



Empty Homes Policy 2025

Strategy or Policy Name: Empty Homes Policy

Date adopted: 23 April 2025

Review Date 1 – end April 2026 and annually thereafter

Date last revised and reasons for revision: Policy to be approved by Cabinet on 23 April 2025

Links to Council priorities:

Council priority	Linked?
Economy & Growth	Yes
People	Yes
Place	Yes
Environment	Yes

Links to other strategies and policies:

- Council Tax – Empty and Second Homes Premiums Policy
- **SMART action plan included?** No
- **Name of Lead Officer responsible for implementing the action plan:**
Janette Parker-East, Assistant Director - Environmental Health, Licensing & Community. Phone: 01268 882308; E-mail: jparker-east@castlepoint.gov.uk

Name of Lead Member and Member body responsible for monitoring implementation of the action plan:

- Cllr Rob Lillis, Portfolio Holder for Health, Wellbeing and Housing
- Cabinet

Equality Impact Assessment undertaken: Yes.

Sustainability appraisal undertaken: No

Contact us:

Enquiries regarding this policy should be made to:

Environmental Health

Place and Communities Directorate

Castle Point Borough Council

Council Offices

Kiln Road

Thundersley

Benfleet,

Essex

SS7 1TF

Email: eh@castlepoint.gov.uk or Tel: 01268 882200

1. Introduction and scope of the Policy

- 1.1 The purpose of this Policy is to outline the Council's approach to securing compliance with the law in relation to Empty Homes within the Borough.
- 1.2 For the purposes of this Policy an **"Empty Home"** is defined as a residential property that has been unoccupied for at least six months and which is unoccupied on a regular basis, whether furnished or not. This does include caravans/mobile homes on licensed sites and houseboats.
- 1.3 Second homes are not classified as Empty Homes and are registered separately for Council Tax purposes and so are not included within this Policy. The treatment of Empty Homes for Council Tax purposes is dealt with under the Council Tax – Empty and Second Homes Premiums Policy.
- 1.4 A home is typically classified as a "Long-Term Empty Home" after being unoccupied for over two years because this duration provides a clear distinction between properties that are vacant due to temporary circumstances and those that are persistently unused. The two-year benchmark is often used in housing policies and local government regulations to address the issue of wasted housing resources.
- 1.5 This Policy outlines the powers available to the Council to bring Empty Homes within the Borough to productive residential use in the most appropriate way and in the shortest possible timescale.

2. Key aims of this Policy

- 2.1 To return all Empty Homes in the Borough into productive residential use.
- 2.2 To actively engage with owners of all Long-Term Empty Homes to understand why the properties are empty; to offer help and assistance, including signposting as necessary, using partnership and community working and/or by taking enforcement action in line with this Policy.
- 2.3 To prevent properties from becoming, and staying, Long-Term Empty Homes.

3. Background

- 3.1 Empty Homes exist for various reasons, for example:
 - a. The property is inherited or going through probate/administration;
 - b. The owner is not resident and has insufficient funds to clear or repair the property in order to place it on the market, or lacks the skills and knowledge to do so;

- c. The property has been abandoned and the absentee owner cannot be traced;
 - d. The owner is not resident because they have been displaced to another home e.g. through physical or mental illness or loss of mental capacity.
- 3.2 Empty Homes pose economic, environmental, and social costs to the community. In particular, as Empty Homes deteriorate, they can provide harbourage to unwanted pests; attract crime, trespass and anti-social behaviour; and if in poor repair, they may pose a risk to neighbouring residential properties, leading to an increase in the work of the local emergency services and several Council departments. The overall impact on the community is to create the impression of neglect and decline of the area.
- 3.3 There are, therefore, benefits to the owner and the community and the Council of bringing an Empty Home into productive residential use.

4. How the Council will deal with Empty Homes

- 4.1 The Council will hold a list of Empty Homes (the “Empty Homes List”) and this will be kept under review and administered by the Council’s Environmental Health team.
- 4.2 Any officer or member of the Council reporting an Empty Home to the Council should do so using the e-mail address eh@castlepoint.gov.uk. Residents can report empty homes through a form on the Council’s website which can be found at: <https://www.castlepoint.gov.uk/empty-homes>
- 4.3 The Environmental Health team will review the details of the report and decide (in accordance with this Policy) whether the property should be entered on the Empty Homes List.
- 4.4 In serious cases, such as a report of a dangerous structure, Building Control may request a joint inspection with Environmental Health.

5. Criteria to be considered in determining whether a property is an Empty Home

- 5.1 Following a report or referral of a property to be considered as an Empty Home and to be recorded on the Empty Homes List, the Environmental Health team will carry out necessary background property checks to see if the property is indeed empty; why it is empty; who owns it; and whether there are other legal interests in the property.
- 5.2 If the property is likely to be empty, the Environmental Health team will send out a preliminary letter and a questionnaire to the owner. The questionnaire is short and asks a few questions such as who is responsible for the empty property, why it is empty and whether the owner would like help and assistance. This is to allow the Council to get a feel for the property, the

available options and to be able to signpost the owner to other services.

- 5.3 The Environmental Health team will then undertake an external inspection of the property which may also involve talking to neighbours, especially where there appears to be no homeowner or poor external conditions.
- 5.4 If, following the procedure set out in this paragraph 5, a property is determined to be an Empty Home then it will be entered onto the Empty Homes List and it will have an Action Plan prepared. An Action Plan comprises the actions to be taken by the Council and other stakeholders in respect of the Empty Home. The Empty Homes List and the respective Action Plans will be reviewed quarterly to ensure that the information held by the Council remains up to date.

6. Enforcement

- 6.1 Following the determination of a property as an Empty Home, as part of the Action Plan preparation, the Environmental Health team will advise the owner of its initial findings and also signpost them to any available grants, loans, and other appropriate local advice in writing or by email. The owner will also be given advice on the available options to carry out the works so they can consider which option to take. The owner will have one calendar month in which to consider the advice and agree the Action Plan with the Environmental Health team. The Council will always strive to achieve consensus in relation to agreeing the Action Plan and bringing the Empty Home back into productive residential use. Consequently, the Environmental Health team may use discretion to extend that one calendar month timeframe, if the circumstances of the case reasonably justify extension. The Assistant Director Environmental Health, Licensing & Community will have oversight of this decision making and all discretionary extensions will be recorded on the Action Plan for the property in question.
- 6.2 Where consensus cannot be reasonably achieved, the Council may consider formal enforcement action if it is in the public interest to do so, when the property poses significant issues to the community. For example, community blight, health and safety risks such as structural issues, attracting pests or being a fire risk, wasted resource in an area with high housing demand, owner neglect.
- 6.3 Enforcement will follow the statutory process prescribed under the Housing Act 2004 which may include the serving of notices and/or carrying out works in default.

7. Exceptions to the Policy

- 7.1 There are exceptions to this Policy and they relate to the following:
- a. probate and the legal procedures relating to deciding who inherits under intestacy rules and arrangements being made for the inheritance to be completed, or
 - b. where an empty homeowner is suddenly very ill, no longer has capacity or where they are in a care home, or
 - c. where the homeowner is in prison or
 - d. seasonal homes or caravans situated on land where flooding occurs during the winter where year-round or permanent occupation as a sole or main residence is prohibited by law (for example, Planning conditions or Environmental Health prohibition/closing orders or Caravan Site Licence conditions).
- 7.2 The Council has discretion in relation to the application of these exemptions and recognises that there will be occasions where empathy and understanding must be shown to the party or parties involved.

8. Council Tax Premiums for Empty and Second Homes

- 8.1 The Council agreed in March 2025 to introduce Council Tax Premiums for Empty and Second Homes from April 2026. The decision to introduce the premiums supports the aims of this policy.
- 8.2 The definitions of Empty and Second Homes for Council Tax Premium purposes are set in legislation and different to those used elsewhere in this policy. An Empty Home is defined as a dwelling which is unoccupied and substantially unfurnished, whilst a second home is defined as no one's sole or main residence and which is substantially furnished.
- 8.3 The Council agreed to introduce an Empty Homes Premium as follows:
- a. A premium of 100% after 1 year up to 5 years of becoming empty;
 - b. A premium of 200% between 5 years and up to 10 years; and
 - c. A premium of 300% for 10 years or more.
- 8.4 In respect of Second Homes, the Council agreed to introduce a premium of 100% for all eligible dwellings.
- 8.5 There are already a number of exceptions in legislation to paying Council Tax, for example should the sole resident of a property be taken into residential or nursing care, and where an exception is in place the premiums cannot be levied.

- 8.6 In addition to the existing exceptions for Council Tax generally, there are also new and additional mandatory exceptions within legislation relating specifically to the premiums as set out in the Table below.

Class of Dwelling	Application	Definition
Class E	Long-term empty homes and second homes	Dwelling which is or would be someone's sole or main residence if they were not residing in job-related armed forces accommodation
Class F	Long-term empty homes and second homes	Annexes forming part of, or being treated as part of, the main dwelling
Class G	Long-term empty homes and second homes	Dwellings being actively marketed for sale (12 months limit)
Class H	Long-term empty homes and second homes	Dwellings being actively marketed for let (12 months limit)
Class I	Long-term empty homes and second homes	Unoccupied dwellings which fell within the existing exempt Class F and where probate has recently been granted (12 months from grant of probate/letters of administration)
Class J	Second homes only	Job-related dwellings
Class K	Second homes only	Occupied caravan pitches and boat moorings.
Class L	Second homes only	Seasonal homes where year-round, permanent occupation is prohibited, specified for use as holiday accommodation or planning condition preventing occupancy for more than 28 days continuously
Class M	Long-term empty home only	Empty dwellings requiring or undergoing major repairs or structural alterations (12 months limit)

- 8.7 The Council recognises that there may be occasions where despite the best efforts of the owner to dispose of a property or bring a property back into use there have been factors outside of their control and due to the time passed a premium might become payable.
- 8.8 In these situations, the Council will consider using its discretionary powers to extend an existing exception upon application of the property owner to the Council Tax team via a form on the Council's website. As part of this application, the property owner will need to evidence the steps they have taken and explain why and how the situation is outside of their control. Discretionary extensions to exceptions are not guaranteed and if granted may be indefinite or time limited depending on the individual circumstances.
- 8.9 Additional to the discretionary extensions, if the introduction of a premium would cause exceptional hardship and there are mitigating circumstances causing the property to remain unoccupied, the Council's existing hardship support schemes remain available to support residents.

9. Contact us

- 9.1 A range of leaflets concerning options for empty properties shall also be available and published on the Council's website: www.castlepoint.gov.uk This will include targeted information to owners as part of Council Tax correspondence.
- 9.2 Enquiries regarding the Policy should be made to:
- Environmental Health
Place and Communities Directorate
Castle Point Borough Council
Council Offices
Kiln Road
Thundersley
Benfleet
SS7 1TF
e-mail: eh@castlepoint.gov.uk or Telephone; 01268 882200