

Our Approach in Bringing Empty Homes Back to Use

Empty Homes Policy

January 2023 - April 26



carmarthenshire.gov.uk

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For further details on Empty Homes, please visit;

<https://www.carmarthenshire.gov.wales/home/council-services/housing/empty-properties/#.Y33c0hTP02x>

1. Overview

The overall aim of this policy is to;

- Reduce the number of long-term empty homes across the County
- Increase the supply of affordable housing to meet the demand, and
- Tackle issues relating to property nuisance, blight and the effect on communities

This policy intends to be bold in bringing about the improvement and occupation of empty houses, increasing the supply and use of housing to all.

The Council will work with homeowners to support and encourage voluntary action but commit to take appropriate enforcement action where reasonable negotiations fail.

Emphasis will be placed on developing appropriate, low-cost solutions which are both effective in bringing empty homes back into use and help meet our broader housing objectives to increase the availability of decent, affordable housing in Carmarthenshire.

The Policy also aims to complement other key Strategies and Policy areas like the Housing and Regeneration Delivery Plan, Rapid Rehousing Plan, Ten Towns and Developing the Private Rented Sector.

The implementation of this policy will be regularly monitored and will be subject to a full review in 2026.

2. The Local Context

Local Population Data

In Carmarthenshire, the population size has increased by 2.2%, from around 183,800 in 2011 to 187,900¹ in 2021. This is higher than the overall increase for Wales (1.4%), where the population grew by 44,000 to 3,107,500.

The population of Carmarthenshire makes up 6% of the total population in Wales and Carmarthenshire is ranked fourth for total population out of 22 Local Authority Areas in Wales, maintaining the same position held a decade ago.

The Carmarthenshire population is one of the sparsest in Wales at just 78 people per km² who live across a diverse County of both urban and rural communities. Llanelli, Carmarthen and Ammanford are home to 25% of the population and 60% of the population live in rural areas.

The total population is projected to grow by an average of 373 people a year between 2021 and 2040, and there will likely be an accompanying growth in the use of the health and social care services in Carmarthenshire. In addition, the proportion of people aged 80+ will increase by more than 50% in a similar timeframe and, will likely contribute to greater pressure being placed on health and social care services in the future.

Whilst the number of deaths has consistently exceeded the number of births year on year, there has been consistent growth in the population because of net inward migration.

¹ Census Data as of 21st March 2021

Carmarthenshire Housing Market

Local Authority No.	RSL (Housing Association) No.	Owner Occupied	Private Rented	Total of all Tenures
9,223 (10%)	3,197 (4%)	66,389 (75%)	9,664 (11%)	88,473

The figures above indicate that the largest proportion of housing is Owner Occupied, equating to 75% of all tenure types. This is in contrast to social housing stock, which equates to a total of 14% of all tenure types.

Housing need:

In the context of this policy, it is important to understand the local housing need and how bringing empty homes back into use will meet the additional demand by making them available to local people, with strong local connections that will help them live in the areas they were raised.

Generally, household sizes are getting smaller, meaning that in the future the population will be made up of more households, increasing the demand for homes.

Carmarthenshire has fewer areas amongst the most deprived in Wales and those areas are largely concentrated in the three main towns: Ammanford, Carmarthen and, to the greatest extent, Llanelli. However, Carmarthenshire has a higher proportion of areas that are less acutely deprived which are spread across the rural hinterland and smaller rural towns.

Households Requiring Housing					
Market Housing	1-bed	2-bed	3-bed	4+ bed	Total
Ammanford & the Amman Valley	+37	+403	+1,051	+342	+1,834
Carmarthen & the West	+80	+415	+928	+447	+1,870
Carmarthenshire Rural & Market Towns	+69	+240	+354	+105	+768
Llanelli & District	+83	+680	+1,793	+476	+3,031
Total Market Housing (77%)	+270	+1,738	+4,125	+1,370	+7,503
Affordable Housing	1-bed	2-bed	3-bed	4+ bed	Total
Ammanford & the Amman Valley	+385	+413	+173	+34	+1005
Carmarthen & the West	+563	+379	+190	+23	+1155
Carmarthenshire Rural & Market Towns	+449	+294	+25	0	+769
Llanelli & District	+974	+945	+492	+79	+2490
Total Affordable Housing (23%)	+2371	+2031	+836	+136	+5419

As can be seen from the table above, there is an overwhelming need for affordable 2-bedroom houses and single person accommodation in the County and significant demand for 2 and 3-bedroom houses across the general housing Market in the County.

This is also reflected in the pressure on our homelessness services and in particular the demand for temporary accommodation. COVID-19 had a significant impact on the use of temporary accommodation, with the total number of households in temporary accommodation doubling compared with pre-pandemic levels. Prior to the pandemic there were 75 households in temporary accommodation with 43 single person households accounting for 57% of the total.²

Household Type	No. Placed
Single People	43
Couples	2
Single Person Pregnant	0
Household + 1 child	14
Household + 2 children	10
Household + 3 children	4
Household + 4 children	1
Household + 5 children	1

The total number doubled to 150 households in temporary accommodation in late July and early August 2020, decreasing to 83 households in March 2021 before increasing to 121 households by the end of November 2021. In the context of this policy returning empty homes to use will increase the supply of affordable accommodation that in turn will reduce the overall number of people placed into temporary accommodation or Bed & Breakfast.

Empty Homes in Carmarthenshire

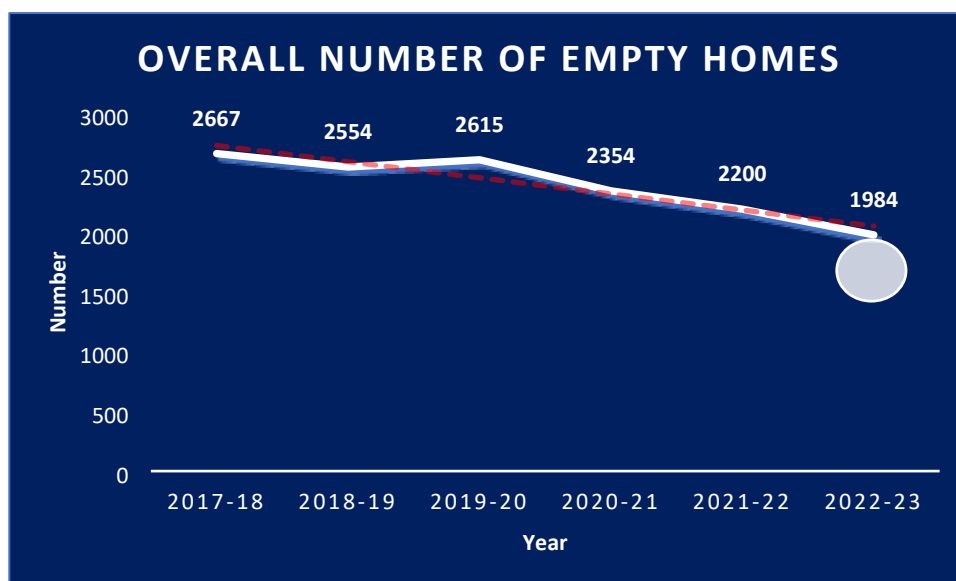
According to the most recent estimates, there were a reported 27,213³ empty private sector residential properties across Wales.

In Carmarthenshire, the overall number of properties within the private sector that have been empty for a period of 6 months or more from April 2022 is currently 1,984. This figure represents around 2.1% of all dwellings (88,473). We have made good progress in decreasing the overall number of empty homes across the County in the last 6 years following work with Owner Occupiers and Landlords.

The following Graph shows the decrease in number of Empty Homes since 2017 and the table shows the length of time they have been empty for;

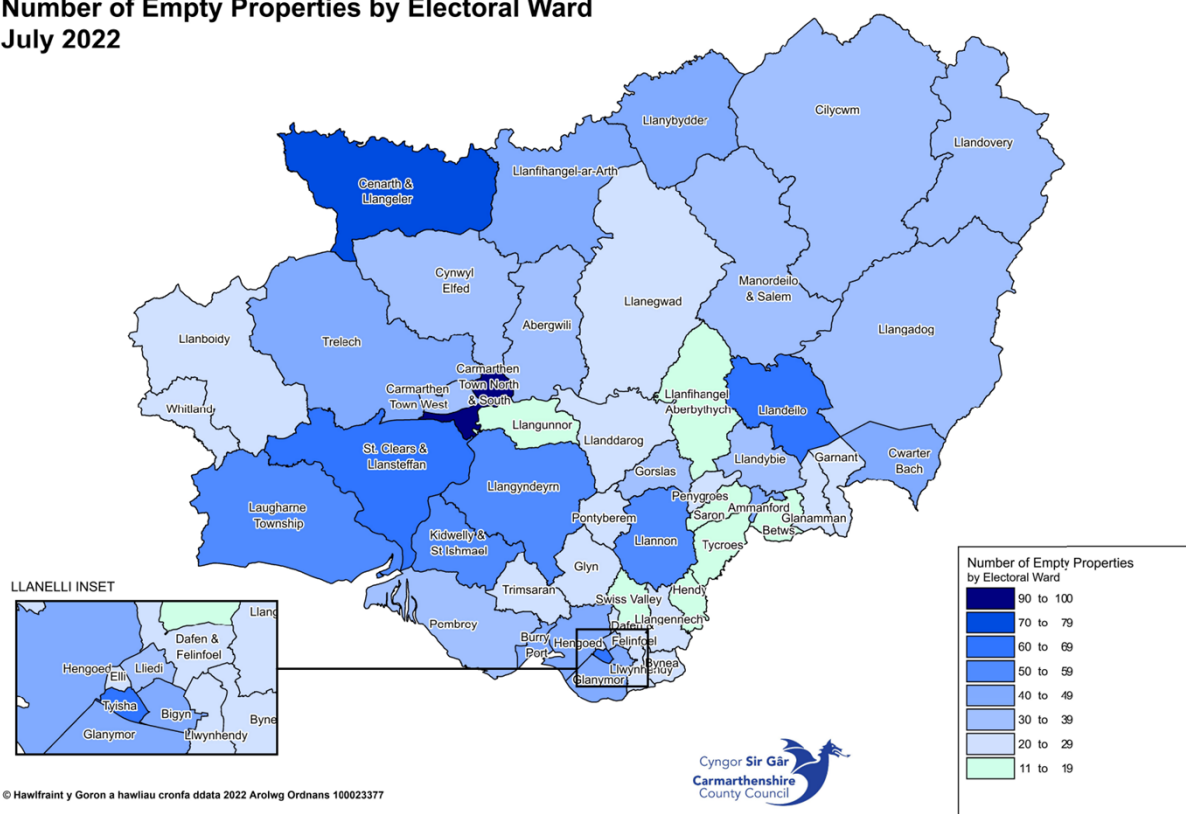
² Homeless Needs Mapping February 2021

³ Data Cymru 2018/19



The distribution of these properties can be seen on the map below, most properties are concentrated around the three main townships and run along the Gwendraeth and Amman Valley, which is characteristic of old mining and industrial areas.

**Number of Empty Properties by Electoral Ward
July 2022**



Further breakdown shows that 52% of empty homes have been empty for a period of between six months and two years. It is these properties that are likely to turn-over naturally and may be subject to sale or probate issues. On the other hand, 48% of empty homes in the County have been empty for longer than two years and these are the ones that require

intervention. In addition, a recent survey of empty property owners in Carmarthenshire told us the reasons why they were left empty.

Length of time houses have been empty	
2 Years (or less)	52%
2 – 5 Years	25%
5 – 10 Years	13%
10 Years (or more)	10%

Common Reasons for houses being empty for longer than 6 months	
Under Renovation	30%
For Sale	26%
Require/ Planned Renovation	13%
Other	28%

3. Definition of an ‘Empty Property’

For the purpose of this policy and in terms of how the Council reports performance to the Welsh Government, an empty property is defined as follows;

‘An empty property is a property liable for Council Tax, which has been Unoccupied for a period of 6 months or more’

This definition excludes:

- A second or holiday home
- A property owned by any of the following:
 - Registered Social Landlords (RSLs)
 - Police and Armed forces
 - National Health Service
 - Universities and colleges
 - Local authorities and government
 - Crown estate
 - Churches and other religious bodies
- A property that is purpose built for use as student accommodation
- A property that is in use but for non-residential purposes
- Properties that have been un-banded by the Valuation Office Agency

However, this does not mean that we will exclude homeowners that wish to work with us where the property has been empty for 6 months or less particularly where the property is likely to meet local housing demand and provide affordable accommodation to households in need.

4. Tackling the Problem – The Council’s Approach

Our Vision:

To reduce the overall number of empty homes across the County to under 1,500 by 2026 and ensuring that everyone has a home that meets their needs, that people in all parts of the County always feel safe and secure and that a range of initiatives are available to help communities come together to enhance their neighbourhoods and environment.

It is important that we have effective methods in place to deal with the issues of Empty Homes and that interventions contribute towards local strategic planning. Carmarthenshire County Council is strongly committed to reducing the number of empty homes, facilitating and assisting the creation of good quality and affordable homes in the County and making the best use of existing housing stock.

It is also important to note that not all empty properties will be in a poor condition or need action. Some will be in good condition, but vacant and on the market for sale etc. Conversely, not all empty properties will be contained within the Empty Property denominator (National Performance Indicator), as they may be substantially furnished (therefore not within the council tax exemption banding), or removed from council tax listings completely, based on their poor condition, people in care or holiday/ second homes.

To ensure we have a balanced and transparent approach in meeting the overall aims of this policy which is to;

- Reduce the number of long-term empty homes across the County consistently over time
- Increase the supply of affordable housing to meet local housing demands, and
- Tackle issues relating to property nuisance, blight and the effect on communities

There are some things that we **will do** and others that we **won't do**, which are as follows:

What we will do

In order of priority, we will focus on empty homes in the following ways regardless of the time they have been empty for.

- 1) Target empty homes in areas of high housing demand or in the ten towns areas that will also act as a catalyst for wider regeneration**
- 2) Target empty homes that will be brought back as affordable homes for people on the Housing Choice Register and a key focus on empty homes within our own Council Estates that had been previously sold off through the 'right to buy' scheme**
- 3) Support bringing empty residential units above commercial business in our town centres back into use for people that will contribute to the town centre economy**
- 4) Work with the families of empty homeowners that are in care, manage the properties on their behalf and the income could cover part of their care cost**
- 5) Respond to complaints where empty houses are a nuisance to neighbouring properties or attracting anti-social behaviour**
- 6) Identify empty houses that are in a poor state of repair and are detrimental to the surrounding area and take appropriate remedial action**

Every empty property will be risk assessed on the above criteria and greater weighting will be given to those factors that are of higher priority. Action will be based on this and the co-operation of the homeowner. Empty Property Risk Assessment Scoring Matrix can be found at **Appendix 1** of this document.

What we won't do

We will not focus our efforts on bringing empty properties back into use that do not meet any of the above priority criteria. In addition, we will not actively pursue properties:

- 1) Where the value of the property is considerably higher than the local or national average unless there is a significant advantage to the Council e.g., supported housing projects, conversion to flats, visible in the main town centres**
- 2) Houses that are far beyond a reasonable state of structural repair, that are located in areas where they don't affect anybody, and the most satisfactory course of action is likely to be demolition/ clearance**

This does not mean that the door is closed to owners, members of the public or elected members seeking help and assistance through us, however, they will depend on the resources available to us.

Financial Support for Owners

It is hugely important that we do all we can to try and support empty homeowners to bring houses back into use. That is why we have put a range of financial packages together to support the works needed to improve the standards of empty homes so that they can be lived in.

Schemes are subject to Eligibility Criteria, however, we have every intention to deliver these where and when possible. The schemes that are available are included in **Appendix 2**.

In addition to these schemes, we will take advantage of other funding such as Ecoflex, NEST and other energy saving schemes to improve the efficiency of homes, reduce our carbon emissions and lower energy bills particularly in the current economic climate.

Buying Back empty houses through the Housing and Regeneration Delivery Plan is also an option that is available to homeowners.

Enforcement Action

The Council and its partners seek to work cooperatively with owners of empty houses to bring their properties back into use. Therefore, regular and effective communication with the owner is paramount, to establish the most appropriate course of action to bring the empty property back into use.

However, where we fail to get co-operation from the owners or their estate executors, we will look to take enforcement action to reduce any risk and return the property to use within the shortest possible time.

Prior to taking any statutory action we will conduct all reasonable enquiries to ensure that our action is proportionate and transparent, in line with this Policy. Where a property has been empty for a long period of time and officers have spent time encouraging the owners to re

occupy the property but no progress has been made, or the owner of the property has been untraceable or demonstrates an unwillingness to work with the Council, formal action will be undertaken. In some circumstances we will be required to utilise land registry records, council held information and/or local intelligence in order to establish ownership of property.

There are a number of enforcement options (legislative provision) available to the Council in order to deal with issues caused by empty properties and also to secure their return to use and these are outlined in **Appendix 3**.

5. Council Tax Exemption and Premiums

Welsh Government changed its accounting methods in April 2020 and no longer accounts for the discount awarded to long term empty properties and as such, the financial burden of awarding any future discounts would have to be borne by the Council.

The Council's Cabinet unanimously agreed in November 2019 that the 50% discount awarded on long term empty houses be removed and the full council tax charge apply for houses empty for longer than 6 months.

To further encourage bringing long term empty homes back into use we will be looking to apply a Council Tax Premium to all homes that have been empty for 12 months and longer, in line with outcome of the current consultation proposals. Under Section 139 of the Housing (Wales) Act 2014, the Council can determine to charge a Council tax premium on empty houses of up to 300%. This may be incremental based on length of time a property has been empty.

We don't foresee that this will affect holiday homes that will subsequently affect the tourism, visitors to the County and the local economy, given that properties will be accommodated by holidaymakers during parts of the year.

6. Economic, Social & Community Benefits

This policy will ensure that there are strong links between returning empty houses to use and the positive impact they will have on the local economy, meeting housing demand and how that spreads out into the community. The Council's Economic Recovery and Delivery Plan sets clear goals and actions to support recovery following Brexit, the Pandemic and now the cost-of-living crisis. Key action areas include:

Businesses

Safeguarding existing businesses, supporting new start-ups and growing businesses in the foundational and growth sectors to become more productive and competitive, including the green economy.

Focus given in the Policy to town centre residential premises for key workers that will spend and support independent business and night-time economy.

<p>People</p>	<p>Protecting jobs, responding to the expected increases in unemployment, helping people gain the skills needed for the jobs that will become available, and creating new and better-skilled employment opportunities.</p> <p>We aim to return between 450-550 long-term empty homes during the term of this policy through direct action. Through our financial support packages and private sector investment this will create/safeguard almost 90 jobs, helping replace the jobs lost during the period above.</p>
<p>Places</p>	<p>Ensuring a fair distribution of opportunities through investing in the infrastructure and adaptation of our strategic growth areas, town centres, the rural economy and regenerating our most deprived communities.</p> <p><i>Through this policy we will provide affordable homes for young and working aged people in both rural and urban areas, helping them remain in the county, increasing footfall in our primary towns and protecting the Welsh language and culture in rural areas.</i></p>

7. Measuring Performance

Monitoring the impact of the policy will be reported and updated quarterly. However, the Denominator will not be reported during the first quarter to take into account any new information that's made available through Council Tax.

The success in bringing empty private sector residential properties back into use will be measured using the following Welsh Local Government Association (WLGA) Public Accountability Measures (PAMs) and performance will be compared to other Councils in Wales:

- PAM/013 – Percentage of empty private sector houses brought back into use during the year through direct action by the local authority
- PAM045 – Number of new homes created as a result of bringing empty properties back into use

The work resulting from the Policy will also be measured and reported on in terms of the quantity of engagement and enforcement undertaken; the increase of supply of housing in Carmarthenshire to meet housing demand, as well as the number of council tax premiums applied (when the premium is in place) in order to demonstrate the efforts that are being made to bring empty houses back into use. A suite of sub-measures will be created to reflect the effectiveness of this policy in terms of outcomes and officer activity.

Appendix 1: Empty Property Risk Assessment Scoring Matrix



EICH CYNGOR arleinamdan
www.sirgar.llyw.cymru
YOUR COUNCIL doitonline
www.carmarthenshire.gov.wales

Empty Property Risk Assessment Sheet

Premises Address:

Service Request ID:

Service Request Date:

RISK ASSESSMENT DETAILS

Length of Time Vacant	
Less than 2 year	4
2 – 5 Years	8
5 – 10 Years	10
Over 10 Years	20

Area	
Rural	1
Village	5
Ten Towns	20
Key Towns	30

Housing Potential	
One Bed Flat	10
Multiple Flats (above Commercial)	10
2 Bed House	10
3+ Bed House	5

Ownership	
Contactable & responds	0
Contactable, does not respond	5
Uncontactable	10
Owner in Care Home	15

Condition	
Good condition, no defects	0
Minor defects, no safety issues	10
Multiple Cat 2 Hazards	20
Multiple Cat 1 Hazards	30
Dangerous - Loose / Falling elements	40

Property Type	
Detached	1
Semi-Detached	5
Terraced	10
Flat / HMO	15
Local Authority Site	20

Market/Habitability	
Saleable/Good	0
Renovate/Habitable	5
Substantial Disrepair	10

Property Appearance in the Area	
Good Appearance	0
Some Detriment	10
Major Detriment	20
Ruinous / Derelict	30

Social Impact	
No Incidents	0
Minor Incidents	10
Major Impact	20

Security	
Secure	0
Insecure	30

Enforcement	
Advisory	10
Major / No WID	20
Small Scale / WID	30
Major / WID	40
Urgent	50

Appendix 2: Financial Support for Empty Property Owners

Houses into Homes	<ul style="list-style-type: none"> • This is a Welsh Government funded scheme, offering interest free loans to owners of empty properties, offering financial assistance to improve such properties for sale or let as residential properties, on completion. • This scheme will consider loans up to £25,000 per self-contained unit, up to a maximum £150,000 (6 units) per applicant. • The loan is subject to a maximum Loan to Value of 80% and has no monthly repayment terms. • This scheme is also available for commercial empty properties, where planning consent is in place for its conversion to residential units.
Leasing Scheme Wales	<ul style="list-style-type: none"> • This scheme is aimed at improving access to long term affordable and good quality housing, with tenancy support, in the Private Rented Sector. • Leasing Scheme Wales will support landlords and offer grants of up to £5,000 to bring their properties up to Housing, Health and Safety Rating System Standards • Up to £25,000 in grants is offered to landlords where properties have been empty for 6 months or more, in return for longer term leases of between 5 to 20 years • Leasing Scheme Wales will provide tenants with longer term security of accommodation (of between 5 to 20 years) in the Private Rented Sector at an affordable rent based on Local Housing Allowance levels. • Leasing Scheme Wales will support those who are at risk of homelessness or are homeless according to the definition in the Housing (Wales) Act 2014.
Valley's Task Force Programme	<ul style="list-style-type: none"> • Owner Occupier grants are administered through One National Body (RCT Council) offering financial assistance of up to 85% grant assistance to the value of £25,000, to improve empty properties which are occupied by owners, within the Valley's Task Force area. • Originally targeted towards the Amman Gwendraeth Valley within Carmarthenshire but this may be extended • Supported by WG funding, with Carmarthenshire Council providing match funding 35% to the Programme. • This Scheme is now closed to new enquiries and will end as a Scheme as at 31st March 2023.
Western Valleys Empty Homes Grant Scheme	<ul style="list-style-type: none"> • The Western Valleys Empty Homes Grant Scheme is a Government pilot offering grants of up to £25,000 per self-contained unit, in-lieu of tenancy nomination rights.

	<ul style="list-style-type: none"> • This is specifically available to Landlords/Developers, up to a maximum of £200,000 for a building. • This was supported by Welsh Government funding at 65%, with Carmarthenshire Council investing 35% into the Scheme. • This Scheme is now closed to new enquiries and will end as a Scheme as at 31st March 2023.
Targeted Regeneration Investment Programme	<ul style="list-style-type: none"> • Targeted Regeneration Investment Programme is a regional plan which looks to support area-based regeneration projects that promote economic regeneration such as creating jobs, enhancing skills and employability and creating the right environment for businesses to grow and thrive; with a focus on individuals and areas most in need to ensure prosperity is spread to all parts of Wales. • Carmarthenshire's priority areas are; <ul style="list-style-type: none"> ○ Llanelli town centre ○ Station Road, Llanelli ○ Ammanford town centre • The programme has two main thematic funding streams, a property enhancement development grant and sustainable living grant.
Property Enhancement Development Grant	<ul style="list-style-type: none"> • The Property Enhancement Grant addresses the requirement for retail and commercial floor space that meets the needs of businesses by providing gap funding for vacant commercial building occupiers and owners to enhance building frontages and bring vacant commercial floor space back into beneficial business use. • In addition, where a local need has been identified, it would fund development projects that create new commercial floor space.
Sustainable Living Grant	<ul style="list-style-type: none"> • Will support the conversion of vacant commercial floor space into new homes and can be used alongside the Property Enhancement Development Grant and other initiatives to ensure comprehensive mixed-use regeneration of properties. • The aim of the funding is to convert vacant floor space on upper floors into new residential accommodation. The minimum requirement from each scheme is 1 x 1 bedroom self-contained flat. Student accommodation and bedsits are not eligible for grant funding. • A maximum of £20,000 grant can be considered eligible per residential unit created

Appendix 3: Enforcement Options

<p>Enforced Sale</p>	<p>An Enforced Sale is a process by which the Council can force the sale of a privately owned property or piece of land where a 'relevant debt' is owed to the Local Authority. It is a means of transferring ownership to a new owner, in circumstances where the present owner is either unwilling or unable to deal with the site or property, and its associated problems and either refuses or is unable to repay the debt owed.</p> <p>Relevant debts will mainly be accrued where the Council carries out work to the property following the service of a statutory notice, where the recipient failed to carry out the work themselves.</p> <p>The debt is then registered as a local land charge. The enforced sale of a property has the effect of changing the ownership of the land/property, and with encouragement generating interest, investment and reoccupation. Prior to forcing the sale, the Council will take other statutory action below to force improvement or reoccupation through the new owners. Properties will be sold at Public Auction to guarantee the best price for the property, fees and charges will be recovered and any surplus repaid to the owners or treasury if unregistered and owners not known.</p>
<p>Empty Dwelling Management Orders (EDMO)</p>	<p>Introduced by the Housing Act 2004, Empty Dwelling Management Orders ("EDMOs") give the Local Authority the power to take management control of privately owned empty homes to secure occupation of them.</p> <p>The power resides in Sections 132 to 138 of the Housing Act 2004. Interim and Final EDMOs are made against the proprietor of the property, who may be either the owner, or a leaseholder where there are at least 7 years remaining on lease. The authority, having exhausted all other avenues of encouraging the proprietor to bring the property back into use, can apply to a Residential Property Tribunal for an order.</p>
<p>Compulsory Purchase Orders (CPO)</p>	<p>Section 17 of the Housing Act 1985 gives the council the power for the purposes of Part II of that Act to acquire: a. land to build houses; b. houses or buildings which may be made suitable as houses together with any occupied land; c. land proposed to be used for any purpose authorised by legislation (facilities to be provided in connection with housing accommodation); and d. land to carry out works on it for the purpose of or in connection with the alteration, enlarging, repair or improvement of an adjoining house.</p>

<p>Section 215 – Detrimental to the Public Amenity</p>	<p>If it appears to Planning Services that the amenity of a part of their area, or of an adjoining area, is adversely affected by the condition of the land in their area, they may serve on the owner and occupier of the land a notice under this section requiring steps to be taken under Section 215 of the Town and Country Planning Act 1990. The notice will specify the steps to be taken to remedy the condition of the land. If the owner or occupier does not comply with the terms of the notice within the specified period, the owner or occupier will be guilty of an offence and liable for prosecution in the Magistrates Court (liable to a fine not exceeding level 3 on the standard scale).</p>
<p>Housing Act 2004 Statutory Notices</p>	<p>Under the Housing Act 2004, the council must take the appropriate enforcement action where it considers that either a Category 1 or 2 Hazard exists on residential premises. Appropriate enforcement action can include the serving of an improvement notice. We will not be serving Prohibition Orders as this will preclude us from bringing the property back into use. We will consider Demolition Orders under the 1985 and 2004 Act as well as suspending the notices. Notices may be split by hazard to enforce and carry out works in default on specific defects/ elements. Any works in default and charges incurred will be considered as a Primary Charge and registered against the property.</p>
<p>Building Act 1984</p>	<p>If the council considers a building or structure, or part of it, to be in a dangerous condition or ruinous/ dilapidated that subsequently detrimental to the amenity then, under the Building Act, the Council can apply to the Magistrates Court requesting an order be made requiring the owner to carry out works to remove the danger or to demolish the building. If the owner fails to comply with the order within the specified time period, the council may execute the order and recover its reasonably incurred expenses of doing so from the owner. The owner will also be liable to prosecution.</p>
<p>Environmental Protection Act 1990</p>	<p>If the Council is satisfied that a statutory nuisance exists or is likely to occur or recur with an Empty Property, the Council can serve an abatement notice. The notice will require the abatement of the nuisance or prohibit or restrict its occurrence or recurrence. The Council may then execute works and take other steps necessary for any of those purposes.</p>