

CITY OF WOLVERHAMPTON COUNCIL

DRAFT EMPTY HOMES POLICY AND STRATEGY ACTION PLAN 2019-2024

1. Introduction

- 1.1 There is a national shortage of housing, and particularly of good quality homes affordable for people on low incomes. Empty homes are a wasted resource, and homes which are empty for long periods can deteriorate and attract anti-social behaviour. If properties are neglected, they can devalue nearby homes and cause nuisance to neighbourhoods.
- 1.2 It is normal for there to be a turnover of empty homes. People buy, sell, inherit and rent homes, and need to move for reasons related to housing costs, size, family and work needs. A healthy housing market needs a regular turnover of homes for sale and for rent. The City of Wolverhampton Council (CWC) only needs to focus on preventing homes from remaining empty for long periods, or advising and encouraging the owners of long-term empty homes to use or sell them. Homes are defined as long-term empty if they have been unoccupied for 6 months or more.
- 1.3 CWC has a higher number of long-term empty homes (1.2%) than the regional average of 0.84%. There is no one area where long-term empty homes are concentrated; empty homes are found throughout the City and in all price brackets.
- 1.4 In line with our new Housing Strategy, we want the new Empty Homes Policy and Strategy Action Plan to make a real difference in Wolverhampton. By the end of the strategy period, we aim to have brought at least 1,100 long-term empty homes back into use, with a stretch target of 1,250. This will help residents to find a home to rent or buy and will contribute to raising the quality of our neighbourhoods. We will explore new partnerships and will continue to learn from and implement best practice in minimising wasted homes.

2.0 Previous Strategy

- 2.1 Our previous strategy covered the period 2010-2015 and has continued until now. Since 2010 CWC has taken action to bring over 1,650 empty homes back into use. This action has included advice and assistance to owners, offering a £500 payment to contribute to the costs of sellers' fees, and taking enforcement action such as serving a Notice under Section 215 of the Town and Country Planning Act 1990. As a last resort, where owners are unwilling to co-operate with the Council and use or sell their home, the Council may use compulsory purchase powers. Homes bought through compulsory purchase are then sold at auction.

- 2.2 Wherever possible CWC works in partnership with the owners of empty homes, and offering advice and assistance is always the first option. Only if an owner cannot be traced, or the owner is unwilling to take action to sell or use a home which is causing problems for its neighbours, is enforcement action taken. In more than half of cases where CWC starts compulsory purchase proceedings, which is an action of last resort where all other efforts have failed, the owner of the empty home takes action themselves to sell or let their home and avoid compulsory purchase.

3.0 Supporting Corporate Priorities

- 3.1 Housing contributes to CWC's corporate priorities identified in *Our Council Plan 2019-2024*, in particular:

- better homes for all;
- a vibrant, green city we can be proud of;
- strong, resilient and healthy communities

Bringing empty homes back into use nearly always involves improving the homes to a standard for their new owners or renters. Using empty homes contributes to reinvigorating neighbourhoods and improving the quality of housing has a positive effect on residents' health.

- 3.2 The City's Housing Strategy, Better Homes for all, continues the priorities of the Council's Corporate Plan and identifies three key objectives:

- more and better homes;
- safe and healthy homes;
- access to a secure home.

Work to reduce empty homes contributes positively to all three of these objectives; it increases options for residents to find a secure home, increases the supply of available homes, and increases the quality of homes as landlords bring them up to letting standard or new owners make improvements to their home.

- 3.3 We intend to explore partnerships to increase the range of options for bringing long-term empty homes up to standard where work is required. This will increase investment in our city and support more jobs, especially in skilled building trades. Poor quality housing impacts on residents' health and improving conditions in privately rented and owner-occupied homes is a key priority for CWC. Improving the supply of good quality homes for rent and for sale will offer residents increased opportunities to move from unsatisfactory housing, offering a stable and healthy environment for our residents.

4.0 Developing our Empty Homes Strategy

- 4.1 While much good work has been achieved since 2010, Wolverhampton continues to have more long-term empty homes than our neighbouring local

authorities. CWC therefore wishes to move from a predominately reactive approach to a more proactive strategy. CWC will continue to work co-operatively with the owners of empty homes wherever possible. However, when owners of empty homes which are causing nuisance either cannot be identified or refuse to engage with CWC, we will take action to ensure that empty homes are brought back into use.

4.2 There are four main elements to CWC's new Empty Homes Strategy. These are:

- improving the accuracy of data/records to ensure the reported number of empty properties is a true reflection of the position;
- continuing to learn from other Local Authorities' empty homes work, identifying successful initiatives which might be effective in Wolverhampton;
- introducing new options to encourage and help the owners of empty homes to let or sell them, and exploring partnerships to bring empty homes back into use;
- taking a more proactive approach to step up performance in tackling empty homes;
- supporting ongoing publicity to raise public awareness and promote a range of options to minimise long-term empty homes in Wolverhampton.

These elements are covered in more detail below.

5.0 Identifying Empty Homes and Their Owners

5.1 The main sources of information about the owners of residential properties are Council Tax records and the Land Registry. From April 2019 CWC introduced increased charges for Council Tax on empty dwellings. Those which have been empty for two years or more will pay 100% Council Tax, rising to 200% if a home has been empty for five years and 300% for those empty for ten years or more. Members of the public can report empty homes via the Council's website, and staff may also identify empty homes when out in the community.

5.2 It is now compulsory in almost all circumstances to register ownership of homes at the Land Registry when a property is bought or sold and these records are publicly available. However, a few homes cannot be traced to a current owner, either because they have never been registered or because they are owned via a complex system of companies and/or trusts, obscuring the identity of their owners.

5.3 In the great majority of cases, identifying the owner of an empty home is straightforward. Finding the owner's current address and contact details may be more difficult.

5.4 Council Tax records are often very useful for finding out who owns a particular home, and large Council Tax arrears may indicate that a property is empty.

However, these records are not always up to date. People may believe that if a property is unoccupied it does not attract Council Tax liability, or they may be busy with other personal and administrative issues and forget to advise Council Tax staff when they buy or move into a new home. The Empty Homes staff work with Council Tax colleagues to share information and update Council Tax records, which benefits the Council by maximising Council Tax income as well as by tackling empty homes.

6.0 Researching and Implementing Best Practice

- 6.1 CWC staff attend the West Midlands Empty Property Officers Group and are members of the national practitioners' forum, the Empty Homes Network. CWC will continue to be an active member of these groups and work to identify effective initiatives to bring empty homes back into use which are not currently in place in Wolverhampton and consider whether they would be successful in our City.
- 6.2 Housing Services will seek to work with regional neighbours and partners to ensure that there is a consistent, relevant and effective suite of options to help owners of empty homes to let or sell them, and to progress enforcement where this is necessary. Partners may include Wolverhampton Homes, local Housing Associations, community groups and private companies. Work with Council Tax colleagues will be key to update their systems and ensure that we have an accurate record of empty homes in Wolverhampton.

7. A More Proactive Approach

- 7.1 In order to reduce the number of long-term empty homes in Wolverhampton, a more proactive approach will be required. Housing Services already works with Council Tax to contact owners of properties empty for three months, to prevent them becoming long-term empty homes. Sometimes Council Tax records do not show the full picture, as owners may have other priorities than updating the Council. By proactively contacting those on our records, we can discover that the home has been sold or used. We hope to work with Council Tax colleagues to undertake a thorough review of their records. While updating these records is likely to result in a more accurate, and lower, figure for long-term empty homes in the City, new initiatives will also be explored to minimise the number of wasted homes in Wolverhampton.
- 7.2 For the previous Empty Homes Strategy, the target was to bring 200 long-term empty homes back into use each year. In line with our more ambitious and proactive new Strategy, the target will be increased to 220 homes each year, with a stretch target of 250.
- 7.3 In some other areas, private companies are working in partnership with local authorities, with the company buying homes which are then leased to the Council. These schemes may include Council grants or loans to refurbish

long-term empty homes. There are companies interested in such a partnership in Wolverhampton, and Housing Services will explore opportunities for innovative partnerships which will increase the supply of good quality, affordable homes for rent.

- 7.4 There are a number of companies which offer Property Guardian services. This is the use of empty properties, which may be commercial or residential, for temporary shared accommodation for licensees. The licensees provide security against squatting and vandalism, in return for a lower than market rent. This is a legally grey area. Some property guardians live in comfortable conditions, with a responsible company as their landlord. Others are put at risk by dangerous and illegal conditions. CWC will monitor the use of property guardians in the City, and if appropriate will work with reputable companies where this would be mutually beneficial.
- 7.5 Wolverhampton Homes has suggested exploring a new initiative to offer training to local people to learn building skills by improving homes which can then be used in their leasing scheme. They have had interest from potential landlords whose properties need improvement before they meet the leasing criteria. We will work with Wolverhampton Homes to see whether this would be a viable option. There are obvious attractions in combining skills training to improve employment prospects with a project to refurbish homes which will then be brought back into use.
- 7.6 Similarly, we wish to encourage community groups to become involved in bringing empty homes back into use. This might include identifying empty homes, talking to their owners, and practical work to refurbish dilapidated homes. This could be done in partnership with Wolverhampton Homes, or as an independent community initiative; we will support any viable, safe and effective methods of tackling empty homes and improving neighbourhoods.
- 7.7 At present, CWC has no scheme to support key workers to buy a home in Wolverhampton. We will work with colleagues and partner agencies to establish if it would be useful to develop such a scheme, what model of support and assistance would be most effective and how we could focus this to bring empty homes back into use.
- 7.8 In a small number of cases, the Council has purchased empty homes where these would be useful as social housing stock. We will continue to consider individual and strategic purchases of empty properties, to meet needs for social housing, temporary accommodation for homeless households or other local housing needs. These purchases may through willing sale, or through Compulsory Purchase Order (see 8.5 below).
- 7.9 In all cases, Housing Services' preference is to work positively with the owners of empty homes and advise and support them to let or sell an unused home. However, when either the owner of an empty home cannot be identified, or when the owner of a property refuses to engage with the Council, enforcement will be used. This may involve a Section 215 notice, requiring the owner to

remedy disrepair, an Empty Dwelling Management Order or compulsory purchase. Enforcement will primarily be used where properties are in poor repair and/or causing nuisance in their neighbourhood.

- 7.10 To date, while much work has been done to encourage the re-use of empty homes, this has not been consistently and thoroughly recorded. We will set up a procedure to record actions on each empty home, as well as the outcome. This will highlight the work of the Empty Homes officers, enable detailed and accurate reporting and provide evidence to inform decisions about which interventions are most effective.

8. Enforcement

- 8.1 Local authorities have a range of enforcement options to take action where empty homes are causing a nuisance, or where owners either cannot be traced or are unwilling to engage with advice and assistance to use a wasted property. While CWC always prefers to work co-operatively with owners of empty homes, if it is not possible to trace the owner of an abandoned empty home, or if the owner refuses to engage with offers of advice and assistance, then enforcement will be pursued. Often when staff start enforcement action, owners act themselves to avoid this, which Housing Services regards as a positive result.
- 8.2 Legislation which can be used to tackle empty and/or abandoned homes includes: the Law of Property Act 1925; Prevention of Damage by Pests Act 1949; Miscellaneous Provisions Act 1982; Building Act 1984; Housing Act 1985; Town and Country Planning Act 1990; Environmental Protection Act 1990 and the Housing Act 2004. The Council will use whatever legal powers are available to help bring empty homes back into use, and to stop neglected and abandoned properties from blighting neighbourhoods, if owners of empty homes can either not be traced or are unwilling to co-operate with advice and assistance to tackle long-term empty homes.
- 8.3 Local authorities have powers to enter and inspect properties where there is a risk that poor housing conditions are affecting either the occupants or neighbouring properties. Empty homes which are dilapidated, infested with vermin or with badly overgrown gardens can negatively affect neighbours, and local authorities can require owners to repair defective premises and remove rubbish. Local authorities can also carry out works in default if owners refuse to do so, and recharge the costs.
- 8.4 The Housing Act 2004 introduced Empty Dwelling Management Orders (EDMOs). These allow local authorities to apply to a Property Tribunal to take over management of a long-term empty home, refurbishing it if necessary and letting and managing it for up to seven years. Rent from the letting is used to pay any refurbishment and management costs, and any monies over this are paid to the owner.

- 8.5 If an abandoned property has charging order debts to the Council, the local authority can apply for a forced sale to repay these debts. The procedure varies, with one for Council Tax debts and another for other liabilities.
- 8.6 Compulsory Purchase Orders (CPOs) are another form of forced sale. They may be used either if an owner of an abandoned property cannot be traced, or if the owner of a property causing nuisance to neighbours has persistently refused to engage with the Council to remedy the problems. In most cases the Council will sell the property at auction, but as indicated above at 7.8 a property which could be particularly useful in the social housing stock may be retained.

9. Finance

- 9.1 Currently there is a capital budget for work to bring empty homes back into use. This has been mostly used to fund compulsory purchases of long-term empty homes, which are then sold at auction. In addition, there is revenue funding of a £500 incentive to contribute to the administrative costs of selling an empty home and/or apply for probate.
- 9.2 With our more ambitious new strategy, additional funding to support incentives, enforcement and partnerships will be required. A business case for this will be prepared. We propose to extend the £500 incentive to first-time buyers who purchase a long-term empty home, and to explore whether we can also introduce assistance for key workers.
- 9.3 Successful re-use of long-term empty homes attracts New Homes Bonus funding. This results in the Government match-funding the Council Tax income for new homes and for homes brought back into use, for six years. This benefits the Council, providing funds to improve community facilities or to re-invest in work to minimise long-term empty homes.
- 9.4 Wherever possible, work on empty homes will be co-ordinated with other initiatives to maximise value for money and contribute to strategic and corporate targets and priorities. For example, repairs and improvements to an empty home are likely to include increased to home energy efficiency, contributing to improvement in residents' health. Grants for home energy efficiency are available, if homes are occupied by people who meet the criteria for them. We will work to co-ordinate different opportunities for bringing empty homes back into use and improving the quality of homes in Wolverhampton.

10.0 Publicity

- 10.1 There are national and regional Empty Homes Week opportunities to highlight the issue of long-term empty homes and publicise what the Council can do to help. The Council's website has a page on empty homes providing information and links to resources such as WH's leasing scheme and Rent with Confidence. Empty Homes staff are working with the Communications team to

further develop the Council's website and to promote an ongoing campaign to highlight the assistance available to bring empty homes back into use, examples of successful collaboration with owners of empty homes, enforcement action where owners have refused to engage and encouragement for the public to engage with our work to minimise the number of long-term empty homes in the City.

- 10.2 When it is possible to identify the owner of an empty home, staff write to them offering information and support to let or sell their disused property. In addition to emphasising the financial benefits of letting or selling an empty home, these letters will also highlight the benefit to the local community of bringing it back into use, and the additional Council Tax and other costs of long-term empty homes.
- 10.3 CWC will continue to work with local communities to raise awareness of empty homes and to promote action to encourage their re-use. Housing Services will work with the Communications team to develop a rolling programme of publicity about empty homes. This will include raising awareness with partner agencies, such as health and social care, so that colleagues can refer patients or clients for advice and information about letting or selling an empty home. Where appropriate, Housing Services will attend community events to gather information about local empty homes and advise residents about how CWC can help to prevent homes from remaining empty for long periods.

11. Action Plan

- 11.1 Below is the action plan which will cover the next five years. This plan will be reviewed and revised at least annually and will be amended as required to ensure that it remains up to date and effective.

Empty Homes Strategy 2019-2024 – Action Plan

	Action	Lead Officer(s)
1	Increase our target for bringing empty homes back into use, to 220 a year with a stretch target of 250	Empty Homes Officer
2	Continue to proactively review and update Council Tax records	Empty Homes Officer, Council Tax staff
3	Continue to offer £500 to owners who need to apply for Probate and/or meet our criteria and sell their long-term empty home or lease it to tenants nominated by the Council and/or Wolverhampton Homes	Empty Homes Officer
4	Prepare a specification to tender for one or more partners to purchase empty homes and make them available for letting to Council nominees	Service Manager
5	Work with Wolverhampton Homes to develop a repair and refurbish service to enhance their Leasing Scheme	Empty Homes Officer, Wolverhampton Homes
6	Work with Wolverhampton Homes and/or community groups to involve local communities in identifying empty homes and bringing them back into use. This will include offering apprenticeships/work experience for local people to learn building, decorating and gardening skills by supervised work on empty homes	Empty Homes Officer, Wolverhampton Homes

7	Develop a business case for increased funding to support new initiatives to bring empty homes back into use	Service Manager
8	Develop criteria for grants/loans to improve empty homes for sale or letting	Empty Homes Officer
9	Develop a communications and publicity programme to raise public awareness of empty homes and how CWC can help owners to sell or use them	Empty Homes Officer, Communications Team
10	Identify any long-term empty homes which would meet strategic and/or specific needs and purchase them for use or development	Empty Homes Officer, Development Team
11	Identify opportunities to work with particular neighbourhoods to target work to tackle empty homes as part of other community initiatives	Empty Homes Officer
12	Explore options to assist first time buyers and/or key workers to purchase and occupy long-term empty homes	Empty Homes Officer
13	Explore the option of a Real Estate Investment Trust to own properties bought through willing sale or compulsory purchase	Service Manager
14	Monitor the use of Property Guardians in Wolverhampton and develop a protocol for working with any responsible companies	Empty Homes Officer

15	Set up a recording procedure to capture actions on empty homes and provide performance monitoring information	Service Manager
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