

**REPORT TO THE COMMUNITIES SCRUTINY PANEL**  
**25 March 2021**

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**Status:** For Information  
**Title:** Empty Property Update  
**Originator:** Elaine Bird – Regulatory Services Manager  
**Where from:** Scrutiny work plan  
**Where to next:** N/A

Objective: To update the Panel on the review and implementation of the Empty Property Strategy

1. Outcome sought from Panel

1.1 To note the progress of the review of the Empty Property Strategy

2 Background

2.1 There is no statutory duty to bring empty properties back into use, however it is recognised that long term empty properties can have a detrimental impact on the local community and when brought back into use can provide much needed accommodation.

2.2 At the meeting of the Executive on the 19<sup>th</sup> October 2015, members approved the Council's Empty Property Strategy. Appendix A

2.3 The Strategy consolidates all the powers/initiatives currently available to the Council in relation to bringing empty properties back into use into a single document and introduced a tool for officers to use to prioritise their work on empty properties. This enables resources to be targeted to properties where there is the greatest impact.

2.4 The Strategy also sets out an action plan for dealing with empty properties and progression against the various actions is set out in the discussion points below.

2.5 The Strategy was due to be updated in 2020. However the impact of Covid 19 has delayed the review of the strategy as it was not priority work during the response and the existing strategy was still fit for purpose.

### **3 Points for discussion**

#### **3.1 Empty property trends -**

- 3.1.1 We previously reported a downward trend in the number of long-term empty properties throughout the district with numbers dropping from 514 to 322 between 2012 and 2018.
- 3.1.2 Our latest figures however show an increase in long-term empty properties for 2019 and 2020 with numbers rising from 557 to 599 – based on the annual Government returns which are submitted every October.
- 3.1.3 There is always natural fluctuation of numbers of empty properties due to a variety of reasons. Further work is required to understand the recent increase in the number of long-term empties however it could be linked to the 2.07% increase in banded new dwellings throughout the district between 2019 and 2020.
- 3.1.4 New build properties that have not been occupied by 6 months following completion can fall under the definition of long-term empty properties much the same as older properties.
- 3.1.5 The figures below set out the empty property figures from the 2019 and 2020 return

##### CTB1 October 2019

- |   |     |
|---|-----|
| • Second homes                                | 189 |
| • Empty charged 50% premium                   | 113 |
| • Empty properties – no discount              | 557 |
| • Empty properties receiving 1 month discount | 51  |

##### CTB1 October 2020.

- |   |     |
|---|-----|
| • Second Homes                                  | 203 |
| • Empty charged 50% premium                     | 121 |
| • Empty properties – no discount                | 599 |
| • Empty properties – receiving 1 month discount | 85  |

#### **3.2 Empty property work.**

- 3.2.1 Few long-term empty property cases are the same and usually the circumstances that have led to that property becoming vacant and remaining so, are quite different. This means that different approaches are therefore necessary to deal with the issues arising.
- 3.2.2 An empty property working group was formed back in November 2019 for this very purpose. The group consists of officers from Council Tax, Environmental Health, Planning and Planning Enforcement, Housing Options and Legal.
- 3.2.3 The main aim of the group is to tackle the higher risk properties that have been identified through the strategy using a joint approach.

- 3.2.4 Due to other work commitments this group has not met in 2020 however the group will reconvene and review the property list and take forward this work again.
- 3.2.5 The Council Tax team, until lockdown in March 2020 continued as business as usual and recommenced inspections for new builds from July 2020 and a 6-month review was undertaken on second home and empty properties which was initially undertaken by telephone with a follow up letter if contact cannot be made.
- 3.2.6 Whilst the proactive work undertaken by the Environment team during 2020 was significantly reduced, in 2019-20, 65 proactive interventions were carried out by the team to reduce the number of empty properties. These included site visits, letters and advice to home owners as well as dealing with any complaints received

### **3.3 Update on the Strategy Review**

- 3.3.1 The strategy includes an action plan which will be reviewed and updated in the revised strategy. It is not anticipated that there will be any significant change in the approach for prioritising dealing with long term empty properties. There have been no legislative changes which would have an impact on this work.
- 3.3.2 The updated Strategy is scheduled to be reviewed by the Scrutiny Panel for Communities at the meeting in June 2021.

#### **4 Equality Impact Assessment Implications/Outcomes (attach completed EIA)**

- 4.1 An Equality Assessment was undertaken when the Strategy was developed in 2015. The assessment recognises that bringing empty properties back into use would have a positive impact on the local community by reducing the issue of blight and risk of anti-social behaviour in the area.
- 4.2 A further assessment will be undertaken when the Strategy is next reviewed.

#### **5 Impact on Communities**

- 5.1 Empty properties are a wasted resource for both the owner of the property and the local community. Reducing the number of long-term empty properties can have a positive impact on the local environment and provide much needed residential accommodation.

#### **6 Legal Issues**

- 6.1 There is no statutory requirement to have an empty property strategy however if the Council decide to undertake formal action the risk-based approach, set out in the strategy document highlighting the Council's priorities for dealing with empty homes, will reduce the risk of legal challenge against any action taken. In addition, before any enforcement action is conserved, due regard must be made to the Council's General Enforcement Policy.

6.2 Any formal action will be considered on a case-by-case basis and if the Council were in a position to consider compulsory purchase, it will have to demonstrate that the reasons for making a CPO justify interfering with the human rights of anyone with an interest in the property and will have to demonstrate that that a CPO will contribute to the promotion or improvement of the economic, social and environmental well being of the local area.

## 7 Resource Issues

7.1 Whilst there is no statutory duty to bring empty properties back into use, the Council does recognise the benefits of re-occupying an empty property.

7.2 A number of the interventions identified in the strategy are being carried out within existing resources and the intention is to work with owners to try and encourage them to bring their property back into use. However, some formal action such as compulsory purchase will require financial commitment on a case by case basis to cover costs associated with the process including advertising costs, Stamp Duty Land Tax on acquisition (if applicable), surveyors fees or the cost of a Public Enquiry etc.

## 8 Community Safety Implications

8.1 Long term empty properties have the potential to increase anti-social behaviour in a local community. Focusing resources on the long-term empty properties can reduce the impact of anti-social behaviour.

## 9 Risk Management Implications

9.1 If formal action is considered appropriate, having a robust strategy, which clearly demonstrates that the Council is undertaking targeted enforcement to deal with the worst cases first, would reduce the risk of legal challenge against the process.

## 10 Consultation

10.1 Not applicable for this report.

## 11 Background Papers

11.1 See previous reports

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### **Previous report(s):**

[Report to Scrutiny Panel for Communities 8<sup>th</sup> December 2016](#)  
[Report to Scrutiny Panel for Communities 13<sup>th</sup> December 2017](#)  
[Report to Scrutiny Panel for Communities 6<sup>th</sup> December 2018](#)

**Information Issued Under Sensitive Issue Procedure: N**

**Appendices:**

**A. The Empty Property Strategy 2015**