

Cabinet Report



Listening Learning Leading

Report of Head of Housing and Environment

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Wards affected: ALL

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To: CABINET

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Empty Homes Policy

Recommendations

It is recommended that Cabinet;

(a) Approve the adoption of the Empty Homes policy.

(b) Subject to approval of the policy, to delegate authority to the Head of Housing and Environment to make minor amendments to the policy in the future.

Implications (further detail within the report)	Financial	Legal	Climate and Ecological	Equality and diversity
	Yes	Yes	Yes	Yes
Signing off officer	E Creed	P Connell	J Fieth	T Mayling

Purpose of report

1. The purpose of the report is to seek approval from Cabinet to adopt the new Empty Homes policy.

Corporate objectives

2. The Empty Homes policy supports the corporate objective of delivering “homes and infrastructure that meet local needs” and the specific project of “bringing empty homes back into use.”

Background

3. The Housing Delivery Strategy, approved by South Oxfordshire and the Vale of White Horse Cabinets on 10 and 11 November 2022, identified the need to develop an empty homes policy to support the availability of housing for residents.
4. South Oxfordshire and the Vale of White Horse councils employ four private sector housing officers who are responsible for enforcing housing standards in the districts. The officers will respond to approximately 300 service requests in 2023/24, mainly from tenants concerning the condition of rented properties. The team are also responsible for licensing Houses in Multiple Occupation as well as responding to any complaints concerning empty homes.
5. As of 31 October 2023, there were 443 empty homes in South Oxfordshire that had been unoccupied for more than six months. Of these, 154 had been unoccupied for more than two years.¹ There may be a justifiable reason for properties to remain unoccupied for a considerable time, for example if the property is undergoing major refurbishment.
6. There will however be cases where, with help from the council, a property owner will be able to bring a home back into use that would otherwise remain empty, and to support this work it is proposed that the council adopts the new Empty Homes policy (Appendix 1).
7. For example, an empty property owner may need financial or practical support that can be offered through the Empty Homes policy. The council can offer a discretionary low-interest empty home loan up to £20,000. There is also discretion to increase the maximum value of the loan where the owner will be renting the property through the council’s lettings service to a household at risk of homelessness.
8. The reoccupation of empty homes increases the availability of housing without the need to build additional properties, and the focus will be on those homes that can be made available for those that are in housing need. The owner may benefit from renting out the property and the council will support and encourage the owner to rent the accommodation to a household in housing need.
9. There are multiple benefits to the community resulting from re-occupying empty properties. It reduces the risk of anti-social behaviour and attracting vermin into neighbouring occupied properties. The often-unsightly impact of a long-term empty home is removed which improves the local environment and may increase neighbouring property values.
10. The council will always seek to engage positively with property owners to bring homes back into use. The focus of the Empty Homes policy is to work with empty homeowners

¹ council tax records

to bring properties back into use and enforcement will normally only be considered as a last resort.

11. The number of complaints received by the Private Sector Housing team concerning empty homes are low. Between January 2022 and December 2023, the team received only two complaints on empty homes in South Oxfordshire. On receipt of complaints, the Private Sector Housing team will attempt to identify and engage with the property owner to bring the property back into use.
12. Where there is not a good reason for a property remaining empty, and the owner is not willing to co-operate, the council has the option of taking enforcement action, either by seeking an Empty Dwelling Management Order (EDMO), or as a last resort and subject to the necessary approvals, a Compulsory Purchase Order (CPO).
13. The Private Sector Housing team respond to complaints concerning empty homes. The team do not however have the capacity to proactively identify and engage with empty property owners who are not subject to a complaint.
14. The Empty Homes policy will therefore be supported by the recruitment of an Empty Homes Officer for a period of up to two years, which will be funded from the Homelessness Prevention Grant provided by DLUHC.
15. The officer will work with the Communications team to promote the incentives offered by the council and directly support owners to bring empty homes back into use. They will also ensure procedures are in place to support the policy, including the issuing and recovery of loans.
16. The officer will be responsible for developing an action plan, evaluating the effectiveness of the policy, and to assess how the policy can be supported on an ongoing basis.
17. It will be a challenge to identify and work with homeowners of suitable empty homes to bring them back into use, and until the work begins it is not clear exactly how many empty properties will return to use. However, even if a small number of properties are secured for households that would otherwise be homeless, this would be an achievement for the council as it would provide better, longer term accommodation for the tenants and help to avoid the use of expensive temporary accommodation.

Options

18. The alternative would be not to adopt the Empty Homes policy. This option would not support the corporate plan objective of bringing empty homes back into use. It would also be a lost opportunity to proactively seek to bring empty properties back into use for the benefit of owners, potential tenants, and the local community.

Financial Implications

19. The cost to the council of employing an empty homes officer for up to two years would be in the region of £25,000. The cost would be met within existing budgets from the council's Homelessness Prevention Grant and match funded by the Vale of White Horse council. The cost of any empty home loans issued will be met within the existing home repairs budget. There would also need to be consideration of the costs associated with any proposed enforcement action.

Legal Implications

20. Private sector housing officers already work closely with the legal team when taking housing enforcement action in the private rented sector. In the exceptional circumstances where the Private Sector Housing team may be considering enforcement action to bring an empty home back into use, advice from the legal team will be sought at an early stage and any further action agreed and authorisation obtained.
21. The two enforcement options available are an Empty Dwelling Management Order to take over management of the property, or a Compulsory Purchase Order. Neither option has been pursued by the council regarding empty homes for many years. This reflects the low number of complaints and the cost and complexity of taking enforcement action.
22. It is therefore essential that further consideration and discussions are held with the Legal and Finance teams to set out the governance, processes, and resource implications in advance of any proposed enforcement action. There will also need to be discussions with any other council teams that may have an involvement with the property, including planning and environmental health.

Climate and ecological impact implications

23. The council's climate impact assessment tool has been used to assess the impact of the Empty Homes policy. The assessment showed no impact for seven of the ten climate indicators. It did flag a marginal negative impact from increased use of energy due to the property being re-occupied. However, compared to the alternative of building new homes, a positive outcome is achieved for both sustainable materials (as materials are re-used) and greenhouse gases (savings of both embodied carbon within the materials used and of emissions released during the construction process).
24. Private sector housing officers will support owners to improve the energy efficiency of their properties, which will have a positive impact upon the environment.

Equalities implications

25. In line with the public sector equalities duties, Officers have assessed the implications of the policy on persons protected by the Equality Act 2010. An Equality Impact Assessment has been completed that concludes the policy will have a positive impact upon households with protected characteristics.

Risks

26. The risks associated with the policy are:

- 1) A reputational risk from failure to effectively manage stakeholders when taking enforcement action that could result in confused and disenfranchised homeowners and local communities not supporting the action.

The mitigation will be to ensure that owners and communities are reassured that the council is effectively managing the process and undertaking due diligence.

- 2) A financial risk from loans not being repaid or not used for the intended purpose of bringing an empty property back into use.

The mitigation will be that loan processes and procedures are fully reviewed and updated to ensure they are robust to minimise the financial risk.

- 3) A financial risk from a lack of clarity as to medium to long term financial cost of the policy resulting in insufficient funds to cover the policy aims.

The mitigation will be to have criteria in place to prioritise properties and effective budget management.

27. The risks of not having an Empty Homes policy are:

- 1) An opportunity is missed to increase the availability of affordable accommodation and to improve local communities.
- 2) The council will not have up-to-date processes in place to support any proposed enforcement action against empty homes in the future.

Other Implications

28. None

Conclusion

29. The Empty Homes policy provides the framework and resources for the council's Private Sector Housing team to build upon its current activity and adopt a pro-active approach to bringing empty homes back into use.

30. The policy encourages better use of existing housing stock to the benefit of property owners, potential tenants, the local community, and the environment.

Appendix

- Empty Homes policy

Background Papers

- [Housing Delivery Strategy](#)