).

The issue is being championed on a national scale by the Empty Homes Agency, an independent campaigning charity that works with local authorities and the Government to highlight the issue of empty homes and help develop strategies for returning them to use.

In its September 2016 report, Empty Homes in England, the charity Empty Homes identifies some limitations with the DCLG data on vacant dwellings, which is derived from council tax returns. In particular:

- Derelict properties are not classed as dwellings for council tax purposes.
- An owner may not inform the local authority that their property is empty.
- The data does not include dwellings where there is an exemption from paying council tax. So, for example, it does not include student accommodation, dwellings held for ministers of religion, armed forces accommodation, or properties held in the possession of a mortgage lender or trustee in a bankruptcy.

Despite these limitations, the charity recognises that the data is helpful for comparing local authority areas and identifying trends.

The 2016 report analysed the 2015 DCLG empty homes data, concluding that there had been little change since the previous year in the number of long-term empty properties, and there was significant regional variation in the data, with evidence of a general North/South divide.

The Empty Homes Director commented:

“The measures that we have campaigned for in recent years have been effective in creating new homes through empty properties. However, this trend may now be under threat, as a result of the shift in emphasis away from specific government investment programmes to target empty homes.”

The report made a number of recommendations concerning how to bring more empty homes back into use.”

Local authorities in England are not required to publish a specific strategy for dealing with empty properties but they are required to publish housing strategies; reference to tackling empty properties within the local area may form part of these strategies.

In its September 2016 report, the charity Empty Homes recommended that local authorities should have an empty homes strategy for their area “with aspirations to reduce the number of long-term empty homes and to attract and allocate resources to refurbish empty properties for those in housing need.”

5.2 Local Picture

Hertsmere lies just north of the Greater London conurbation in southwest Hertfordshire. The Borough has an area of 101 square kilometres (39 square miles) and the 2011 census gave its population as 100,030.

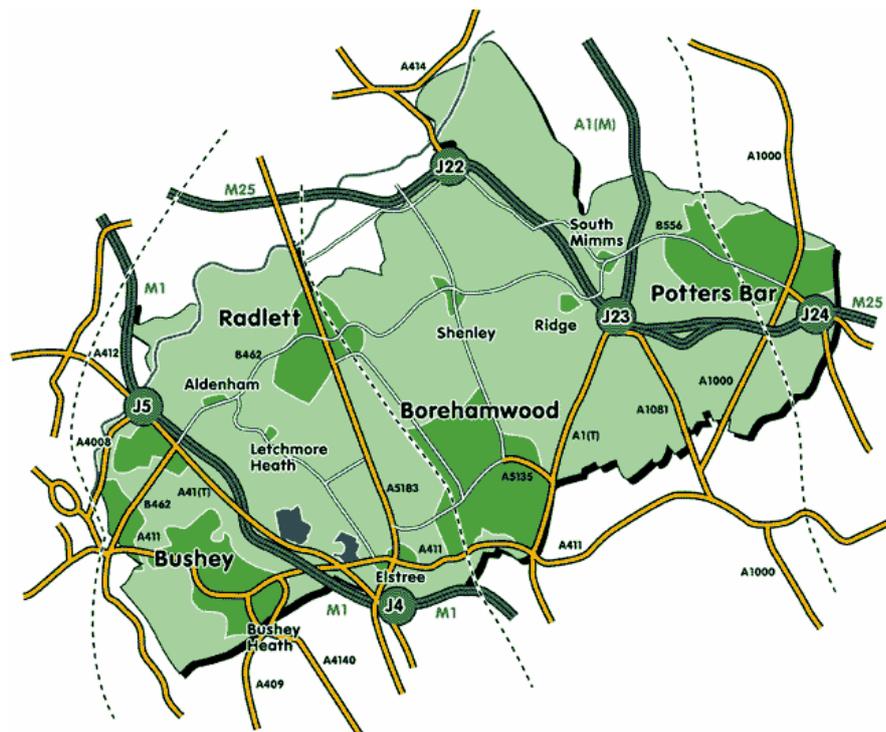
Although its southern boundary is only 12 miles from the centre of London, the Borough is still essentially a mix of rural and urban land, with 80% in the Green Belt. The Borough has four principal centres of population, Borehamwood (and Elstree), Potters Bar, Bushey and Radlett, with several smaller settlements with each community having its own distinctive character.

Transport routes north - south and to London are good, but routes east - west are poor, as are the public transport links between population centres.

The immediate post war period saw significant growth in Hertsmere as the area accommodated people moving from London. This was concentrated particularly in Borehamwood where overspill estates were developed but building also occurred at the three other main settlements and around existing villages.

More recently Hertsmere as a whole but in particular Borehamwood has grown significantly with a number of large residential developments. Growth is expected to continue in all areas but particularly in Borehamwood.

Map of Hertsmere



Constraints on development increased during the nineteen seventies where planning policies focussed on resisting urban sprawl and the merging of settlements, safeguarding the countryside. The policies have allowed Hertsmere to retain extensive areas of rural and open land, but there is substantial pressure for development, in particular because the borough adjoins Greater London and has good motorway access with much of the borough lying within the M25.

In Hertsmere (2017) there were circa 60-80 long term empty properties and 242 second homes which are not classified as empty home and are not addressed through this strategy.

6.0 The Hertsmere Housing Context

In 2012 there were approximately 41180 dwellings in the borough. The table below shows the estimated proportions of the different tenures in Hertsmere given in the April 2011 National Statistics report.

6.1 Housing tenures in Hertsmere – National Statistics April 2011

Sector	Hertsmere	England
Total Dwelling Stock	40,990	22,976,000
LA Dwelling Stock	0.4%	7.5%
Owner Occupied & Private rented	81.5%	82.1%
Other Public Sector Stock	0.7%	0.3%
Registered Social Landlord	17.4%	10.1%

6.2 Affordability – Household Incomes, House Prices and Rental Values

Affordability of homes revolves around two main issues – the cost of purchase or renting and typical household incomes.

The view that Hertsmere is reasonably affluent, with pockets of deprivation is borne out by the Office of National Statistics 2012. These figures showed that the total proportion of household incomes in Hertsmere was approximately £28,944 against the national average household income of £26,804.

6.3 Housing need in the borough

The cost of buying and renting in the private sector puts pressure on the supply of cheaper publicly rented accommodation. Although its own stock has been transferred, the Council maintains a Housing Register with a unified application form for the different registered social landlords providing social rented accommodation in the area. The numbers of applications for this sector of the housing market have grown.

The Homelessness Strategy is being reviewed to reflect changes in legislation, the current demands in the tackling homelessness, and the measures the council is taking to reduce the demand for temporary accommodation.

Homelessness remains a significant issue in Hertsmere as demonstrated by the level of homelessness approaches. However, the Homelessness Team have achieved significant reductions in the numbers of acceptances in the past five years and this is largely due to the ways they intervene and provide homes and accommodation for people before they become homeless. The Homelessness Reduction Act 2017 which came into effect in April 2018, sets out new provisions for homeless prevention; the impact of which has set to be determined.

6.4 Homelessness in the borough

There are a range of services in place to assist those who are threatened with homelessness and the demand for accommodation continues to increase. Clients threatened with homelessness are found accommodation in a number of ways; the top five solutions are;

- Provision of hostel or shared accommodation
- Securing accommodation with family or friends
- Successful referral to supported housing accommodation
- Securing private rented accommodation with the assistance of a deposit
- Securing private rented accommodation without the provision of a deposit

6.5 Homeless Prevention

On average 100 clients a month receive advice or assistance and where it is required, advice and intervention to prevent illegal eviction and to prevent tenant harassment is given. Prevention has been a focus through the introduction of housing options advice and the use of the Council's rent deposit scheme to help households access the private rented sector. This has enabled the council to offer accommodation to non-priority homeless applications and to tackle homelessness before it becomes critical.

7.0 Empty Homes Strategy Key Strategic Links

This Empty Homes strategy will link effectively with strategies at county and local level - the Council's own corporate strategies and the strategies developed with local partners. Key amongst these are:

- Hertsmere 2020 Vision - Corporate Plan 2017 - 2020
- Hertsmere Together – Community Strategy 2017 – 2021
- Local Plan Core Strategy 2012 - 2027
- Hertsmere Housing Strategy 2014-2018
- Hertsmere Homelessness Strategy (under review)
- Homelessness Strategy Action Plan (under review)

The Council's 2020 vision identifies three key objectives –

- Being an enterprising Council;
 - Maintain financial resilience and work towards self sufficiency
 - Explore innovative ways to deliver services, particularly through collaborative working
 - Optimise use of our assets: land, property, staff and financial

- Planning for the future;
 - Ensure future growth meets the needs of the borough and its residents
 - Support a thriving local economy
 - Increase the supply of affordable housing to meet local need
 - Seek to protect and enhance the natural environment
- Supporting our communities;
 - Support our residents to be healthier and live longer
 - Work in partnership to build a safe, strong and cohesive community
 - Provide opportunities to enable all the people of Hertsmere to lead fulfilling lives

The need to provide more affordable housing is also a key theme in the Local Plan. The plan seeks to strike a balance between preserving the Green Belt (80% of Hertsmere) and providing sufficient new homes, taking into account affordability, the trend for larger numbers of smaller households and the need to promote sustainable communities.

As well as regulating the release of green field sites, measures in the Local Plan include:

- Concentrating development on previously developed sites;
- Encouraging the conversion of larger dwellings to provide smaller units of accommodation and of underused space in town centre buildings to provide residential accommodation.

8.0 Why Homes Are Left Empty In Hertsmere

8.1 Analysis of Empty Homes in Hertsmere

Statistics on empty homes in Hertsmere have been derived from the council tax register.

A significant number of empty privately owned properties have been registered in Hertsmere. The council tax department assess and categorise the properties for the purposes of awarding discounts, exemptions or levy. In order to be placed in a class conditions have to be met. The categories they use are as follows;

- Long Term Empty Property (2 Months +)
- Long Term Empty Property (50% LEVY) (Over 2 years)
- Unoccupied/Unfurnished for 2 Months
- Awaiting Probate/Letters of Admin
- Uninhabitable
- Owner a Registered Charity
- Owner Resides in Care Home/hospital
- Probate Now Granted
- Mortgagee in Possession
- Owner receiving care

- Annex to Occupied Dwelling
- Left empty by person in detention
- Owner Providing Care Elsewhere
- Left empty by student
- Owner in Bankruptcy
- Held for minister of religion
- Occupation prohibited by law
- Second Homes
- Work related property

Council tax defines long term empty properties in two ways, and it is those that have been empty for greater than two years and which attract the 50% levy that pose the greatest challenge to the council, and it is this category that this strategy primarily aims to address.

8.2 Results of analysis

The council tax empty property categories (as at 31/12/17) account for the empty properties. The discount categories below give a reduction in council tax or in the case of LEVY an increase so the empties can be accounted for.

CLASS	DISCOUNT REASON	Count
A	Class A - Planning conditions	0
B	Class B - Second Home	242
BE	Class B - Work Related	3
C	Class C - Long-term empty	506
CU	Class C - Unoccupied & Unfurnished	68
D	Class D - Uninhabitable or Major Repairs	122
E	Class E - Occupier in MoD Property (No Levy)	0
F	Class F - Annexe to Main Dwelling (No Levy)	0
LEVY	2 Year Empty Property Premium (50% Charge)	97

By way of example (as at 31/12/17) the below table shows properties exempt from council tax charges and the reasons for a property being empty;

EXEMPTION REASON....	COUNT
Empty - owned by a charity	64
Left empty by person(s) in detention	1
Empty - person in hospital / care home	89
Awaiting Probate	129
Probate now granted	49
Empty - occupation prohibited by law	5
Empty - held for a minister of religion	1
Empty - person receiving care	5
Empty - person providing care	2
Left empty by student	1
Mortgagee in possession	2
Left empty by bankruptcy	0
Empty caravan pitch or boat mooring	16
Empty - annexe to an occupied dwelling	19
Total	383

There are usually a large number of new build properties waiting for sale. Removed from the official empty dwelling reports are a number of empty caravan pitches.

Recent research into the reasons for properties remaining empty for longer than six months has revealed that most properties are in fact in the process of being returned to the market either for rent or for sale after renovation, however, there are some properties that remain empty for a protracted period of time.

There are currently 242 second homes registered in the borough, many of those are empty for periods of time. In order to have a registered second home that attracts a 10% council tax reduction an owner should have another main home elsewhere.

9.0 Local Impact of Empty Homes

9.1 Social Impact

Empty homes cause significant problems for neighbours; the risks of fly tipping, vandalism, and arson are hugely increased by a house becoming vacant. Many squatted empty homes are often eyesores scarring the streetscape, and reducing the amenity of the area. A Home track survey conducted found that empty homes devalue neighbouring properties by 18% and neighbours are frequently powerless to influence the problems associated with empty homes.

9.2 Equality and Diversity

An Equality Impact Assessment has been undertaken for this strategy and no adverse consequences of the strategy have been identified. In fact, a positive differential was highlighted in providing financial options to those who may otherwise be excluded from the financial market.

10.0 Empty Homes Toolkit

Hertsmere Borough Council has introduced the following measures to bring properties back into use:

10.1 Bond Scheme

Linking with the homelessness strategy, this scheme allows homeless people to access the private rented sector, and allows private landlords to work closely with the council and benefit from accessing a consistent stream of tenants for their properties. The scheme has achieved great success and succeeded in assisting many households since it began.

10.2 PLACE Grants, PLACE Loans to Sell and PLACE Repair and Rent Loans

PLACE Grant: This is the original scheme providing a grant to the owner of a long term empty property of up to £50,000 (depending on number of bedrooms). A number of properties have been given grants, unfortunately the grant funding is now getting low, so it has been decided to concentrate on interest free loans

(PLACE Loan for Repair and Rent and PLACE Loan Repair and Sell) which will allow more home owners to be helped.

PLACE Loan for Repair and Rent: This Scheme provides a loan of up to £25,000 to owners of long term empty properties (regardless of bedroom number). The owner can choose their own contractor to carry out the works or whether they prefer to carry out the works themselves, subject to agreement by the consortium. Loans must be repaid on sale of the property or after a period of five years.

PLACE Loan for Sell: A loan is offered to the owners of long term empty properties as a Loan to Sell. The loan available is £25,000 per unit up to a maximum of £175,000. Once the property is sold or at the end of the lease time period the loan is repaid to PLACE in full, incurring no interest charges.

The purpose of these three initiatives is to;

- Return long term empty properties back to use
- Renovate empty properties in disrepair to the Decent Homes Standard
- Provide short-term affordable social housing in urban and rural areas with the potential to increase the lease at the end of the compulsory lease period
- Provide grant funding to facilitate the return to us of long-term empty properties in severe disrepair that the owner is unable to complete without financial assistance
- Facilitate the recycling of PLACE monies and the sustainability of the PLACE Scheme by providing an interest free loan facility to assist in the return to us of empty properties that the owner is unable to complete without financial assistance.
- Where necessary to provide funding to the partner authorities to facilitate enforcement action to bring empty properties back to use where this is the best course of action

In addition to the above main objectives the following additional objectives will also be achieved through the project:

- Achieving the Decent Homes Standard in the private sector
- Maximizing the use of stock by providing additional affordable housing without the need for greenfield development
- Stimulating engagement with the private sector

10.3 Hertsmere Refurbishment Scheme

The Executive agreed in 2012 to make available £100,000 to bring empty homes back into use, by the use of low interest loans to owners. The scheme has not been fully utilised to date for empty homes as the PLACE scheme in paragraph 10.2 has been more successful, however there may be need for this in the future. However, the fund has been used for completing works in default to refurbish properties and enforcement costs for dealing with empty properties.

10.4 Enforcement

Introduction

As a general principle when dealing with empty properties, the council will seek to operate in line with the Enforcement Concordat, the Statutory Code for Enforcers, Hertsmere's Corporate Enforcement Policy, Hertsmere Housing Enforcement Policy and in line with the Better Regulation Authority. The first approach shall, as far as possible, be informal, with the council seeking to work proactively with the owners of empty properties, rather than by taking formal action from the outset.

There may be certain circumstances where the local authority has no option than to take formal action at the outset, for example where the property poses an imminent risk to the health and safety of others, however, once the immediate health risk is dealt with, the council may revert to a less formal role.

Empty properties frequently suffer from disrepair, pose health risks and can be eyesores that detrimentally affect the appearance of a neighbourhood, attracting crime and vandalism and adversely affecting property prices. The table in appendix 1 lists the legislation available to the local authority to enable these issues to be addressed.

Choice of legislation

The choice of legislation will be dependent on the specifics of each case; however, there are a number of general principles that guide the approach taken by enforcement officers. In general the most appropriate piece of legislation should be used to solve each particular problem, ensuring minimal financial and reputational risk to the council making effective use of council resources, whilst seeking to maximise the speed of service delivery to the customer.

While powers exist to facilitate a local housing authority either taking over management or ownership of a property, these options should be considered as a last resort when dealing with empty properties due to the negative perception of such action amongst the general public. The current legislation allows for local authorities to use enforced sale, Compulsory Purchase and Empty Dwelling Management Orders which are available should this authority choose to use these powers.

Inter departmental Cooperation

Working in partnership with all departments including but not exclusively housing services, environmental health, planning enforcement, and council tax within the council to target empty dwellings to bring them back into use may reduce the number of empty properties further. Empty properties come to the attention of different departments for a variety of reasons and only by working closely together to use the available legislation will some of these properties be bought back into use.

11.0 Risk Management

The following factors could detract from the outcomes sought from this strategy:

- Lack of resources including publicity and marketing
- Lack of training and employee development
- Failure to adhere to corporate guidance
- Poor reporting, communicating, or consulting
- Damage to reputation

The management of these risks is specific to the success of this strategy.

12.0 Implementation

This strategy will be implemented through the Empty Homes Action Plan.

13.0 Partnership Working

Returning empty homes into use involves a number of internal and external partnerships. Working with all relevant council departments to use best practice to approach and engage with owners of difficult properties. To liaise with the police and other external bodies including by not exclusively social landlords. It is envisaged that these partnerships will continue to be an important resource in achieving a better and more integrated service.

Forming and maintaining partnerships can never be an end in itself; and the council is committed to partnership working and to ensuring our partnerships deliver real benefits and bring added value.

14.0 Evaluation and Monitoring

How will we measure success?

Empty homes are currently reported to the government annually through the Council tax statistical return.

In addition, the strategy will undergo a comprehensive analysis to monitor success every three years.

15.0 Contact Details

Hertsmere Borough Council

Private Sector Housing
Hertsmere Borough Council
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Borehamwood WD6 1WA

Phone 020 8207 2277

Email: private.sector@hertsmere.gov.uk