



Moray Empty Homes Strategy

2015 – 2018

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1. Introduction

- 1.1. This Strategy forms one of the suite of related documents which cover the Council's strategic planning for housing. The related documents are listed in the Local Housing Strategy 2013-2018¹.

2. Approach

- 2.1. This Strategy sets out the help and support the Council can provide to owners of long term vacant properties to encourage them to bring their properties back into occupation.

3. Strategic Priorities and the Local Planning Framework

- Moray 2023 a Plan for the Future – bringing empty homes back into use could contribute to all 5 priority areas
- Local Housing Strategy – The Council's activity on bringing empty homes back into use is included under Priority 5: To improve the condition of Moray's housing stock.
- Moray Economic Strategy and Elgin City for the Future
- Moray Development Plan

4. Context

Council Tax Discounts: The Scottish Government published three statutory instruments which give local authorities powers in relation to the administration of Council Tax on unoccupied properties. These regulations came into effect on 1 April 2013.

The Housing (Scotland) Act 1987, Section 86, as amended, which contains the statutory definition of the tolerable standard that a property should meet to facilitate human habitation².

Housing (Scotland) Act 2006: gives Councils powers to deal with sub-standard housing. These include Housing Renewal Areas, Works Notices, Closing Orders, Demolition Notices, Demolition Orders and Maintenance Orders.

Building (Scotland) Act 2003: gives Councils powers to serve notice requiring the owner to do work to make safe a building considered to be dangerous. Compulsory Purchases Orders may be used where the Council has carried out work under a Dangerous Buildings Notice and cannot trace the owner to recoup the costs.

¹ LHS available at http://www.moray.gov.uk/moray_standard/page_1917.html

² The definition of the tolerable standard is available at http://www.moray.gov.uk/moray_standard/page_88327.html

5. Key issues and drivers

- 5.1. Homes become empty for a number of reasons but they usually only remain empty for a short period of time whilst awaiting relet, or sale, or repairs/improvements. These are known as transitional vacancies. However there are also homes which remain vacant for longer. The reasons for this are diverse but can be:
- The property is used as a second home, or holiday let
 - The property is undergoing major renovation prior to occupation by the owner
 - The property has been marketed for sale and but remains unsold
 - The property is not fit for occupation (BTS)
 - the property requires some upgrading to compete successfully in the housing market
- 5.2. Long term vacancies can cause several problems, both for the owner and the wider community. Empty homes can attract criminal activity and anti-social behaviour. **If empty homes are neglected, they can cause physical damage to adjacent properties**, can reduce the marketability of properties in the vicinity, and can deter investors and hamper economic development.
- 5.3. From April 2014, owners of domestic properties left unoccupied for more than a year are required to pay a **Council Tax levy** of 50%. From April 2015 the levy will increase to 100%³. This decision was taken to provide a financial incentive for owners to bring their properties back into occupation.
- 5.4. In September 2014, Council Tax records showed there were 2,435 unoccupied residential properties in Moray. However, **only 516 (21%) were liable for the Council Tax Levy** (i.e. vacant for more than 12 months). Of the properties liable for the Levy, 33% were located in rural locations outwith a settlement boundary. The remaining 342 properties would fall within the scope of this Strategy. Of these 41 (12%) were in a town centre (Buckie, Elgin, Forres, Keith). The categories of Council Tax discounts, exemptions and levys are available at Appendix 2.
- 5.5. As a proportion of all housing stock, the incidence of properties liable for the Levy, located within a settlement boundary is **relatively even across all Housing Market Areas**.
- 5.6. Further analysis is needed to determine the ownership, size and construction type of these properties, to further tailor the actions and set targets in this Strategy. This **analysis will be completed during the public consultation period**.

³ Full details of the qualifying criteria for each discount, exemption and levy are available on the Moray Council website at http://www.moray.gov.uk/moray_standard/page_1986.html

- 5.7. The Census 2011 found there were 2,019 (4.7%) vacant dwellings in Moray. This is **higher than the Scottish average and neighbouring local authority areas**.

6. Consultation

Public consultation

- 6.1. To be carried out during 19 November – 18 December 2014. Local landowners, distillers and Estates who own empty properties are key stakeholders to be consulted.

Survey of householders in receipt of Council Tax discounts and exemptions

- 6.2. During Dec 2013 - Feb 2014, the Council carried out a survey of owners of long term empty properties, seeking their comments on the reasons for their property remaining empty. 905 Surveys were posted, resulting in a response rate of 51%.
- 6.3. Only 38 respondents provided an answer when asked “what might encourage you to bring this property back into use”. 63% of these responses related to the provision of improvement grant funding, low cost loans and/or Council Tax/VAT exemptions.
- 6.4. From this research, it is concluded that there are **a limited number of properties** where the Council’s intervention would be effective in bringing empty homes back into occupation, and that any intervention would probably have to involve some form of **financial support** to the home owner, which might not be available. Full details of the survey are available at Appendix 1.

Local Housing Strategy consultation

- 6.5. The public consultation associated with the development of the LHS 2013-18 resulted in a number of suggestions relating to empty properties. Some of those ideas and suggestions have been incorporated into this Strategy.

7. Outcome (what do we want to achieve?)

to minimise the impact of empty homes on the housing market, and on the wider community and economy.

8. Strategy: what will we do to achieve the outcome

- 8.1. This Strategy recognises that bringing empty homes back into occupation could help to address the shortage of housing in Moray, and could contribute to delivery of other Council Strategies. This Strategy also recognises that some owners may require some advice, assistance, and in some circumstances, financial support to bring their property back into occupation.

8.2. During the term of this Strategy the Council will progress the following actions:

8.3. Action: Maintain a database of empty homes

8.3.1. This database will be formed initially using the Council Tax data as at 18 September 2014 (i.e. Appendix 2). Council Tax records will be the primary source of outcome data used to monitor this Strategy's achievements.

8.3.2. On an ongoing basis, empty homes reported to, or known to, the Council will be recorded in the database, so that actions and outcomes can be monitored effectively.

8.4. Action: provide support, advice and assistance to owners of long term empty homes, with the aim of bringing empty homes back into occupation

8.4.1. On 1 April 2009, the Council introduced a Scheme of Assistance (SofA) for private home owners⁴. The SofA sets out how the Council will provide advice and information to assist private home owners to maintain and repair their property. The SofA is administered by the Council's Home Improvement Team.

8.4.2. The SofA is based on the principle that the primary responsibility for maintaining private sector properties lies with the owner, and that this responsibility should be met with less reliance on grant subsidy to assist with the cost of house repairs and improvements.

8.4.3. Through the SofA, the Council will provide accurate advice to owners of empty properties. The Council will raise awareness of the assistance and services available to owners through the Council's website, local press etc. The Council will develop and publicise a suite of leaflets e.g. advising owners wishing to upgrade, sell or rent their property.

8.4.4. The Council does have access to enforcement powers where properties are sub-standard or dangerous. However, these powers will only be used as a last resort. The Council will work in partnership with owners to find solutions in the first instance.

8.4.5. As part of the LHS Action Plan, the Council will be developing the use of enforcement action.

⁴ Moray Council's Scheme of Assistance is available at http://www.moray.gov.uk/moray_standard/page_39800.html

8.5. Action: to research and develop options for provision of financial assistance to owners of empty homes

- 8.5.1. The Council has an agreement in principle with the Scottish Government for access to £150K funding from its Empty Homes Fund. This will provide interest free loans of up to £15K per empty property to bring properties back into rent or back into ownership. This agreement is subject to a formal application process. The Council will develop and finalise the qualification criteria for this loan fund during the consultation period of this Strategy.

8.6. Action: to prioritise activity to maximise effective use of available resources

- 8.6.1. The Council will direct its efforts and resources to bringing empty homes back into occupation in areas where there is the most housing need. The Council will create a priority matrix which will help identify local priorities. Key factors will be:

- The property is in an area where there is a shortfall in housing supply as evidenced in the current HNDA⁵. Usually this will mean that the property lies within a settlement boundary as defined in the Local Development Plan⁶.
- Property forms part of wider regeneration activity.
- Property is detrimental to adjoining households.
- Property is dangerous
- Property is attracting criminal activity or anti-social behaviour
- Property is detrimental to the amenity of the area/community.

8.7. Action: to contribute to the objectives of the Moray Economic Strategy and “Elgin-City for the future”

- 8.7.1. The Moray Economic Strategy’s Town Centre Regeneration Scheme aims to “improve retail frontages and upgrade the look of high streets”. This includes approximately 40 long term empty homes, mainly flats, often above retail premises, where it is likely that repair and upgrading works are required.

9. Governance, Monitoring and Evaluation

- 9.1. All Local Housing Strategy and Empty Homes Strategy activity is report to, and approved by, the Council’s Communities Committee.
- 9.2. The Housing Strategy Group provides a single forum through which housing providers, housing support services and planning agencies can participate in the planning, development and allocation of resources to address housing

⁵ Moray’s Housing Need and Demand Assessment (HNDA) is available at http://www.moray.gov.uk/moray_standard/page_1917.html

⁶ Moray Development Plan is available at http://www.moray.gov.uk/moray_standard/page_51210.html

need in Moray⁷. The plan to develop this Strategy was discussed by the Housing Strategy Group on 23 September 2014.

- 9.3. Targets and monitoring arrangements are incorporated into the Local Housing Strategy monitoring and evaluation process.

⁷ A full list of member organisations is available at <http://www.moray.gov.uk/downloads/file85957.pdf>

This document is available on the Council's website www.moray.gov.uk.
Paper copies are available on request from
Moray Council's Contact Centre Tel: 0300 1234566

For alternative formats (including large print), languages or further information,
please ask an English speaking friend or relative to:

Phone: 01343 563588
Email: emptyhomes@moray.gov.uk
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Housing and Property
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Jeżeli chcieliby Państwo otrzymać informacje w innym formacie, języku lub
dodatkowe informacje, mówiący po angielsku znajomy lub członek rodziny może do
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Zadzwoń na numer: 01343 563588
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ou parente que fale a língua inglesa entrar em contato conosco:

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