

Date: Thursday, 2 July 2015

Time: 10.00 am

Venue: Shrewsbury/Oswestry Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

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## ENTERPRISE AND GROWTH SCRUTINY COMMITTEE

### TO FOLLOW REPORT (S)

#### **7 Empty Homes Strategy Task and Finish Group Report (Pages 1 - 28)**

To consider the report of the Economic Growth Redesign Task and Finish Group and make recommendations to the Portfolio Holder for Regulatory Services, Housing and Commissioning [Central]

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# **Empty Homes Strategy**

## **2014 - 2017**

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# Empty Homes Strategy

2014 – 2017

Foreword by Cllr Mal Price  
– Portfolio Holder for  
Housing



Welcome to Shropshire Council's 2014 - 2017 Empty Homes Strategy. This Strategy sets out how the Council will tackle issues surrounding empty properties over the next three years and maximise the re-use of empty homes throughout the County.

Shropshire Council continues to be committed to reducing the number of empty homes within the County, and to facilitating and assisting the creation of good quality and affordable accommodation for local people.

Shropshire is fortunate in that it does not have streets of derelict and boarded up empty properties, as can be found in other areas of the country. However, there is a shortage of housing and as such it is necessary to make the best use of the County's existing housing stock, ensuring a supply of good quality homes for people to rent or buy.

The aims and objectives of the Strategy can only be achieved by working closely with internal and external partners and other key

stakeholders, such as property owners and local communities. Attracting a mixed source of further finances to drive forward our empty homes agenda is essential.

The reasons properties become or stay empty are varied and plentiful, and the skills required to resolve the issues are significant and diverse. Much of the work outlined in the strategy is already underway and producing tangible results, and I am sure that the Strategy will prove to be an investment to be proud of.

We hope this Strategy will support others to work with us to deliver our objective of creating new homes for people. Communities, owners of empty property and other stakeholders are strongly encouraged to contact the Empty Homes Team for help or advice, and with any information about empty property in their area. Together we can help to make Shropshire a better place to live, work and visit.

# 1. Introduction

This Strategy aims to give an understanding of the issues of empty property and how it impacts on local areas. It looks at why properties become empty, what advice and assistance is available to empty property owners, and how the Council uses the range of powers available to it to return empty properties to use.

Shropshire Council aims to enable better use of all properties in the county, both residential and commercial, that may be underutilised and able to contribute to the supply of housing in the county.

It is anticipated that the employment of this Strategy will help to build and develop the level of skill and expertise needed to effectively bring empty properties back into use, using a linked approach throughout the Council and other organisations.

## National Context

Empty Homes are a national issue and, according to the Empty Homes Agency, there were around 710,000 empty homes recorded in England in 2012. Of these almost 260,000 had been empty for over six months and were classified as long term empty properties.<sup>#</sup>

Over recent years the government has recognised and prioritised the issue of empty properties, and is committed to getting empty homes back into use to contribute towards meeting housing need.

## Local Context

In 2012 just under 3.5% of homes in Shropshire were empty. The number of registered empty properties was over 4,600 with over 1,700 of these being empty over six months and classified as long term empty properties.<sup>#</sup>

The vast majority of these properties are privately owned and are dispersed throughout the urban, semi-rural and

rural areas of the county. The distribution of empty properties within Shropshire can be seen on the area map in Appendix 1.

<sup>#</sup> Statistics taken from the Empty Homes website [Empty Homes Statistics](#)

During the period of the 2010 – 2013 Empty Homes Strategy the figures for returning empty homes to use through Shropshire Council involvement were:

Year 1 (2010/11) – 65  
Year 2 (2011/12) – 94  
Year 3 (2012/13) – 74

## Priorities & Objectives

- § Maximise the re-use of empty homes
- § Reduce the number of long term empty homes in Shropshire
- § Provide good quality affordable housing for local people and reduce homelessness
- § Support economic growth within the County
- § Support area regeneration programmes

- ⌘ Assist in meeting Housing Need
- ⌘ Support other Strategies within Shropshire Council (see Section 7)
- ⌘ Increase public and organisational understanding of empty homes across Shropshire

## 2. What is an empty home?

A property is considered to be Long Term Empty if it has been unoccupied for 6 months or longer. Privately owned long term empty properties are the focus of this strategy, but concerns will be highlighted to Public Bodies and Housing Associations (Registered Providers) where an empty property they own requires attention.

**A True Empty Home:** Not all empty properties are located in run-down areas, nor are they necessarily semi-derelict, boarded up or causing a problem. There are a large number of properties which naturally become

empty for periods of time, perhaps due to the buying and selling process, being between tenants or when an owner passes away and the probate process delays moving the property on.

When a property remains empty for a significant period of time, or is attracting unwanted attention, then it would be considered a “problematic empty property”.

### **Unused non-residential space:**

There are a number of non-residential buildings which have the potential to provide residential accommodation. Sometimes it can be a whole building which is no longer feasible for its previous use, or most often, under-utilised upper floors of buildings where the ground/lower floors are used as shops.

### **Why are homes empty?**

There are a number of reasons why properties become empty, including:

- ⌘ the property is difficult to sell or let

- ⌘ it is being renovated
- ⌘ the owner does not have the finances/time/skills to manage the property
- ⌘ the property has been repossessed
- ⌘ probate issues
- ⌘ the owner is being cared for elsewhere/is in hospital

It is important that the Council understand why individual properties become and/or remain empty so we can work with the owners in the most appropriate way.

### **Challenges Presented by Empty Property**

Dealing with an empty property is not always straightforward. A property may be used as a second home, and so not occupied on a permanent basis, but is in use. It may be that non-residential space such as that often found above shops is being used for storage or other business related matters and although not immediately obvious it is in use.

There may be properties awaiting planning permissions and work is unable to commence whilst this is being sought. A number of these may include specialist permissions if they are a Listed Building or located in a Conservation Area.

**Ownership Issues:** A property may be owned by a number of different people or companies. The property may be subject to legal proceedings such as probate, divorce settlements or proceeds of crime restrictions.

**Land Registry Issues:** Although it is now compulsory in England to register any property which changes ownership or has a mortgage taken out against it for the first time, this was not the case in Shropshire until 1 January 1990 (1 April 1986 for the former district of Bridgnorth)<sup>#</sup>. Properties which have not changed ownership since that time may not be registered with the Land Registry and information regarding the property will not be available from this source.

<sup>#</sup> Information gained from [Land Registry Figures](#)

**Absentee Owner:** It may not be immediately evident who the owner of a property is or where they are, as they may have moved away with little information available to trace them.

**Intentional Empties:** Some properties are deliberately kept empty by the owner for specific reasons such as for their children when they leave home or elderly relatives who are in care.

Some are kept empty until the owner feels the housing market is suitable to sell the property at the price they want.

Some owners are reluctant to engage with the Council and believe that as the property is privately owned the Council do not have the right to require action to return it to use. They may be unaware, or have no concern for, the affect the property has on the local area and surrounding properties. These are properties which are likely to be left empty for many years and fall into disrepair.

### 3. Why do Empty Homes Matter?

Returning empty homes to use can have a number of positive effects, addressing social, economic and wider public health issues.

In Shropshire there are currently 5,286 households on the housing register for affordable housing (September 2014). Approximately 35% of these households have limited opportunities to access social housing. Increasing the amount of affordable housing available through returning empty property to use can help to start addressing the lack of suitable properties for these households.

#### For Owners

Leaving a property standing empty can become costly and be a source of unnecessary anxiety.



There is an increased risk of vandalism and crime and the property can be difficult to insure, which could result in high repair costs or even mean a complete loss of asset.

Even the general deterioration of an unlive in property will result in costs, due to works necessary to enable the property to be brought back up to current Housing Standards (See Appendix 2).

By renting or selling the property not only are the above issues resolved but there is the added advantage of gaining regular rental income or the capital from the sale of the property.

### **For the Local Community**

Empty properties can have a direct impact on adjoining properties through issues such as damp and structural problems.

Alongside this, unsightly properties can have a detrimental effect on

neighbouring house prices and can also result in a lack of pride in the area.

The possibility of empty properties attracting unwanted attention can also cause anxiety and concern for local residents.

Returning empty properties to use can help eliminate these issues and ensure that house prices in the neighbourhood are protected from preventable reductions.

Improving an area can also encourage investment in the local economy and a return of any lost pride in the community created by empty properties.

Shropshire Council's work in our Empty Homes Action Zones (EHAZ) is intended to assist in regenerating local areas by complementing other work in each community, such as town centre regeneration and economic development projects.

By returning empty properties to use homes can be provided for local people

enabling them to remain close to schools, employment and support networks.

Creating new housing in town centres from under-utilised space provides additional accommodation to help reduce the number of those in housing need, whilst improving the visual aspect of the town centre.

A number of housing units have been created and returned to use through Empty Property Incentive Grants in the town centres of the Empty Home Action Zones already in place in Market Drayton and Oswestry. See Appendix 3 for case studies of these grants.

### **For the Wider Community**

Empty properties returned to use as domestic dwellings increase the availability of homes in the county, including potentially affordable homes.

Instead of being a source of concern these homes can be transformed from

a wasted resource into a home for an individual or family in housing need. There are many individuals and families across the county in housing need and the utilisation of empty properties could prevent some of these people from facing issues such as homelessness and overcrowding, or provide a first home for a local person.

## 4. Options for Owners

Empty homes can be brought back into residential use through a wide range of approaches, each being tailored to the specifics of each case.

These may include selling the property, either privately or to a Housing Association, letting the property at open market or affordable rent, or leasing the property to a Housing Association.

### Information, Advice & Guidance

Shropshire Council provides information and advice to owners of empty properties to help identify the best options for them and their property. We can also give guidance on how to proceed with the different options to ensure the best outcome. For example, advice on how to present an empty property to prospective purchasers, information on VAT relief for renovating an empty property (Appendix 4) or assistance with finding tenants.

### Financial Assistance

There is some financial assistance available to owners of empty properties through the Council in our Empty Homes Action Zones (details of current schemes are given in Section 5). Owners will also be signposted to external funding schemes which are not directly run by the Council where they are available.

### Enforcement Action

There is a range of legislative powers available to the Council to deal with immediate and specific issues such as vermin, nuisance, fly tipping and insecure or dangerous buildings (Appendix 6). There are also further powers which can be used to deal with empty properties in the longer term.

***Town & Country Planning Act 1990 Section 215:*** In certain circumstances an owner can be required to take steps to ensure the condition of their property and/or land does not adversely affect the amenity of an area.

***Empty Dwelling Management Order (EDMO):*** Powers introduced in the Housing Act 2004 allow Local Authorities to apply for an Interim Management Order where the owner cannot demonstrate efforts or plans to return the property to use. This Interim Order gives the Council management of the property for a period of one year, although the Council cannot let the property during that time without the consent of the owner.

During this time other measures to return the property to use should still be explored with the owner, but should these be unsuccessful a Final Empty Dwelling Management Order can be applied for.

A Final EDMO enables the Council to carry out any works to the property necessary to make it habitable and let the property, using the rent to pay for the works carried out and any management costs. This Order can last up to seven years.

There are certain exemptions from EDMOs where the above would not be applicable.

**Enforced Sale:** Under the Law of Property Act 1925, the Local Authority can force the sale of a property where there is an outstanding debt owed to the Council which has been registered against the title of a property. This debt may have arisen as a result of works in default, where a Statutory Notice has not been complied with, or a Court imposed charging order has

been placed on the property for Council Tax debt. This process can only be halted by the debt being paid to the Council before the forced sale is completed.

**Compulsory Purchase Order:** Under Section 17 of the Housing Act 1985 the Local Authority has the power to serve a Compulsory Purchase Order on an empty property where the owner has made little or no effort to return the property to use.

It must be demonstrated that steps have been taken to encourage the owner to bring the property back into occupation and that there is no other chance of the property being occupied.

This power allows the Council to purchase the property from the owner to dispose of as they see fit.

A CPO can be costly and take a long time and consideration needs to be given to the pros and cons before its use.

## 5. Shropshire Council's Approach

Empty properties are identified through various methods, primarily using Council Tax data and via reports to the Empty Homes Officers regarding individual properties.

### Investigation

All empty properties identified will be investigated. Owners will be traced and contacted with the intention of gaining an understanding of the circumstances surrounding the property being empty. The process followed after this will vary depending on whether the property is a reported case or identified as part of work in one of our Empty Homes Action Zones.

### Reported Cases

Our intention is to work with owners and encourage them to return their empty properties to use. We will provide information and offer advice

and support to enable them to progress to an outcome satisfactory to themselves, the Council and the community.

Where available we will offer financial assistance directly from the Council and in other instances signpost owners to other schemes that may be running through other organisations, primarily the National Empty Homes Loans Fund (Appendix 5) of which Shropshire Council is a Scheme Member.

Shropshire Council aims to bring all empty homes back into use with the cooperation of the owners, but where they are unwilling and the property is either creating a specific problem within its locality, or would meet a particular housing need, the use of enforcement powers will be considered (see section 4 and Appendix 6).

### **Empty Home Action Zones (EHAZ)**

Our EHAZs are designated areas chosen for their high concentration of

empty property in conjunction with a high level of housing need.

In the Empty Home Action Zones we proactively contact owners of empty property to encourage and support them to return it to use. We provide advice and support to help owners find the best way of bringing their property back into use.

The Council also offers financial assistance in EHAZs by way of Empty Property Incentive Grants to help towards the cost of bringing empty properties up to the current Housing Standard, and create dwellings in underutilised spaces such those above shops and in other commercial premises.

The aim of our EHAZs is to not only return empty properties to use and create further dwellings but to also support work to bring about the regeneration of the area.

The Council is making provisions to provide opportunities for training and employment through the work in the

EHAZs. Through the funded projects we are facilitating apprenticeships and work placements as well as employment opportunities for local people.

To ensure our work is successful in the EHAZs, should negotiation with owners not result in a positive outcome, enforcement options will be considered.

### **RAG (Red, Amber, Green) Rating System**

Each empty property case, whether situated in an EHAZ or not, will be assessed using a scoring sheet which considers various criteria. The result of this assessment is that the property is placed into a category which defines its priority level (Red being the most urgent and Green the least) and the subsequent action to be taken. Properties will be reassessed when necessary to ensure they are in the most appropriate category and the correct level of priority is given.

A property will be prioritised under the following two criteria:

- § Does it fall within an Empty Homes Action Zone (EHAZ)?
- § How it is rated within our Red, Amber, Green (RAG) rating system (Appendix 7)

## Achievements

Since April 2013 there have been two EHAZs, one in Market Drayton and one in Oswestry, with work still underway in both areas. Appendix 8 gives details of the number of grants approved and the number of dwellings created in the areas.

Empty Property Incentive Grants are funded using a proportion of the Council's New Homes Bonus, and the Council aims to secure additional funding to support and rollout further EHAZs across the County.

The New Homes Bonus funding has so far been utilised to help create four units of affordable accommodation with a further 13 expected to be created in 2014.

In addition Shropshire Council have supported successful community bids for funding to return prominent Town Centre empty properties to use.

Although public funds have been reduced, and are expected to be limited further over the coming years, efforts will continue to be made to attract funds to enable and support the continuity of empty property work throughout Shropshire.

## Joint Working

It is the intention to further develop a collaborative approach to dealing with empty properties, raising awareness both within the Council and with external partners.

***Within the Council:*** Our aim is to impart an understanding of how empty homes work impacts on other issues dealt with by the Council and vice-versa.

The Council is committed to better integration and targeting of its services

to achieve a joined up and efficient approach to empty property.

As part of this approach, joint working between the Private Sector Housing and Planning Teams will be piloted during 2013/14.

It is intended that successful pilot projects will be extended to priority cases throughout the County, concentrating efforts from all areas into progressing complex cases to positive outcomes.

***Externally:*** The Council's Empty Homes Officers are members of the West Midlands Empty Property Officer Group and this ensures officers working in the field can share best practice ideas, develop knowledge and explore new ways of working with other professionals in the field.

Shropshire Council is also a Scheme Member of the National Empty Homes Loans Fund which provides financial assistance for works to empty properties in order for them to be let at an affordable rent.

Additionally, the Council works with Registered Providers on joint projects to return empty properties to occupation, from providing information and research through to partnership funding and practical involvement.

## 6. Monitoring & Review

### Monitoring Targets

The Council have developed new ways of working in relation to empty properties. To complement this we have reviewed how our targets are determined and assessed.

Homes which have been occupied through local authority involvement, and will therefore count towards our targets, will include those achieved through:

- § Financial assistance

- § Providing advice and guidance
- § Enforcement action
- § Creation of new dwellings from unutilised space
- § Creating links with tenants
- § Creating links with purchasers

This provides a robust means of monitoring progress with respect to targets.

The targets for properties returned to use (RTU) and the creation of new dwellings (ND) from underutilised space, over the period of this Strategy are as follows:

- § 2014/15 RTU - 75 & ND - 10
- § 2015/16 RTU - 85 & ND - 12
- § 2016/17 RTU - 95 & ND – 15

### Reviewing the Strategy

The strategy will be reviewed periodically taking into account the findings of pilot projects, and as and when there is a change in funding availability or National Policy.

## 7. Further Information

This Strategy is intended to not only tackle the problems posed by empty property, but to also support and complement the aims and objectives of other Council strategies. To view these strategies please use the relevant links below.

- § Hereford & Shropshire Housing Strategy
- § Private Sector Housing Enforcement Policy
- § Homelessness Strategy
- § Shropshire Affordable Housing Allocation Policy and Scheme
- § Crime Reduction Community Safety Strategy
- § Shropshire Core Strategy
- § Better Regulation and Enforcement Policy
- § Public Protection and Enforcement Group Service Strategy

- § Economic Growth Strategy
- § Visitor Economy Strategies

## Where to Find Additional Information on Empty Property

There are a number of organisations and sources of information that are of great use to both Empty Homes Officers and empty property owners. Some of the most useful are:

- § Empty Homes Website
- § Homes and Communities Agency
- § Empty Homes Network
- § National Empty Homes Loans Fund
- § Land Registry
- § Gov.UK
- § Shelter
  
- § Communities and Local Government

## 8. How you can help

### Owners

If you are an owner of an empty property within the Shropshire Council area please contact the Empty Homes Team. We are very keen to discuss with you the options available for returning your property to use, and to offer you any assistance and support required.

### Members of the Public

If you live near an empty property which is creating a problem in the local area, or where the owner may need some help to return the property to use please report it to us.

We can be contacted through the following methods:

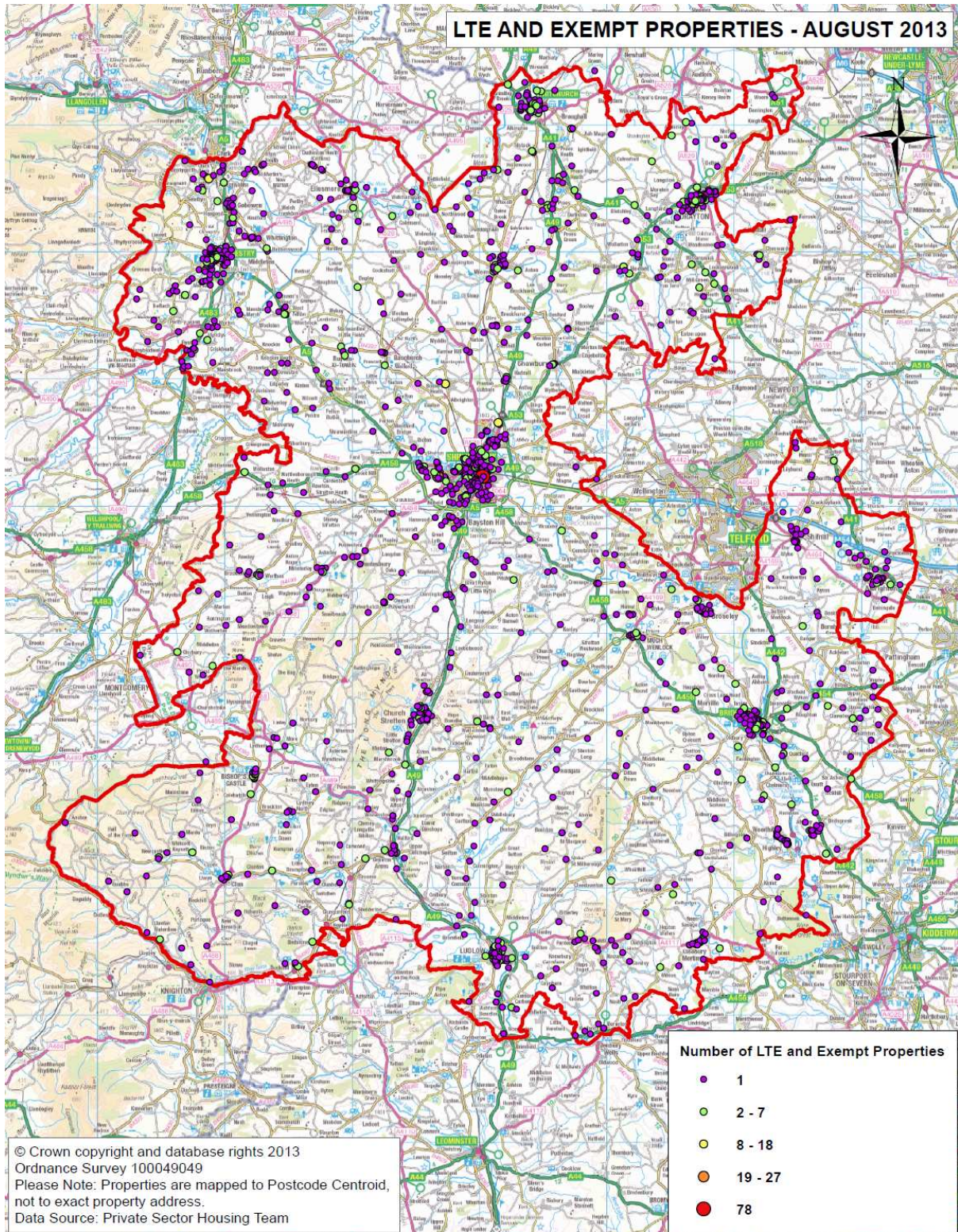
- § Online: [www.shropshire.gov.uk](http://www.shropshire.gov.uk)
- § Email: [emptyhomes@shropshire.gov.uk](mailto:emptyhomes@shropshire.gov.uk)
- § Telephone: **0345 678 9005**
- § In writing:

**Empty Homes Team  
Shropshire Council  
Shirehall  
Abbey Foregate  
Shrewsbury  
Shropshire  
SY2 6ND**

If you require this document in an alternative format or language, this can be requested using the contact details above.

# Appendix 1

## Distribution of Empty Homes across the County



Intelligence and Research team  
The Shirehall, Abbey Foregate,  
Shrewsbury, Shropshire, SY2 6ND  
Scale : 1:266,500



## Appendix 2

### Housing Standards

Properties are assessed under the Housing Act 2004 using the Housing Health and Safety Rating System. The below 29 Hazards cover the all areas assessed under this system.

#### Physiological Requirements

- 1) Damp and Mould Growth
- 2) Excess Cold
- 3) Excess Heat
- 4) Asbestos and Manufactured Mineral Fibre
- 5) Biocides
- 6) Carbon Monoxide and Fuel Combustion Products
- 7) Lead
- 8) Radiation
- 9) Uncombusted Fuel Gas
- 10) Volatile Organic Compounds

#### Psychological Requirements

- 11) Crowding and Space
- 12) Entry by Intruders
- 13) Lighting
- 14) Noise

#### Protection against Infection

- 15) Domestic Hygiene, Pest and Refuse
- 16) Food Safety
- 17) Personal Hygiene, Sanitation and Drainage
- 18) Water Supply for Domestic Purposes

#### Protection against Accidents

- 19) Falls associated with baths
- 20) Falling on level surfaces
- 21) Falls associated with stairs and steps
- 22) Falling between levels
- 23) Electrical Hazards
- 24) Fire
- 25) Flames and Hot Surfaces
- 26) Collision and Entrapment
- 27) Explosions
- 28) Position and operability of amenities
- 29) Structural collapse and falling elements

Properties are also assessed under the Decent Homes Standard, the elements of which are outlined below:

### **Decent Homes Standard**

For a property to meet the Decent Homes Standard, the minimum requirements are they must:

- 1) Meet the current legal minimum standard for housing

To meet this standard a home must not have a Category 1 hazard as assessed under the Housing Health and Safety Rating System

- 2) Be in a reasonable state of repair

A home would satisfy this element of the standard unless:

- One or more key building components are old and in poor condition
- Two or more non-key building components are old and in poor condition

- 3) Have reasonably modern facilities and services:

A home would fail this element of the standard if it lacks three or more of the following:

- A reasonably modern kitchen – 20 years or less
- A kitchen with adequate space and layout
- A reasonably modern bathroom – 30 years or less
- An appropriately located bathroom and toilet
- Adequate noise insulation

- 4) Have a reasonably degree of thermal comfort:

A home should have both efficient heating and effective insulation.

## Appendix 3

### Empty Property Incentive Grant Case Studies

#### Oswestry Empty Property Incentive Grant



Before works



Living area of new flat

The owner had bought an empty commercial premise to provide a larger business space for themselves and they were very keen on creating, from the space above the shop, a one bedroom residential unit to provide a much needed home for a local person.

The owner had already arranged to have schedules of works and building plans drawn up for the property and after initial discussions they decided to apply for a “£s negotiable” grant under our Oswestry Empty Property Incentive Grant scheme.

Grant Officers visited the property to assess the works required and to ensure they would be eligible to be covered by the grant, and the owner gained quotations for the works.

An amount of grant was negotiated along with the conditions that would be attached to payment. In this instance it was agreed that on completion of the grant works that the property would be made available to let to individuals on the housing register who meet the criteria of the Local Lettings Plan.

Once all paperwork had been supplied and all terms agreed between the owner and the Council, the grant was approved and the owner was able to employ one of the quoting contractors to undertake the works.

Officers kept in contact with the owner for updates on progress of the works and anticipated completion date to enable timely advertising of the property and allocation of a tenant as soon as possible after completion of the works.

Upon completion the property was advertised through the Shropshire Homepoint Choice Based Lettings Scheme to start the process of identifying potential tenants for the owner to interview.

Following completion of the works the Grants Officer revisited the property to check everything had been completed to the correct standard and the grant money was released to the owner, which on this occasion was paid in one final payment.

The tenant who had been allocated the property was then able to move into their new home.



Installed kitchen in new flat



Newly created shower room

## Market Drayton Empty Property Incentive Grant



**Before**

**After**

The property is located in a prominent position in Market Drayton Town Centre. The building comprises two ground floor retail units and two further floors above; the first and second floor space has been empty for at least ten years and was in an extremely poor state of repair. Its renovation, in combination with that of the surrounding buildings, has made a substantial contribution to the overall improvement of the Town Centre street scene.

The building has needed a lot of external improvement, including a roof replacement. As the building is listed this was an expensive project and the owners had struggled to find funds to address the significant amount of work required to bring the top two floors back into residential use. Following discussions with the Empty Homes Team they made an application to the Market Drayton Empty Property Incentive Grant for a negotiable grant to create three new units of residential accommodation in the upstairs space. Following negotiation between the owners and the Negotiable Grant Panel, a grant was awarded with the condition that the units be made available for residential letting, through Shropshire HomePoint, for a period of 30 years at an affordable rate.

Without the grant this would not have been a viable project for the owners and the top two floors would have continued to deteriorate, with the building having a continuing negative impact on the surrounding area and town centre. Work is now well underway on the renovation and it is hoped it will be completed in early 2014. It is also hoped improving the look of the overall building, and the work going on in the vicinity to improve several other buildings, will make surrounding empty retail units a more attractive prospect for local businesses looking to move into the town centre.



**Before Works**



**After Works**



## Appendix 4

### VAT discounts for renovating empty properties

There are VAT discounts currently available for the renovation of empty properties. It is advisable apply for these discounts before work commences to ensure the discount is successfully claimed.

There are currently two levels of discount each with differing eligibility criteria.

#### 2 Year Discount

If the property has been empty for two years immediately before works commence, and will only be used for residential purposes once renovated, you may be eligible for a reduced rate of VAT at 5%. The requirements and eligibility criteria for this discount are detailed at [HMRC](#). It is important to ensure that your builders understand the concession and the details involved to make certain you are invoiced correctly.

#### 10 Year Discount

If the property has been empty for more than ten years immediately before works commence, and will only be used for residential purposes by yourself or your family, once renovated, you may be eligible for zero rated VAT. The requirements and eligibility criteria for this discount are detailed at [HMRC](#). It is advised that your builder applies the 5% VAT rate in the first instance, as in the above 2 year discount, and then you complete a Conversion Claim Form through the above link to recoup the 5% VAT you have paid.

**NB** It may be necessary to provide all information and paperwork to evidence your eligibility for these discounts. Your claim can be assisted by a letter from our Empty Homes Officers confirming the length of time the property has been empty to the best of our knowledge.

If you are using a paper version of this document and are unable to follow the above links, the relevant information can be found by using the following web address:

[www.hmrc.gov.uk/vat/sectors/builders/construction.htm](http://www.hmrc.gov.uk/vat/sectors/builders/construction.htm)

## Appendix 5

### Available Legislative Powers

The below table outlines a number of legislative powers available to Local Authorities to deal with specific situations which may arise when dealing with empty properties.

<b>Statutory Powers Available in Relation to Empty Homes</b>	
Section 16 Local Government (Miscellaneous Provisions) Act 1976 Section 330 Town & Country Planning Act 1990	Requesting information relating to a property from any person who has an interest in the property
Section 29 Local Government (Miscellaneous Provisions) Act 1982	Where a property is unoccupied and it is not effectively secured against unauthorised entry or is likely to become a danger to public health
Section 215 Town & Country Planning Act 1990	Unightly land and/or property affecting the amenity of an area
Section 11 & 12 Housing Act 2004 Section 40-41 Housing Act 2004 Section 46	Where one or more Category 1 and/or Category 2 hazards are likely to cause harm in the following 12 month period  See Appendix 6 for a full list of hazards assessed under the Housing Health and Safety Rating System
Section 76 Building Act 1984	Where a premises is in such a state to be prejudicial to health or a nuisance
Section 77 & 78 Building Act 1984	To deal with dangerous buildings
Section 79 Building Act 1984	To deal with ruinous and dilapidated buildings and neglected sites in the affecting the amenity of an area
Section 79 - 81 Environmental Protection Act 1990	Where there is a requirement to abate a statutory nuisance
Section 4 Prevention of Damage by Pests Act 1949	To keep land free from rats and mice
Section 34 Public Health Act 1961	Deals with the removal of waste from a property/land
Section 48 Planning (Listed Buildings & Conservation Areas) Act 1990	Where there are necessary work required for the proper preservation of a listed building
Section 54 Planning (Listed Buildings & Conservation Areas) Act 1990	Where urgent works are required for the preservation of a listed building



Section 59 Building Act 1984	Deals with the provision of drainage and rainwater goods
Section 133 – 136 Housing Act 2004	Grants powers to take over the management of a property using Interim Empty Dwelling Management Orders (EDMO) and Final EDMOs
Section 103 Law of Property Act 1925	The Local Authority can force the sale of a property to retrieve an outstanding debt owed to them
Section 17 Housing Act 1985 Section 226 Town & Country Planning Act 1990 (as amended by the Planning & Compulsory Purchase Act 2004) Section 47 Planning (Listed Buildings & Conservation Areas) Act 1990	Grants powers for the Local Authority to pursue a Compulsory Purchase Order

## Appendix 6

### Empty Property Scoring and Rating System

Each empty property case, whether situated in an EHAZ or not, 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 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 – 30+ points**

Cases which fall into this category will be prioritised for the highest use of resources and level of interaction with the owner. 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 all forms of assistance are refused and the owner is unwilling to cooperate, all enforcement options will be considered to establish the most appropriate course of action.

#### **AMBER – 19-29 points**

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 property 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 – 0-18 points**

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.

## Empty Homes Assessment Scoring Sheet

Criteria	Classification	Score
1) Time Empty	< 6 mth	1
	6m -2 yrs	2
	2-5 yrs	3
	5yrs +	4
2) Location	Extremely isolated with no access	1
	Isolated property with access	2
	Residential area	3
	Prominent position in area	4
3) Special Interest	None	1
	Listed property	2
	Located in Conservation area	3
	Listed property and in Conservation area	4
4) Regeneration	Located in an EHAZ or area of interest to SC	3
5) Condition of Dwelling	Habitable and well maintained	1
	Just at acceptable housing standard	2
	Hazards need addressing to reach housing standard	3
	Seriously defective/uninhabitable	4
6) General Condition	Well maintained	1
	Acceptable for surrounding area	2
	Noticeably empty/unattractive	3
	Extremely unsightly/detrimental to the area	4
7) Unwanted attention	None	1
	Minimal	2
	Frequent	3
	Persistent	4
8) Council Tax	Correctly registered	1
	Not registered	2
	Removed from banding	3
	Registered incorrectly/fraudulently	4
9) Debts Owed to Shropshire Council	< £500	1
	£500 - £2000	2
	£2000 - £5000	3
	£5000 >	4
10) Multiple properties	Other empty properties owned/managed by this owner (score per additional empty property owned)	3
11) Owner Interaction	High level of cooperation	1
	Average level of contact & efforts made	2
	Minimal contact & little efforts made	3
	No contact/untraceable/no efforts made	4
12) Potential of returning to occupation	Owner already taking action	1
	Minimal help/intervention required	2

unassisted	Some help/intervention required	3
	Much help/serious intervention required	4
	<b>Total Score</b>	
	<b>RAG Category</b>	

## Appendix 7

### Empty Homes Actions Zones (EHAZ)

The aim of our EHAZs is to not only return empty properties to use and create further dwellings, but to also support work to bring about the regeneration of the areas.

Our work in the EHAZs is intended to assist in regenerating local areas by complimenting other work in each community.

By returning empty properties to use, homes can be provided for local people enabling them to remain close to schools, employment and support networks.

Creating new units in town centres from under-utilised spaces provides additional accommodation to help reduce the number of those in housing need, whilst also improving the visual aspect of the town centre

As part of this work in these areas we have provided offers of financial assistance by way of Empty Property Incentive Grants. The grants are intended to help towards the cost of bringing empty properties up to the current Housing Standard and also to create dwellings in underutilised units such as space above shops and other commercial premises.

So far, EHAZs have been created in Market Drayton and Oswestry with three Empty Property Incentive Grants being approved and another five at the pre-approval stage. On completion these grants would provide up to 13 units of accommodation from properties returned to use and/or created from unused space.

Further funding has been allocated to larger projects in the town centres, in partnership with a Housing Association, with each project planned to convert empty and underutilised space into a further six units of affordable accommodation.

Through the work in the EHAZs the Council has made provisions to provide opportunities for training and employment. The funded projects facilitate apprenticeship and work placement opportunities, alongside employment for local people via links with local colleges and jobcentre plus.

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