



Private Sector Housing

EMPTY PROPERTY STRATEGY

2023

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1.0 Introduction

This strategy sets out Eastleigh Borough Councils (the Council's) overall approach to tackling long-term empty homes and the initiatives aimed to be implemented to support this approach and ensure the number of long-term empty properties are minimised across the Borough.

Empty properties can have a wide social impact, with neighbouring communities and residents effected by properties being vandalised, attracting anti-social behaviour, or falling into a state of disrepair and dereliction. They are a wasted resource, especially when there is a high demand for housing in the area and can lower the quality of the local environment and affect the sense of community.

2.0 Scope and Objectives

2.1 Scope

This strategy will apply only to residential properties which are determined as being long-term empty. The Council defines long-term empty homes as residential accommodation that has been consistently unoccupied for at least 6 months or longer.

Not all empty properties cause a problem and a percentage are required to allow the housing market to function. However, the Council recognises that if left empty, a short-term empty home can become a long-term problematic empty home. By working in line with this strategy, the Council hope to reduce the risk of properties becoming empty in the long-term, falling into disrepair or becoming subject to vandalism, and at worst, becoming detrimental to the neighbourhood.

Not all properties which may appear empty are classed as such and a property does not have to be used all the time to be considered occupied, i.e. someone's second/holiday home. As such, there are some circumstances (set out in Appendix 1) under which this strategy would not apply to a property. However, should any of these types of properties become problematic or cause concerns for local residents, the Council may still investigate and/or take action to address these issues under alternative legislation or enforcement options appropriate to the situation.

This strategy does not cover empty commercial premises.

2.2 Objectives

This strategy supports the delivery of the corporate priorities, principally those of Healthy Community and Prosperous Place. By working to bring empty properties back into use it will help feed into efforts to tackle deprivation and contribute to increased provision and mix of housing in the Borough.

The benefits to the local community and property owners by bringing the properties back into use can include:

- Provision of usable housing, reducing the pressure on existing housing stock.
- Improvement of existing built environment, maintaining safe, attractive communities and neighbourhoods.
- Bringing properties back into use will contribute to regeneration and increased investment in an area which in turn leads to improved community cohesion and preventing the depreciation of property values.
- Owners can realise the value of their asset by bringing it back into use.
- Preventing empty dwellings becoming the focus of anti-social behaviour.

The main objectives of this strategy are to:

- Maximise the re-use of long-term empty properties and so help to increase the amount of housing available.
- Improve the existing built environment and by doing so deliver safer, stronger communities.
- Strengthen and expand joint working with internal and external partners and individuals to make best use of resources available.

3.0 Context

3.1 Nationally

Nationally, the 5-year trend has continued to be one of steadily rising numbers of long-term empty properties, despite a worsening housing crisis. In 2021, on average nationally 1 in every 51 homes¹ were long-term empty and while this was a slight improvement on the 2020 figures, the unprecedented increase seen in 2020 due to the pandemic (calculated at approx. 42,500 homes² nationally) means that occurrence of empty homes is still significantly higher than it was pre-pandemic and 20% higher than it was in 2016³.

3.2 Locally

The Council, prior to the pandemic and contrary to the national trend, had seen a steady reduction in numbers (-19% & -13% in 2018 and 2019 respectively⁴). However, because of the pandemic the Council saw an increase of 16%, although long-term empty properties still account for only 0.45% of the total domestic properties within the Borough⁴. Even with this increase from the pandemic, the Council remains in a good position compared to the national average. The 2021 figures place the Council at 16th lowest rate¹ of all Local Authorities in England, and second lowest only behind Test Valley compared to its neighbouring Local Authorities in Hampshire.

¹ [2021 Empty Homes Facts & Figures - Action on Empty Homes](#)

² [Pandemic Impact - Action on Empty Homes Media Release](#)

³ [2021 figures commentary - Action on empty homes](#)

⁴ Based on annual statistics collected since 2018 by Private Sector Housing team.

4.0 Approach

4.1 Data driven & targeted

With resources and budgets of Local Authorities continuing to be squeezed, the need to utilise new ways of working and approaches is essential and this is no different for the Council's empty homes work.

The Council's intention is to move away from the previous admin heavy and paper-based approach and is committed towards using data and information resources available to strategically target the focus and resources more appropriately and effectively. This will be done through:

- Producing yearly statistics to ensure an understanding of the overall picture and context of long-term empty homes in the Borough.
- Identifying a set number⁵ of the longest empty homes from the yearly report to then focus proactively on towards bringing back into use.
- The use of an internal multi-team panel⁶ to discuss properties where there is potential joint interests between departments to ensure best use of resource, avoid duplication of work and that the larger holistic picture is considered in terms of all options available.
- The use of a scoring and review matrix⁷ for reports received by the Council of an empty property to assess the current risk/impact it poses and thereby prioritise the appropriate resources/action (if any) to give to the matter (see Appendix 2).

4.2 Utilisation of all powers

The Council is committed to using all permitted powers to disincentivise and encourage owners to bring properties back into use. This includes using:

- Council Tax premium to its fullest extent (as permitted since 2019)⁸ for long-term empty homes that have been empty for over 2 years.
 - 100% premium for those over 2 years empty,
 - 200% for those over 5 years empty, and
 - 300% for those over 10 years empty.
- Higher-level enforcement action on properties that have been empty for over 2 years such as Empty Dwelling Management Orders (EDMOs), Enforced Sales or Compulsory Purchase Orders.
 - Due to the significant resource and upfront cost implications incurred, any such action will require authorisation and only be taken where all

⁵ To be determined at the beginning of each year dependent on resourcing levels by service manager & Service Director.

⁶ Was piloted initially in 2018/19 and has continued – it currently consists of representatives from Private Sector Housing, Environment, Planning Enforcement, Council Tax and Legal.

⁷ Has been developed and piloted across different cases in 2022.

⁸ [Rating \(Property in Common Occupation\) and Council Tax \(Empty Dwellings\) Bill](#)

other options have been fully exhausted and in accordance with the relevant procedures and criteria requirements.

- Lower-level enforcement action on any long-term empty property which is evidenced to be impacting on the area. Such actions do not directly deal with the matter of it being unoccupied but address these impacts. These can include, but are not limited to enforcement action and notices under:
 - Housing Act 2004 Part 1
 - Environmental Protection Act 1990 Part 3
 - Town & Country Planning Act 1990
 - Building Act 1984
 - Prevention of Damage by Pests Act 1949
 - Public Health Act 1936
 - Local Government (Miscellaneous Provisions) Acts 1976 & 1982

All such action would be taken in accordance with the relevant department's respective general enforcement policy.

4.3 Clear communication

It is important with a shift to a data led and strategic approach to have clear communication. Clear communications both internally and externally will help to; develop understanding of the wider context within which empty homes work sits, manage expectations as to resource and priority that can be given, and disincentivise other owners of long-term empty properties by promoting action that is taken.

As part of this commitment to clear communication, the Council will:

- Provide an annual report setting out the Borough wide position of long-term empty homes, any key changes in statistics from the previous year, general overview of actions and progress of action plan.
- Externally promote through the Communications team on all appropriate platforms, all cases where any higher-level enforcement action is taken.
- Actively promote to the public what help and assistance is on offer by the Council to help owners of long-term empty properties to bring them back into use.
- Ensure it is clearly communicated as early as possible to member of public reporting a property the level of priority/action that it has been assessed to warrant.

5.0 Review

This strategy will be next reviewed in 5 years or at any point sooner should there be a significant change in legislation and/or regulations affecting this area of work.

6.0 Action Plan

Objective	Action	Who	Success measure
Maximise the re-use of long-term empty properties and so help to increase the amount of housing available.	Update policy to implement the full extent of Council Tax premiums permitted	Council Tax	Updated policy approved and maximum premiums implemented in system ready for 2024/25 billing.
	Develop clear policy and procedure documents for Enforced Sales, CPOs and EDMOs.	Private Sector Housing and Legal	Policies and procedures are in place, clear, and up to date.
	Promote the help and assistance on offer.	Private Sector Housing and Communications	Reviewed materials and undertaken promotion campaign every 12 months.
Improve the existing built environment and by doing so deliver safer, stronger communities.	Ensure consideration is given to all relevant enforcement powers to deal with impact on the wider area.	Private Sector Housing, Environment Team, Planning Enforcement	Yearly report on what reasonable and proportionate enforcement action has been taken
Strengthen and expand joint working with internal and external partners and individuals to make best use of resources available.	Continuation of the multi-team panel meetings	Private Sector Housing, Environment Team, Planning Enforcement, Council Tax, Legal.	Regular 6-8 weekly meetings held.
	Embed use of the scoring and review matrix	Private Sector Housing	At least 75% of empty property reports received by Council have had matrix review.

Appendix 1.0 Exemptions List

The exemptions listed below is consistent with both Council Tax and Housing regulation.

While this would mean the property would not be viewed as a long-term empty property in respect of this strategy, if it is still reported to be causing a nuisance or otherwise impacting on neighbours or the wider community, the Council may investigate and take action under other powers and policies where appropriate.

1.1 Circumstances that qualify as exempt

- The owner is a serving member of the armed forces and is absent from the dwelling as a result of such service.
- The owner is absent from the dwelling for the purpose of receiving, or providing to such a person who requires it, personal care by reason of old age, disablement, illness, past or present alcohol or drug dependence or past or present mental disorder.
- The owner is absent from the dwelling due to being in prison.
- The owner of the property has died and six months has not yet elapsed since the grant of representation (probate) was obtained in respect of such person.
- The property is used as a holiday home (whether or not it is let as such on a commercial basis) or is otherwise occupied by the owner or his guests on a temporary basis from time to time*.
- The property is genuinely on the market for sale or letting.
- The property is comprised in an agricultural holding or farm business tenancy.
- The property is usually occupied by an employee of the owner in connection with the performance of his duties under the terms of his contract of employment.
- The property is available for occupation by a minister of religion as a residence from which to perform the duties of their office.
- The property is owned by a charity or housing association.
- The property is subject to a court order freezing the property of the owner.
- The property is prevented from being occupied as a result of a criminal investigation or criminal proceedings.
- The property is mortgaged and the mortgagee has repossessed the dwelling.

*The Council may require such supporting information as they determine is reasonable to be produced in evidence of the property's intermittent use where this exemption is relied upon. Such information may include, but is not limited to, buildings and/or contents insurance certificate or copy of utility bills to show any energy consumption at the property over a specified period (typically for last 2 years).

Appendix 2.0 Priority Matrix

The matrix is to be viewed as a tool to help aid the officer in their review of an empty property case and not definitive decision in and of itself. As such, it can be used to re-score/review a property at any point during an ongoing investigation, not just at the outset.

The priority matrix has been developed to take into consideration a number of factors in the assessment. Firstly, general details and property history such as number of past complaint cases, length of time empty (a weighting is applied where it is over 2 years), amount of any debt owed to the Council (e.g. from Council Tax arrears or previous enforcement action), and any known vulnerability of the owner that should be taken into account (a slight adjustment down is applied where this is “yes”).

Secondly, it then considers the current status of the property and its impact on the wider area in terms of the three main enforcement areas that may receive complaints relating to an empty property (these being Private Sector Housing, Environment and Planning Enforcement).

The matrix then provides, based on the score, one of three outcomes. These being either;

- No action/keep under review – low priority, where score is under 15.
- Informal Action – medium priority, score is between 15 – 35.
- Enforcement Action. – high priority, score over 35.

It will also give an indication of which team has the greatest interest and so most appropriate to lead on any potential action.

2.1. Matrix Template

Basic Details		
	Property Address:	
	Type of Property:	
	Property Age:	
	Category on Council Tax:	
	Owner has vulnerability to consider (Y/N)	
	Review Date	
Property History		
	Length it has been unoccupied (to nearest half year)	
	No. of previous reports/complaints - Housing	
	No. of previous reports/complaints - Environment	
	No. of previous reports/complaints - Planning	
	Council Tax Arrears (to nearest £k)	
History score		
Current Status		y/n
PSH	Have there been any new reports/complaints in last 8 weeks / since previous review	
	Have there been any Cllr enquiries regarding property in last 8 weeks / since previous review	
	Is there any current investigation in to a report/complaint	
	Is there any current enforcement notice in effect or action on the property	
	Is it known/considered to pose a fire risk to neighbouring properties	
Housing Enforcement score:		
Environment	Have there been any new reports/complaints in last 8 weeks / since previous review	
	Have there been any Cllr enquiries regarding property in last 8 weeks / since previous review	
	Is there any current investigation in to a report/complaint	
	Is there any current enforcement notice in effect or action on the property	
	Is it known/considered to pose a public health risk to surrounding area	
Environment score		
Planning Enf.	Have there been any new reports/complaints in last 8 weeks / since previous review	
	Have there been any Cllr enquiries regarding property in last 8 weeks / since previous review	
	Is there any current investigation in to a report/complaint	
	Is there any current enforcement notice in effect or action on the property	
	Is it considered to pose an ongoing impact on neighbours and surrounding area	
Planning Enforcement score		
Grand Total		
	Lead Team to co-ordinate action	
	Calculated Decision	
	Decision varied (y/n)	
	Justification (if varied):	