

To: Housing and Homelessness Panel
Date: 4th November 2021
Report of: Head of Service, Regulatory Services and Community Safety
Title of Report: An overview of empty properties within Oxford City

Summary and recommendations	
Purpose of report:	To provide an overview of empty property within Oxford City, the scale of the problem, why it is a problem and the scope the Council has to deal with them.
Key decision:	No
Cabinet Member:	Cllr Alex Hollingsworth
Corporate Priority:	Deliver more, affordable housing
Policy Framework:	Housing and Homelessness Strategy 2018-21
Recommendation(s):	
1. Members note and comment on the overview	

Appendices	
Appendix 1	Empty dwelling figures 2016-21
Appendix 2	Flow chart of process
Appendix 3	Table 1 New Homes Bonus Received since 2011

Introduction and background

1. Empty properties, the subject of this overview are privately owned dwellings which have been unoccupied for over 6mths. Empty commercial sites are also monitored but are not necessarily covered by the same legislation used for empty dwellings. Under the Housing Act 2004 and associated legislation the government encourages councils to take action to bring empty dwellings back into use.
2. It has long been recognised that Oxford City has a severe housing shortage. The council currently has 2600 households on its housing register and local estate agents state they have waiting lists for properties for sale and to rent. With little potential to build within the city it makes sense to ensure all dwellings are occupied. This is currently endorsed by the Housing and Homeless Strategy 2018 – 21.
3. The classification of types of empty properties originates from Council Tax Regulation and numbers of empty dwellings are collated and reported via the

Council Tax database. For the month of October 2021 numbers for each classification are;

- Empty over 6mths to 2yrs, 262.
- Empty over 2yrs 114

Further broken down into number of years for council tax premium charge purposes.

- i. Premium 2 – 5yrs vacancy 87
 - ii. Premium (1) 5 – 10yrs 18
 - iii. Premium (2) 10yrs ≥ 9
 - Exemption F awaiting probate. Empty in excess of 6mths 184.
 - Empty due to renovation work (over 6mths) 54
4. The number of empty properties in the City fluctuates to a degree and this is reflected in the table of empty dwelling figures covering a period of five years (Appendix 1). Reasons for this fluctuation can be, additional new builds, a change in the market in respect of selling or renting and most recently, the impact of COVID19 and subsequent lock downs.
5. The majority of empty properties are likely to be brought back into use voluntarily or, following minimal contact with the Council. Every year the council sends a questionnaire to all empty property owners requiring information on, occupancy status, why the property is empty and intentions for the property. Reasons why empty properties are unoccupied are listed below and they are often quoted within the questionnaire responses the council receive.
- The property is undergoing renovation.
 - The owner is finding it difficult to manage the property or lacks funds to maintain it.
 - Mental/Physical ill Health issues.
 - The owner has no motivation to sell or let the property.
 - The property has been repossessed.
 - A lengthy probate process.
 - The owner is being cared for elsewhere/is in hospital.
 - The property is classified as a second home.
6. In 2018 the council commissioned an Empty Property Function Review on its empty homes service. The review looked at all elements of empty property work and stated *‘The Empty Homes performance of Oxford City Council when compared to all local authorities is very good, ranked 29th of 326 local authorities in England for the reducing in long term empty and 76th of out for 326 authorities for reduction of all empty homes.’*

What the Council can do and has done to tackle the issue of empty properties.

7. Empty properties are brought to the attention of the council by, councillors, members of the public, council officers, external services such as the police or

fire service, the council's empty homes Web Link and from monthly spreadsheets obtained from Council Tax data. A flow chart of the process used for all empty properties is detailed at Appendix 2. Properties are monitored, through contact with owners and the monthly update of figures and addresses obtained from Council Tax data.

8. The council's principal aim is to negotiate with owners to encourage an empty property to be brought back into use voluntarily. In addition to advice and support, the council has the facility to provide information on an Empty Home Loan which is administered through the Home Improvement Agency. The loan is offered by Flexible Home Improvement Loans Ltd. The council initiates contact with owners early on to prevent properties becoming empty for a prolonged period. Where an owner is reluctant or unable to engage with the council legislative tools can be utilised to bring long term empty properties back into use.

Working in partnership

9. Bringing empty properties back into use often requires understanding of and working partnership with, other council services and external agencies. These include;

Internal:

- Financial services including, Council Tax, Revenue and Investigations officers
- ODS, garden and house clearance and Pest control
- Community Response Team
- Safeguarding
- Building Control
- Planning
- Oxford Building Company
- Housing Needs
- Home improvement agency

External:

- Police
- Fire Service
- Occupational Health
- Oxfordshire County Council, Adult Social Services & Money Management.
- Deep clean companies

10. In 2011 a joint initiative was set up in response to a government incentive 'New Homes Bonus' (NHB) to reward authorities for additional housing provided through new builds and empty property being brought back into use. Officers involved included the Empty Property Officer, officers from Council Tax, Revenues and Investigations. The NHB initiative monitored progress on completion of new builds and long term empties being returned to use. This was

done by a yearly mail shot to all owners of empty dwellings, follow up visits to empty dwellings by investigations and data monitoring of New Builds. Figures were then reported to the Ministry of Housing, Communities and Local Government and in return a bonus paid to reporting authorities for additional housing achieved. Table 1. Appendix 3, provides the amounts recorded by Financial Services, of NHB OCC has received since the bonus' introduction in 2011.

11. We have been informed by Central Government that the format of the New Homes Bonus scheme will be changing with effect from 2022/23. The payments we are receiving in 2021/22 will be the last under the old scheme.
12. In 2019 the government through council tax legislation, permitted charging authorities to apply a premium charge on top of the usual council tax charge for individual dwellings empty for over 2 years. The intention being that it would be a further disincentive to owners to leave their properties empty. These properties are now classed as Premium properties. Since 2019 they have now been further broken down into 3 premium classes with additional charges; Premium (empty for 2-5yrs) incurring an additional 100% charge, Premium 1. (Empty 5-10yrs) incurring 200% charge and Premium 2 (empty over 10y) incurring a 300% additional charge.
13. Empty properties can be an asset in respect creating further housing through development of the building and amenity area or subdivision into flats, dependant on planning constraints. Those empty properties which are considered to have development potential or are of a size suitable for subdivision and conversion into flats, are referred to the council's housing company for consideration. A previously empty dwelling on Blackbird Leys was purchased by the council following negotiation with the deceased owner's family.

Properties causing a nuisance

14. The majority of empty properties reported to the Council are as a result of nuisance or them having been noticeably vacant for some time. The empty property officer receives around 50 complaints of this nature a year. The properties are noted on file, the owners contacted and onsite inspections carried out. In most instances the owners are requested informally, to carry out work to alleviate the nuisance and improve the property. Where informal routes to improve the property and bring it back into use have been exhausted, the council can undertake enforcement action using applicable legislation. Often the service of a notice, for example a Public Health Act notice, is enough to nudge/encourage an owner to improve, sell or bring a property back into use.

Legislation

- Housing Act 2004
- Building Act 1984
- Environmental Protection Act 1990
- Local Government Act 1976
- Public Health Act 1961

- Prevention of Damage by Pests Act 1949
- Town and Country Planning Act 1990
- Enforced Sale Procedure
- Empty Dwelling Management Order (EDMO)
- Compulsory Purchase Orders (CPO)

15. The council previously applied for 3 EDMO's, one of which was withdrawn following the property being placed on the market for sale. The two EDMO's confirmed were not implemented due to, one being placed on the market and subsequently sold and the other being rented out. All costs incurred, including work to bring the property back into use, can be recovered through rent and management fee once the EDMO is implemented.

16. In respect of CPO, the council, prior to commencing the application process, needs to be committed financially to the market value of a property (known as compensation), costs in officer time, legal support and a potential public inquiry. Public inquiries can cost up to £20000. Costs incurred are non-recoverable, except compensation value should the property subsequently be sold. In addition to financial commitment the council would need to demonstrate a clear intention for the reuse of the property or land.

17. In 2017 the council obtained confirmation of a CPO on a 4 bed ex local authority dwelling. The CPO was confirmed following written representation. The property is now owned by the council and is occupied by a family from the council's housing register.

Conclusion

18. With housing in the City in such short supply it makes good sense to ensure no dwelling is allowed to remain empty without good cause. As reported in the Empty Property Function Review, Oxford City Council has a good record for encouraging owners to bring their empty property back into use. However, whilst the council has a clear and proactive process in place, there still remains a necessity for financial commitment to ensure those long term empty dwellings (over 2yrs) are brought back into use.

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Appendix 1

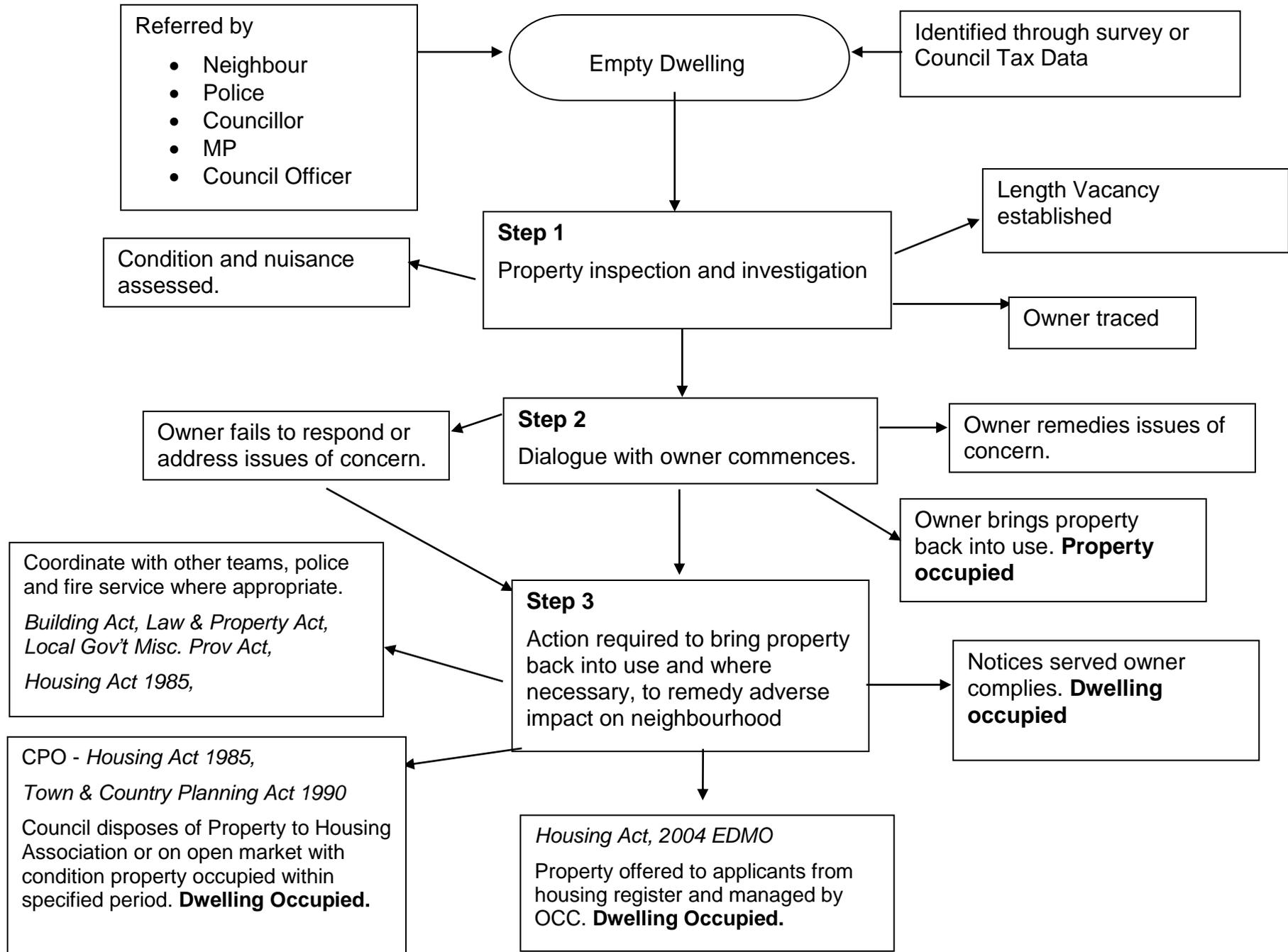
Numbers of empty domestic dwellings within Oxford City between 2016 to 2021

2016/17		2017/18		2018/19		2019/20		2020/21	
June 30th	591	June 30th	736	June 30th	590	June 30th	750	June 30th	860
Sept 30th	592	Sept 30th	670	Sept 30th	586	Sept 30th	929	Sept 30th	862
Dec 31st	612	Dec 31st	593	Dec 31st	631	Dec 31st	831		
March 31st	666	March 31st	611	March 31st	677	March 31st	710		

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Source: Council Tax data report ct6140d

Flow chart detailing processes used to bring an empty property back into use.



Appendix 3

Amount of New Homes Bonus received per year since 2011.

Year	Amount £
2011/12	472,960
2012/13	1,296,496
2013/14	1,684,617
2014/15	2,019,502
2015/16	2,434,359
2016/17	2,944,311
2017/18	1,981,082
2018/19	1,271,202
2019/20	962,206
2020/21	609,705
2021/22	538,126