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served by One Team

South & East Lincolnshire Councils Partnership

APPENDIX 1

EMPTY HOMES POLICY

2026 - 2029

HOUSING STANDARDS

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INTRODUCTION

Residential properties that remain empty for a significant time are a poor use of resources and a lost opportunity to provide housing at a time of high housing need. By bringing empty homes back into use there are benefits to the owner, new occupier, and the local community.

The use of existing housing stock to provide more homes is an environmentally friendly method of increasing the availability of housing.

Long-term empty properties can have a detrimental impact upon the local community with deteriorating property conditions becoming a blight on the neighbourhood, attracting anti-social behaviour, and negatively impacting the value of properties.

Bringing empty homes back into use increases the availability of local housing supply and improves the environment.

SCOPE AND SERVICE STANDARDS – INCLUDING LEGISLATIVE CONTENT

This policy details the way the Council will deliver private sector housing enforcement under respective legislation as well as what landlords and tenants can expect from the department.

Whenever the Housing Standards team interact with service users or other stakeholders in relation to any of the above, or other relevant functions, they will do so clearly and with suitable regard to all relevant information relating to this specific function, including the reason for any intervention and any proposed future actions.

This policy is intended to provide information for officers, businesses, landlords, residents, and the public. It does not affect the discretion of the Council to take legal proceedings where this is considered to be in the public interest.

The overarching approach to enforcement by the Housing Standards team is laid out in the Council's Corporate Enforcement Policy as well as the Housing Standards Enforcement Policy in addition to the Enforcement Concordat. This policy is intended to be used in conjunction with those policies/guidance and the principles contained therein.

The Council's strategic vision is to bring long term empty homes back into use to improve the quality and supply of housing and to enable its residents to fulfil their potential. The Empty Homes Policy sets out how the Council intends to tackle the issue of empty homes during the next three years. Empty homes are a wasted resource, both financially and in terms of housing provision. Bringing empty homes back into occupation reduces property deterioration and associated crime. However, it is acknowledged that a level of property vacancy is required for the housing market to function, and some properties will be uneconomical to return to use in the current economic climate.

The main aim of the Empty Homes policy is to encourage owners to bring empty homes back into use. The councils will promote the incentives available and provide practical support to property owners. As a last resort for non-cooperative owners, there is an option of taking enforcement action to bring empty homes back into use.

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The policy provides a framework for the councils to pro-actively investigate empty homes and focus upon bringing empty properties back into use to the benefit of the owner, people in housing need and the local community.

Despite a significant number of changes at a local and national level, 'empty homes' remains a high priority for the Council. In order to go some way towards addressing the issue of empty homes across the district/borough the following strategic objectives have been identified.

The 5 key strategic objectives of the Council's Empty Homes Policy are:

1. To bring empty homes back into use using a range of advice, assistance and support.
2. Ensure that up to date and accurate monitoring of the number of empty homes is carried out to understand why homes are being left empty.
3. Establish a positive relationship with owners of empty homes and to proactively promote options to facilitate bringing them back into viable use.
4. To use enforcement action to bring long term, problematic empty homes back into use.
5. Reduce the potential negative impact of empty properties on its communities.

Legal Framework

This policy is guided by the following legislation (in addition to local and national guidance), and the Council shall act within the scope of these to uphold housing standards:

- Local Government (Miscellaneous Provisions) Act 1976
- Local Government (Miscellaneous Provisions) Act 1982
- Police and Criminal Evidence Act (PACE) 1984
- Housing Act 1985
- Home Energy Conservation Act (HECA) 1995
- The Enforcement Concordat 1998
- Housing Act 2004
- The Management of Houses in Multiple Occupation (England) Regulations 2006
- Energy Act 2011
- The Redress Schemes for Lettings Agency Work and Property Management Work (England) Order 2014
- The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015
- The Smoke and Carbon Monoxide Alarm (England) Regulations 2015
- The Housing and Planning Act 2016
- The Housing and Planning Act 2016 (Banning Order Offences) Regulations 2017
- The Housing and Planning Act 2016 (Database of Rogue Landlords and Property Agents) Regulations 2018
- Crown Prosecution Service Code for Crown Prosecutors' 2018
- The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018
- The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Order 2018

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- The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020
- The Smoke and Carbon Monoxide (Amendment) Regulations 2022

DEFINITIONS

An empty home is a property that is wholly unoccupied. If the owner returns on an ad-hoc basis, it may still be considered an empty property on environmental grounds. For the purposes of the policy, second homes, properties undergoing renovation work (in a timely manner), properties actively progressing through probate and homes where the owner is absent due to receiving care, will not be classified as empty homes. Six months will normally be considered a reasonable timescale for an empty property to be brought back into use; however, this can vary depending upon the individual circumstances of the property.

An empty home that has been unoccupied for more than six months will be considered a long-term empty home. It is long-term empty properties that will normally be the focus of activities to bring empty homes back into use as set out in this policy.

Where the terms "Council," "Authority" and/or "Local Housing Authority" have been used, these refer to the relevant council applicable across the South & East Lincolnshire Councils Partnership (SELCP) being either; East Lindsey District Council, South Holland District Council or Boston Borough Council. This policy has been adopted across the three and therefore aligns all standards and working practices.

EMPTY HOMES – NATIONAL CONTEXT

	2022	2021	2020	2019	2018	2018-2022 difference
Less than 6 months empty	222,101	221,426	200,866	245,302	244,965	- 22,864
Long term empty	256,827	246,644	278,470	237,594	227,953	+ 28,874
Empty homes premium	72,341	71,630	69,201	62,938	62,419	+ 9,922
Second homes	256,913	253,357	262,953	252,629	251,654	+ 5,259
Unoccupied exemptions	203,746	190,993	192,155	171,006	167,042	+ 36,704
Total	1,011,928	984,050	1,003,645	969,469	954,033	+ 57,895
% of total dwellings	4.01	3.94	4.05	3.95	3.93	+ 0.08

EMPTY HOMES – LOCAL CONTEXT

The latest available information for East Lindsey for 2024, collected by MHCLG23, identifies 2,847 vacant dwellings across all tenures. This represents a vacancy rate of approximately 4% in East Lindsey. In 2020 the number of vacant dwellings was 2,429, and 3 years ago in 2022 the figure was 2,419. Furthermore, around 1,255 (1.7%) dwellings are long-term vacant (6 months or more) in East Lindsey (2024 figures).

The latest available information for Boston for 2024, collected by MHCLG22, identifies 828 vacant dwellings across all tenures. This represents a vacancy rate of approximately 3% in

Boston. In 2020 the number of vacant dwellings was 170, and 3 years ago in 2022 the figure was 774. Furthermore, around 329 (1%) dwellings are long-term vacant (6 months or more) in Boston (2024 figures).

The latest available information for South Holland for 2024, collected by MHCLG24, identifies 1,257 vacant dwellings across all tenures. This represents a vacancy rate of approximately 3% in South Holland. In 2020 the number of vacant dwellings was 1,138, and 3 years ago in 2022 the figure was 1,086. Furthermore, around 505 (1%) dwellings are long-term vacant (6 months or more) in South Holland (2024 figures).

REASONS FOR EMPTY HOMES

It is a fact that homes do become empty periodically, however it is the strategic aim of the Council to reduce the amount of time that this occurs for. There are many reasons why homes become and remain empty for long periods. Some of the reasons include:

- Between a change in occupant.
- Undergoing modernisation, repair or conversion.
- Awaiting demolition.
- Repossessed.
- Awaiting probate.
- Owner moved into care.
- Newly completed but not yet occupied.
- Owned by a charity with restrictions on tenants.
- Unoccupied annexes.
- Trustee is in bankruptcy.
- Unfurnished and empty.
- Property kept empty for use by the owner or family member.

In many cases, the owner of the empty home is already addressing the situation and there are some homes that are inevitable as a result of issues such as the death of the resident where legal proceedings are underway. Furthermore, the presence of a number of empty homes is critical in ensuring that the housing market functions efficiently, allowing residential mobility and redevelopment or improvement to take place. In addition, it is important to note that the economic climate and the housing market have a significant impact on both the scale and nature of empty homes.

It should be understood that this is a very fluid area of work for the Council, due to the many reasons detailed above that a property may become empty and the length of time that certain processes take in order to resolve the situation, e.g. probate, conveyancing.

HOW EMPTY HOMES ARE IDENTIFIED

The main source of data for the location of empty homes and their owners is identified through Council Tax records requested under section 85 of the Local Government Act 2003. This permits the address of the empty home, lead liable name, address and contact details to

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be used for the identification of vacant dwellings and taking steps to bring them back into use. In addition, local authorities are also alerted to empty homes via:

- Members of the public.
- Neighbours.
- Local authority website.
- Local authority departments.
- External partnership agencies.

IMPACT OF EMPTY HOMES

Empty homes represent a wasted resource and a missed opportunity which can have a negative impact on local communities. The problems associated with empty homes include:

- Denying a home to those in housing need.
- Causing damage to neighbouring properties.
- Affecting neighbouring house prices.
- Becoming a potential focal point for illegal activities and anti-social behaviour.
- Attracting fly tipping and vermin.
- Presenting a strain on other public services, including the Police and Fire Service.
- Presenting a risk to the public through unsafe structures.

BENEFITS OF RETURNING TO USE

For the Community

Increases housing: Empty properties are a waste of existing resources and in many instances, it is more environmentally sustainable to return an existing property to use rather than to build a new property. Returning empty homes into use provides much needed housing within the private rented sector for those that may otherwise not be able to secure suitable housing.

Reduces risk of anti-social behaviour: Long term empty properties can become a focus for anti-social behaviour including drug taking, graffiti and vandalism. This is particularly likely to happen where the garden is overgrown and is therefore not overlooked by neighbours. Anti-social behaviour impacts on neighbours, the wider community, and may increase demand on public services. By having a property in regular use, the risk is greatly reduced.

Less vermin: Pests are attracted to the food and warmth provided by residential areas. An empty property, especially one in disrepair, may allow access routes to neighbouring occupied properties. An empty front forecourt or garden may also attract waste which, in turn, attracts vermin.

Fewer unsightly properties: An empty property may be neglected and deteriorate significantly. This may result in peeling paint work, missing render, eroding stonework, broken guttering, and overgrown vegetation. When a property becomes subject to anti-social behaviour this may lead to windows and doors being boarded up or having metal shutters installed.

Improved house values: An empty property in a street can decrease the value of neighbouring properties. Many property websites advise buyers to be aware of empty properties in a street

when purchasing. Bringing an empty property back into use could increase the saleability and value of neighbouring properties.

For the owner

Decreased costs and/or increased income: The owner of an empty property continues to be responsible to pay costs such as council tax, utilities, insurance, maintenance etc. The owner is potentially missing out on a significant rental income through letting the property.

Peace of mind: By having a property occupied, either by the owner or tenants, it removes the threat of squatting. Although squatting has been a criminal offence since 2012, the freeholder has to prove they did not give permission for someone to live at their property. The empty property will need to be monitored to ensure no-one moves in without permission.

Avoid enforcement: The Empty Homes policy supports and encourages positive engagement with owners to bring properties back into use. It also outlines the enforcement action available to the council in cases of nonengagement and where an empty property is having a detrimental effect on the environment or local community.

APPROACH TO TACKLING EMPTY HOMES

Listed below are the options available to each Council to tackle empty homes within their area. Each Council is not duty bound to follow each of the approaches listed below and may wish to select and prioritise them according to the resources required to pursue them. The options are:

- Proactive support to bring properties back into use, such as incentivised grants/loan schemes.
- Enforcement options:
- Improvement Notices
- Prohibition Orders
- Boarding up
- Empty Dwelling Management Orders (EDMOs)
- Compulsory Purchase Order (CPOs)
- Enforced sales
- Engagement with the Empty Homes Network
- Other

In order to evaluate the properties presenting the biggest issue to the Council, an assessment tool will be used to rate empty properties. This will incorporate factors such as length of time the property has remained empty, condition of the property, any detrimental impact being caused to the neighbourhood, anti-social behaviour, local housing demand, etc. Using this approach each Council will be provided with their highest priority empty homes to take action on.

Delegated Authority and Competency of Officers

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All officers involved with the enforcement of legislation covered by this policy will be competent to perform their duties in accordance with the legislation and agreed internal procedures and will carry out continuous professional development to do so. The Council has delegated the authority to serve notices/orders under various Acts and Regulations where the Safer Communities Group Manager has in turn delegated the service of some of these directly to enforcement officers. All notices/orders will be served having regard to this delegation scheme.

Officers authorised under section 113 of the Local Government Act 1972, are able to carry out Council functions outside of their sovereign council.

Governance and Review

The Council's Safer Communities Group Manager is authorised to make amendments to the policy to ensure the Policy remains up to date and to reflect statutory requirements in consultation with the Portfolio Holder.

Version Control			
Issue No	**Author**	**Issue date**	**Reason For Issue**
1.0	Group Manager – Safer Communities		Full update of prevailing legislation, plus alignment of all policies to a single policy across the South & East Lincolnshire Councils Partnership (SELCP)

Approval		
Issue	**Approval Authority**	**Approval Date**
1.0	(ELDC) (BBC) (SHDC)	

APPENDICES

- **APPENDIX A – Council Tax Classifications**
- **APPENDIX B – Empty Homes Scoring and Rating Matrix**

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