



Rushcliffe Borough Council Empty Homes Strategy 2024 - 2029



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1.0 Introduction

This is Rushcliffe Borough Council's second Empty Homes Strategy, following on from the implementation of their first in 2019, covering the period of 2019 through to 2024. This strategy aims to give an understanding of the issues vacant properties can cause, how they impact residents and communities, and how the development and successes of the previous strategy can shape and determine the Council's approach in its intention to bring more empty homes back into use.

The strategy looks at why homes become empty, what advice and assistance is available to empty home owners, and how the Council intends to use the range of powers at its disposal in order to effect change and prompt action.

Empty homes can be detrimental to the lives of local residents and communities for a number of reasons. A single empty home can blight a street or community, reduce surrounding property values and be a catalyst for nuisance to local residents. Empty homes can also attract vandalism, fly-tipping and other criminal activity, ranging from the minor to the extremely serious, but all increasing crime and the fear of crime as well as having a detrimental impact on the local community. They also represent a risk for the emergency services and put added pressure on council departments such as Housing and Environmental Health.

Homes can become and remain empty for a number of reasons. Whether financial pressures, legal or administrative delays, or pending refurbishments, empty homes and their owners often face challenging and difficult circumstances that prevent properties from being utilised fully. Supporting owners in overcoming such hurdles where it is their intention to do so, and tackling those empty homes where there are no reasonable prospects of positive action from their owners, will positively impact our residents, both by increasing the housing supply but also the wider community for whom empty homes often cause the most problems.

Across Rushcliffe, Council Tax records show there are currently 889 empty homes (Dec 2023), of which 498 have been empty for six months or more and are classed as long-term empty. Equating to 1.64% of the Borough's housing stock, this represents a significant waste of a limited resource, at a time which housing supply is not meeting an increased demand. Of this, Council Tax records show 142 properties are currently liable for the Empty Homes Premium, meaning they have remained empty for a period of two years or more. However, statistical information is limited, and it is recognised that there are a number of empty homes where full Council Tax is being paid and the property has not been registered as being empty. Similarly, records show that Rushcliffe currently has 192 second homes, reported as such by their owners in order to obtain discounted Council Tax charges. Our work during the previous strategy period, shows that many of these should in fact be classed as empty, and complaints received would support attempts to have many of them reclassified.

The benefits of implementing an Empty Homes Strategy are wide ranging, and can be categorised as social, regenerative, financial and strategic. In supporting these key areas through bringing empty homes back into use, this strategy aims to:

- assist in meeting housing need
- improve housing conditions
- assist with a reduction in crime and the fear of crime
- regenerate blighted areas
- increase Council Tax collection rates and empty home premiums
- generate additional income through the New Homes Bonus (NHB)

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The case for dealing with empty homes is a compelling one, not only from a neighbourhood improvement and housing perspective, but also as a financial incentive both for the owners of empty homes, and for the authority.

The Empty Homes Strategy 2024-2029 outlines the Council's intentions in supporting and assisting owners of empty homes, along with the available tools and possible enforcement options at the authority's disposal should support and negotiation prove insufficient. In tackling the most challenging of cases, it is the Council's aim to reduce the numbers of empty homes across the Borough, regenerate unused and vacant properties, and reinvigorate communities for the benefit of our residents.

2.0 Background to Empty Homes

2.1 What is an Empty Home?

A dwelling is considered to be a long-term empty home if it has been unoccupied for 6 months or longer. Privately owned long-term empty homes are the focus of this strategy, but concerns will be highlighted to public bodies and housing associations (registered providers) where an empty home they own requires attention.

Empty homes can be found in all areas, wards and locations across the Borough, and are not necessarily semi-derelict, boarded up or causing a problem. There are also large numbers of homes which naturally become empty for periods of time, perhaps due to transactional processes, being between tenants, or when an owner passes away and the probate process delays a possible transaction. When a dwelling remains empty for a significant period of time, is attracting unwanted attention or is the subject of a complaint to the authority, it would be considered a high priority case in line with the rating system attached as *Appendix B*. Throughout the period of the previous strategy, the analysis and collection of empty homes data, as well as referrals and complaints received, determined that there were approximately 50 priority properties, representing 10% of all long-term empty homes in the Borough.

Whilst these properties are often recorded as empty through their Council Tax accounts, it is also often the case that second homes, those that qualify for an unoccupied exemption, or even where a property is reported as occupied, can be referred to the authority as empty and unoccupied. All referrals, complaints and notifications are recorded and investigated as empty homes, until such time that our enquiries find that the property is in fact occupied or otherwise sufficiently used.

2.2 Why do homes become and remain empty?

There are a number of reasons why properties could become and remain empty. These include:

- The property is difficult to sell or let due to its physical state and condition
- It is currently being renovated, or the owners has plans to refurbish or develop the property
- The owner does not have the capacity/finances/time/skills to manage or maintain the property
- The property has been or is in the process of being repossessed
- Probate – Where the previous owner has passed away, leading to an often time-consuming administrative procedure
- The owner is being cared for elsewhere, is in hospital or has been moved into a home/care
- The property has been abandoned by the owner and the owner is untraceable
- Land banking, when a property is left empty due to speculative investment, through acquiring a property
- Inheritance, where probate has been granted and the beneficiary is yet to decide on future plans
- Where the property is adjoined to or forms part of a business, and the owner does not wish to let or sell
- Accidental landlords, where partners co-habit leaving the second property empty
- Due to an ageing population, older property owners may move into alternative older person's accommodation for care or support needs. They may choose not to sell the property which may result in the property remaining empty for the short or long term.

It is important that the Council understands why individual properties become and/or remain empty, along with the owner's circumstances and intentions in order for us to tailor and deliver our support and assistance appropriately.

2.3 Challenges Presented by Empty Homes

Dealing with an empty home is not always straightforward. Each property, its owner, their circumstances and intentions are all unique. For example:

- A property may be used as a second home, and so not occupied on a permanent basis, but is still in use.
- It may be that non-residential space 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. This may include specialist permissions if they are a Listed Building or located in a Conservation Area.
- 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.
- 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, 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.
- 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.
- 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.
- The emotional attachment associated with a property, formerly a family home or owned by parents, can often lead to the reluctance or reticence to take action, or deal with a property immediately.

Some owners are often simply 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, fall into disrepair, and be the subject of future complaints and action.

Subsequently, it is considered that the Local Authority are best placed to tackle the issues that empty homes present. With a range of professional experience across departments, legislative powers and tools at their disposal, the Council is able to provide a vehicle for a solutions based approach that benefits all parties involved.

2.4 Why Empty Homes Matter?

The Council often receive complaints relating to empty homes from local residents, who rightly object to unsightly disused properties. There are resulting implications for the Council's Environmental Health team who have to use staff time and resources to investigate and intervene, deal with pests, general dilapidation, overgrown gardens, damage to neighbouring properties, anti-social behaviour and other issues.

For the local community, empty homes can have a direct impact on adjoining properties through issues such as damp and structural problems. Alongside this, unsightly properties can be detrimental to neighbouring house prices and can result in a lack of pride and investment in the area. The possibility of empty homes attracting unwanted attention can cause anxiety and ongoing concern for local residents. Empty Homes undermine the communities' confidence in the area, resulting in problems for neighbouring properties, leading to involvement from the Local Authority.

For empty homes owners, leaving a property standing empty can become costly and be a source of unnecessary anxiety. By remaining empty and increasing in deterioration, the additional risk of vandalism and crime can lead to a property being difficult to insure, which could ultimately 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. Deterioration by lack of maintenance, insurance, council tax and premiums, utility standing charges and mortgage payments, all increase the financial liability of leaving a property empty, and one which can often become insurmountable for the owners. 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 generated from the sale of a property.

There is also an environmental impact of leaving homes empty. It has been estimated that it would take the equivalent of about 75 acres of land to build 900 homes. This could be greenfield sites of open land that local people value, whereas it would be more efficient and sustainable to make best use of existing dwelling stock available.

Empty homes returned to use as domestic dwellings increase the availability of homes, 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 in housing need and the utilisation of empty homes could prevent some of these people from facing issues such as homelessness and overcrowding, or provide a first home for a local person.

Returning empty homes 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 a single empty home.

3.0 The National Context

Since 2010 the Government has placed considerable emphasis on the importance of returning empty homes to use. Statistics published in October 2023 by the Department for Levelling Up, Housing and Communities, put the number of empty homes in England in at 480,845. Of these, 269,009 were classed as long-term empty homes (empty for longer than six months). Representing 1.89% of the country's total housing stock, the total number of empty homes has risen in recent years, similarly to that of long-term empty homes, showing that 1.06% of the country's housing stock has been empty for six months or more.

Having introduced the Empty Homes Premium in 2013, granting local authorities the power to implement additional levies for properties that remain empty for longer periods, the number of properties liable for such premiums have increased year on year, resulting in 75,803 properties being reported as being liable for the premium in October 2023. Aimed at incentivising the reoccupation of property by implementing the premium and removing available discounts, local authorities are able to set the levels of the premium locally, and obtain approval at full council level prior to implementation. Announced in 2022 and aiming to disincentive empty homes owners further, the Government's Levelling Up Bill has proposed reforms to the Council Tax discount and premium levels, enabling councils to charge the empty homes premium at 12 months instead of 24, along with introducing a premium for second homes at a rate of 100% after a 12 month period.

Coupled with this, in 2011 the Government introduced the New Homes Bonus, allowing councils to benefit financially by increasing their net dwellings through building new homes, and bringing back into use those which had remained empty. Under the scheme, the Government match-funded Council Tax receipts for each additional property added to their net dwelling stock for a seven year period, and therefore incentivised local authorities to both build housing and bring those empty back into occupation. Whilst this incentive still applies, its payment mechanism has reduced significantly in recent years, meaning that councils have been rewarded less for their efforts.

In 2023, The Local Government Association (LGA) in conjunction with The Empty Homes Network, produced a guidance and best practice report entitled "Empty Homes | A practical approach for Councils on dealing with empty homes". Amongst practical and operational guidance for councils, the report recommended that in order to increase engagement and success in bringing empty homes back into use, local authorities should consider:

- developing their understanding and wider prioritisation of the definitions of empty homes, and broadening the scope of empty homes work to include properties classed as second homes and those with an unoccupied council tax exemption
- employing a dedicated resource where possible, in order to progress from a reactive approach to tackling empty homes, through to a proactive approach
- ensure officers and practitioners are equipped and supported with the relevant tools and resources, often already at the council's disposal, such as delegated powers and authority to take enforcement action
- taking a proactive approach to engaging with empty home owners at an earlier stage, where properties are known to have been empty for two or three months, rather than initiating contact after six months
- moving towards wholly proactive approach to empty homes work, where local authorities often operate a reactive service due to resource, staffing or financial constraints.

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In publishing this report, the recommendations offered recommended routes of progression and complimented those published in the Empty Homes, House of Commons Briefing Paper No.3012, released in June 2018, which suggested:

- Local authorities should have an empty homes strategy for their area, with the aspiration to reduce the number of long-term empty homes.
- Local authorities and social housing providers should seek funding and allocate resources to buy and refurbish empty properties for people in housing need.
- Local authorities should take a casework-based approach with owners of long-term empty properties to encourage, advise and support them to bring homes back into housing use. Employing dedicated empty homes staff can ensure that the council is able to act on information about homes, and build up expertise in working with owners, including taking enforcement action where necessary.

Whilst there is currently no Government-led national strategy to deal with empty homes, the legislation and ability for councils to implement a number of measures places the emphasis on Local Authorities to propose and deliver solutions locally that suit them and their residents.

4.0 The Local Context and Corporate Objectives

4.1 Statistics across Rushcliffe

To date, the Council Taxbase, released annually in November, is the only available method to determine the number of empty homes both across Rushcliffe and nationally. However, it is accepted that this method does not provide a full and accurate account of the number of empty homes in the Borough.

To overcome this, a detailed and comprehensive database has been developed throughout the previous strategy period in order for the authority to track and monitor data across all empty homes categories and definitions. Whilst this has allowed for accurate and up to date statistical reporting, it has also provided the foundation from which cases can be prioritised, properties can be assessed and scored, and reports can be compiled based on wards, length of time empty, and ownership status.

Operationally, long-term empty homes are properties that have become and remained empty for a period of six months or longer. Widely accepted nationally, the definition 'long-term' originates from the council tax term used to class a property once an initial discount period had ended. These discounts are no longer applied to accounts across Rushcliffe upon properties becoming vacant.

Across all categories and classes of empty homes, Rushcliffe currently has a total of **574 long-term empty homes**, categorised within the authority's database in four areas: Priority Properties; Probate Cases; Housing Association and Company owned properties; owned by Private Individuals.

Whilst these categories cover various aspects of a properties circumstance or ownership, the development of the database has allowed the council to investigate and approach each category in a tailored way, based on the available information.

4.2 Priority Properties

Consisting of the most prominent empty homes, those empty for the longest periods and those where the authority have received complaints or referrals, the local authority currently have an active list of **48** Priority cases. In prioritising the caseload, this allows the Empty Homes Officer and wider team to focus their efforts and capacity, and focus further investigation procedures to those that require attention or prompt concern.

These properties may initially be recorded within the database under an alternative category, however, a referral, complaint, a significant deterioration in condition or an urgent health and safety concern, would warrant the property being escalated to a priority level case. This list can also include occasions where a property is referred to the authority, but records show that this may not be the case, such as where an owner has failed to register a property as empty, or where a property has been removed its council tax banding.

Of the current list of priority cases, the properties listed can be broken down as follows:

- 10 properties are currently being charged some level of empty homes premium
- 5 properties are at various stages of the probate process
- 5 properties are owned by either housing associations or companies
- 35 properties would be classed as being owned by private Individuals
- 4 properties are classed as Second Homes for council tax purposes
- 2 properties fall under a council tax unoccupied exemption
- 3 properties are fully exempt from Council Tax having been delisted

4.3 Probate Cases

The cases recorded on the authorities database as probate cases, are those which have been through the probate process and their period for Class F exemption has elapsed. These properties are now in the ownership or responsibility of their beneficiaries or estate executors, and are no longer under the restrictions that the probate process may impose.

Currently, Rushcliffe have **33** active cases falling into this category, in addition to any that fall into the above definition held within the priority case category.

4.4 Housing Associations & Companies

Of the 574 long-term empty homes currently held within Rushcliffe's active database, **137** of these are showing as being owned by either a registered company, by a Housing Association or registered provider. Of this number, 23 are currently being charged some level of empty homes premium having been empty for a period of two years or longer.

These properties are categorised as such, as correspondence with either a housing association or company is likely to be with a secretary or senior figure within the organisation, and therefore any correspondence is adapted to suit.

4.5 Private Individuals

The largest category on the database, the number of empty homes owned by private individuals total **354**. The most likely source of quick-wins, or where houses are naturally brought back into use, this category includes 21 properties currently being charged some form of empty homes premium, with the total number being in addition to any properties owned by private individuals held on the priority list.

4.6 Second Homes

Although not included within the council's total or long-term empty homes figures, referrals and complaints are often made to the council concerning properties classed as second homes for council tax purposes. For this reason, the number of second homes is monitored and tracked by the empty homes officer within the database, and any future referrals received where the property is classed as a second home is subsequently moved over to be considered a priority case where applicable.

Current figures show that Rushcliffe have **189** second homes, in addition to any second homes currently being investigated as a priority property.

4.7 Unoccupied Exemptions

Similarly to second homes, properties falling under an unoccupied exemption category are not included within the authority's wider empty homes statistics, but their condition and vacancy may warrant a complaint and further investigation in the future. Therefore, these properties are also monitored within the wider database, and include instances of properties that are currently going through probate, where the owner is in prison or property has been repossessed, and in other cases such as where an owner has moved to provide or receive care.

Currently, there are **573** properties across the Borough that qualify for an unoccupied exemption, in addition to the number held within the priority case category.

4.8 Properties Empty Under 6 Months

Whilst it is considered best practice to monitor figures and consider properties as long-term empty after a six-month period, Rushcliffe go one step further by also tracking the number of

properties empty for six months or less. Currently standing at **370** cases, this information is held within the database in order to monitor properties reaching the six month stage, and in order for Rushcliffe to proactively prepare for those when they get to this period. The consideration of these figures also allow for proactive approaches to owners, as well as being able to identify trends or large blocks of properties that may be under development or nearing completion.

4.9 Returned to use – With Intervention

Having adopted the first empty homes strategy in 2019, Rushcliffe have consistently performed above the targets set within the strategy, at **10** properties brought back into use annually. In the financial year 23/24, this target was met prior to December 2023, and includes properties where the local authority have played an active role in bringing an empty home back into use. Through the implementation of the empty homes premium, discussions with the owner, or where offers of support and negotiation have been regular with an owner, these properties would be counted as an intervention by the authority that has aided the return to use of a property.

4.10 Returned to use – Without Intervention

Where properties are naturally brought back into use, or have become occupied after a period of vacancy without intervention, these properties are logged within the database in order to ascertain trends or patterns, having previously been logged within the database. During the financial year 23/24 to date, **410** properties have been returned to use without council intervention, that had previously been empty for six months or more.

4.11 Meeting Corporate Objectives

Whilst returning empty homes to use will not solve a wider housing supply issue, they can often be the quickest and most cost-effective way of increasing the supply of good quality, safe and affordable housing. Reducing the requirement to build on greenbelt land, regenerating brownfield sites and reinvigorating communities, bringing empty homes back into use can play a significant part in meeting the Council's wider corporate objectives, and benefitting the residents of Rushcliffe.

This strategy, its aims and objectives, links with a variety of council documents, strategies and plans as outlined below.

- [Rushcliffe's Corporate Strategy 2024 -2027](#)
- [Rushcliffe's Housing Delivery Plan 2022 - 2027](#)
- [South Nottinghamshire Homelessness and Rough Sleeper Strategy 2022-2027](#)
- [Rushcliffe Borough Council's Corporate Enforcement Policy](#)
- [Statement of Community Involvement, 2019](#)
- [Council Tax Recovery and Enforcement Policy 2023](#)

5.0 Our Progress and Successes: 2019-2024

5.1 Employment of an Empty Homes Officer

Having implemented its first Empty Homes Strategy in April 2019, Rushcliffe employed its first ever dedicated Empty Homes Officer (0.6fte). During the early stages in their position, work was carried out to develop procedures and protocols, research the location of empty homes and formulate methods of tracing their owners. Time was also invested in building relationships with local contractors and researching other agencies who could assist with getting empty homes back into use.

An empty homes specific webpage was built on the Council's website to provide a first point of reference for both the public and empty homeowners alike, along with the introduction of an online reporting tool which allows direct and anonymous referrals to be made to the authority.

5.2 Development and implementation of the database

Crucially, a comprehensive empty homes database to record, monitor and categorise all reports and complaints was developed, allowing the empty homes officer to accurately track statistics, but also for the prioritisation of workload and the focusing of resources. The database is split into categories dependant on a number of factors. These categories are priority cases, probate cases, those owned by housing associations or companies, and properties owned by private individuals. Those recorded on the priority list, are scored and assessed on a number of criteria, to create a rating that prioritises each case on its own merits.

5.3 Tools and resources

Over the period of the previous strategy, various relationships with internal and external partners have been developed, in order to support the work to advise and guide empty home owners. These include colleagues in planning, environmental health, regeneration and council tax, as well as estate agents, auctioneers and contractors for valuation and professional advice. These have proved crucial in returning a number of empty homes back into use and has enabled the authority to build trust and enhance their reputation with owners.

The authority has also explored and agreed in principle, the use of Capital Funding for the lease, acquisition, and enforcement of returning empty homes back into use.

5.4 Numbers brought back into use

Since the adoption of the Empty Homes Strategy in 2019, 83 long-term and problematic empty homes that would have otherwise remained empty indefinitely, have been brought back into use involving the active intervention and or enforcement by the local authority.

During the same period, a significant number of other properties have been brought back into use without direct formal local authority intervention, but with assistance from positive media campaigns, support and advice in the way of letters, phone calls and signposting.

5.5 Enforcement

During the period of the previous strategy, 61 formal enforcement notices were served to alleviate, remove, or improve issues surrounding condition, appearance, safety, and vermin relating to empty homes. Works in default have been carried out on several properties because of non-compliance, with subsequent debt recovery processes pursued to ensure that any expenditure was repaid.

In the same period, one Enforced Sale success saw a long-term empty home sold at auction, with the refurbishment and subsequent sale of the property achieved. The decision to proceed with the Enforced Sale of three further properties across the Borough has also been agreed, with a combined length of time empty of 22 years. This will encourage the properties back into use as well as recover significant debt owed to the Council.

5.6 Case progression and council tax debt recovery

There are currently 48 properties on the empty homes database classed as a priority. These are properties considered to be the most challenging, have been empty for the longest period, be in the worst condition, or have been the subject of a number of complaints. These cases are the focus of the empty homes officer's time to pursue and progress cases to a successful resolution.

Of the 48, 8 properties are expected to be returned to use within the next three months. The active engagement of the empty homes officer with the owners, often including enforcement action taken, means that they are now on the market for sale, rent, or actively being refurbished, and approaching the stage of being ready for reoccupation.

Owners are engaging with the empty homes officer on a further 20 properties on the priority list. Positive negotiations and engagement have meant that steps to bring these properties back into use are ongoing and moving forward in a positive direction.

Empty Dwelling Management Orders (EDMO) are being considered for three properties across the Borough, having been empty for a combined estimate of 50 years. EDMO's give councils the right to possess a private unoccupied property that has been vacant for at least two years, make any necessary upgrades, manage the property, and rent it out for a period of seven years to recover its costs. Any such acquisitions will require the approval the Council's Section 151 Officer and Finance Portfolio Holder and considered in relation to the Council's overall financial position and corporate priorities.

Enforcement action including the serving of formal notices, works in default and prosecution, are also in progress with all the top 10 cases recorded on the priority list. This has been necessary as negotiations have stalled, failed, or engagement from the owners has not been forthcoming.

Over 30 '*Reduced VAT*' letters have been supplied to owners to support and encourage property refurbishment to bring them back into use, and to enable works to be carried out with a reduction in VAT liability. This scenario involves a reduction from 20% VAT to 5% on certain refurbishment works, where properties have remained empty for over two years.

Over the course of the previous strategy period, the Empty Homes Officer, in conjunction with colleagues in Council Tax, were successful in the recovery of approximately £100,000 in Council Tax arrears, having pursued owners of empty homes with significant debts outstanding. This was achieved through the sale of a number of properties, along with charging orders and debt recovery processes being followed. Having accrued significant interest over the arrears period, the recovery and payment of these debts would not have been achieved without the persistence of the officers involved and would likely have resulted in the debts remaining in place indefinitely had they not been actively pursued.

6.0 Strategy Aims and Objectives: 2024-2029

6.1 Aims and Objectives

Irrespective of why a property has become and remained empty, and despite the owner's current circumstances, it is always the Council's primary intention to work with an empty home owner where possible, in order to support, and where required, facilitate action to reach the owner's ultimate intentions.

However, it is critical to remember that each property, owner, personal circumstances and reason for why the property became and has remained empty are all different, and therefore each property and owner have to be treated individually and based on the information that is available. Whilst some reasons and circumstances can be more sensitive or challenging than others, it is important for the authority to be committed to the principles and aims of the empty homes strategy and recognise that an empty property can result in problematic situations for their neighbours and communities.

Owners must be made aware that whilst the Council would prefer to work with them in bringing their plans to fruition, inaction is not an option. By owning an empty property, they have a responsibility for it and must act accordingly.

The Action Plan for progressing towards the overall aims is included at *Appendix A* and acts as a continuation of the work carried out in the previous strategy period to further develop the tools available, enhance the support and guidance Rushcliffe offer as an authority, and make further progress in bringing empty homes back into use across the Borough. The Action Plan identifies 5 key objectives for this strategy period.

6.2 Objective 1: To maintain accurate information of empty homes in the Borough

The continued development and maintenance of the existing empty homes database will play a pivotal part in the Council's efforts to tackle empty homes and enable further steps to be taken to reduce numbers across the Borough. Holding key information, this database allows targeted correspondence to be delivered, allowing the relevant officer to conduct cyclical data cleanse exercises to ensure the information is up to date.

Complaints and referrals received regarding empty homes, will be logged accordingly to ensure that they are investigated and prioritised effectively, and 'risk rated' in conjunction with the scoring matrix found in *Appendix B*. Although the matrix score will be the principal guide to the order in which properties are dealt with, there may be exceptions based on local circumstances, severity and nature of a complaint, or immediate issues requiring urgent attention.

The largest source of information is received through a regular, often monthly, review of all council tax information. As a result of the previous empty homes strategy, relationships and opportunities for data sharing have been developed with Council Tax colleagues to ensure that up to date account information is obtainable, enabling an effective and efficient tool for both departments.

It is expected that this collaborative arrangement will continue and develop further, to include the involvement of the empty homes officer at such time that the Council Taxbase (CTB1) submission is compiled, to ensure that data reported nationally is as accurate and up to date as possible.

6.3 Objective 2: To raise awareness of Empty Homes and promote the Strategy

At a time of increased housing demand, the issue of empty homes is gaining more exposure. Having been high on the political agenda for some time, recent developments, media articles and demands for further action mean that the issue has become increasingly highlighted in the public sphere.

The Council intends to continue to highlight the issues empty homes locally through all available and relevant channels, and at the appropriate opportunity. Internally, ensuring colleagues are aware of the issues caused by empty homes, as well as what the Council offer to their owners will ensure that colleagues can also provide relevant referrals and information when in discussions with residents. Externally, the Council will continue to share the benefits of bringing empty homes back into use with the general public, as well as exploring opportunities to develop their offer of support to empty home owners.

The Council will also use their participation in National Empty Homes Week (*administered by [Action on Empty Homes](#), and held annually in February/March*) as a platform to increase awareness of issues surrounding empty homes, but also to celebrate the successes that the Council's interventions have created. Using social media, local press, Rushcliffe Reports, as well as internal communication channels, Empty Homes Week presents a perfect opportunity to share good news stories, the successes of the strategy thus far, but also the chance to reach out to empty home owners and make the Council's presence known.

The general public, our partners and internal colleagues will be encouraged to report all empty homes and will be given advice on the tell-tale signs to look out for.

6.4 Objective 3: Provide advice, assistance and guidance to landlords and property owners

As exposure of the empty homes issue continually develops, as do the opportunities and methods to bring them back into use. As there are currently no national initiatives or schemes designed to support empty home owners, Local Authorities are afforded the opportunity to design and deliver initiatives that would help support the need of local people with local solutions.

Whilst Rushcliffe doesn't currently operate a financial mechanism of loans, grants or direct funding to support the return to use of empty property, such schemes should be explored and considered should the finances be made available, either locally or nationally, during the period of this strategy.

Other non-financial avenues of support will also be explored, considered and procured, but it is often the case that such innovation is dependent on the individual needs and circumstances of the owner, and therefore it is often found that these need to be procured or acquired as and when the need is identified.

Often acting as the first point of service, the Empty Homes pages of the Council's website will be continually updated and enhanced, in order to provide an overview of our activities, but also to provide details of the options, advice and support we are able to offer as an authority for those who own empty homes. As a result of the previous strategy, the web pages were developed to include offers of support, policy and protocol documents, as well as a tool for the public to report empty homes anonymously to the local authority, which has since proved successful.

6.5 Objective 4: Reduce the number, and return problematic empty homes back in to use

The process to bring empty homes back into use, and see the numbers of cases reduce, starts with the investigation and prioritisation of referrals, accurately within the authority's database. All complaints and referrals from residents are treated as a priority, and then scored accordingly using the rating matrix. In order to build trust and a positive reputation of the service, such complaints will be followed through, and complainants informed of the process as a whole as well as the priority status of their complaint subject.

After the initial information gathering exercise, regular and persistent engagement with empty home owners using existing resources and letters will allow every opportunity for empty home owners to respond and engage with the Council. Subsequently, council processes and procedures will enable such engagement to be recorded and monitored, with further action and or interventions planned where necessary.

As every empty home case is different in terms of its history and owner circumstances, the opportunity to further the tools and support offering the council have will be constantly reviewed, and where gaps in such support are identified, solutions will be sought in order to see these filled. It is also the aim of the strategy to inform other wider council strategies and policies, and to encourage further support of the council's efforts to bring empty homes back into use where applicable.

The database will be used to regularly appraise the available enforcement options for all empty homes and pursue the relevant action when suitable for those deemed to be a priority, and more urgently where immediate attention and action is required as a result of a referral or complaint. Where previously agreed progressive steps have stalled, or when a lack of engagement with the authority leads to the decision to pursue action further, prior efforts to appraise suitable enforcement action will ensure a swift and reasonable process through to the service of notice.

Although considered and used as a last resort, enforcement action should be a consideration throughout the investigation and support stages, in order to display that every effort and opportunity has been given to the owners prior to such action being taken. It is the authority's target that **10 prioritised** empty homes will be brought back into use annually throughout the period of this strategy.

6.6 Objective 5: To maximise income opportunities within Council Tax, New Homes Bonus and Enforcement Debt Recovery

Through empty homes work, and the developing working relationship with Council Tax colleagues, this strategy aims to identify and maximise debt recovery, both through council tax charges and arrears, and through land charges registered as a result of works in default.

Where enforcement action has been carried out, we will pursue all cases in conjunction with colleagues, and where appropriate, recommend subsequent action in collaboration with colleagues in Legal Services to consider Enforced Sales where necessary.

Working with Revenue & Benefits, existing empty homes with large amounts of council tax arrears should be identified and added to the list of priority properties with immediate effect.

As a result of maintaining an accurate database, expand work with Revenue and Benefits to ensure all cases of empty homes are up to date, and that the CTB1 submission is produced to reflect internal knowledge and datasets. This would ensure that any potential income opportunity provided by the New Homes Bonus is maximised in preparation for its submission in September.

Finally, to identify, track and pursue cases of empty homes where they have previously been removed from the council tax listing, resulting in no charges being applicable for the subject property. Having such cases brought back to use at the earliest opportunity, will therefore increase the expected revenue and number of chargeable dwellings for the authority.

7.0 Our Approach to Tackling Empty Homes

7.1 Investigate, Engage, Encourage, Enforce

The process adopted and that proved to be successful over the period of the previous strategy, can be simplified into four stages; Investigate, Engage, Encourage and Enforce.

The process of bringing an empty home back into use begins with the **Investigation** stage. By exploring the details surrounding property ownership, recent occupancy history, property values and possible reasons behind the vacancy, the empty homes officer is able to begin building a wider picture of the current circumstances in order to best decide on the possible future support and assistance required by the owner. This also enables the empty homes officer to tailor their initial correspondence and language based on their findings.

Secondly, the **Engage** stage uses template or bespoke letters to contact owners which have been developed to inform owners of the benefits of bringing their properties back into use, why the Council get involved, and the potential options that they have moving forward. These communications will escalate in seriousness from the first informal advice letter to a final warning actively presenting the possibility of enforcement action being undertaken to ensure the property is returned to use. These template letters are quick to print and send, allowing the empty homes officer to deal with a large volume of empty home owners, particularly useful as part of the data cleanse process undertaken prior to the Council Taxbase submission

In many cases these letters are successful, prompting a response from the property owner that leads onto the third stage in the process. If template letters are unsuccessful then visits will be carried out in an attempt to engage with property owners and provide bespoke support. Due to its nature, this work is detailed and can be time consuming, but its success often reduces the need for further enforcement action. If this approach fails to produce the desired outcome, it provides the groundwork and justification for legal action.

Having achieved initial contact with an owner, the next step is to understand their personal and property's circumstances and **Encourage** them to share their future plans for the empty home. This then allows the empty homes officer to intervene, if necessary, with suitable assistance and support tools at their disposal. This may be in the form of simply arranging for a property valuation, or enlisting a contractor to supply a schedule of works for refurbishment. However, this all depends on the circumstances and future plans of the owner.

Finally, where engagement is lacking, or previously agreed steps and actions have not been forthcoming, the Empty Homes Officer will progress to the **Enforce** stage, where avenues and opportunities will be explored to pursue formal action to remove problematic or dangerous features of a property or look to more stricter enforcement powers to have the property removed from the possession of its current owner. Whilst such actions are always considered a last resort, they are considered throughout the process to build a thorough and comprehensive case file should the actions of the authority come under judicial scrutiny.

7.2 Advise, Support & Assist

In the first instance, it is always the Council's aim to provide help and advice to the owners of empty homes. Advice may be given with refurbishment, sales, legal and other aspects of lettings, finding tenants, health and safety and energy efficiency. Where required, this may include the support from internal or external partners, in order to ensure that the owner has all of the available options and information available to them prior to pursuing with a decision on their plans.

The Council are also able to supply a 'Reduced VAT' letter to empty home owner who are refurbishing their properties. Qualifying where properties have been empty for over two years, this enables an owner to reduce their VAT liability on certain aspects of a refurbishment from 20% to 5%, and for properties empty over 10 years, from 20% to 0% rated. The local authority are able to assist in this by proving a property has been empty for a certain length of time, usually by exploring Council Tax records, or by using their prior knowledge or involvement with a property or owner. Further information on this can be found on the HMRC Buildings and Construction VAT (Notice 708), Section 8.

7.3 Council Tax Premiums on Empty Homes

Since April 2018 the Council has implemented the Empty Homes Premium, and from April 2019 the levels of premium were amended to reflect the maximum levels as laid out by Government policy. Currently, these are 100% (meaning they will be charged 200% of their total council tax charge for the year) for properties empty for over two years, 200% for those empty over 5 years, and 300% for those empty over 10 years. As of April 2024, the two year criteria to become eligible for the empty homes premium will be reduced to one year, resulting in an additional 100 properties being liable for the charge.

7.4 Maximise income opportunities

There are three potential income streams associated with bringing empty homes back into use: New Homes Bonus, debt recovery (including full cost recovery of bringing a home back into use) and unclaimed sales income from Compulsory Purchases. The aim is to recover the costs in delivering this strategy to ensure that it is financially viable, and that finance is available to invest to bring additional homes back into use.

7.5 New Homes Bonus (NHB)

In order to maximise NHB, it is planned to develop a programme of property visits which, when combined with a close working relationship with colleagues in the Council Tax team, allows the data that is used to calculate NHB award to be as accurate as possible at the time of the submission. This ensures that NHB income to the Council is maximised each year.

New Homes Bonus can overshadow other positive outcomes associated with dealing with empty homes. However, it is important to ensure that strategies and policies do not become overly reliant on this initiative to the detriment of other positive outcomes.

7.6 Debt Recovery

All efforts to resolve debts associated with empty homes should be taken to recover public money and redirect it to the services that the Council provides for the residents of Rushcliffe.

There are several types of debt that can be associated with empty homes, the most common being unpaid council tax, works in default costs and care charges relating to previous occupiers. The pressures on local government finances continue and we therefore seek to maximise all debt recovery opportunities. Rushcliffe will consider utilising the powers of enforced sale to recover unpaid debts and its costs in dealing with empty homes.

7.7 Enforcement

A voluntary way forward to renovation and re-occupation is the preferred option, and officers will endeavour to encourage and persuade such progress. However, where owners cannot be traced, where informal approaches fail, or a there is a detrimental effect on the community, the Council may consider proceeding with legal action. Due regard will be given to the Council's Enforcement Policy before any action is taken. The Council has a substantial range of powers at its disposal and will consider using these as a last resort where necessary. These include:

7.8 Empty Dwelling Management Orders (EDMO)

Available under section 133 of the Housing Act 2004, an EDMO can be made where an owner leaves a property empty and has no intention of securing its voluntary reoccupation. The Council and a partner agency undertake the management of a property for a period of up to seven years, with the EDMO reviewed after that time.

There are currently only very limited EDMO's in the country, with only 38 reported to have been secured since 2010. EDMO's are open to appeal at any stage and can be administratively burdensome. The end result is the possible return of the property into the same ownership as that which left it vacant and neglected in the first instance.

7.9 Enforced Sale

The Law of Property Act 1925 allows local authorities to recover charges and debts through the sale of the property. This option can only be utilised where there is a debt to the local authority that can be registered as a statutory charge on the property.

7.10 Compulsory Purchase Order (CPO)

Nationally, Compulsory Purchase Orders (CPO's) on empty homes have increasingly been successful, with the outcomes having proven popular with the general public. In addition to enhancing housing availability, the anti-social and criminal activities with which empty buildings can so often attract are also addressed as a consequence of such enforcement.

CPO's can play a pivotal role in bringing properties back into use, providing the final sanction to ultimately facilitate the renovation and reoccupation of the most problematic empty homes. CPO's provide the 'teeth' to the empty homes process and strengthen every aspect of this work.

CPO's can be made under S17 of the Housing Act 1985 or under S226 (as amended by Planning and Compulsory Purchase Act 2004) of the Town & Country Planning Act 1990, for the provision of housing accommodation or to make a quantitative or qualitative improvement to existing housing.

7.11 Additional Statutory Powers

Where an empty home is causing a specific problem to a neighbourhood or is dangerous or ruinous for example, a range of enforcement powers are available. The timing and extent of the action taken will be dependent upon the individual circumstances encountered at the property. A detailed list of these measures is listed in *Appendix C*.

7.12 Unclaimed CPO / Enforced Sale Money

In the event that a property has been sold using the enforced sale process the following items can be deducted from the sale proceeds:

- the original works in default costs
- the legal costs in undertaking the enforced sale procedure
- conveyancing costs in connection with the sale
- auctioneer's or other marketing costs
- other officer time in relation to the enforced sale process
- any other debts owed to the council

The balance would then be paid to the former owner of the property subject to any other charges or mortgages on the property or paid into Court.

Where the Compulsory Purchase Order process is used, the ex-owners will be entitled to compensation once the council becomes the owner of the property. If a claim is not settled, or a reference made to the Upper Tribunal (Lands Chamber) within six years, the claim for compensation will be statute barred.

Appendix A: Empty Homes Action Plan 2024 - 2029

Objective 1 - To maintain accurate information of empty homes in the Borough						
Sub Reference	Action	Success Criteria & Outcomes	High, Medium or Low Priority	Start Date	Finish Date	Resource implications
1.1	To maintain a comprehensive database across all empty homes categories, comprising of council tax information, investigations, complaints and referrals	A managed and maintained database providing a prioritised list of empty homes for action, along with an overview of all empty homes in the Borough	H	April 2024	Ongoing	Low: Within existing resource
1.2	To risk assess priority cases of empty homes, and identify routes for proactive enforcement	A managed, risk assessed empty home database that generates a prioritised list of empty homes for action	H	April 2024	Ongoing	Low: Within existing resource
Objective 2 - To raise awareness of Empty Homes and promote the Strategy						
2.1	To promote the Strategy and benefits of bringing empty homes back into use within the Authority, to other departments and elected members	To highlight the issues presented by empty homes, and promote the successes and benefits of bringing empty homes back into use	L	April 2024	Ongoing	Low: Within existing resource
2.2	To promote the Strategy and benefits of bringing empty homes back into use within the wider community	To use available opportunities (such as National Empty Homes Week), to promote the successful work of the authority, highlight issues surrounding empty homes, and call on empty home owners to engage with the service	L	April 2024	Ongoing	Low: Within existing resource
Objective 3 - Provide advice, assistance and guidance to landlords and property owners						
3.1	To explore new and develop existing options and opportunities to support empty home owners, both internally and externally, and promote appropriately	To develop a suite of options for empty home owners, and ensure that all avenues and opportunities to offer support and assistance are explored	M	April 2024	Ongoing	Low: Within existing resource
3.2	To maintain the Empty Homes pages of the RBC website, ensuring all guidance, options and offers of support are up to date	To ensure the first point of contact and information source, is up to date and accurate to encourage engagement and approaches from empty homes owners	M	April 2024	Ongoing	Low: Within existing resource

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Objective 4 - Reduce the number, and return problematic empty homes back in to use						
4.1	Investigate and prioritise all complaints and referrals of empty homes, and accurately record and categorise monthly council tax reports	To build the reputation and exposure of the service to the community, follow up with progress on complaints, and to actively pursue problematic empty homes	H	April 2024	Ongoing	Low: Within existing resource
4.2	Regular and persistent engagement with empty home owners listed on the database, following the three-stage letter process	To allow every opportunity for empty home owners to engage with the authority, and for records to be updated regularly to ensure accuracy	H	April 2024	Ongoing	Low: Within existing resource
4.3	Explore and develop opportunities to use council funding innovatively, to increase the offers and support offered to owners, such as lease and repair schemes or acquisition	To ensure the empty homes service is given consideration when opportunities are explored to increase housing supply, and feed into the aims and objectives of the wider housing and corporate strategies	L	April 2024	Ongoing	Low: Within existing resource
4.4	Regularly appraise enforcement options for all prioritised empty homes, and pursue the relevant action when suitable	To pursue enforcement action and to progress with the appropriate tools where there is no reasonable prospect of the property being brought back into use	M	April 2024	Ongoing	Low: Within existing resource
4.5	Implement this strategy to tackle problematic cases, and proactively reduce the numbers of empty homes across the Borough	To consider and use enforcement powers where support and negotiation have stalled, and bring 10 prioritised empty homes back into use annually	H	April 2024	Ongoing	Low: Within existing resource
Objective 5 - To maximise income opportunities including Council Tax, New Homes Bonus and Enforcement Debt Recovery						
5.1	Maximise debt recovery opportunities where works in default have been carried out	Identify all opportunities for debt recovery. Pursue all suitable cases in conjunction with colleagues in Legal Services and use Enforced Sale powers where necessary	H	April 2024	Ongoing	Low: Within existing resource
5.2	Maximise the potential income opportunity presented by the New Homes Bonus, by ensuring data is cleansed and accurate at the point of the CTB1 submission in Sept/Oct	In conjunction with an accurate database, work with Revenue and Benefits to ensure all cases of empty homes are up to date, and that the CTB1 submission is produced to reflect internal knowledge and datasets	H	Jul/Aug 2024	Ongoing	Low: Within existing resource
5.3	Maximise Council Tax arrears recovery in relation to empty homes cases, in collaboration with Revenues & Benefits Department	Working with Revenue & Benefits, empty homes with large amounts of council tax arrears are identified and pursued as a priority, in order to achieve debt recovery	H	April 2024	Ongoing	Low: Within existing resource
5.4	To identify, track and pursue cases of empty homes where they have previously been removed from the council tax listing.	Delisted properties are identified and brought back to use at the earliest opportunity, therefore increasing the revenue and chargeable dwellings for the authority	H	April 2024	Ongoing	Low: Within existing resource

Appendix B: Empty Homes Scoring and Rating Matrix

Each empty home identified will be assessed using a scoring sheet which considers various criteria. The result of this assessment is that the property will be placed in a category which determines the priority level it is given, and the subsequent course of action taken.

Properties will be reassessed when necessary / new information is obtained to ensure they remain situated in the correct categories and the correct level of priority is given. The categories will be classified as follows:

RED – (scores 50 or over)

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

AMBER - (scores 25 - 49)

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

GREEN - (scores less than 25)

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 Matrix

Criteria	Classification	Score
Time Empty	< 1 year 1-2 years 2-5 years 5-10 years > 10 years	0 5 10 15 20
Location	Extremely isolated with no access Isolated property with access Rural residential area Urban residential neighbourhood Prominent position	0 5 10 15 20
Special Interest	Listed Building Located in a Conservation Area	10 5
General Condition	Well maintained Acceptable for surrounding area Noticeably empty/unattractive Extremely unsightly/detrimental to the area	0 5 10 20
Unwanted attention	Attracting criminal activity such as graffiti, fly tipping, vandalism, anti-social behaviour	20
Debts Owed to Rushcliffe Borough Council	No outstanding monies owed < £500 £500 - £2000 £2000 - £5000 >£5000	0 5 10 15 20
Owner Interaction	High level of cooperation Average level of contact & efforts made Minimal contact & little efforts made No contact/untraceable/no efforts made	0 5 10 20
Total Score	Red / Amber / Green	

Appendix C: Statutory Enforcement Options

Town & Country Planning Act 1990, Section 215: Where the condition of an empty home is detrimental to the amenity of the area.

Building Act 1984, Sections 77-79: Where an empty home is in such a condition to be dangerous or is seriously detrimental to the amenity or of the neighbourhood.

Building Act 1984, Section 59: Where the condition of the drainage to a building is prejudicial to health or a nuisance.

Environmental Protection Act 1990, Section 80: Where a statutory nuisance exists, is likely to occur or recur at the property.

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

Local Government (Miscellaneous Provisions) Act 1982, Section 29: Allows the Council to act if a property is open to unauthorised access and is a risk to public health.

Housing and Planning Act 2016, Part 7: 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; and Town & Country Planning Act 1990, section 330 – A notice may be served to establish information regarding property ownership or interests in land.

Housing Act 1985 Section 17 and the Acquisition of Land Act 1981: Forms the basis for the compulsory purchase of land/buildings for the provision of housing accommodation.

Housing Act 2004 Part 4: Grants powers to take over the management of a property using Empty Dwelling Management Orders (EDMO).

Law of Property Act 1925, Part III: The basis for enforced sale where certain debts are owed to the Local Authority.

The Anti-Social Behaviour, Crime and Policing Act 2014, Part 4: Allows for enforcement of matters considered to be detrimental to the quality of life to those in the locality.

Public Health Act 1961 Section 34: Deals with the removal of waste from property or land.

Public Health Act 1936 Section 83: Deals with the cleansing of filthy or verminous premises.

Housing Act 2004 Part 1: Housing conditions, improvements and enforcement.