

Empty Homes Policy

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1. Why does the Council need this Policy?

- 1.1 This document sets out Aberdeen City Council's policy on bringing privately owned empty residential properties back into use. Aberdeen City Council is committed to bringing residential empty properties back into use in response to the negative impact unoccupied homes have on our communities.
- 1.2 In 2023, there were 5,594 properties in Aberdeen that have been empty for longer than six months, with 2,615 of these being empty for longer than twelve months¹. However, the Empty Homes service is currently investigating a potential discrepancy in this data with the Scottish Empty Homes Partnership. Aberdeen City Council employs two Empty Homes Officers who work with owners of long-term empty properties to bring them back into use. This is important because the Scottish Empty Homes Partnership estimates that the cost of a new build property far outweighs the cost of refurbishing an empty home as the infrastructure and local services are already in place when bringing an empty home back into use. Bringing an empty home back into use helps to restore confidence in the local property market by increasing the supply of housing and reducing areas of housing blight.
- 1.3 The aim of this policy is to:
 - Work with owners of empty homes to bring them back into residential use.
 - Work with owners of empty homes to match existing housing supply with housing demand in the city through Matchmake to Rent and Matchmake to Sell schemes.
 - Ensure there is a coordinated approach between council services to tackle empty homes.
 - Continue to raise awareness of issues relating to empty homes in Aberdeen City.

2. Application and Scope Statement

- 2.1 This policy will affect owners of privately owned long-term empty properties across the city with a focus on priority properties. A long-term empty home is defined as being unoccupied for 12 months or more and liable for Council Tax.
- 2.2 Priority properties are those with any of the following:
 - Properties that have generated a complaint and have a negative impact on the neighbourhood.
 - Properties that have been empty for two years or more which are subject to the 100% Council Tax levy and are in Council Tax arrears.

¹ "Housing statistics: Empty properties and second homes", Scottish Government, 12th December 2023, <https://www.gov.scot/publications/housing-statistics-empty-properties-and-second-homes/>

- Properties that have been empty for two years or more and are subject to the 100% Council Tax levy.
 - Properties that are subject to enforcement action from any Council service.
 - Properties that are in the city centre. A key strategic aim is to promote living in the city centre as part of the City Centre Living Strategy.
 - Properties that are in poor condition and affect adjoining properties.
- 2.3 There are no specific exclusions to the policy. The Aberdeen City Empty Homes Policy applies equally to all long-term privately owned empty homes.

3. Responsibilities

- 3.1 The Chief Officer Housing is responsible for managing the Empty Homes Service.
- 3.2 Any instances of non-compliance with the policy should be reported to Chief Officer Housing.
- 3.3 Questions on the policy should be communicated to emptyhomes@aberdeencity.gov.uk which will then be directed to the Chief Officer Housing where appropriate.

4. Supporting Procedures and Documentation

- 4.1 This policy supports the Aberdeen City Local Housing Strategy 2024 – 2029 which is currently being developed.
- 4.2 The Empty Homes Matchmaker Schemes support this policy. The matchmaker scheme to rent aims to introduce long-term empty homeowners who are looking to rent their empty property to people on Aberdeen City Council's housing waiting lists. The matchmaker scheme to sell aims to introduce long-term empty homeowners who are looking to sell their property with people who are looking to purchase an empty property. The Matchmake to Sell Scheme can be used whether the property requires some form of repair work, or the property is in a condition that is ready to move in.
- 4.3 Details on the matchmaker schemes can be found: <https://www.aberdeencity.gov.uk/services/housing/advice-and-information-empty-home-owners/matchmaker-scheme>.

5. About this Policy

- 5.1 Aberdeen City Council will identify and work with owners of a privately owned empty residential property.
- 5.2 There are several reasons why the Council might work with owners of empty properties:
- Neighbourhood impact.
 - Location and condition of property.
 - Length of time empty.
 - Potential to meet strategic housing priorities.
 - The recovery of public funds.
- 5.3 There are different methods of assistance available to owners to help them bring their empty property back into use and may include any of the following:
- Options for bespoke practical support, for example, assistance with the legislative requirements in relation to becoming a private landlord.
 - Options for financial support, for example, VAT relief letters.
 - Options for Empty Homes Service schemes, for example, the “Matchmake to Rent and Sell Schemes.”
- 5.4 The Empty Homes Officer will assist with identifying owners who may be paying the wrong level of Council Tax. Information relating to Council Tax can be found here: <https://www.aberdeencity.gov.uk/services/council-tax>.
- 5.5 Compulsory Purchase Orders
- Compulsory Purchase Orders are powers for a public body to acquire land or property from a third party compulsorily, usually under planning, highway or housing powers. CPO's can be an effective enforcement tool for unlocking housing supply, regeneration and development where there is a clear community benefit.
 - In situations where there has been repeated and unsuccessful attempts of engagement with an owner, and the condition of the property continues to deteriorate to an unacceptable extent and adversely impact the community within that area, exercising Compulsory Purchase Order powers as a last resort will allow the Council to bring an empty property back into productive use.
 - Compulsory Purchase Orders will only be used in such cases where the public benefits which will be achieved outweigh the private interests of the owner who has abandoned the property and has shown no indication that they intend to take

responsibility for it. Compulsory Purchase Orders will be used in accordance with internal and legislative procedure.

6. Risk

6.1 This policy aims to ensure that empty homes are brought back into use and owners in Aberdeen have access to the Empty Homes Service. This policy seeks to mitigate risks and enhance the Council's reputation by working with owners of empty private residential properties to ensure that the homes are brought back into use.

6.2 Examples of the ways in which this policy will mitigate risk are listed below:

- **Strategic risks** – This policy provides a framework for bringing empty homes back into use which will help Aberdeen City Council to achieve several of its strategic outcomes, as detailed in the Local Housing Strategy, especially in relation to housing supply, placemaking and communities, and the private rented sector. Without this policy, there is the risk that the Empty Homes service would not be able to effectively support owners to bring their properties back into use, which would affect the supply of good quality homes available in the private sector.
- **Compliance risks** – This policy will help to mitigate the risk of properties in the private sector falling below the Tolerable Standard, as outlined in the [Housing \(Scotland\) Act 1987](#), as amended by [s.2 of the Housing \(Scotland\) Act 1987 \(Tolerable Standard\) \(Extension of Criteria\) Order 2019](#). Bringing empty homes back into use also reduces the risk of properties becoming 'dangerous' or 'defective' under the Building (Scotland) Act 2003. The Council has a duty to provide social housing to certain households; if the Empty Homes service is unable to contribute to providing affordable housing options in the private sector, this increases the pressure on Council stock and the risk that its obligations will not be met in relation to social housing provision.
- **Operational risks** – Without this policy, there is the risk that the Empty Homes service would be unable to effectively bring empty properties back into use. This would result in there being less suitable housing options in the private sector, potentially increasing pressure on our social housing provision. There could also be an increase in buildings falling into disrepair and becoming dangerous/defective, potentially resulting in resources being expended to alleviate these issues.
- **Financial risks** – This policy could potentially mitigate the financial risk of empty properties falling into disrepair and becoming dangerous or defective, as the Council may have to resolve these instances in the interest of public safety. This policy can also mitigate risk in relation to lost Council Tax revenue, as the Empty Homes service can often help to identify empty properties that are long term empty and could be charged additional Council Tax.

- **Reputational risk** – If the Empty Homes service is unable to work with owners to bring empty properties back into use, there is the risk of reputational damage to Aberdeen City Council due to properties falling into disrepair and causing housing blight.
- **Environment/Climate risk** – Failure to effectively implement this policy may result in an increase in private sector housing which is in a poor state of repair and less energy efficient than a property which has been successfully brought back into use. The process of building a new property can have a higher carbon footprint than bringing an existing property back into use, so it is important that the Empty Homes service works with owners and other partners to maximise the potential of existing housing stock in the city.

6.3 Implementation of this policy will be monitored by the Housing Strategy Team with any emerging risks escalated to the Chief Officer Housing for action.

6.4 There are no unintended effects, consequences or risks envisaged from the implementation of this policy.

6.5 The UK Government’s PREVENT Strategy requires local authorities to ensure that publicly owned resources do not provide a platform for extremists and are not used to disseminate extremist views. Frontline staff who engage with the public should understand what radicalisation means and why people may be vulnerable to it. The Empty Homes Officer and other relevant staff have been trained on the PREVENT Strategy and will report any concerns regarding suspicious activity for action.

7. Environmental Implications

7.1 This policy has the potential to have a positive impact on the environment as bringing empty homes back into use can result in properties becoming more energy efficient. Empty properties are more likely to be outdated or in a state of disrepair, and renovation works/retrofitting can improve the overall energy performance of the property when it is brought back into use.

7.2 Bringing existing properties back into use can produce lower carbon emissions than building a new property, especially in cases where an older property is demolished to make way for a new one.

7.3 There is the potential for negative environmental impact if this policy is not implemented effectively by the Empty Homes service and Aberdeen City Council. The Empty Homes service should continue to provide support and assistance to owners of empty properties, as well as take proactive measures to reduce the number of empty properties in the city. If the underlying issues causing empty

properties in the city are not addressed, the level of empty properties may continue to increase and the condition of these properties may deteriorate further. This may result in these properties having poor energy performance and potentially more new build properties being required to meet housing demand.

- 7.4 For further information, contact the Environmental Policy Team:
ecocity@aberdeencity.gov.uk.

8. Policy Performance

- 8.1 Housing is an important resource, and the main aim of the empty homes policy is to work with owners of long-term empty private residential properties to increase housing supply. Performance will be measured by:
- (a) the number of empty homes across the city.
 - (b) the number of long-term empty homes brought back into use each financial year.
- 8.2 Reports are produced by the Empty Homes service and distributed to appropriate officers showing current performance and year to date information so that officers can monitor and scrutinise current performance.
- 8.3 An annual update on Empty Homes progress is provided to the Communities, Housing and Public Protection Committee each year. The number of empty homes brought back into use will form part of this report.

9. Design and Delivery

- 9.1 This policy and its supporting documentation are aligned to supporting the delivery of LOIP outcomes, including:
- **Stretch Outcome 2** – Working towards a 74% employment rate for Aberdeen City by 2026. Carrying out repairs and maintenance to homes contributes to the local economy by keeping people in work.
 - **Stretch Outcome 10** - Healthy life expectancy (time lived in good health) is five years longer by 2026. Living in good quality housing contributes to improved health and wellbeing outcomes.
 - **Stretch Outcome 13** - Addressing climate change by reducing Aberdeen's carbon emissions by 61% by 2026 and adapting to the impacts of our changing climate. It

takes more than 50 tonnes of CO2 to build an average UK house, therefore bringing empty homes back into use also contributes to carbon reduction through making better use of existing housing stock.

- 9.2 The Stretch Outcomes break down our overall vision for the Economy, Children and Young People, Adults and Place of Aberdeen into manageable thematic programmes of work. The Empty Homes Service contributes to Economy and Place of these thematic programmes.

10. Housekeeping and Maintenance

- 10.1 The policy will be reviewed every three years and/or when there are legislative changes.

11. Communication and Distribution

- 11.1 The policy has been drafted with involvement from the Empty Homes Working Group which includes representation from Scottish Empty Homes Partnership and Aberdeen City Council's Protective Services, Legal & Governance, Private Sector Housing, Housing Access, Corporate Landlord-Energy Team, Finance, Council Tax and Building Standards teams.
- 11.2 This policy will be made available on the Aberdeen City Council website to be accessed by relevant staff and interested members of the public, such as homeowners and landlords. If members of the public are unable to access the policy digitally, they can contact the Council on 03000 200 292 for information. This policy can be displayed in a wide variety of languages on the Aberdeen City Council website by selecting 'Accessibility Tools' and choosing the required language from the drop-down menu.

12. Information Management

- 12.1 Information generated by the application of this policy will be managed in accordance with the Council's Corporate Information Policy and Supporting Procedures. The privacy notice can be found:
<https://www.aberdeencity.gov.uk/your-data-empty-homes-privacy-notice>.

13. Definitions and Understanding this Policy

- **100% Additional Council Tax Levy:** An additional Council Tax levy charged to properties that have been empty for one year or more without being actively marketed for sale or rent and two years or more if being actively marketed.
- **CPO:** A CPO is an order that gives the authority the legal power to buy a persons' home or land.
- **Discretion:** A decision made by the Council Tax department to place a temporary hold on charging a 100% additional Council Tax charge where the owner of the empty property is actively engaging with the Empty Homes Officer to bring the empty property back into use.
- **Empty Home:** A privately owned residential property that has been empty for 6 months or more and liable for Council Tax.
- **Long-term Empty Home:** A privately owned residential property that has been empty for six months or more and liable for Council Tax, as defined by the Scottish Government. Aberdeen City Council's Empty Homes service has chosen to internally define long-term empty properties as those that have been empty for twelve months or more. This decision was made due to the high number of properties being empty for six months or more as a result of housing market trends in Aberdeen, therefore six months was not considered to be 'long-term' within the housing context of the city.
- **Owner:** The legal owner, executor or legally appointed representative of the empty property in question.