



Telford & Wrekin's Residential Long Term Empty Property Strategy

2021-2026

November 2021







Our vision to protect, care and invest and to bring long term empty homes back into use.

A key feature within our vision is to achieve **Better Homes for All.**

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Foreword

Our Council Plan sets out our vision to "protect, care and invest to create a better borough".

Housing is a key priority for this Council and we are committed to delivering **Better Homes** for All; making sure that all of our neighbourhoods are great places to live, and that all of our residents live in safe, secure homes. We have developed a robust housing strategy to deliver our ambitions, and within that strategy we have set clear objectives and are committed to dealing efficiently and effectively with empty residential properties.

We know that if you've got a good quality home, then health, employment, educational achievement and a happy family life are often much easier to obtain. Here locally, as demand for affordable housing grows, and home ownership is often out of reach for many young people and families, we are looking at every opportunity to increase the availability and choice of housing for our residents.

There are a range of ways that we are already increasing supply including through:

- Nuplace; our wholly owned housing company delivering homes for private and affordable rent
- Telford and Wrekin Homes; part of Nuplace, our new delivery model for the refurbishment and rental of the Borough's existing housing stock

We are also working with our partners and other social housing providers to provide the right mix of properties and tenures to maximise housing opportunities across the borough for our residents.

However there remains a shortage of good quality, affordable homes and empty properties are a wasted opportunity to meet housing needs. They can also be detrimental to the lives of local residents as they can be a magnet for crime and anti-social behaviour, impact on property values and contribute to a sense of neighbourhood decline. We know that by taking appropriate and timely action we can have a positive impact in communities, supporting our Safer and Stronger Communities Programme, and benefiting the local economy.

Our ambition is to bring long term empty properties back into use; renovated by local trades and reoccupied by local residents. Our strategy sets out how we will accomplish this. We have set a target to bring a minimum of 375 long term empty homes back into use, targeting affordable properties, over the lifetime of this Strategy.

We are committed to working with property owners to find a voluntary resolution. We will offer tailored advice and support, whether this is to enable properties to be refurbished, leased or sold. We will support owners to access finance as well as exploring opportunities for the Council to acquire properties through Telford & Wrekin Homes. We will also work with community based organisations and partners in seeking solutions that lead to properties being brought back into use particularly where this will support local regeneration. However, if we are unable to engage with owners and particularly where empty properties are affecting the safety or wellbeing of residents we will use our enforcement powers to the full.

Through this Strategy we will maximise the benefits to the economy and our communities; offering more housing choice whilst removing blight and seeking to provide **Better Homes** for All.



Richard Overton

Councillor Richard
Overton. Deputy Leader
and Cabinet Member for
Communities, Housing &
Enforcement



David Wright

Councillor David
Wright. Cabinet
Member for Economy,
Housing, Transport and
Infrastructure



Our Vision is to make best use of our existing homes and provide more housing choice for residents by bringing empty property back into residential use.











1,009

Long Term Empty Homes

504 Empty between 6 months and 2 years

214Empty over 2 years

291
Empty and exempt* from Council Tax

Our Objectives

To bring long term empty residential properties back into use



To contribute to a reduction in crime and fear of crime in our neighbourhoods



To increase affordability and choice of housing for residents



To provide economic benefits through local employment

To address

the negative

impact of empty

properties on

communities,

improving visual

amenity and

reducing anti-

social behaviour

High Streets and
Borough Towns
by addressing
empty
residential
properties above
shops

To support our



To maximise financial benefits through New Homes Bonus and Council Tax recovery

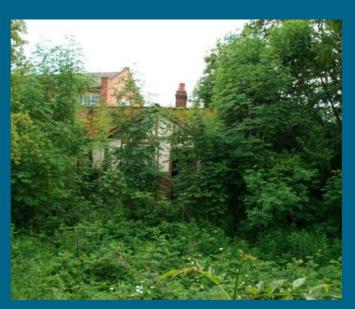
^{*}exemptions explained on page 10.



Introduction and background

What is an empty property?

It is accepted that there will always be a number of empty properties, mainly due to people's house moving habits. This is often the sign of a healthy housing market and therefore the majority of these properties will be empty for less than 6 months. These are classed as transactional empty properties.



Long Term Empty Properties

Long term empty properties are properties that have been empty for more than 6 months. These are the properties that the Council will focus on bringing back into use, as these properties are often the most problematic and can have a detriment on their local community. There are a number of reasons why properties become and remain empty, some of the most common reasons are:

- Inheritance issues/delays with probate
- Lack of finance to carry out essential repairs
- Problems with achieving a sale
- Problems with letting
- The owner may be in residential care
- The owner may lack the skills to deal with the property
- The ownership of the property may be unclear
- The owner may live abroad
- Unwillingness to bring the property back into

Telford and Wrekin Borough June 2021

There is a local and national shortage of good quality, affordable housing. Nationally in 2020 there were 268,385 homes recorded as empty longer than 6 months with an equivalent number empty less than 6 months – over half a million homes not in use. This equates to 1 in every 47 properties.

In Telford & Wrekin there are approximately 504 properties that have been empty between 6 months and 2 years and an additional 214 for over 2 years.

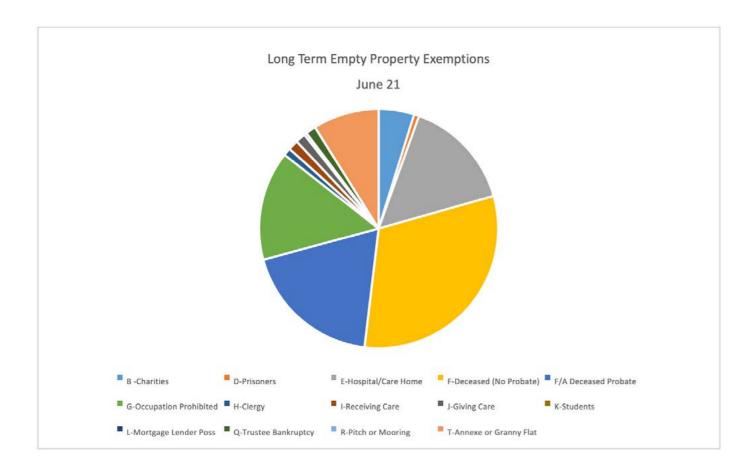
In order to incentivise re-occupation of long term empty properties, council tax apply an escalating premium levy (full details are on page 13).



Empty between 6 months and 2 years	504
Empty over 2 years	214
Long term empty and exempt from council tax	291
Total	1009

Telford and Wrekin data analysis

By the end of June 21 there were approximately 291 long term empty properties which were exempt from paying council tax for the following reasons:

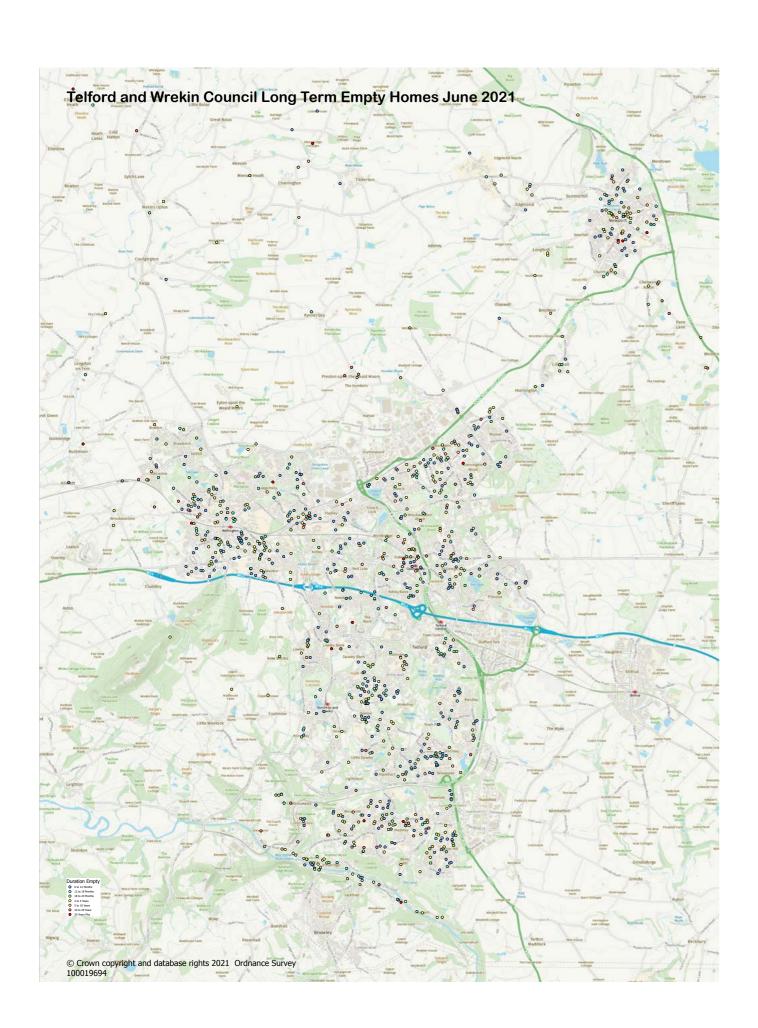


Most of these properties do not cause concern and will not be the target area of work. However, some properties can remain empty and exempt from attracting a council tax premium for some time and can impact on neighbourhoods. For example this may be due to a dispute around a will, or that the property owner has died intestate (without a will). Where disputes last several years they can cause detrimental issues for neighbours and negatively impact on whole neighbourhoods. In these cases we will seek to work with the executors of the estate if any exist or seek to find relatives of the deceased in order to try to process the estate.

In June 2021 there were approximately 117 properties owned by Registered Providers (Housing Associations) identified as being empty over 6 months. This number may be due to properties being renovated once a tenancy has finished or waiting for an assessment to be carried out to consider renovation or disposal of the property. The property could also be currently in the process of being sold. Through this Strategy we will work with our partners to encourage empty affordable homes to be brought back into use to meet local housing need.







Council Tax

The setting of Council Tax is devolved to local authorities. This has allowed local authorities to introduce incentives to reoccupy long term empty homes by increasing the amount of council tax payable, removing reductions and exemptions, and placing a premium levy on those empty over two years. Telford and Wrekin Council keeps its council tax levies and exemptions for empty properties under review annually and from April 2021 we have charged an additional 300% on any property which has been empty for longer than 10 years.

As at end June 2021, 139 empty properties were subject to a higher Council Tax levy broken down as follows:



107 properties - 17 properties -100% premium

(200% council tax charge) for properties which have been empty for over 2 years



200% premium

(300% charge) for properties which have been empty for over 5 years (this came into effect 01.04.20)



15 properties -300% premium

(400% charge) for properties which have been empty for over 10 years

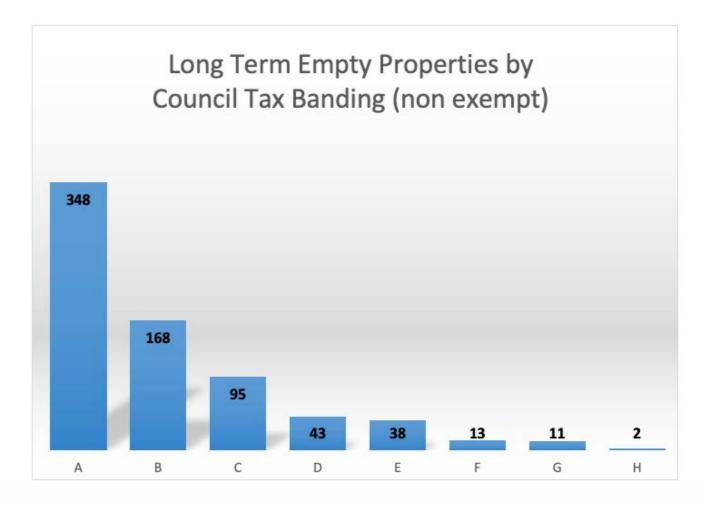
As part of our Strategy we will target these properties and also pro actively engage with those who are about to fall into or move into a higher, levy category.







We will focus on the properties depicted in orange. Our target will be to bring 375 properties back into use through the lifetime of this strategy.



Further analysis of our empty property data (over six months without exemptions) has shown the highest prevalence of empties in the lower council tax bands. This will inform our targeted work to increase affordable empty properties back into use.





Supporting Corporate Priorities

The Empty Property Strategy is one of the supporting strategies delivering our over-arching Strategic Housing Framework as set out to the right. The Strategy is also closely linked with a number of other Council strategies including:

- The Telford & Wrekin Local Plan sets out the long term development vision for the borough as a whole. It establishes policies to support the delivery of homes that will meet local needs and drive up the quality of design and standards in all our homes.
- Telford & Wrekin Health & Wellbeing **Strategy** – improving conditions within properties and improving neighbourhoods through removing blight associated with empty properties, will improve the health and wellbeing of residents.

 Telford & Wrekin Climate Change Strategy - by linking interventions set out in our Affordable Warmth Strategy to support owners improve energy efficiency as part of refurbishment of empties we will support the Council's carbon reduction commitments.

The Empty Property Strategy will support the delivery of the Council's Safer & Stronger **Communities Programme** with a commitment to ensure that long term and challenging empty properties in target areas, including the former New Town Estates are addressed as a priority. We will also work to ensure properties that become empty in these areas are targeted swiftly.



Case Study 1 -The outside of an empty property is cleaned up after tenants leave private rented property.

A resident contacted the council concerned that a neighbouring property had been left in a poor condition by previous tenants.

Following the complaints the council's Empty Property Officer visited the house and carried out investigations to determine who the landlord was.

Contact was made and the owner - who was unaware of the situation – returned the property to a clean and presentable state and advised the council they were looking to sell the property in the near future.

The resident was updated and reassured that the house would soon be occupied by new owners.



Case Study 2 -A derelict building has now been secured to prevent further unlawful access.

Concerns were raised by residents about increasing anti-social behaviour at a nearby disused and derelict brick workshop.

An inspection showed the building was in a state of disrepair; suffering from damp and mould, it had also been left unsecure. with clear evidence of squatting and raised concerns of fire risk.

The council made immediate contact with the landlord but despite repeated attempts to get the property made secure, including issuing a Section 29 enforcement notice, the

building was still considered a risk so the council arranged for the site to be boarded up internally and externally.

The council is currently considering options for a long term solution.







Our Approach

Identifying Empty Properties & Their Owners

Each month we receive lists from Council Tax identifying empty properties; providing owner details, exemptions where applicable, council tax banding and showing how long each property has remained unoccupied. These lists are helpful in quickly identifying ownership when we are responding to complaints about empty properties.

We have a dedicated "Report an Empty" mailbox for residents to report problem empty properties to us. From this we will cross reference with any complaint history we hold, carry out checks with HM Land Registry to verify ownership, and make contact with the owner to discuss options for action.

We will also regularly review the Council Tax exemption information to ensure that all opportunities to bring empty property back into use are maximised.

Prioritising our Response to Empty Properties

In prioritising our approach we will:

- Raise awareness of the empty homes issue
 - make best use of the 'Report an Empty' mailbox
 - use all the Council's social media platforms to promote our offer and publicise outcomes
- Ensure that our advice and assistance is accurate, current and relevant
- Develop a "best solution" approach to each case based on merit
- Use robust enforcement action when advice and encouragement fail
- Look to maximise income recovery in every case
- Work pro actively with partners including Registered Providers to bring properties back into use for social housing
- Work with local people and stakeholders to develop community-based solutions including ongoing property management and to maximise opportunities for local residents
- We will actively work with our Council Tax department to investigate complaints about second homes / accommodation which is tied to the occupation of the owner.

When dealing with empty property owners, a voluntary way forwards will always be the preferred option.

However, on occasion owners cannot be traced, or are unwilling to enter into a voluntary solution. In these circumstances, the use of enforcement action will be considered, including the sanction of compulsory purchase.

We will make contact with owners of all properties that are attracting higher levels of Council Tax to offer support and advice. We will also work with Council Tax to review the status of properties including those that are showing as exempt from Council Tax. This will ensure that we have accurate figures and can tailor our actions.

Reactive approach

In relation to long term empties and those reported to us we will take a 'worst first' approach using a Red, Amber, Green rating to prioritise action.

We will:

- Aim to visit all new referrals and complaints within 10 working days
- Where a property is reported to represent a safety or security risk an assessment visit will be undertaken within 48 hours
- Categorise each case based on condition, level of nuisance caused, and risk of antisocial behaviour

Each property will receive a RAG rating based on the following:

Green

- In a clean and tidy condition
- Secure
- · Attempts are ongoing to sell or re-let
- There are legal issues (probate)
- Undergoing refurbishment or building works (tidy site and works progressing)

These properties are not causing a concern locally and in a general good state of repair so would not be a priority for intervention. We would monitor any change in circumstances.

Amber

- Starting to appear neglected
- Attracting fly tipping and rubbish accumulations
- No real attempts to sell or re-let

- No recent refurbishment activity (untidy site and stalled progress)
- Causing nuisance and concern to neighbours

These are properties starting to cause concern and we would seek to work with owners to prevent them falling into further disrepair moving to enforcement action where conditions require.

Red

- Insecure
- · Falling into serious disrepair
- Attracting vandalism and anti-social behaviour
- No maintenance of property or surrounding land

Urgent

- Risk of arson
- Serious anti-social behaviour (referrals from Police or Fire Service)
- Insecure
- Squatting or illegal occupation
- Vandalism

These properties are of immediate concern and would be prioritised for intervention and enforcement action.

Some long term empty property will be in areas highlighted for larger scale interventions through our Safer, Stronger Communities Programme, or areas targeted for regeneration. These will be dealt with as a priority.





Proactive approach

	0-6 months	6-12 months	1- 2 years	2 years and over
Engagement	Proactively contact owners of empty properties in areas of targeted intervention	 Contact property owners to understand reasons for property being empty Support for larger projects Support with planning applications Explore financial assistance or acquisition by the Council 	 Support for larger projects Support with planning applications Explore financial assistance or acquisition by the Council Advise owners of impending council tax premium 	 Support for larger projects Support with planning applications Explore financial assistance or acquisition by the Council
Enforcement	Enforcement notices on insecure empties or where they are causing an environmental nuisance	 Enforcement notices on insecure empties or where they are causing an environmental nuisance with shorter compliance times Place charges on property for works in default 	 Enforcement notices on insecure empties or where they are causing a continued environmental nuisance with even shorter compliance times Place charges on property for works in default Instigate CPO action where debts are owed to the Council 	 Council Tax premium applied Instigate CPO action where debts are owed to the Council Instigate EDMO Instigate enforced sale



Case Study 3 -Council provides support to the owner of a derelict property.

Neighbours initially contacted the council alarmed by trees falling onto their land risking potential damage and injury to nearby properties and residents.

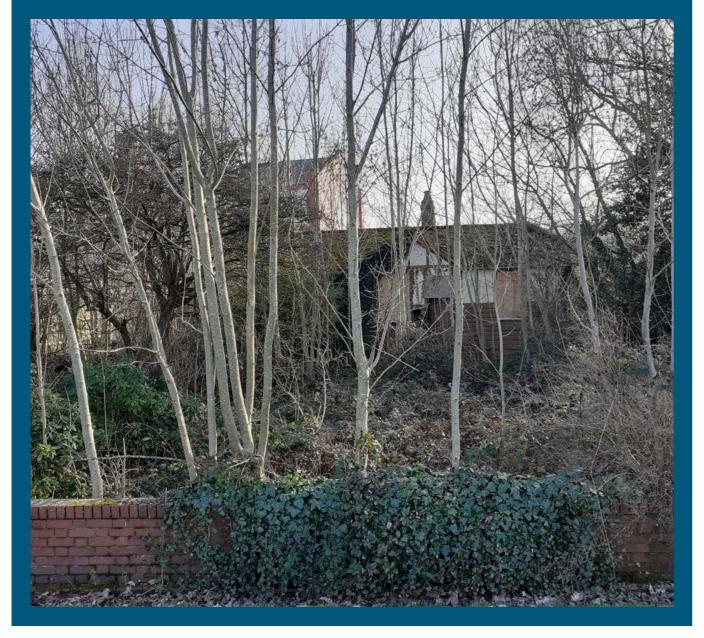
The council made immediate arrangements for trees to be removed by an approved tree

Residents thanked the council for their involvement in getting the work completed quickly; reducing the risk to nearby homes.

After further discussions with the owner it was established a sale for development would be beneficial due to the condition of the property and reports of the property being broken into.

The property was purchased by new owners with a demolition notice recently submitted to Building Control for redevelopment of the site.





Case Study 4 -Council enable sale and renovation of derelict property.

The council has supported the sale of an empty derelict property after receiving complaints by neighbours. The landlord was contacted and asked to make the property secure as soon as possible due to the increasing risk of unlawful access.

After expressing concerns to the owner about the long term risk of the property should it not be renovated, it was agreed a sale of the property would be the best solution.

The property has since been sold twice at auction - with the council monitoring the renovation of the property to ensure progress is being made.





Our Actions and Interventions



Support, Advice and Guidance

We will offer bespoke advice and support based on the circumstances of the owner and property. This may include providing information on selling, renting, refurbishment, maintenance, financial appraisals, probate and access to any appropriate financial assistance schemes and grants which may be available (such as Greener Homes incentives). We will also provide access to opportunities to work directly with the Council to address particular barriers e.g. to let or purchase a property.

We will also review opportunities for the Council directly or via Telford & Wrekin Homes, to lease or purchase empty properties to provide affordable housing, temporary accommodation for homeless households or to meet other local housing needs. These acquisitions maybe through willing sale, or if voluntary action fails, through Compulsory Purchase Order.

The type of interventions may include:

- Access to Auction If the owner does not have the "up front" fees the council may be able to agree with the auctioneer that the marketing and legal fees are taken from the proceeds of the sale.
- Acquisition of Empty Homes working with Telford and Wrekin Homes to acquire property for refurbishment to meet local housing needs including for social housing, key workers, and temporary accommodation.
- Leasing of Empty Properties working with Telford & Wrekin Homes, to lease empty properties (for owners who do not wish to sell or take on the duties associated with being a private landlord) for a fixed period of time.
- Access to Grants we will explore options to provide small grant funding for people genuinely struggling to bring their property back into use, for example, probate costs. We will also support owners to access financial support for refurbishment. Grants for home energy efficiency are available for those meeting certain criteria and we will co-ordinate

with other initiatives to maximise opportunities to support empties back into use. We will also look at developing options to encourage first time buyers into the housing market.

- Access to Loan Finance the Council's Housing Assistance Policy sets out the details of the Empty Homes Loan Assistance, a discretionary form of assistance, available subject to funding. It is a loan of up to £15,000 for owners of long-term empty homes that require works to be made habitable. The loan assistance is up to 75% of the cost of the works.
- Working with our Registered Provider partners - we will work with our Registered Social Landlords (RSL) partners to minimise voids and support refurbishment through links into grants for home energy efficiency. We will engage around their strategic disposal programmes and explore opportunities for acquisition where this supports delivery of the Council's housing priorities.
- **Exploring opportunities with community** organisations and third sector - we will work with local residents and partners to develop a community based approach to property care and work with and support where they are seeking to acquire or manage local properties
- **Voluntary Empty Dwelling Management** Orders – where finance is a stumbling block to bringing a property back into use and the owner is prepared to lose possession of their property for a long period of time, the Council may be able to fund the refurbishment and manage the property, with costs recovered from the rental income.

Enforcement Powers

A voluntary way forward to renovation and reoccupation is always the preferred option however there will be instances where owner cannot be traced or are unwilling to engage with advice and assistance or properties are causing a nuisance.

A range of enforcement options are available to the Council with the ultimate sanction that the Council forces a change of ownership or takes control of the property.

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. Under these powers the Council can require owners to repair dilapidated premises, address vermin or badly overgrown gardens or remove rubbish. The Council can undertake these works in default if the owner refuses to do so, and recharge the costs.

The main powers available are set out in Appendix A but include:

Empty Dwelling Management Order (EDMO) -

When an owner leaves a property empty and has no intention of securing its voluntary occupation, the Council can apply to a Property Tribunal to take over the management of a long term empty home, refurbishing it if necessary and letting and managing it for up to 7 years. Rent from the letting is used to pay for any refurbishment and management costs.

Enforced sale – Where there is a debt to the council that has been registered as a charge against a property the council can force the sale of a property returning it to the market and recovering costs.

Compulsory Purchase Order (CPO) - This is the ultimate sanction that the Council can use to bring about refurbishment and reoccupation of problematic property forcing a change of ownership. Properties may be auctioned or may be retained where it provides an opportunity to provide social housing or meet a local housing need.





Partnership Working

In order to deliver our aims we will ensure a coordinated approach across Council services and work closely with partners and stakeholders including residents. This will ensure the best outcome and effective end use for each long term empty residential property.

Within the Council we will work with:

- The Private Sector Housing Team who can assess physical conditions and provide surveys and costs if required; ensuring that the required statutory standards are addressed
- Housing Investment Team who manage the acquisition and refurbishment of properties for Telford & Wrekin Homes
- Public Protection who have processes in place to respond to rubbish accumulations and fly tipping
- Planning Enforcement who can assist with Section 215 Notices under the Town and Country Planning Act 1990 to force owners to tidy gardens and keep property secure and in a reasonable condition
- Legal Services who will pursue all legal action including cases for enforcement action
- Council Tax who we will work with to ensure records are up-to-date, exemptions are reviewed and to pro actively contact owners of long term empty properties
- Health & Social Care Services who we will work with to enable the timely referral of patients or clients for advice and information e.g. about letting or selling a property

Key partners and stakeholders we will work with • include:

- The Residents of Telford and Wrekin to ensure that our residents know how to access help and support, and to report problems.
- Elected Members and Parish & Town Councils – we will provide support and advice and promote our 'report an empty' contact so Councillors can make us aware early of problem properties
- Private owners and their representatives - all owners have a responsibility to ensure that their properties do not negatively affect their neighbours or the wider community. We will work pro actively with owners wherever possible but take appropriate action where owners will not work with us

- **Registered Providers** (Housing Associations)
- we will work with our partner housing associations to address the housing needs of our residents. We will maximise on any funding opportunities to support refurbishment and engage around their asset management and disposal plans including identifying properties for redevelopment and refurbishment and working together to ensure this is to owner occupiers or reputable private landlords
- West Mercia Police and Shropshire Fire and Rescue Service - we will work with both services to identify hotspots for anti-social behaviour and potential problem properties
- Midlands Empty Property Officers Group we will use this group to share and develop best practice, address new and emerging issues and options, and as a network for help and support
- The Empty Homes Network Telford and Wrekin Council are members of the national EHN providing access to industry experts, training, information, services and best practice toolkits



Raising Awareness

We will work with our communications team to maximise opportunities to publicise the problem of empty properties, the opportunities to work with us to find solutions and the successes achieved through this Strategy. This will include a focus on:

Our 'Report an **Empty' mailbox**

Promoting the information, advice and solutions that are available for homeowners and landlords

Reporting our successes including where we have had to take enforcement action and the outcomes for communities



Action Plan

The strategic objectives of this Empty Property Strategy are described on page 37 and provide the Council with a framework to:

To target

empties in

lower council

tax bandings to

bring affordable

empty properties

back into use

To provide more housing choice for our residents and address the impact empty properties can have on our communities

income

To maximise

enforcement action when advice and encouragement

To ensure that all information is accurate and current

To continue to use robust fails

To work with owners, partners and stakeholders to deliver interventions tailored to the circumstances of the property and/or owner



Measuring Our Performance

We will aim to bring 375 long term empty properties back into use through the lifetime of this strategy, with an emphasis on affordability.

Properties reported through the councils "report an empty" mailbox will be monitored and responses measured.

To monitor the impact of our Strategy we will report on the following performance measures:

- Long term over 2 years
- Empty exemptions
- Number of live/active cases
- Number of long term empty properties back into use through advice, assistance and
- Number back into use through enforcement
- Number of affordable empties brought back into use (council tax bands A-C)
- Number reported through "Report an Empty"

Main Statutory Enforcement Options Appendix A

Housing Act 1985, Section 17, and the

Acquisition of Land Act 1981: form the basis for the compulsory purchase of land/buildings for the provision of housing accommodation.

Housing Act 2004, Sections 11, 12, 20, 21 and 46 (which substitutes Section 265 of the Housing Act 1985): where the condition of a property is defective such that its use needs to be prohibited, works are required for improvement prior to occupation, or the property requires demolition.

Town & Country Panning Act 1990, Section 215 Notice: where the condition of an empty home is detrimental to the amenity of the area (tidy up property and/or land).

Building Act 1984, Section 59: where the condition of the drainage to a building is prejudicial to health or a nuisance and needs to be resolved.

Building Act 1984, Section 79: where an empty home is in such a seriously detriment to the amenity or neighbourhood work has to be carried out or the property demolished.

Environmental Protection Act 1990, Section 80: where a statutory nuisance exists, and is likely to occur/reoccur at the property.

Prevention of Damage by Pests Act 1949, Section 4: applied where the condition of a property is such that it is providing or likely to provide harbourage to rodents and other vermin.

Housing Act 2004, Chapter 2 Part 4, Empty **Dwelling Management Orders:** allows the local authority to take over the management of certain residential premises that have been empty for at least 6 months.

Law of Property Act 1925, Section 101: the basis for enforced sale. When relevant charges (usually for works in default) have been registered as a local land charge, the charge takes effect as if created by a deed of charge and provides the power for sale.

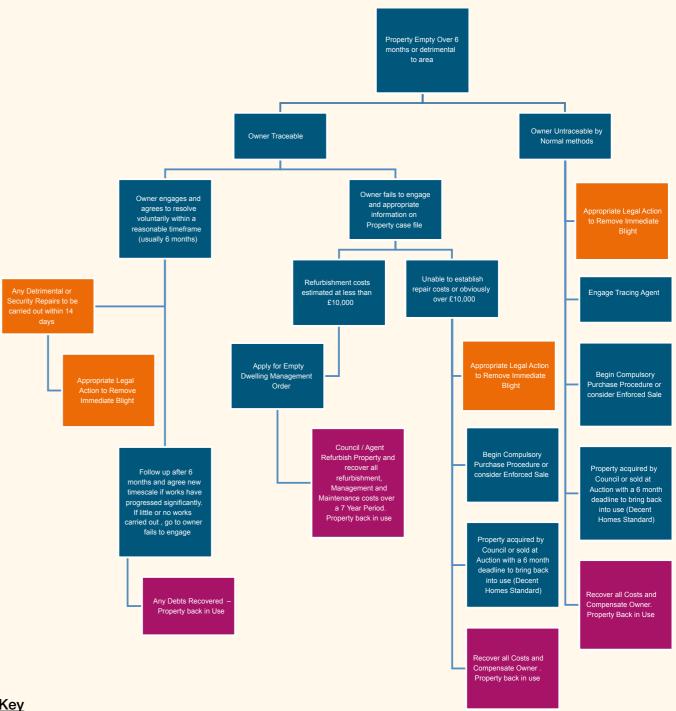
Local Government (Miscellaneous Provisions) Act 1982, Section 29: allows the council to act to secure a property if it is left open to unauthorised access.

Local Government (Miscellaneous Provisions) Act 1976, Section 15: allows authorisation to be given for officers to enter land (and property on that land) in connection with a proposal to acquire a compulsory interest in that land (and property on that land).

Local Government (Miscellaneous Provisions) Act 1976, Section 16: Requesting information relating to a property from any person who has an interest in the property.

Empty Property Action Procedure

Appendix B

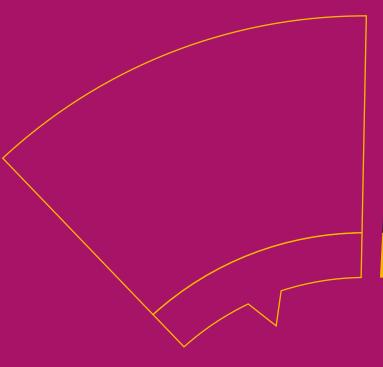


Key

Blue - work by the Empty Property Officer

Orange - case/decision referred for legal action

Pink - property back in use; case closed and logged on performance dashboard





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