



**EASTSUFFOLK**  
C O U N C I L

**EAST SUFFOLK COUNCIL  
EMPTY HOMES POLICY 2022**

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## INTRODUCTION

There are many definitions of an empty home.

Council Tax legislation identifies a property as a long-term empty home when it has been empty of people, furniture and or possessions for six months or more.

A long-term Empty Home is also defined as a property that has been unoccupied for six months or longer and has nobody occupying it on a regular basis, whether it is furnished or not. This is the definition that East Suffolk Council will use and will concentrate on returning properties that have been empty for over six months, back into use with priority normally being given to those empty for more than 2 years

If a property remains empty for more than two years, additional Council Tax is payable through an Empty Homes Premium being applied.

A sustainable way of increasing the supply of housing is to bring empty properties back into use. This is supported by the government and helps reduce blight on neighbourhoods. Local builders and investors are also encouraged by the Government to repurpose empty properties.

In East Suffolk Council, there are approximately 292 long term empty homes (1 December 2022). With the need to increase the supply of affordable homes, taking action to deliver reoccupation of empty homes is something the Council has recognised as a priority and has resourced a 3 year programme to tackle.

Table 1: Long Term Empty Homes, based on Council Tax Data

<b>Length of time empty</b>	<b>Number (as of 1 December 2022)</b>
<b>Over 2 years but less than 5 years</b>	<b>172</b>
<b>Over 5 years but less than 10 years</b>	<b>70</b>
<b>10 years+</b>	<b>50</b>

Evidence has shown that an empty house in a neighbourhood can cause significant blight, attract vandalism, fly-tipping and resulting in adjacent houses becoming difficult or impossible to let out or sell.

There is a large private rented sector already established in the district, but rents are rising and are considerably higher than local housing allowance in many areas meaning there is a significant need for affordable housing. The Empty Homes Policy will work towards preventing a property being left empty and bring empty properties back into use as affordable accommodation.

## AIMS & OBJECTIVES

East Suffolk Council's aim is to reduce the number of long term empty properties by bringing them back into use and discouraging owners from leaving them empty.

Achieving this will help alleviate a growing national housing need, offer more choice to the market, and prevent empty properties from becoming a blight within their residential neighbourhoods, improving the overall environment.

To achieve this aim, East Suffolk Council' objectives are:

- 1) Promote and deliver a range of advice and assistance options to owners of empty homes.
- 2) Limit the number of empty properties that stagnate and become empty for prolonged periods by utilising early intervention as part of investigations and support.
- 3) Proactively engage with owners of long term empty homes and understand their reasons for leaving a home vacant and helping them to find a solution that is right for them.
- 4) Raise awareness of successful action on empty homes across the district to encourage others to realise the benefits.
- 5) Commit appropriate resource from within the council and utilise external partners, where appropriate, to tackle issues that arise and complete the job.
- 6) Offer a Landlord grant to financially assist owners of empty homes to bring properties back into a lettable condition being let at Local Housing Allowance rate.

These objectives will help bring empty properties back into use increasing the local housing supply.

Most properties that become empty are not an issue and will be returned to use without the need for intervention, through normal sale and letting routes via local or national agents. East Suffolk Council needs to have a range of options available for those properties that do not return to use via these routes.

To meet our objectives, East Suffolk Council' will:

- 1) Contact owners of residential empty properties to notify them of the range of options and assistance available to them
- 2) Monitor the number of empty properties in the district and proactively prioritise properties which may need intervention
- 3) Target properties that are having an adverse impact on the neighbouring community or the sustainability of that neighbourhood according to a robust set of priorities to ensure effective prioritisation
- 4) Proactively utilise methods including the use of enforcement action such as Compulsory Purchase Orders, Enforced Sale Procedures and Empty Dwelling Management Orders where applicable,
- 5) Develop further initiatives and investigate ongoing legislation or resource that will allow us to proactively target and return long term empty properties to use.



Success story: The same property before and after council intervention.

## BACKGROUND

There is a high demand for housing in East Suffolk Council. Properties which sit empty are a wasted resource and could be utilised for sale or rent.

As of 5 December 2022, there were 4505 active applications on the housing register for East Suffolk. There is a desperate need to bring empty properties back in to use and increase the supply of housing to help to meet local housing demand.

While the Council understands that Empty Homes are a significant issue, it does not have a statutory duty to address them. Previously, there has been limited resource available to investigate these properties proactively; the majority of work around empty properties have been investigations due to reactive complaints from local neighbours.

Through new resource, a reviewed toolkit and further enforcement options, East Suffolk Council hope to be able to increase the number of empty homes being brought back into use.

## EMPTY HOMES IN EAST SUFFOLK COUNCIL

Properties can be left empty for a number of reasons. If the owner is unwilling or unable to move the property forward due to ill health or uncertainty on how to proceed; often, the empty property deteriorates. Apart from becoming an eyesore due to overgrown gardens, it can draw attention for anti-social behaviour. A house which begins to slip into a state of accelerating disrepair can cause significant damage not only to the empty property, but also, to those adjoining. Issues with rainwater can lead to penetrate an adjoining property, whilst doing untold damage to the vacant house. Neighbours will start to complain regarding the property and will often be concerned regarding anti-social behaviour, potential for squatters or a venue for children to use/sell prohibited substances or arson.

Fire damaged properties may affect neighbours chances of selling or letting out their house. If the council does not tackle empty homes, an increasing number of houses will fall into a state of dilapidation and anti-social behaviour will increase.

## TARGETING THE PROBLEM

The Council will target action against all houses that have been vacant for longer than six months. In special circumstances, action may be taken in respect of houses that have been vacant for less than six months, for example where an enforcement notice is outstanding.

The Council will identify an empty property by liaison with Anglia Revenues Partnership and will maintain an empty property database. The database will include all houses that have been empty for six months or longer. The database can also be used to electronically map the location of empty houses to identify any concentrations.

The public can report homes that are suspected to be empty via our Customer Services team.

[Private sector housing » East Suffolk Council](#)

Once a report has been made, the Council will investigate the ownership of the property and circumstances of it being vacant and if appropriate will make contact with the owner. The Private Sector Housing team may also receive reports of empty homes from other council departments such as planning or building control, or outside organisations such as the police or fire and rescue service.

Using the Empty Property register as the data source all cases will be prioritised according to the scoring matrix in Appendix A. In the first instance properties in the areas of highest housing need will be prioritised in batches of 20 and then when these have had initial contact the next 20 will be reviewed. The annual target for returning properties to use by all means is 25:

## IDENTIFYING AND IMPLEMENTING SOLUTIONS

The Council has a range of options available for dealing with empty homes.

Initially, East Suffolk Council will attempt to work with owners and advise how they can bring a property back into use. Assistance will be offered by the Empty Homes Officer.

There are a range of current legal powers which can be used to reduce any nuisance complaints from properties causing issues or affecting other homes, while the Empty Homes Officer works to bring the property back into use. This action could range from securing the property or carrying out works to rectify disrepair that is affecting neighbouring properties e.g. dangerous structure or other issues such as vermin infestation.

If after initial correspondence there is no response from the owner, the Council will consider taking further steps to secure bringing the property back into use. The following options are available to the Council and each property will be considered individually based on the information gathered in the investigation:

## **EMPTY HOMES TOOLKIT**

The Empty Homes toolkit is designed to guide officers on how to tackle empty properties. The toolkit includes:

- A rolling list from council tax of properties that are registered with the council tax department as being empty for more than 6 months
- A scoring matrix - for prioritising the worst case properties
- A list of estate agents/auctioneers agreed to offer reduced fees for promoting, selling and letting empty homes,
- A list of schemes that are available to help bring empty homes back into use,
- A number of letter templates that can be used to generate letters that provide advice and assistance to empty property owners,
- A list of the properties that have been brought back into use and the methods used to encourage this.

The Council will use the toolkit to monitor and evaluate progress and keep an up-to-date accurate picture of long-term empty properties within the district.

## **ENFORCEMENT POWERS**

The Council will use available powers and work with other departments where additional or alternative powers are required, such as:

- Local Government (Miscellaneous Provisions) Act 1982 s29 to take action to secure an insecure property
- Prevention of Damage by Pests Act 1949 allows the Council to require and undertake works on behalf of an owner or occupier to prevent damage to buildings being caused by rats and mice (can include works to property or gardens)
- Public Health Act 1936 allows the Local Authority to require and undertake works on behalf of an owner or occupier to improve filthy and verminous properties
- Town and Country Planning Act 1990 s215 allows the Council to take action to require improvement of an unsightly building (including gardens).
- Sections 77 & 78 Building Act 1984 (dangerous structures).

- section 265 Housing Act 1985 (demolition orders).

## **APPROACH TO ENFORCEMENT**

The Council aims to educate first, encourage second and then, if necessary, enforcement action will be considered. This maximises the opportunity for the property owner to take action themselves to bring the property back into use, without enforcement action from the Council.

Should the initial correspondence not achieve the desired result, or where an owner is not engaging, there is a range of legislation allowing the Council to take further action.

## **PRIVATE SECTOR HOUSING – LANDLORD GRANT**

Another option available to assist empty property owners to bring their properties back into use is the Landlord grant, which owners can apply for.

Grants of up to £15,000 are available towards the cost of certain eligible works to help bring empty properties back into a lettable condition at Local Housing allowance rent.

## **FURTHER ENFORCEMENT ACTION**

The following options are considered as a last resort for those properties which are causing significant issues to the local community. These processes can be lengthy, and each property will be assessed individually to ensure the most appropriate action is taken.

## **EMPTY DWELLING MANAGEMENT ORDER**

To consider an Empty Dwelling Management Order (EDMO), a property must meet the following criteria:

- has been unoccupied for at least 12 months, and
- the Council feel that the property is unlikely to be occupied in the near future

An EDMO can be a helpful tool in tackling empty properties by preventing the property from deteriorating further. The Council would take over the management of the property and complete any renovation work required, while the owner retains ownership.

An EDMO will only be used when the property is in a habitable condition, or can be made habitable at a reasonable cost, and is likely to become occupied if an EDMO is made.



Partnership working between the Private Sector Housing team, Housing Development team and Tenant Services team will be required to take over the management of any properties that are subject to an EDMO. Those on the Council's housing register will be given the first opportunity of occupying the property. It should be noted that EDMOs are rarely used by Councils as they are complicated and carry a degree of financial risk that may be off-putting but for the right property they can be useful.

## **VOLUNTARY PURCHASE**

The use of voluntary purchase is a cost effective way of proceeding particularly if the property is one that the Council would like to acquire for the Housing Revenue Account, perhaps an ex-council property.

Where contact has been made with an owner of a property, who has expressed an interest in selling, the Council will consider purchasing the property if it meets our Acquisitions Policy. Close liaison will be required with the appropriate legal, financial and housing officers.

## **ENFORCED SALE**

Where the Council has registered a local land charge on an empty property following the service of a Statutory Notice (against the property/owner), if the owner does not repay those costs, the Council will consider forcing a sale of the property to recover our costs. This is an effective and relatively quick process but does carry the risk of the owner repaying the debt at the very last moment at which point the acquisition process has to stop.

## **COMPULSORY PURCHASE**

To consider a Compulsory Purchase Order (CPO), a property must meet the following criteria:

- the house is in a poor state of repair and/or
- it is unlikely to be brought back into use by the owner,
- and a clear public benefit would be achieved.

Such a benefit would include provision of affordable housing, improving the appearance of the neighbourhood and reducing anti-social behaviour. If a CPO is under consideration it is likely the Council would engage expert, outside support, to ensure due process is followed in a timely manner as the legal processes are complex and require a significant input from legal.

## SECOND HOMES

There are genuine legitimate reasons for properties to be used as a second home, and the Council recognises this, however, there are instances where a property is simply remaining empty and unused.

Properties where owners cannot demonstrate the use of the property as second home will be investigated in line with the Empty Homes Policy and Toolkit.

The below table gives examples of evidence which could be used to support the use of the property as a second home:

<u>Type of proof</u>	<u>Description</u>
Gas usage	Copies of actual (not estimated) gas bills for the last 12 months showing the property in use for a minimum six months of the calendar year. Use may constitute 26 weekends throughout the year or midweek usage equivalent to six months usage.
Electric usage	Copies of actual (not estimated) electric bills for the last 12 months showing the property in use for a minimum six months of the calendar year. Use may constitute 26 weekends through the year OR midweek usage equivalent to 6 months usage.
Water usage	Copies of water meter reading bills (not set tariff) for the last 12 months showing the property in use for a minimum six months of the calendar year. Use may constitute 26 weekends through the year OR midweek usage equivalent to six months usage.
Booking Confirmations	Copies of booking confirmations for use of property as a holiday home, or equivalent information.
Officer inspection	A Council Officer inspection to help evidence the property's internal condition and suggest use as a second home.

## **CONTACT:**

Please contact the Private Sector Housing at East Suffolk Council, for more information.

Email: [emptyhomes@eastsuffolk.gov.uk](mailto:emptyhomes@eastsuffolk.gov.uk)

Address: Empty Homes Officer, Private Sector Housing, Riverside, 4 Canning Road,  
Lowestoft, NR32 0EQ

Policy will be reviewed every 36 months if not before. Next review date August 2025.

### **Empty Homes Scoring and Rating System**

Each empty home identified will be assessed using a scoring sheet which considers various criteria. The result of this assessment is that the property will be placed in a category which determines the priority level it is given and the subsequent course of action taken. Properties will be reassessed when necessary / new information is obtained to ensure they remain situated in the correct categories and the correct level of priority is given.

The categories will be classified as follows:

#### **Red – Priority properties – (scores 150 or over)**

Cases which fall into this category will be prioritised. All avenues will be explored with the owner to return their property to use in a way that suits their own needs, the needs of the community and the Council. Where assistance is refused and the owner is unwilling to cooperate, all enforcement options will be considered to establish the most appropriate course of action.

#### **AMBER - (scores 80+)**

Cases which fall into this category will be considered a lower priority than those in the Red category.

Resources will still be invested in these cases and officers will work with owners in an attempt to prevent empty homes from deteriorating and being reassessed to a higher category. Where necessary, enforcement options will be employed if considered the most appropriate course of action. Cases in this category will be monitored on a more frequent basis than those properties which fall within the Green category and will be reassessed where necessary.

#### **GREEN - (scores less than 80)**

Cases which fall into this category will be given a lower priority for action, but owners will be contacted and offered any assistance they may need to return their property back into use. These properties will be monitored for any change and reassessed where necessary.

<b>Address:</b>	
<b>Owner:</b>	
<b>Contact Details:</b>	
<b>Empty Date:</b>	

<b>Part A: Scoring Matrix</b>	<b>Overall Score</b>	0
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Maximum score is 360

<b>Issues</b>	<b>Comment</b>	<b>Score</b>
Length of time empty	<i>Less than 6 months = 5pts 6m - 2 years = 10pts 2y - 5 years = 15pts 5y - 10 years = 20pts 10+ years = 25pts</i>	
Overgrown garden (10 pts)	<i>(Refer to PSH scale)</i>	
Property in disrepair (10 pts)	<i>(Add description of disrepair e.g. missing tiles, broken fencing, glazing, guttering, chimneys)</i>	
Property insecure (10 pts)		
Windows/Doors boarded (10 pts)		
Rubbish present (10 pts)	<i>(Refer to PSH scale)</i>	
Vermin present (10 pts)	<i>Last seen? How many? How often? How is it affecting complainant?</i>	
Fire (15 pts)	<i>When? Extend of the damage?</i>	
ASB - Graffiti, Youths entering (10pts)		
Outbuildings? (10pts)		

Other (5-20 pts)		
<b>Complaints</b>	<b>Comment</b>	<b>Score</b>
Neighbour complaints (10 pts each; max of 50 pts)		
Councillor complaints (10 pts each; max of 30 pts)		
MP complaints (10 pts each)		
Media complaint (10 pts each)		
<b>Notices</b>	<b>Comment</b>	<b>Score</b>
Current notice (10 pts)		
Non-compliance of current notice (10 pts)		
Cost of WID	<p><i>£0-£500=5 pts</i>  <i>£500-£1500=10 pts</i>  <i>£1500-£5000=15pts</i>  <i>£5000+=20pts</i>  <i>every 5k over £5k +5pts</i></p>	
Any previous enforcement action (5 pts each)		
Any previous enforcement debt		
Any other council debt		
<b>Location/Action</b>	<b>Comment</b>	<b>Score</b>
Located within a principal town/town centre	<p><i>Points for housing need area:</i>  <i>Remote village = 10pts</i>  <i>Small Town = 20pts</i>  <i>Main town (Lowestoft, WB, Flx) = 30pts</i></p>	
Adjacent property empty (10 pts)		
Additional empty properties on street (10 pts each)		

Suitable for ESC Acquisition? (15 pts)		
Property being marketed (-10 pts)		
Property being renovated (-10 pts)		
<b>Communication</b>	<b>Comment</b>	<b>Score</b>
Communication prior to notice being served (+/- 10 pts)		
Communication after notice but prior to WID being served (+/-10 pts)		
Communication after WID but prior to S.103 being served (+/-10 pts)		
Communication after S.103 but prior to sale instruction (+/-10 pts)		

<b>Recommended by:</b>	
<b>Date:</b>	

**Part B: Additional Information**

Include: **empty date; communication with owner; area info; council tax info; current notice info; quotes; invoice; sales order; legal charge; S103 notice; file notes; enforced sale is only option;**

**Request to carry out WID/serve \*S.103 notice/enforce the sale in respect of the above property**

**Authorised by:**

**Date:**



# Appendix B

