Rother District Council

Report to	-	Overview and Scrutiny Committee
Date	-	27 January 2020
Report of the	-	Executive Director
Subject	-	Draft Empty Homes Action Plan

Recommendation: It be **RESOLVED**: That Cabinet be requested to agree the draft Empty Homes Action Plan 2020-24 attached at Appendix A, subject to consultation.

Head of Service: Richard Parker-Harding

Introduction

1.   Empty homes represent a wasted resource when there are unmet housing needs in the district. Reusing empty homes increases the housing supply and improves neighbourhoods.

2.   In addition, if properties are allowed to remain unused and neglected they can begin to cause issues within the community including:
- Attracting anti-social behaviour, vandalism and arson
- Fly tipping, accumulation of waste and attracts pests
- Squatters (adverse possession)
- Causing damage to neighbouring properties
- Being an eyesore

Background

3.   The Council is already taking action against the owners of empty properties. Action may be taken by planning enforcement if the visual appearance of the building has a detrimental effect on the amenities of neighbourhood or by environmental health if there are accumulations of waste or severely overgrown gardens, attracting rats or impacting on other residents' quality of life. In the past the Council has served notice, prosecuted, carried out works in default, enforced sales and compulsory purchased empty properties.

4.   Using the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018, the Council will from 1 April 2020 apply higher empty property premiums for Council Tax (Minute CB18/68 refers). This should encourage owners to let or sell their properties.

5.   The Housing, Homelessness and Rough Sleeping Strategy 2019-2024 (Minute CB18/68 refers) highlights the need to increase the housing supply within the district.

6.   Empty homes have also been identified under the above strategy as a wasted resource and action should be taken to try and bring empty homes back into use. Within the strategy (Part 2 Improvement Delivery Plan 1.4) it stipulates

that an action plan must be put into place setting out a number of methods for bringing into use empty homes.

7.   The Action Plan (attached as Appendix A) is to be implemented in 2020 and details how action will be taken against at least five empty properties a year. In reality this number is likely to be higher through a combination of the impact of the increase in Council Tax and publicity given to this action plan.

8.   Currently, there are 173 properties that have been empty long term (two years or more) within the Rother district. The information has been taken from the Council Tax records for those classified as class C unoccupied and substantial unfurnished. The figure of 173 properties does not include the numbers of E Exemptions or Deleted Properties. The largest numbers of empty homes within the district are found in Bexhill-on-Sea, followed by Rye Foreign, Camber and Rye.

9.   In order to meet the demand for housing, we must make the best possible use of our existing stock.   Returning long term empty homes to use or redeveloping sites with empty properties on them will not solve the need for additional housing, but it certainly can have an impact.

10.   In addition, empty properties can be detrimental to the lives of local residents as they may be a magnet for crime and antisocial behaviour, drive down property values locally and contribute to urban decline and blight. They also represent a risk for emergency services and put added pressure on various Council departments, such as Environmental Health and Planning Enforcement.

Aims of the Action Plan

11.   The overall aim of the Empty Homes Action Plan is to bring long term empty homes back into use, including:
- Identify long term empty homes
- Support for empty home owners
- Take action against empty property owners
- Raise awareness

Objectives of the Action Plan

12.   The objectives of the action plan are:
- Overall reduction in empty homes in the district
- A continuous reduction in current empty homes
- The provision of good quality affordable housing in Rother
- The minimisation of adverse environmental, social and local impact
- A possible reduction in the need to build on greenfield sites by use of existing brownfield sites
- To improve the existing built environment
- To provide training and empowerment for the community to create a housing hub
- To support other corporate priorities, objectives and strategies
- To enable payment of new homes bonus for bringing empty homes back into use
- Make best use of existing stock in sustainable areas

Priorities of the Action Plan

13. With reference to the Housing, Homelessness and Rough Sleeping Strategy 2019-2024, a significant outlined priority is to address the supply of housing within the district. Specific reference has been made to looking at bringing into use long term empty homes. For the purpose of focusing the resources available within the Council and to incorporate the identified needs regards housing supply, the action plan will concentrate on properties within areas of the district that have the greatest housing demand and properties with one to three bedrooms.

14. The Rother adopted Local Plan identified a need for a range of affordable property types and sizes. Having reference to Section 5 of this action plan, properties that provide one, two and three bedrooms are in highest demand for the identified needs of the population. Prioritisation for any intervention and action will be directed to this size of property but larger properties will not be excluded if there is development potential and this is beneficial for the local area.

15. With regard to this identified need, the action plan will prioritise identified long term empty homes that are Council Tax A, B or C. The purpose of this is that banded properties will be smaller (one to three bedroom) and more likely to be affordable and meet the greatest housing need (as demonstrated by the housing register data).

16. This is a particular issue in rural areas where demand is greatest for smaller homes, further supported by our adopted planning policies included in the Local Plan (2014) which requires 30% of all new build housing in rural areas to be provided as one and two bedroom properties (being mostly two bed).

17. Using Council Tax data for long term empty homes and data on housing need, the following areas were initially identified: Bexhill, Rye, Rye Foreign and Camber. In addition, to this there is a need for temporary accommodation within Bexhill and Rye - families displaced often want to remain in areas they have already established links with for the purpose of accessing employment, schools, family and relative support.

18. Action will therefore be focused on Bexhill and Rye where there are a larger number of empty properties, housing need is greater and there is a demand for temporary accommodation.

Options available to bring empty homes back into use

19. There is no single solution that will solve problems associated with empty properties. There is a wide range of interventions and statutory powers available to the Local Authority. A case-by-case approach will need to be taken, as the same solution will not work for every property. The approach will be in accordance with the Council's enforcement policies.

20. In June 2019, the Council created a new innovative role, the Private Sector Procurement Officer, within the Housing Needs Team. The role involves working with landlords to provide properties for residents that have a housing need. The scheme called 'Rother Tenant Finder' started in November 2019.

This scheme can be used to encourage owners to bring empty homes back into use.

21.   The Council's actions for bringing empty properties back into use are:
- Advice and assistance
- Enforcement

Informal action

22.   The Council can offer advice and signposting to encourage owners to bring empty homes back into use. This can include identifying the options available to the property owner, giving comprehensive advice on how to let a property, details on how to sell and renovate a property. This can be done by using social media and the Council website. Planning and Building Control can also provide advice to owners.

Enforcement options

23.   There are only three enforcement actions that can force a change of ownership in order to have the property reoccupied. These are:
- Empty Dwelling Management Orders
- Compulsory Purchase Orders
- Enforced Sale

24.   Empty Dwelling Management Orders and Compulsory Purchase Orders require capital investment from the Council or other parties, but are useful tools to allow the Council to deal with specific properties.

25.   The Council also has the power to take action under legislation, including the Housing Act 2004, the Anti-Social Behaviour Crime and Policing Act 2014 and Building Act 1984. Action that can be taken ranges from the service of an Improvement Notice, service of a Demolition Order or an enforced sale.

Conclusion

26.   The Council's Housing, Homelessness and Rough Sleeping Strategy 2019-2024 required the publication of an Empty Homes Action Plan. It is recommended that the draft Empty Homes Action Plan 2020-24, attached at Appendix A, be agreed subject to liaison with interested parties, such as Letting Agents and Landlords, including Social Landlords.

Malcolm Johnston
Executive Director

Risk Assessment Statement
Failure to produce an Empty Homes Action Plan will mean the Council is unable to meet some of the provisions of its own adopted Housing, Homelessness and Rough Sleeping Strategy 2019-2024.

DRAFT EMPTY HOMES ACTION PLAN 2020-2024

Content

Part 1

Empty Homes Action Plan 2019 – 2024

1.   Why has an Action Plan for empty homes been produced?

Empty homes represent a wasted resource where housing needs are critical and properties are built to be lived in and used as a home for individuals or families. Reusing empty homes increases the housing supply and improves neighbourhoods.
If properties are allowed to remain unused and neglected they can begin to cause issues within the community including:

- Attracting anti-social behaviour, vandalism and arson
- Fly tipping, accumulation of waste and attracts pests
- Squatters (adverse possession)
- Causing damage to neighbouring properties
- Being an eyesore

2.   Corporate context and links with other Council strategies

The Housing, Homelessness and Rough Sleeping Strategy 2019-2024 highlighted the need to increase the housing supply within the district. Empty homes have also been identified under the above strategy as a wasted resource and action should be taken to try and bring empty homes back into use. Within the strategy (Part 2 Improvement Delivery Plan 1.4) it stipulates that an action plan must be put into place setting out a number of methods for bringing into use empty homes.

The action plan is to be implemented from April 2020 and details how action will be taken against at least five empty properties a year. The action plan will be reviewed in 2022.

3.   Definition of an empty home for the purpose of the action plan

When assessing the number of empty homes, the Local Authority uses Council Tax data as a starting point.

Once a property becomes empty, the owner has a responsibility to inform the Council that there has been a change in occupation status.

There are a number of reasons why Council Tax data may not show the true number of empty homes. Reasons for this inaccuracy include the owner recording the property as occupied or as a second home to avoid paying the empty homes premium. Properties that are empty may have an exemption from paying Council Tax. Exemption E applies when an owner of a property permanently moves into residential care. The Exemption is applied to the property and stays on the account until the property is sold or someone moves into the property. Unbanded properties (or more accurately Deleted properties) are when the Valuation Office has assessed the property and made a decision that the damage or state of the property is so severe that it should not be in the rating list. Unbanded (deleted) properties will be

considered 'empty homes' for the purpose of this document requiring further action to bring the property back into use.

For the purpose of this action plan, an empty property refers to privately owned residential properties that have been un-occupied and unfurnished for two years or more. This excludes second homes, holiday homes but will include Exemptions E and Deleted Properties.

4.   Distribution of long term empty homes within the district

In January 2020 there were 173 properties that have been empty long term (two years or more) within the Rother district. The information has been taken from the Council Tax records for those classified as class C unoccupied and substantial unfurnished. The figure of 173 properties does not include the numbers of Exemption E or Deleted Properties.

The largest numbers of empty homes within the district are found in Bexhill-on-Sea, followed by Rye Foreign, Camber and Rye.

Local Authorities have an obligation under the Housing Act 2004 to keep housing conditions in their area under review. The Council undertook a combined housing need and housing stock condition survey across the district in 2017 and a residents' survey to establish housing need across the district. The results were published in the Rother Strategic Housing Report 2018.

This survey estimates there to be 720 long term private sector vacant dwellings included in the study area within Rother – this includes dwellings that had been vacant for over six months and probate properties. For the purpose of this action plan only long term (for more than two years) empty properties are included, as these are more unlikely to be brought back naturally into use and have the potential to cause a detrimental effect on the surrounding area. This reduces the number of empty homes to 173.

The Strategic Housing Research Report identified a number of options for bringing empty properties back into use;

- In extreme cases where owners will not bring a dwelling back into use or cannot be identified and the property has been empty for two years or more, there is the option to consider use of an Empty Dwelling Management Order (detailed in Appendix 2) and for such dwellings to be sold or managed by a Registered Provider as affordable housing.
- Improving the links between Council Tax and Housing teams to correctly identify empty homes and to ensure consistent actions are taken.
- Purchasing empty homes from their owners and working in partnership with Registered Providers to bring the properties back into use to boost the scale of affordable housing.
- A scheme developed in Kent known as 'No Use Empty'. This involved investing a large sum to incentivise property owners to bring their property back into use.

5. Evidence Base of Affordable Housing Need in Rother

Rother has an adopted local plan which identified a net need for up to 1,647 homes over the period 2011 – 2028 for a range of affordable property types and sizes. A summary of overall need based on property sizes required across the district is included below;

Table 1

Property Size	As percentage of Affordable Housing Need in Rother
One bedroom	27%
Two bedroom	44%
Three bedroom	21%
Four bedroom	7%

(Rother Household Survey 2017)

This table confirms the type of housing need for both market and affordable housing based on current patterns of occupation, as well as need identified in the local plan.

Table 2

		Market Housing	Affordable Housing	TOTAL
Flats	1 bedroom	220	361	582
	2+ bedrooms	467	241	708
Houses	2 bedrooms	258	354	612
	3 bedrooms	1,914	293	2,208
	4 bedrooms	503	61	564
	5+ bedrooms	134	38	172
TOTAL		3,496	1,349	4,845

(Housing Research Project 2017, Figure 118 page 115)

Under current definitions of affordable housing need and current guidance, there is a need for a range of affordable housing tenures across Rother, with the predominant need for Target Social Rented tenure. This is based on the 1,061 households identified as being unable to meet their own housing costs in Target Social Rent, without the assistance of housing benefit support.

There are some households able to afford to cover their own rents in affordable properties and they would be suitable for intermediate housing scheme such as shared ownership. A wider range of intermediate housing procurements could help a number of these identified households in need to enter into homeownership.

The household survey identified a total of 4.1% of households who are overcrowded in Rother (approximately 4% of houses and 5% of flats).

Temporary Accommodation

As of 31 November 2019, there were 61 households in temporary accommodation requiring urgent rehousing. Of this need, 46% require a one bedroom property and 54% require more than one bedroom or family size accommodation and of those families in temporary accommodation, households include on average 2.2 children. On average, 80% of all need in temporary accommodation is for housing in the Bexhill area and 20% for Battle, Rye and rural Rother.

Table 3

Current Housing Register Data (for affordable/social rented tenure only)Property Type	Housing Register Need (as of December 2019)	As % of total Need
One Bedroom	823	49%
Two Bedroom	494	29%
Three Bedroom	284	17%
Four Bedroom	64	4%
Five Bedroom	9	0.5%
Six Bedroom	1	0.06%
Total Need	**1,675**	

GRAPH 1: **shows the number of empty homes within each parish. Note that only parishes with empty homes have been placed on the graph. As of July 2019 there were no recorded empty homes in the following parishes; Ashburnham & Penshurst, Bodiam, Dallington, Playden, Udimore and Whatlington.**
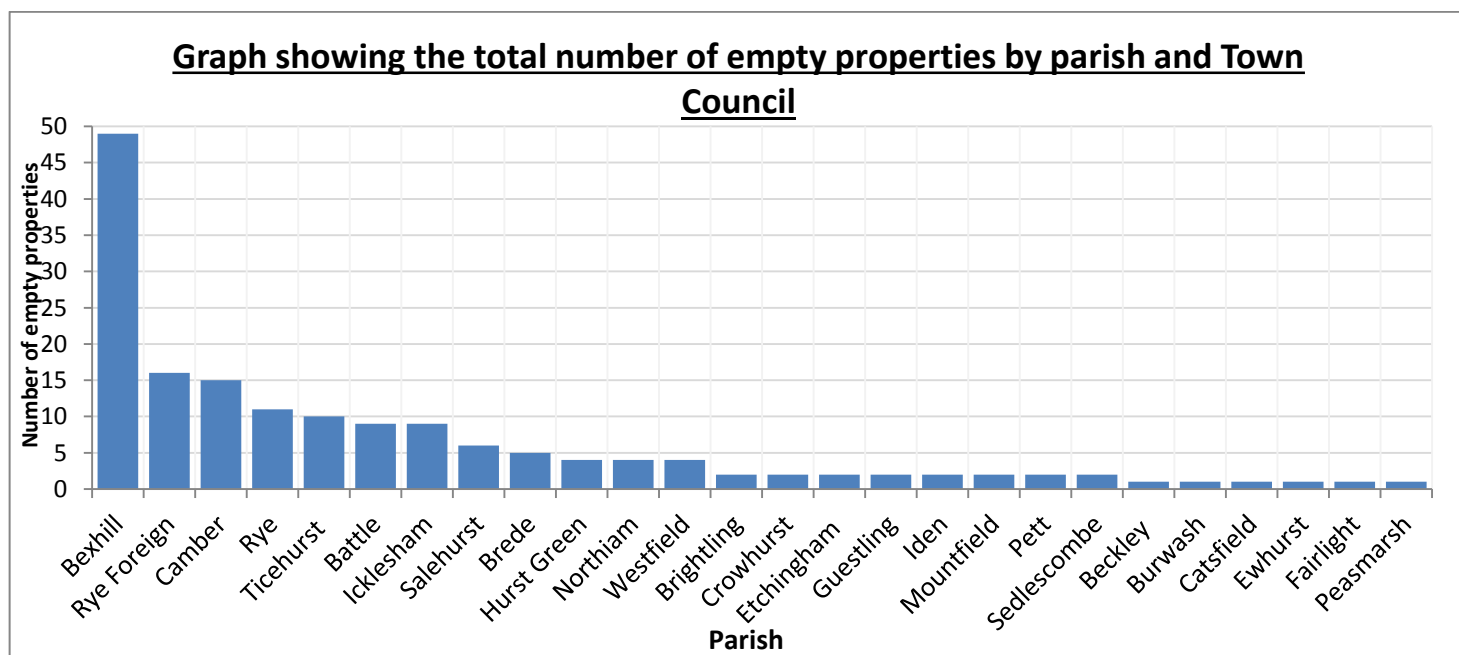

Graph showing the total number of empty properties by parish and Town Council

Table 4 showing the number of empty homes as a percentage of total stock in July 2019

Parish	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H	Total number of empty properties	All Dwellings by Parish	Number of Empty homes as a % of total stock (All Dwellings - 2011 Census)
Bexhill	17	15	2	10	4	0	0	1	49	21696	0.23%
Camber	7	3	1	2	2	0	0	0	15	800	1.88%
Rye Foreign	4	0	1	10	1	0	0	0	16	190	8.42%
Rye	3	1	3	2	0	1	1	0	11	2361	0.47%
Northiam	2	1	1	0	0	0	0	0	4	1020	0.39%
Ticehurst	1	1	2	4	0	0	1	1	10	1608	0.62%
Battle	1	2	2	4	0	0	0	0	9	2995	0.30%
Salehurst	1	1	0	3	0	1	0	0	6	1099	0.55%
Iden	1	1	0	0	0	0	0	0	2	254	0.79%
Icklesham	0	3	1	2	1	1	1	0	9	1559	0.58%
Brede	0	0	1	2	0	1	1	0	5	820	0.61%
Hurst Green	0	0	2	1	0	0	1	0	4	628	0.64%
Westfield	0	0	1	1	2	0	0	0	4	1155	0.35%
Brightling	0	0	0	1	0	0	0	1	2	172	1.16%
Crowhurst	0	0	0	0	2	0	0	0	2	337	0.59%
Etchingham	0	0	0	1	1	0	0	0	2	338	0.59%
Guestling	0	0	1	0	0	1	0	0	2	634	0.32%
Mountfield	0	0	0	0	2	0	0	0	2	221	0.90%
Pett	0	0	2	0	0	0	0	0	2	459	0.44%
Sedlescombe	0	0	0	0	0	0	2	0	2	677	0.30%
Beckley	0	0	0	0	0	1	0	0	1	515	0.19%
Burwash	0	0	0	0	0	0	1	0	1	1178	0.08%
Catsfield	0	0	0	0	0	0	1	0	1	357	0.30%
Ewhurst	0	0	0	1	0	0	0	0	1	522	0.19%
Fairlight	0	1	0	0	0	0	0	0	1	893	0.11%
Peasmarsh	0	0	0	0	1	0	0	0	1	557	0.18%
									Total 164	43045	

GRAPH 2: shows the number of empty homes as of July 2019 within each parish and the number of empty homes has been broken down to show the council tax band.

Graph depicting the number of empty properties in each council tax band by parish
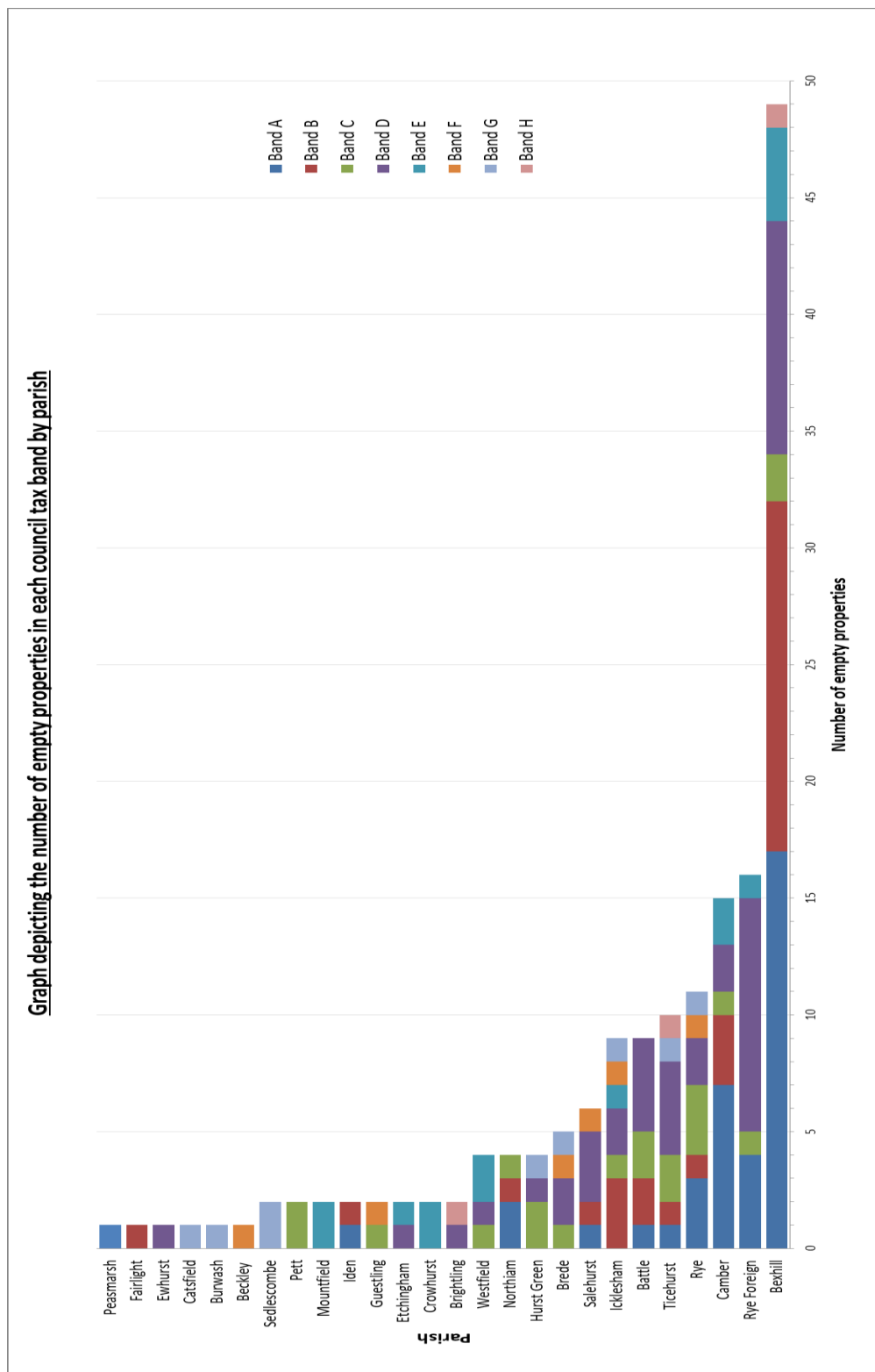
If we look at the four areas that have the largest number of empty homes, Graph 2 shows for Bexhill-on-Sea 69% of all the long term empty homes are within Council Tax Band A, B and C. Rye Foreign, 31% of the long term empty homes are within Council Tax Band A, B and C. 73% of all the long term empty homes within Camber are within Council Tax Band A, B and C

and 64% for Rye. In these areas this shows that the greater majority are smaller properties.

Number of properties in each Council Tax band									
	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H	Total %of properties in A-C Council Tax band
Bexhill-on-Sea	17	15	2	10	4	1	0	0	69%
Rye Foreign	4	0	1	10	1	0	0	0	31%
Camber	7	3	1	2	2	0	0	0	73%
Rye	3	1	3	2	0	1	1	0	64%

6. Why do homes become empty

There are many reasons why a property can become empty; here are some of the reasons or causes;

- Unable to sell the property.
- The owners are not aware or do not understand the options available to bring properties back into use.
- The owner has died.
- Extensive maintenance problems combined with low value of the property.
- There is a covenant restricting use of the property.
- Owner disinterested.
- Owner may not be in a position to finance refurbishment or repair costs.
- Property has been inherited and the owner lacks knowledge or inclination to deal with the property.
- Abandonment of the property.
- Property in probate.
- Property has been repossessed.
- Empty residential property above shops can have issues due to unsuitable means of access, security and mixed uses.
- Property brought for the purpose of a development and left empty pending redevelopment or refurbishment.
- Property has been purchased for the owner to live in when they retire.
- The owner has purchased the property as an investment and is waiting for property prices to rise.

7. The benefits of bringing empty properties back into use

In order to meet the demand for housing, we must make the best possible use of our existing stock. Returning long term empty homes to use does not solve the need for additional housing, but it certainly can have a considerable impact.

The Council needs to try to meet the housing supply within the district. Development of empty homes will assist in meeting this aim.

In addition, empty properties can be detrimental to the lives of local residents as they may be a magnet for crime and antisocial behaviour, drive down property values locally and contribute to urban decline and blight. They also represent a risk for emergency services and put added pressure on various Council departments such as Environmental Health and Planning Enforcement.

What does Rother District Council want to try and achieve by tackling and bringing empty homes back into use:

- Overall reduction in empty homes in the district.
- A continuous reduction in current empty homes.
- The provision of good quality affordable housing in Rother.
- The minimisation of adverse environmental, social and local impact.
- A possible reduction in the need to build on Greenfield sites by use of existing brownfield sites.
- To improve the existing built environment.
- To provide training and empowerment for the community to create a housing hub.
- To support other corporate priorities, objectives and strategies.
- Payment of new homes bonus for bringing empty homes back into use
- Best use of existing stock in sustainable areas.

8. **Priorities**

With reference to the Housing, Homelessness and Rough Sleeping Strategy 2019-2024, a significant outlined priority is to address the supply of housing within the district. Specific reference has been made to looking at bringing into use long term empty homes. For the purpose of focusing the resources available within the Council and to incorporate the identified needs regards housing supply, the action plan will concentrate on properties within areas of the district that have the greatest housing demand and properties with one to three bedrooms.

The Rother adopted Local Plan identified a need for a range of affordable property types and sizes. Having reference to Section 5 of this action plan, properties that provide one, two and three bedrooms are in highest demand for the identified needs of the population. Prioritisation for any intervention and action will be directed to this size of property, but larger properties will not be excluded if there is development potential and this is beneficial for the local area.

With regard to this identified need, the action plan will prioritise identified long term empty properties that are Council Tax A, B or C. The purpose of this is that banded properties will be smaller (one to three bedroom) and more likely to be affordable and meet the greatest housing need (as demonstrated by the above housing register data).

This is a particular issue in rural areas where demand is greatest for smaller homes, further supported by our adopted planning policies included in the Local Plan (2014) which requires 30% of all new build housing in rural areas to be provided as one and two bedroom properties (being mostly two bed).

In terms of what areas within the district action will be prioritised, with reference to the Council Tax data and the identified housing need, Bexhill, Rye, Rye Foreign and Camber will be the geographical areas where resources will be focused for all initial action. When looking at the number of empty homes as a percentage of the total housing stock, Rye Foreign has the highest percentage in the whole district 8.42%, followed by Camber with 1.88%. Bexhill has a low total percentage; this is because Bexhill is the biggest urban area and has a very high number of dwellings (see table 4).

There is a need for affordable housing, especially within rural areas. In addition to this there is an identified need for temporary accommodation within Bexhill and Rye. Families displaced often want to remain in areas they have already established links with for the purpose of accessing employment, schools, family and relative support.

The need for affordable homes is also a priority due to recent changes to welfare benefits that has an effect of reducing incomes of many low income households, making access to housing difficult. In particular the introduction of Universal Credit to the Rother area in 2016 has compounded a range of earlier reforms to benefits in 2012 and 2016. These include:

- A freeze on Local Housing Allowance (LHA) rates.
- A freeze on benefit rates.
- Under 35's now only receive the room rate for housing benefit.
- A reduction in the Benefit Cap from £26,000 a year to £20,000 a year.
- Reduced Working Tax Credits.
- Reduced Employment and Support Allowance.

(Information taken from the Housing, Homelessness and Rough Sleeping Strategy 2019-2024).

9. **Aims of the action plan**

The overall aim of the empty homes action plan is to bring long term empty homes back into use including:

- Identify long term empty homes.
- Support for empty home owners.
- Take action against empty property owners.
- Raise awareness.

Action will be focused on Bexhill and Rye where there are a larger number of empty properties, housing need is greater and there is demand for temporary accommodation.

10. **Options available to bring empty homes back into use:**

There is no single solution that will solve problems associated with empty properties. There is a wide range of interventions and statutory powers available to the Local Authority. A case by case approach will need to be taken as the same solution will not work for every property. The approach will be in accordance with the Council's enforcement policies.

In June 2019 the Council created a new innovative role, Private Sector Procurement Officer, within the Housing Needs Team. The role involves working with landlords to provide properties for residents that have a housing need. The scheme called the 'Rother Tenant Finder' commenced in November 2019. This scheme can be used to encourage owners to bring empty homes back into use.

Currently, the Council's only tools to bring empty properties back into use are:

- Advice and assistance.
- Enforcement.

10.1 **Informal action**
The Council can offer advice and signposting to encourage owners to bring empty homes back into use. This can include identifying the options available to the property owner, giving comprehensive advice on how to let a property, details on how to sell and renovate a property. This can be done by using social media and the Council website. Planning and Building Control can also provide advice to owners.

10.2 **Enforcement options**
There are only three enforcement actions that can force a change of ownership in order to have the property reoccupied these are:

- Empty Dwelling Management Orders.
- Compulsory Purchase Orders.
- Enforced Sale.

Empty Dwelling Management Orders and Compulsory Purchase Orders require capital investment from the Council or other parties.

The Council also has the power to take action under legislation, including the Housing Act 2004, The Anti-Social Behaviour Crime and Policing Act 2014, Building Act 1984. Action that can be taken ranges from the service of an Improvement Notice, service of a Demolition Order or an enforced sale.

Further details on the type of enforcement powers available to the Council can be found in Appendix 1.

11. **Resources**

There is no additional funding to provide more resources, offer any Council grant funding or financial assistance to incentivise empty home owners to bring identified properties back onto use.

Rother District Council does not have a designated empty homes officer. All work relating to this action plan will have to be carried out by existing staff within the Council.

There is scope for the possible use of Section 106 of The Town and Country Planning Act 1990 (as amended) funding generated from contributions from developers of new build schemes. The funding is provided in lieu of affordable housing. There is the potential opportunity that this income could partly fund empty homes initiatives. This would be on the provision that the funding will result in bringing properties back into use.

In November 2018 Rother Housing Needs Team launched the Rother Tenant Finder Scheme. This scheme allows for small financial incentives can be offered to landlords to encourage them to provide a tenancy agreement for clients on the Housing Register.

12.   Monitoring of the Action Plan

The main focus will be on recording the number of empty homes where action has been taken and the number that have subsequently been brought back into use. In addition, by monitoring the type of intervention taken and the outcome the most successful intervention can be identified which can be used to help allocate resources more effectively in the future.

The following will be recorded:

- List of identified empty homes, Council Tax banding, property location (whether it is within the four prioritised areas), ownership details, reason for being empty.
- Record all empty homes where enforcement action has been taken and the outcome (detailing the type of enforcement notice issued).
- Council Tax data – figures will be monitored to identify if there is a reduction in the number of long term Class C unoccupied and substantial unfurnished properties, Deleted Properties and E Exemption.
- Monitor the number of empty home notifications received via the website to identify if there an increase in public awareness around empty homes.
- Record all informal action taken against each identified empty property.
- Monitor the use of social media accounts relating to empty home postings
- Record awareness campaigns (including the use of the website, Twitter, Facebook, MyAlerts).

Records will need to be kept by all relevant Council Departments. Data will be collated and reported on.

Part 2

ACTION PLAN

The Council's Empty Homes Action Plan is based on four principles:

- **Identification** – understanding where our problematic long term empty properties are located and who owns them.
- **Support** – developing a package of support for empty home owners to encourage them to bring homes back into use.
- **Taking action** – where providing support has failed, taking appropriate action against the empty property owner to ensure the home is brought back into use.
- **Raising awareness** – ensuring residents, businesses, stakeholders and empty property owners know what they can do and who to contact if they are aware of, or own an empty property.

1   IDENTIFY EMPTY HOMES

1.1   Create a database of empty homes with owners details and what action the Council has taken.

1.2   Provide information for visiting council staff on how to identify a potential empty home and the means of notifying the private sector housing team.

1.3   Use Council Tax information to assist in identifying long term empty homes.

2   SUPPORT FOR EMPTY HOME OWNERS

2.1   Contact owners of all long term empty homes on an annual basis, detailing what support is available to them to bring the home back into use.

2.2   Promote the new empty home premium council tax rate to encourage owners to take steps to bring empty homes back into use.

2.3   Maintain a list of interested parties who wish to buy empty homes in the area.

2.4   Provide grants/loans to empty property owners to bring homes back to a satisfactory standard for habitation.

2.5   Provide advice identifying the options available to the property owner on how to let a property; how to sell and information on how to renovate a property, including the VAT exemptions.

2.6   Identifying external agencies and companies that could assist an owner with the letting, sell or renovating of an empty home.

2.7   Signpost owners to other Council services like planning and building control.

2.8 Develop a communications plan to ensure appropriate information is made available throughout the action plan period.

2.9 Promote the work of the Sussex Community Housing Hub (see Appendix 2).

2.10 To identify potential properties for use under a link scheme to provide accommodation for people on the housing register.

3   Take Action Against Empty Property Owners

3.1 Take appropriate and proportionate enforcement action regarding the most problematic empty homes.

3.2 Set up an officer working group to identify which empty homes require action, and what action should be taken.

3.3 The Council to utilise appropriate powers to deal with anti-social behaviour issues caused by long term empty homes.

4   Raise Awareness

4.1 Review and improve the on-line empty homes notification form with clear precise information so it is easier to report a suspected empty property.

4.2 Develop a communications plan with support from the Council's Communications team.

Enforcement Action

Housing Act 2004 – Part 1 Housing Health and Safety Rating System

Service of an Improvement Notice – Using the Housing Health and Safety Rating contained within the Housing Act section 11 and 12. This option can be used to remedy defects to the internal and external elements of a property where there are defects of a serious nature.

Service of a Demolition Order – If a property is dilapidated and it is not financially economical to bring it back into use, a demolition order can be served under the Housing Act 1985 section 265.

The Anti-Social Behaviour Crime and Policing Act 2014 – The Anti-social behaviour Crime and Policing Act 2014 allows for a Community Protection Notice (CPN) to be served where the owner's behaviour is having a detrimental effect on those living nearby. This behaviour must be persistent. Following non-compliance with a CPN, the Council can issue a fixed penalty notice (FPN) and carry out external remedial works. Following failure to pay the FPN and or the remedial works, the Council can start the process of trying to enforce the sale of the property.

Enforced Sale Procedure – Law of Property Act 1925 Section 103 allows a Local Authority to force the sale of a property where there is a local land charge on it. This can be used as the next step after the Council has carried out works in default. Local Authority can pay for works to be carried out in lieu of the owner taking action and if the costs exceed £1000 then can look to enforce the sale of the property.

Empty Dwelling Management Orders (provision under the Housing Act 2004). The Council can take over the management of the property and bring it into use.

Town and Country Planning Act 1990 Section 215 – 'detrimental to the amenities of the neighbourhood. The Council can serve notice on the owner.

Building Act 1984 section 76-79 – 'dangerous and ruinous structures. The Council can serve notice.

Local Government Miscellaneous Provisions Act 1982 Section 29 – secure an empty property against access where there is a danger to the public. The Council can carry out work to secure a property.

Environmental Protection Act 1990 Section 79-80 – prejudicial to health/statutory nuisance. The Council can serve notice on the owner to carry out works.

Housing Act 1985 and Local Government and Housing Act 1989 – compulsory purchase order

- Town and Country Planning Act 1990 section 215 – where a property has a detrimental impact on the amenity of an area, a notice can be served under Section 215 of Town and Country Planning Act 1990 requiring the owner to address the unsightly external appearance. If the owner fails to comply with

the notice the Council may undertake the works in default and make a charge against the property. A Section 215 notice can improve the amenity of an area and be used as the basis for an enforced sale.

- Local Government Act 2003 – Council Tax increases to help bring empty properties back into use.
- Direct sale by owners – the Council can pass on the details of interested parties who may wish to buy properties in a certain area/ increase their portfolio. Rother can maintain a list of interested landlords/developers – we could have a form on the website that people can complete if they are interested in purchasing property in the area
- Empty Dwelling Management Orders (EDMO) – provision is contained within the Housing Act 2004 and gives Local Authorities the power to take over the management of a property, either directly or with an intermediary such as a registered social landlord or Letting Agent. This is resource heavy.
- Compulsory purchase order (CPO) – this is a lengthy legal process that could be considered if all other methods to bring an empty home back into use fail.
- Council departments (planning, planning enforcement and building control) to work in partnership to encourage empty properties being brought back into use.
- Planning – share information when an application is received with regards to an empty property.
- Environmental Health – can use Anti-Social behaviour legislation and Housing legislation. Share information received on potential empty homes.
- Police – share information on a problem empty property (squatters, anti-social behaviour).
- East Sussex Fire and Rescue Service – share information on identified/potential empty home or problematic empty homes (arson etc.).
- Local Estate Agents/letting agent – develop links with local estate agents to offer information and support to owners is required to selling an empty property/letting an empty property.

What is the Sussex Community Housing Hub?

The Hub has been established to provide essential support for urban and rural communities across Sussex wishing to pursue successful community led housing projects.

Its aim is to empower local communities to increase the supply of community led housing, primarily affordable homes, to meet local needs.

They provide advice, support and guidance – increasing knowledge, developing skills and building capacity to realise development opportunities.

The hub offers:

- Solutions to meet local housing need – maximising community benefit.
- Expertise, skills and experience – everything to help delivery.
- A long track record of successfully delivering community led projects.
- Independent technical advice, support and information extensive networks locally and nationally – informing best practice.

The hub can help by…

- Explaining the different routes to achieving community-led housing.
- Supporting – independent advice throughout a project.
- Enabling informed choices by providing a full suite of processes, tools, options.
- Training on governance, management, development, community organising.
- Acting as an intermediary between professionals, local authorities and community groups.
- Facilitating understanding, constructive discussion and decision making.
- Providing access to a range of technical support and professionals.
- Sharing good practice – what works / how to address things that go wrong.

Their website address   https://www.sussexcommunityhousinghub.org/