

Hartlepool Borough Council Empty Homes Strategy 2010-2015



Foreword by the Mayor

This Empty Homes Strategy 2010-2015 has been developed in partnership with a range of agencies and stakeholders and produced to demonstrate Hartlepool Borough Council's commitment to the adoption of real measures to bring privately owned empty homes back into use. This Strategy will also prioritise key actions to prevent more homes becoming empty over the next 5 years.

The Government is committed to increasing the supply of housing whilst at the same time recognising that the best possible use of existing housing needs to be made. In Hartlepool the supply of affordable housing is a key priority for the Council. Bringing empty homes back into use will assist in the achievement of this priority.

Empty homes have a huge social impact – they can affect the appearance of a neighbourhood and people living nearby have to suffer the consequences if an empty home falls derelict or is vandalised. We must tackle this.

Returning long-term empty homes to use is a key concern for communities and Hartlepool Borough Council is committed to bringing these homes back into use.

My vision is to rid the town of long term empty homes, so that in 5 years time the current empty homes will all be occupied and we will have prevented more properties becoming empty.

Stuart Drummond
Elected Mayor



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Section 1: Why is it important to tackle empty homes?

1.1 Introduction

Hartlepool Borough Council has prioritised the adoption of real measures to bring privately owned empty properties back into use as part of its strategic housing approach.

This Strategy will therefore provide an effective framework for bringing long-term¹ private sector empty homes back into use in Hartlepool. These include failed private rented properties, abandoned properties and buy to leave empty properties.

Areas of low demand and abandonment are primarily being dealt with through Housing Market Renewal and regeneration activity.

The Strategy also acknowledges that there are currently a number of surplus new build houses and flats. Whilst it is not a key aim of this Strategy to tackle this, we will continue to monitor the situation and take appropriate action as necessary.

The key aim of this Strategy is to bring private sector empty homes back into use and to acknowledge the concerns of the community about empty homes and the associated issues that relate to the image of the town. The intention is to bring appropriate empty homes back into use, using a range of flexible solutions and to reduce the number of empty homes to an accepted level of 3% vacancy (it is accepted that 3% of properties need to be vacant to allow a housing market to function effectively).

1.2 Why do we need this strategy?

Hartlepool has developed this Strategy due to the excessive number of private sector empty homes in the town and the need to reduce this number significantly.

This Strategy for Hartlepool sets out the strategic direction for empty homes work and supports Hartlepool's Local Area Agreement outcomes. Its objectives are to:

- Proactively bring long-term empty homes back into use using flexible solutions / appropriate enforcement action
- Prevent homes from becoming long-term empty
- Increase decent and affordable rented housing for those in housing need / maximise housing options in the town
- Continue to identify the reasons for the distribution and ownership of empty homes and establish trends and reasons
- Support investment in Housing Market Renewal and its surrounding areas through the reduction of long-term empty homes

1.2.1 Empty homes are a wasted asset if there is unmet demand

This Strategy needs to be clear about demand for the type and location of empty homes to be targeted for action.

The Government continues to promote the use of private rented sector homes for people in housing need. The Rugg Review of the Private Rented Sector² considers how this sector can meet local demand.

1.2.2. To maximise the use of the existing housing stock

The Government has stated the importance of maximising the use of the existing housing stock in order to minimise the number of new homes that need to be built each year. Hartlepool has a significant level of outstanding planning permissions; of these 61% are flats. Given the current number of new build flat developments which are yet to be sold, at the time of writing this strategy, this could potentially result in a significant number of empty homes in the future.

This Strategy also needs to take into consideration the particular problem within Hartlepool of the mismatch between the existing stock and the increasingly diverse and sophisticated aspirations of the local population to own or rent properties.

This Strategy will also align with contribution towards the provision of affordable housing in Hartlepool. The affordable housing need in Hartlepool has been evidenced through the Hartlepool Strategic Housing Market Assessment (SHMA) and the Tees Valley SHMA and is supported by the large social housing waiting list. These assessments acknowledge the important role of the private rented sector in meeting this affordable housing need.

1.2.3 To contribute towards neighbourhood sustainability and community well being through:

- An increased stock of good quality housing meeting the Decent Homes Standard
- Promoting regeneration and investment in affected areas
- Discouraging local property price devaluation
- Reducing nuisance and negative environmental impact caused by empty homes i.e. crime, fly tipping, vandalism, vermin and arson
- Reducing damp and other problems for neighbouring properties
- Helping to meet local housing need, therefore reducing the need for new build homes and the potential reduction of greenfield land development
- Cutting carbon emissions by renovating and undertaking home improvements rather than building new homes
- Increasing health outcomes for people
- Encourage economic vitality through increased trade for local businesses and increasing employment opportunities
- Safeguarding and protecting new build redevelopments in regeneration areas

1.2.4 To reduce the direct and indirect financial costs borne by empty property owners, neighbours, and public services such as the local authority, police and fire service.

1.2.5 Current Position

As in all towns, there will always be a percentage of empty homes in Hartlepool to allow the housing system to function effectively and facilitate residential mobility and the improvement of the housing stock. This is normal and allows the market to operate effectively. 3% has been generally used as a guideline.

Homes are empty for different reasons and we need to understand the causes in order to provide effective solutions. The main reason identified for the high number of empty private sector homes is the high number of small terraced homes in low demand locations. Other reasons include:

- Neglect by owners / abandonment due to lack of value
- Disputes over ownership
- Inability to sell
- Repossession / bankruptcy
- Deceased estate
- Ownership of the property unknown
- Speculative purchase (buy to keep empty)

An effective strategy will ensure owners of these properties are informed of all the options available, the benefits of filling an empty home and the enforcement options available to the Council.

1.2.6 Identifying the scale of action needed – An analysis of the current situation

Research relevant to this Strategy includes:

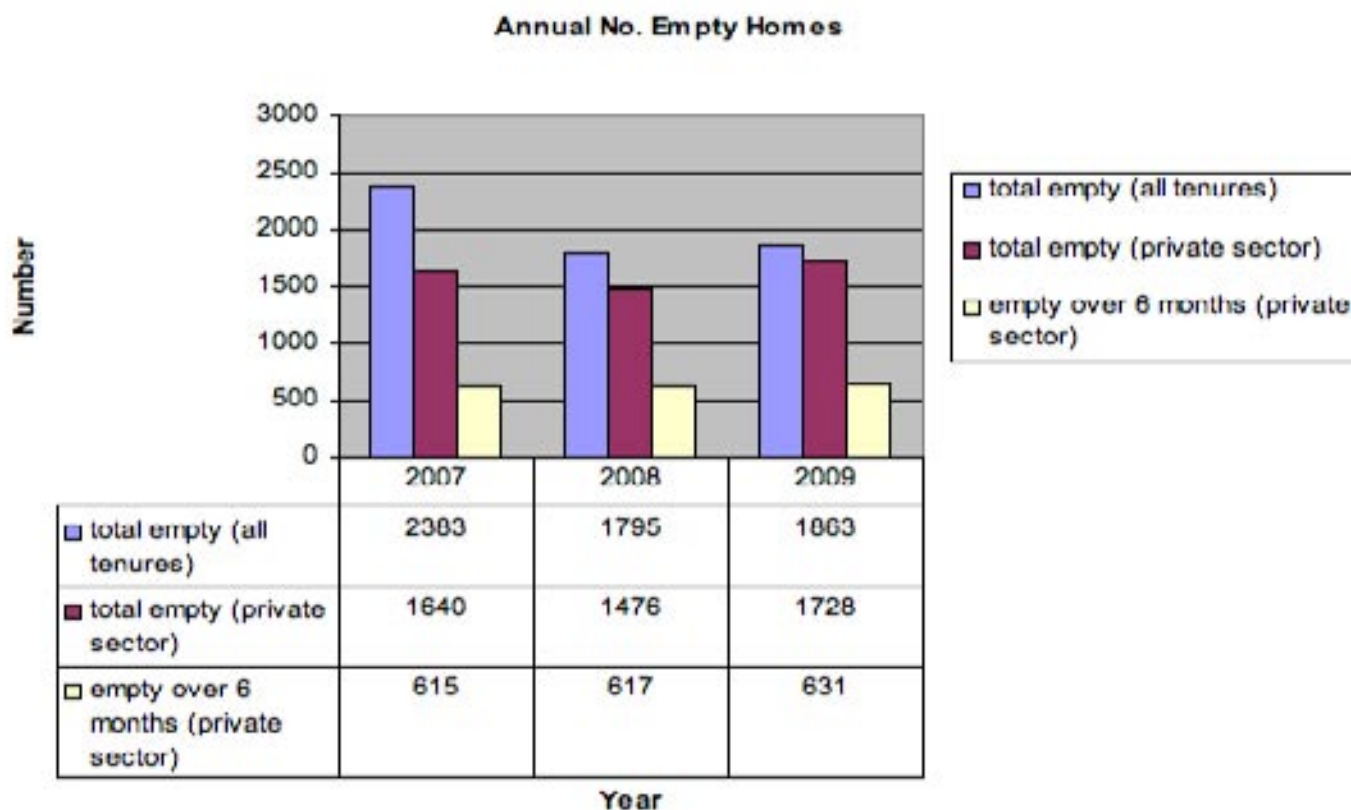
- The 2007 Strategic Housing Market Assessment which identified a shortfall of affordable housing (393 dwellings (244 net)) and a high number of empty homes at 4.7%.
- The 2008 Tees Valley Strategic Housing Market Assessment which reported an overall vacancy rate of 5.7% for Hartlepool in 2007 (7.1% in the private sector and 1.3% in the social sector) – the highest rate in the Tees Valley. This assessment identified a revised shortfall figure for affordable housing at 291 dwellings (193 net).
- The 2009 Private Sector House Condition Survey which estimates there are 1,480 vacant dwellings, 4.6% of the private housing stock within Hartlepool. The national average is approximately 4.1%.

As at April 2009 the total numbers of properties in Hartlepool was 41,594 and of those 1728 were vacant in the private sector. 631 of these were private sector properties that had been empty for over 6 months and they account for 1.9% of the total number of private homes.

In addition, the number of households on the Council’s Housing Register at April 2009 was 3794. However, it needs to be made clear that the majority of applicants registered are waiting for social housing and are not statutorily homeless. All of these numbers are counted in accordance with the Government’s annual housing return³.

The following tables and graphs demonstrate the level of empty homes in Hartlepool and the demand for housing assistance and advice.

Table 1: Empty Homes Figures (HSSA data - Housing Strategy Statistical Appendix)



The Council and Housing Hartlepool have a joint allocations policy and Housing Hartlepool manage the Housing Register (the waiting list) on behalf of the Council. As at April 2009 of the 3794 applicants on the Housing Register 3661 were ‘active’ (i.e. not suspended, waiting to move in or pending further information). The following chart provides analysis of the active 3661 applications and their choice of area and the type of housing being requested.

Figure 1: 1st Choice of Area for re-housing (April 2009)

Applicants 1st choice area to be rehoused

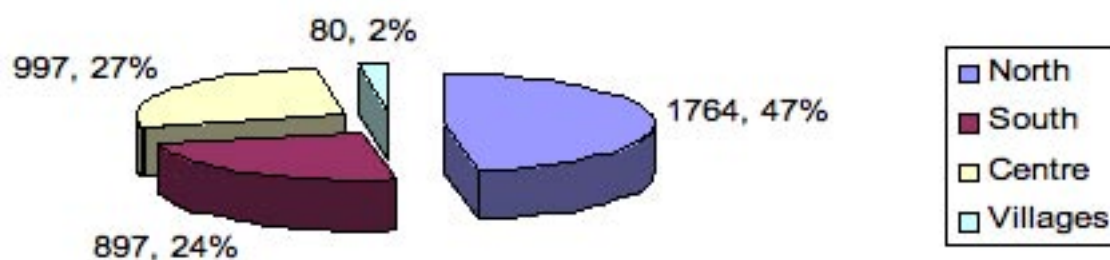
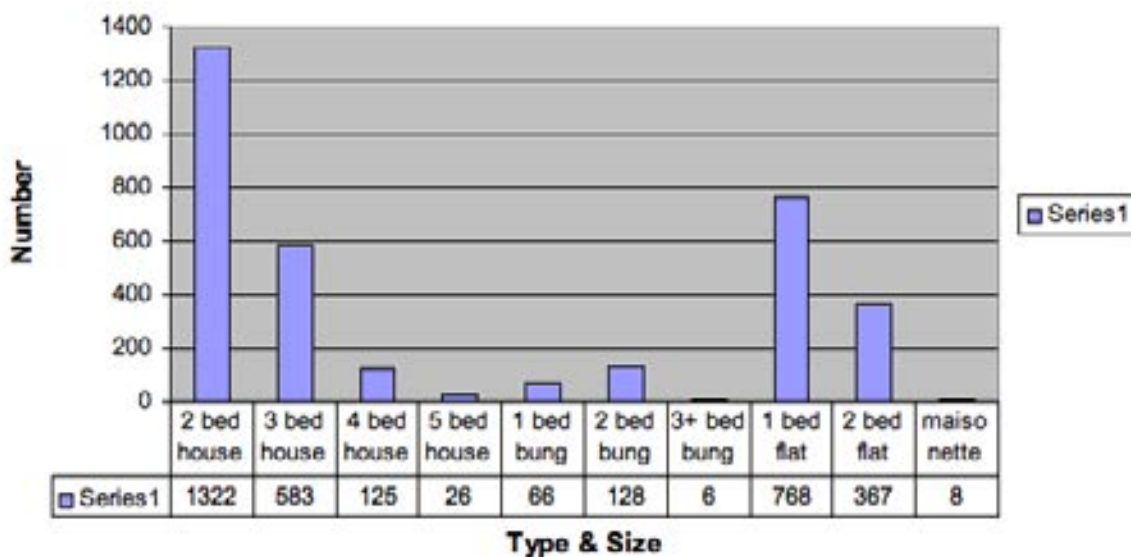


Table 2: Requested Property Type and Size (as at January 2009)

Applicants required property type and size



During 2008/09 1276 households approached the Council for assistance to find accommodation. Up to the end of February 2010 this figure was 1186 for 2009/10.

Of the 1863 empty properties identified in April 2009 (see Table 1), this Strategy will focus on the calculated 631 that have been empty for over 6 months. This is because dwellings in the following categories are counted as being potentially available to the market:

- Empty between changing occupants
- Undergoing modernisation, repair or conversion
- Repossessions
- Awaiting demolition
- Newly completed but not occupied
- Awaiting probate
- Owned by a charity
- Unoccupied annexes
- Trustee in bankruptcy

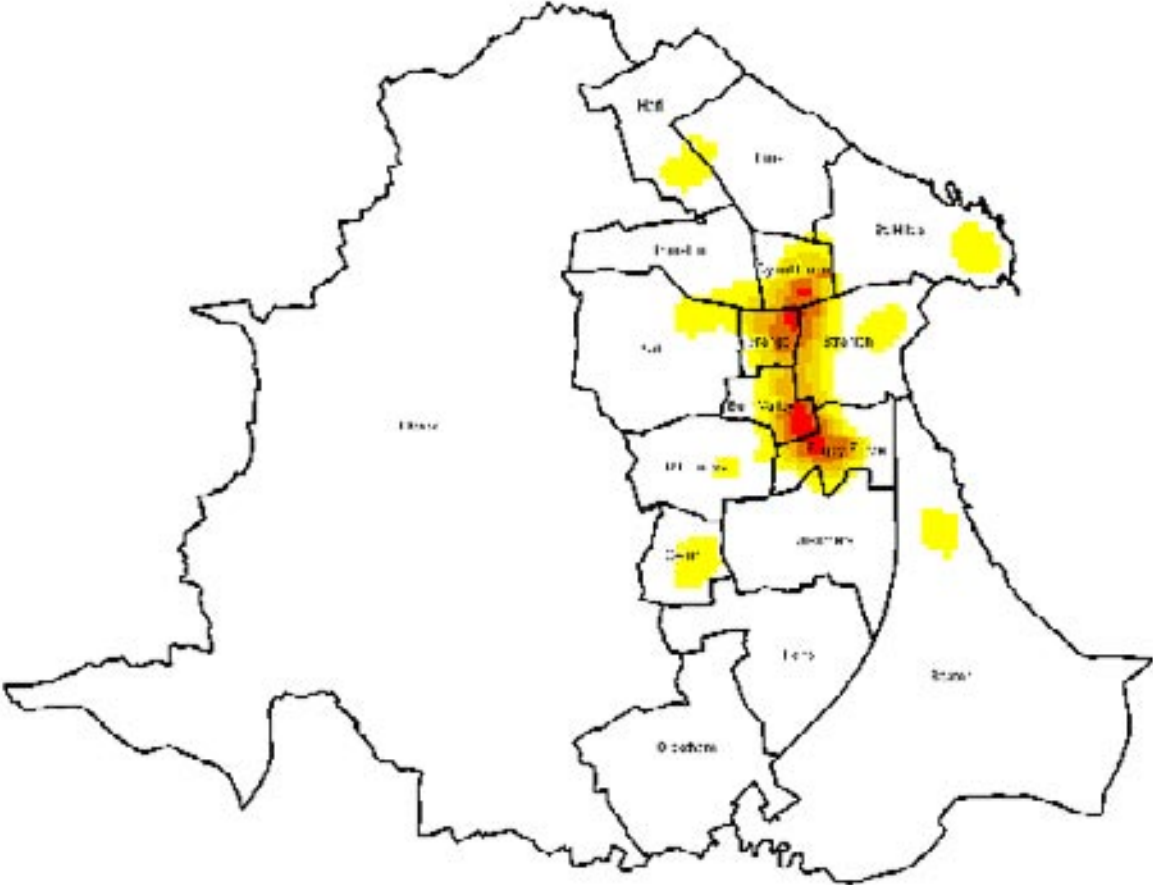
Dwellings in the following categories are excluded from this Strategy because they are not considered as being available to the market:

- Second homes
- Holiday lets
- Owner in prison
- Owner receiving or giving care
- Owner in the armed or visiting forces
- Flood damaged
- Awaiting occupation by clergy
- Flats and houses normally occupied by students

The calculation also excludes long-term vacant private sector dwellings earmarked for redevelopment or demolition.

Council Tax data is used to provide a snapshot of the numbers of houses empty at any one time. Using Council Tax Records, the properties that have been empty for over 6 months (as at April 2009) have been mapped out on a Geographical Information System. The map indicates clusters of empty homes within the wards in the centre of town.

Figure 2: Geographical hotspot locations of privately owned properties that have been empty for six months or more.



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1.3 Existing Initiatives and Joint Working

There are already a number of initiatives that currently encourage and promote the return of empty properties into occupation and promote sustainability, including:

1.3.1 Landlord Accreditation scheme

The town-wide Landlord Accreditation scheme encourages landlords to become members and to adhere to a Code of Conduct setting out minimum standards of property condition and management. Landlords are offered support and guidance on all matters, including finding tenants, setting up and ending tenancies.

The scheme has two levels of membership depending on the property condition:

- Basic Standard – this requires landlords to ensure that homes are free from category 1 and high scoring category 2 hazards and;

- Accredited Standard – this requires landlords to meet the higher Decent Homes Standard.

Once landlords are accepted onto the scheme, they are encouraged to advertise property vacancies through the Choice Based Lettings (CBL) scheme. It is hoped that by using the CBL scheme that prospective tenants will view the private sector as a viable alternative to social housing and will assist in raising standards and long term sustainability.

1.3.2 Selective Licensing

Selective Licensing of private landlords and their properties has already been introduced in six small areas of the town to work alongside other initiatives with the aim of improving demand and reducing anti-social behaviour. Landlords who have properties in these areas are required under the terms of their licences to ensure the proper management of tenancies in the areas. Conditions relate to both the management and condition of their properties, including the requirement to demand references from prospective tenants.

1.3.3 Good Tenant Scheme

The Good Tenant Scheme was launched in May 2008 and seeks to reduce anti social behaviour in the private rented sector. The scheme is designed to run in parallel to, and complement other initiatives including the adoption of Selective Licensing of private landlords, and the provision of targeted support for disruptive families through the Families Intervention Project (FIP). The overall aim of the scheme is to reduce anti-social behaviour in the private rented sector by impressing upon anti social tenants that they can no longer expect to easily find re-housing if they lose their tenancy, and thus encourage them to behave in a more acceptable manner. A major tool to achieve this aim is the ability to refer applicants willing to engage to appropriate support.

1.3.4 Private Sector Housing Service

Problematical properties affected by vandalism or nuisance come to the attention of the council by complaints from residents, residents groups and elected members. A proactive approach has been taken to deal with the condition of these individual properties, securing works by agreement with owners or in default after the service of notice. The focus of this work has been on the physical condition of the property and its effect on neighbouring residents. Owners of empty houses which have been the subject of complaint are asked to provide details of their plans to bring dwellings back into occupation.

1.3.5 Emergency Property Securing

An emergency property securing service in partnership with the Fire Brigade has contributed successfully towards reducing the incidence of deliberate fire setting in targeted areas.

1.3.6 Compulsory Purchase Orders (CPO)

These have been used to bring two houses back into use and a further Order is pending using housing CPO powers.

1.3.7 Housing Market Renewal (HMR) Funding for the period 2008/2012

Single Housing Investment Pot (SHIP), Housing Market Renewal Fund £11.5m and Homes and Communities Agency (English Partnerships legacy funding £4.85m) has been secured to fund the purchase of private sector properties in three key sites in central Hartlepool. The programme covers the following sites:

- Raby Road Corridor – This includes Hurworth, Perth, Gray, Grainger Streets and parts of Raby Road and Turnbull Street. All properties can be purchased by agreement using planning CPO powers.
- Belle Vue – This includes properties in parts of Borrowdale, Patterdale, Kathleen Streets together with parts of Windermere Road and Brenda Road. Only owner occupied properties can be purchased.
- The third area is Carr, Hopps, Jobson, Richardson, Rodney Streets and parts of Blake Street and Hart Lane. Only owner occupied properties can be purchased.

Other strategic purchases can be made on the three HMR sites.

In order to deliver the programme on the ground a front line delivery Regeneration team is managed on a day to day basis in partnership with Housing Hartlepool. This Team effectively provide a 'mini' Neighbourhood Management Service in the three HMR areas. Each area has named Officers who deal with residents on a 'one to one' basis and hold street surgeries where needed. The Officers liaise with other bodies, sections of the Council and statutory agencies to improve the day to day living environment of residents. They hold and gather up to date evidence and information of how the areas are progressing, what issues/problems are occurring in any particular street.

1.3.8 Hartlepool Family Intervention Project (FIP)

The FIP provides an intensive support service for families with complex needs who have a history of tenancy failure and anti-social behaviour. The purpose of the Hartlepool FIP is to address the fact that in some communities there are a small number of highly problematic families that account for a disproportionate amount of anti-social behaviour.

As a result the project also delivers on other objectives such as preventing homelessness and enabling families to sustain tenancies.

Section 2: What can we do to tackle empty homes?

2.1 Provide Advice

The Council will need to engage owners, and where possible, to work in partnership with them to find the right solutions through the provision of advice on:

- Redevelopment / planning consents
- Finding a contractor / managing repairs
- How to join the Council's Landlord Accreditation Scheme
- How to improve property and management standards and promote decent and affordable housing through the Landlord Accreditation Scheme
- Finding a tenant through the Compass Choice Based Lettings Scheme
- How to sell the property
- Renting/leasing the property or finding a letting agent
- How to join the Council's Good Tenant scheme
- How landlords can provide effective management of both occupied and vacant properties
- Compliance with the Selective Licensing scheme conditions
- Use of the Housing Options Centre as a place for owner-occupiers, landlords and tenants to seek advice about their properties
- Encouraging private landlords to engage with and promote education and tenancy sustainment programmes
- How to work with other organisations e.g. Community Campus and NDC Trust to refurbish empty properties and bring them back into use

2.2 Provide Financial Assistance

The Council has the flexibility within its allocation of central government SHIP funding to provide financial assistance for owners to bring empty properties back into use. A repayable loan could be provided where the property is in need of works to make it habitable or lettable.

2.3 Provide a Rent Guarantee Scheme

The Council could either link into an existing scheme or finance a new scheme to offer landlords a guarantee that any arrears left by a tenant would be paid for in lieu of a deposit in return for accepting applicants nominated by the Council.

2.4 Voluntary Acquisition

The Council could purchase by agreement for onward sale/lease to a partner Registered Provider (formerly Registered Social Landlord) or for owner-occupation. Alternatively the council could broker a purchase by a partner Registered Provider.

2.5 Direct owners towards voluntary Leasing Schemes

The Council could work in partnership with suitable Registered Providers or private managing agents to provide a leasing scheme to which owners can be directed. Through such a leasing scheme the owner would agree a lease for a period of years and be guaranteed a rental income. The Registered Provider could sub-lease to the council and take nominated tenants.

2.6 Enforcement Options

- **Tackling security / nuisance issues - Local Government (Miscellaneous Provisions) Act 1982**
Used to prevent unauthorised entry or for the purpose of preventing the property from becoming a danger to public health, and to remove rubbish. Works are carried out in default where an owner does not give a verbal agreement to carry out the works and costs are recharged back to the owner.
- **Tackling nuisance issues - Environmental Protection Act 1990**
Used to remove rubbish from empty properties and to carry out works to remedy the cause of the nuisance.
- **Tackling visual impact – Section 215, Town and Country Planning Act 1990**
Poor visual impact is one of the most common complaints about an empty home. The council can serve notice on owners who fail to maintain their properties. It deals with the external appearance (the visual amenity) but does not deal with the internal aspects. It will not necessarily result in the property being returned to use.
- **Housing Health and Safety Rating System (HHSRS) – introduced by the Housing Act 2004** the HHSRS is a system which is used to assess residential properties based on the risks posed to health and safety and places a duty on Local Authorities to take action where Category 1 hazards exist.
- **Empty Dwelling Management Order (EDMO) – Section 132 Housing Act 2004** The Council can apply to a Residential Property Tribunal to take over a property and to repair, let and manage it on behalf of the landlord for up to 7 years. Costs can be recouped from the rental income. However, it does mean that only properties with relatively low repair costs will be financially viable. This tool is a solution to the empty home whilst balancing the rights of the owner. The Council would seek to work with a partner Registered Provider, and/or an accredited private landlord who have the resources to manage properties to pilot an EDMO.

In addition there are 'last resort' tools which can provide ultimate sanctions for the Council to use:

- **Enforced Sale – Section 103, Law of Property Act 1925** which allows the Council to force the sale of a property subject to a local land charge following works in default Action by the Council. The sale allows the Council to recover debt owed by the owner and also costs incurred as a result of the enforced sale. This tool may indirectly prompt the new owner to return the property to use.
- **Compulsory Purchase Order (CPO) –Section 17, Housing Act 1985** which removes ownership from the current owner to the Council. It may only be used if the Council can demonstrate that it has taken other measures to bring the property back into use and has a robust plan for the re-occupation / use / management of the property. This option shifts responsibility from the owner to the Council for bringing the property back into use and requires public resources.

2.7 End Use of Properties

The location and type of property brought back into use will be important in deciding what residential use is appropriate.

Options for end use include:

- Leasing with Registered Providers through council nominations
- Properties advertised for rent on Compass Choice Based Lettings Scheme
- EDMO
- Disposal of CPO'd properties to Registered Providers

Empty homes brought back into use through this Strategy will be delivered and monitored according to demand for that property type and location.

Incentive and Enforcement Options are assessed in more detail in Appendix 1.



Section 3: What we will do to tackle empty homes

3.1 Setting Aims and Objectives

The purpose of this Strategy has been outlined in Section 1 and is detailed in the strategic objectives, which form the basis for the Action Plan framework in Section 4.

Action on empty homes can also be linked to wider objectives such as:

- Increasing the supply of affordable housing and temporary accommodation
- Tackling anti-social behaviour and crime
- Neighbourhood regeneration
- Increasing revenue from Council Tax
- Reducing complaints and demands on environmental health, police and fire service
- Increasing local economic activity
- Delivering sustainable development which considers effective protection of the environment.

3.2 Prioritising Action

The aim of this Strategy is to reduce the overall number of empty homes. A targeted approach will be used to bring properties back into use in areas that have been identified for proactive action. Analysis has shown particularly high concentrations of empty homes in some defined areas (See Section 1.2). Empty homes will be brought back into use, using a range of flexible solutions appropriate to the property – Appendix 2 outlines the options available and the flowchart that will be followed to determine the course of action that will be taken.

Within these 'priority areas' empty properties will be assessed for future action using the revised Empty Property Assessment Form (Appendix 3) which is a point based system. The Form will be used to gauge the most appropriate enforcement action for a particular case. The intention will be to return properties to meaningful use based on consistent and transparent criteria and policy. This takes into account factors such as:

- Condition / environmental impact / no. complaints received
- Time empty
- Number of empty properties in the same street

Although most of the proactive work will be within the identified areas it must be recognised that on occasion there will be the need to deal with homes outside of these areas, and a reporting mechanism is being put in place to do this through the Derelict Buildings, Untidy Land, and Open Spaces Group.

3.3 Balancing enforcement and incentives

The appropriate course of action for any individual property will depend on whether the owner can be located and if they are willing to bring it back into use. In conjunction with this the financial vitality of the property should be considered balanced against the likely rental or sale price.

Action within this Strategy will be prioritised according to how long the property has been empty, the negative visual impact the property is having on the immediate neighbourhood, the level of complaints and the area it is situated in.

A range of solutions will be employed to ensure empty homes are brought back into use in appropriate areas. The Strategy will ensure a consistent and transparent approach to bringing empty homes back into use through the implementation of the revised Empty Property Assessment Form.

3.4 Impact of the recession and other risks

The current recession and failing housing market offers threats and opportunities for tackling empty homes.

Mortgage repossessions are increasing across the country and there are concerns about the potential impact on buy-to-let tenants. This will be closely monitored within Hartlepool.

The market downturn of 2008/09 may result in an increase in empty homes as owners choose not to sell or can not find a buyer or tenant. The limited access to credit may also make it more difficult for owners and developers to raise finance for renovations and may result in churn of the private rented market. This will also be closely monitored and its impact assessed.

However, the market downturn may also bring opportunities for owners with an empty home falling in value to enter into long-term agreements with Registered Providers while they wait for the market to recover.

The Housing Sub-Group of the Hartlepool Partnership has recently examined the effect of the recession on a range of housing issues, including Private Sector Empty Homes, and identified some immediate actions⁴.

Changes in buy to let lending and less availability of owner occupier mortgages will impact on the number of homes left empty for over 6 months.

In addition there are a significant number of new build apartments currently empty in Hartlepool (mainly on the Marina). In the longer-term there will be a need to work more closely with planning colleagues to better align future housing demand with planning approvals.

Potentially any of the voluntary and enforcement options detailed in Section 2 could involve the council in having to find funding to instigate action.

3.5 Resources Needed

Most proactive authorities have at least one officer dedicated to carrying out the actions required to be carried out by an Empty Homes Strategy. The scale of action desired by the Council will require consideration of ways to provide this essential staffing resource.

Financial aid towards the cost of empty homes work will be significant in assisting their return into use. Funding sources are restricted, and the Council will have to investigate the possibility of using SHIP capital, Section 106 agreement funding and prudential borrowing to pump-prime the enforcement actions proposed.

The recent Government policy shift targeted towards supporting new build affordable homes means that the scope to introduce financial assistance for bringing empty homes back into use has been severely restricted, particularly in the short term.

A business case will need to be developed to ensure the financial implications of using EDMO and CPO are understood.

3.6 How we will deal with empty homes / priority areas

In order to address the challenges to delivering this Strategy the following strategic objectives have been identified:

- Objective One: Pro-actively bring long-term empty homes back into use using flexible solutions / appropriate enforcement action
- Objective Two: Prevent homes from becoming long-term empty
- Objective Three: Increase decent and affordable rented housing for those in housing need / maximise housing options in the town
- Objective Four: Continue to identify the reasons for the distribution and ownership of empty homes and establish trends and reasons
- Objective Five: Support investment in Housing Market Renewal and its surrounding areas through the reduction of long-term empty homes

Section 4: Action Plan Framework

An action plan framework for delivery of this Strategy up to 2015 has been developed using the 5 strategic objectives identified in section 3. Each year an annual action plan will be developed based on this framework, commencing in 2010/11. The action plan will comprise SMART actions (i.e. they will be specific, measurable, achievable, realistic, and timely). Monitoring arrangements are outlined in Section 5.

Objective One: Pro-actively bring long-term empty homes back into use using flexible solutions / appropriate enforcement action	
Desired Outcome: To improve neighbourhoods and the environment by targeting and helping to bring long-term empty homes back into use.	
Key Action	Tasks / Actions Involved
Recruit a dedicated Empty Homes Officer	
Develop an Empty Homes Toolkit	Develop an Empty Homes Management Protocol for private owners and registered providers to use when they own empty properties
	Develop EDMO policy and procedures
	Develop CPO policy and procedures
	Develop Enforced Sale policy and procedures
Using enforcement proactively tackle long-term empty properties in areas of housing need.	Bring 10% of long-term empty properties back into use each year
	Identify empty properties suitable for enforcement action
	Pilot and evaluate the use of EDMO in line with policy and procedures
Explore opportunities for financial assistance to private owners	Evaluate the costs of bringing homes back into use
	Investigate sources of funding

Objective Two: Prevent homes from becoming long-term empty	
Desired Outcome: Minimise the number of properties becoming empty for longer than 6 months	
Key Action	Tasks / Actions Involved
Develop a marketing and publicity approach to promote the Empty Homes Strategy	Develop empty homes publicity material
	Improve empty homes information on the internet

Provide a contact point within the Council for empty homes work	Develop and provide a range of methods of communication to enable people to make contact easily
Enhance liaison with private landlords	Offer advice to owners on becoming a landlord and assist in letting empty homes
	Continue to promote and reward good landlords through the Landlords Accreditation Scheme by developing and promoting incentive schemes, such as discounts for municipal waste disposal
Enhance partnership working across services	Co-ordination of all relevant agencies and services involved in empty homes work
	Work with colleagues in Council Tax to ensure that the options available to bring empty homes back into use are made available to owners
Establish procedures for working with mortgage companies with clients at threat of repossession	Make links and set up early interventions with mortgage companies

Objective Three: Increase decent and affordable rented housing for those in housing need / maximise housing options in the town

Desired Outcome: Improved access to decent and affordable housing for people in housing need

Key Action	Tasks / Actions Involved
Investigate and develop a range of re-use options for owners	Investigate and evaluate the feasibility of developing a leasing scheme with providers through council nominations
Increase the use of affordable empty homes in meeting housing need	Use the marketing strategy to encourage landlords to let properties at an affordable rent
Work with registered providers to maximise housing options in the town	Monitor and evaluate the outcome from the pilot HH Managing Agent scheme

Objective Four: Continue to identify the reasons for the distribution and ownership of empty homes and establish trends and reasons

Desired Outcome: To have accurate information and mapped trends in order to effectively progress strategy development and enable informed decision making

Key Action	Tasks / Actions Involved
Develop an Empty Homes Database	Work with colleagues in Council Tax section to identify the data held on all empty properties

Establish an accurate baseline of empty homes information	Undertake a survey of empty home owners and establish why they are leaving their properties empty
	Consult owners on their views as to what the Council should be doing to help them return their property to use
	Consult local residents and other groups for their views on empty homes in Hartlepool
Map areas of housing need	Use the information from the Compass CBL scheme to identify areas of housing need
Review and monitor empty homes performance	Join National Association of Empty Property Practitioners

Objective Five: Support investment in Housing Market Renewal and its surrounding areas through the reduction of long-term empty homes

Desired Outcome: Achieve long-term sustainability of these areas

Key Action	Tasks / Actions Involved
Ensure empty homes work complements the regeneration activity for the town	Use the Strategy in adjacent HMR areas



Section 5: Delivery of the Empty Homes Strategy

An Empty Homes Strategy Steering Group was established at the start of the Strategy development process. The aim of this was to engage internal and external partners, raise awareness and seek the views of relevant departments and organisations for the issues and priorities that the Strategy should address.

The Steering Group is made up of:

- Strategic Housing Officers
- Private Sector Housing Officers
- Housing Advice Team Manager
- Neighbourhood Managers
- Regeneration Officers
- Planning Officers
- Anti Social Behaviour Team Manager
- Local Taxation Assistant
- Housing Hartlepool
- NDC Trust

The Empty Homes Strategy Steering Group is attended by officers who have a corporate interest to ensure the success of the Strategy. The group reports to the Derelict Buildings Group, chaired by the Mayor.

Monitoring of the Empty Homes Strategy will take place through regular reporting to Hartlepool's Housing Partnership, the Council's Housing Task Group and the Derelict Buildings Group.

The Council is currently monitored against its Local Priority Target LAA H P001 – number of homes brought back into use.

In addition an action plan has been developed and targets will be set to ensure empty homes are brought back into use and utilised to meet housing need and increase housing options.

Appendix 1 Enforcement and Incentive Options

Non-enforcement incentives	Risks / Disadvantages	Advantages
<p>Advice on:</p> <ul style="list-style-type: none"> *redevelopment / planning consents *finding a contractor / managing repairs *how to join the Landlord Accreditation Scheme *finding a tenant through the Compass CBL Scheme *how to sell the property *the leasing scheme *tax issues 		
<p>Financial Assistance The Council could provide a loan to the owner to make the property lettable or suitable for owner-occupation, to be repaid monthly at an agreed rate, in a lump sum, or for a share of the value of the property on future sale</p>	<p>1. Reduced central government funding for private sector housing improvement due to the policy shift targeted towards new build affordable homes means that financial assistance for bringing empty homes back into use is restricted</p>	<p>1. Only relevant for regeneration of targeted areas</p> <p>2. Council can apply conditions</p> <p>3. Funding can be recycled</p> <p>4. Placing a financial charge on a property for repayment on future sale could assist an owner of a single empty with very limited access to finance, to bring the property back into use</p>
<p>Rent Guarantee Scheme Providing a link to existing schemes or financing a new scheme to offer landlords a guarantee that arrears will be paid for in lieu of a deposit for accepting applicants nominated by the Council</p>		
<p>Voluntary Leasing Directing the owner to a Registered Provider management / leasing scheme for a period of years. The Registered Provider could sub-lease to the Council and take nominated tenants</p>		<p>1. The owner will sign a long-term lease and be guaranteed a rental income for the length of the lease.</p>

<p>Voluntary Acquisition The Council can purchase by agreement for onward sale /lease to a Registered Provider for owner-occupation. Alternatively to broker a purchase between the owner and a Registered Provider</p>	<p>1. Restrictions on the Council purchasing and retaining houses for rent.</p> <p>2. Transfers financial risk to the Council / Registered Provider</p>	<p>1. Gains control of the property</p> <p>2. Useful as a pre-CPO procedure to show that the Council has tried to deal with the owner by discussion rather than enforcement</p>
<p>Good Tenant Scheme This aims to reduce asb in the private rented sector by providing landlords with information to enable them to make informed choices about the history of potential tenants</p>		<p>1. Landlord provided with detailed history of potential tenants</p>

Enforcement Tools to deal with property condition	Risks / Disadvantages	Advantages
<p>Preventing Unauthorised Access Local Government (Miscellaneous Provisions) Act 1982 – Section 29</p> <p>Service of notice on properties open to unauthorised access or likely to become a danger to public health. Requires the owner to take steps to secure the property. The Council can secure the property if the work is not carried out, and has powers to secure without notice in emergency</p>		
<p>Removing rubbish Environmental Protection Act 1990 – Section 79/80</p> <p>Service of notice on the owner to remove rubbish from empty houses</p>		<p>1. Can be used to target premises and to proceed with Works in Default, EDMO, CPO</p> <p>2. Works lead to a registered charge and is fully recoverable with costs.</p>

<p>Tackling Visual Impact Town and Country Planning Act 1990 - Section 215</p> <p>Service of notice to improve the external appearance of unsightly property or land considered detrimental to the amenity of the neighbourhood</p>	<ol style="list-style-type: none"> 1. Does not directly bring property back into use 2. Does not deal with the internal parts of the property 	<ol style="list-style-type: none"> 1. Non payment of any debt can be used as the basis for Enforced Sale action
<p>Housing Act 2004 – Part 1 Housing Conditions (HHSRS)</p> <p>Sets out a system for assessing housing conditions and provides a range of enforcement options to deal with hazards found in residential properties.</p>	<ol style="list-style-type: none"> 1. Enforcement action taken on the basis of the impact on the most vulnerable potential occupant. Action must be appropriate. May be difficult to justify some forms of action without an occupier. 2. Does not directly bring the property back into use 	<ol style="list-style-type: none"> 1. Some forms of action may result in improvements to the property 2. Some forms of action may result in works being carried out by the Authority and non-payment of debt can be used as the basis for Enforced Sale action.
<p>Work in Default</p> <p>The Council can proceed to carry out any of the above works when an owner defaults on any of the above notices by not carrying out the works</p>	<ol style="list-style-type: none"> 1. Involves an initial outlay of capital. 	<ol style="list-style-type: none"> 1. Accumulation of specific outstanding debts can instigate Enforced Sale

Enforcement tools to bring properties back into use	Risks / Disadvantages	Advantages
<p>Empty Dwelling Management Orders Housing Act 2004 – Section 132</p> <p>Council can make an application for an Interim Management Order to a Residential Property Tribunal to take over management for up to a year. If the owner has not reached an agreement with the Council for the owner to resume management during the year, the Council can make a Final Management Order to retain management for up to a further 7 years</p>	<ol style="list-style-type: none"> 1. Open to appeal, particularly in hard to let areas 2. Procurement process needed to secure managing agent, e.g. RSL 3. Owner entitled to receive rent less acceptable costs of management 4. The Council may not recoup the total cost of repair/ refurbishment necessary to make the property lettable 5. May need to identify funding for costs of appearing at Residential Property Tribunal 	<ol style="list-style-type: none"> 1. Brings property back into use. 2. Powerful persuasive tool. 3. Costs can be recouped from rental income 4. Funding for acquisition is not required, though some initial expenditure may be needed to bring the property up to a reasonable standard 5. May take as little as 6 months to obtain
<p>Enforced Sale Law of Property Act 1925</p> <p>A debt recovery power which allows the Council to force the sale of a property when charges are registered as a result of works carried out in default and the debt isn't paid.</p> <p>Suggested level of accumulated debt to trigger action is £300.</p> <p>Transfer of ownership is monitored by the Council to ensure that the property is brought back into use</p>	<ol style="list-style-type: none"> 1. Can't enforce a sale if the debt is paid – but is a catalyst for dialogue. 2. Doesn't apply to all debts, e.g. Local Government (Miscellaneous Provisions) Act notices are not registerable 3. May not be appropriate for heavily blighted areas 	<ol style="list-style-type: none"> 1. Can't enforce a sale if the debt is paid – but may result in the owner reconsidering the options. 1. Brings property back into use. 2. Recovers debts. 3. Has been successful in larger authorities with dedicated teams 4. Council is never liable for the property 5. Costs incurred in taking action can be taken out of proceeds of onward sale 6. Relatively short time period of 6-9 months to force the sale 7. Owner is required to identify future use and not just pay the debt.

**Compulsory Purchase Order
Housing Act 1985
– Sec.17**

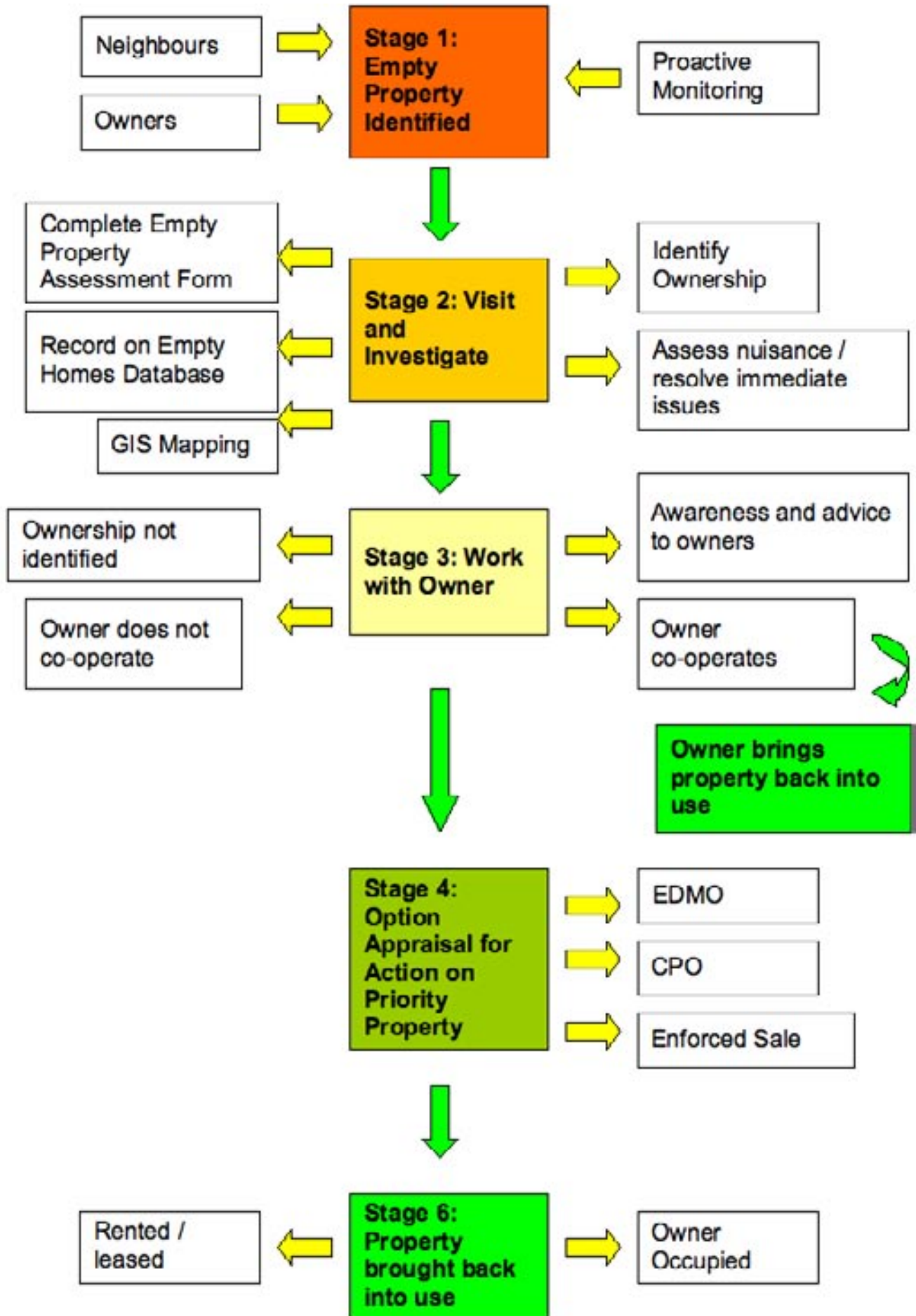
The Council can acquire an empty house where it can be demonstrated that there is housing need. Used when an owner has no realistic plans to bring property back into use or won't agree a voluntary solution. The owner is entitled to the market value of the property. The property would be sold, either on the open market or by inviting offers from interested parties.

1. Council financial resources needed up front
2. Council must have proposals for subsequent occupation and management
3. Open to public enquiry
4. Have to hold the purchase funds indefinitely in cases where the owner is not known
5. May not recoup the total cost of purchase
6. May be difficulties in selling on
7. Process can be lengthy

1. Threat of CPO can persuade owner to take action without the need to enforce the CPO.
2. Can apply conditions to the sale , e.g. buy back if the property is not renovated within a specified timescale, e.g. restricting the sale for owner-occupation



Appendix 2 Options Appraisal Flowchart



Appendix 3 Empty Property Assessment Form

Address:□	
.....□	
.....□	
..... Date of Inspection:	
Number homes in street:	Number empty in street:

TIME VACANT	
Less than 6 months	5
6 months – 1 year	10
1 year – 5 years	15
Over 5 years	25
VISUAL IMPACT	
Visible neglect	
Broken window (s)	5
Damaged door	5
Partial boarding / shuttering	10
Full boarding / shuttering	20
Poor paintwork (fascias / windows)	5
Overgrown garden	5
History of fly-tipping	10
Insecure / attracting vandalism	10
Location	
Thoroughfare	10
CRIME / COMMUNITY SAFETY	
Risk of Arson	15
ASB Complaints	5 (per complaint)
Repeat Calls to Police / community tension	10
AREA	
Zone A (areas identified for possible HMR work but not yet confirmed – info on streets involved from AW/NJ)	10
Zone B (Regeneration Area)	5
Zone C (list from AW on neighbouring streets to Regen areas + all Selective Licensing streets)	15

COMPLAINTS / STATUTORY ACTION	
Justified Complaints about property condition	5 (per complaint)
Notices Served	5 (per notice)
Works in Default	5 (per order raised)
DEMAND	
Interest from purchasers	10
Interest from renters	10
SCORE	
A. SUB TOTAL	
B. MULTIPLIED BY % EMPTY IN STREET	
C. TOTAL (A+B)	

Works in Default debts – details (notice served and amount of debt:

.....□

.....□

.....□

.....□

.....□

.....□

.....□

.....□

Other debt (e.g. Council Tax) – details:

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Comments:

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Appendix 4 Housing Sub-Group Findings

The Housing Sub-Group of the Hartlepool Partnership has identified a small number of issues worthy of more detailed investigation through the process of the updating of the Housing Strategy. For Private Sector Empty Homes these are:

- Through selective licensing, there is the opportunity to engage with landlords earlier, and more proactively when homes are known to be empty
- To date, the Council has not used Empty Dwelling Management Orders. This should be piloted and the approach evaluated
- There is an opportunity to explore more innovative ownership deals for homes which are vacant. This could include a partnership approach between HBC and a Registered Provider in an owner and manager role
- The emerging Empty Homes Strategy and associated Action Plan should be completed. This should clearly identify geographic areas for priority intervention and present a review of resources available for this activity
- There is an opportunity to explore the availability of funding to support loans to fund repairs or rent guarantee / bond payments to make properties available for Council nominated applicants
- The Community Campus activity has been well received. Is there an opportunity to secure additional funding to support this activity?



Appendix 5 EDMO Survey Findings

In July 2009 a survey was sent out to all Local Authorities (LAs) who currently use or propose to use the EDMO tool.

From the responses received from 9 LAs using or threatening to use EDMO it was seen that the time taken to serve an EDMO ranged from 3 months to 18 months. The authorities that take the quickest time have employed dedicated empty homes officers. Where it is taking 18 months can be said to be due to staff undertaking this task as part of their overall duties. The costs of serving an EDMO also range considerably, from £1.5k to £25k. Looking at the funding sources it could be concluded that the authorities with larger budgets are spending more.

EDMOs have been served on a range of property types that have been empty for a range of reasons including mental health issues, debt, owner moved out. The time left empty before the EDMO was served also ranges widely from 12 months to 17 years. Most properties are now being let through private letting agents, the owner, partner ALMO and RSLs. Some have also been sold and a couple are still empty.

All LAs that responded to the survey believe that the EDMO proves value for money and would serve another.



Appendix 6 Links to Wider Objectives

National Policy

Empty homes have become an important issue nationally over the last few years and the Government, working with the Empty Homes Agency, is encouraging local authorities to adopt measures to bring privately owned empty properties back into use as part of their strategic housing approach.

The government estimates that empty homes account for 3% of the housing stock. Of the 697,055 vacant properties in 2008, 293,728 were identified as private sector vacancies of over 6 months.

The government has produced a range of guidance and legislation designed to help Councils set and achieve challenging targets on this issue.

- All local authorities have been encouraged to publish an empty homes strategy
- VAT has been reduced to 5% on properties empty for 2 years and 0% on properties empty over 10 years.
- Full council tax charging has been introduced on empty homes and access to the name and address details of owners
- CPO streamlining procedures have been introduced
- **Communities Plan – Sustainable Communities: Building for the Future (2003)**. This sets a long-term programme of action for delivering sustainable communities in both urban and rural areas. The Plan includes housing and planning reforms and offers a new approach to how we build and what we build. It specifically refers to bringing empty homes back into use.
- **Housing Act 2004**. This introduced Empty Dwelling Management Orders, the first power specifically targeting privately owned empty homes. This involves local authorities taking over most of the rights and responsibilities of the owner of an empty dwelling, to refurbish and rent out the property, without becoming the legal owner.
- **Barker Review of Housing Supply 2006**. One of the key themes within the report and recommendations was to ensure more efficient use of urban land – this included more efficient use of existing housing stock and returning empty homes back into use.
- **Housing and Regeneration Act 2008**. The Act established the Homes and Communities Agency, which focuses on delivering more new and affordable homes across all tenures and will drive and invest in regeneration. It will help to deliver the commitments set out in the Housing Green Paper 2007, which make specific reference to the need to tackle long term empty properties.

Regional Policy

Government Office for the North East contributes to the implementation and promotion of the Government's Housing Policy to ensure people have a good quality of life in sustainable communities. They work with local delivery partners and stakeholders around the key policy themes of affordable homes; tackling low demand and market restructuring; the provision of decent homes and addressing the housing needs of vulnerable groups. The North East

Housing Strategy 2007 sets the strategic housing priorities for the region with two of the four strategic objectives relating to existing housing stock, therefore impacting on returning empty homes back into use.

Sub Regional Policy

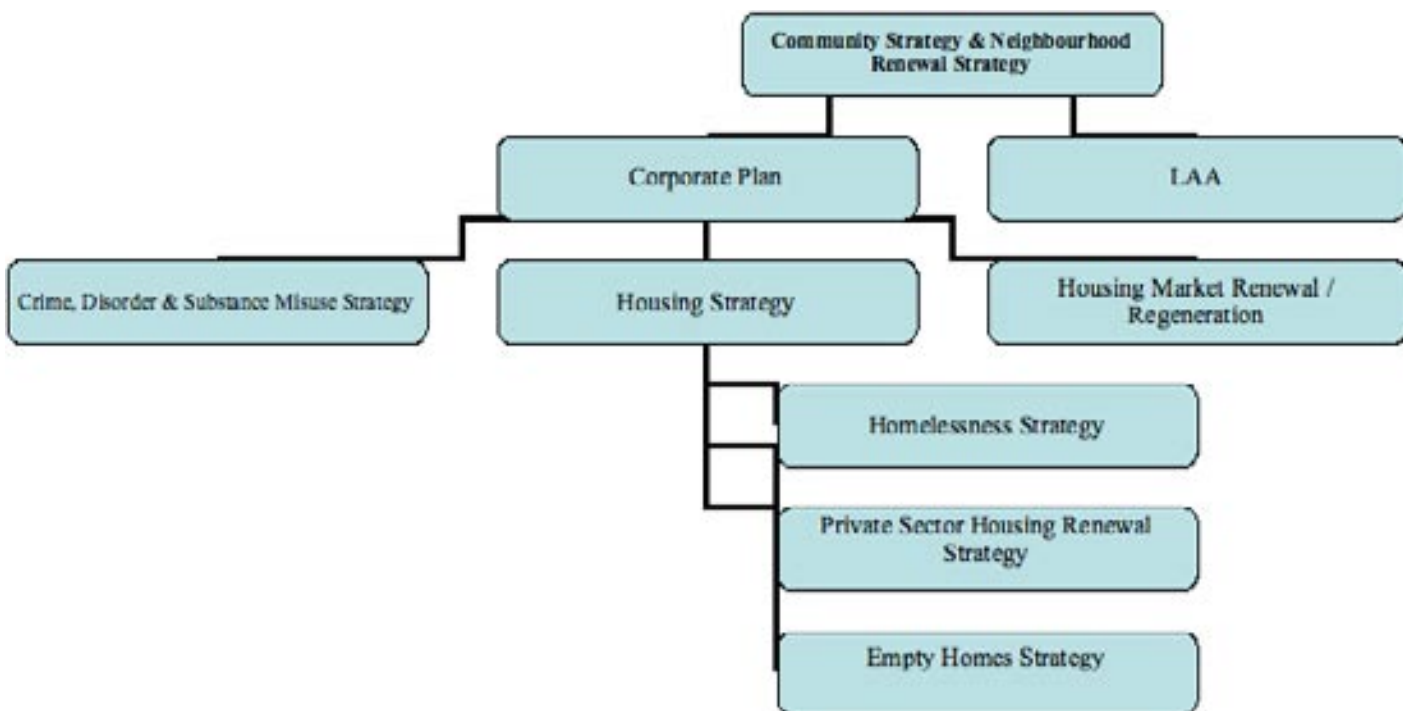
Across the Tees Valley there are 3918 private sector homes that have been empty for over 6 months⁵. Hartlepool works closely with its Tees Valley partners to develop specific initiatives to address the problem of empty homes and the Tees Valley has a good track record of sub-regional working.

- Tees Valley Empty Homes Scheme.** Between 2007 and March 2009 the Tees Valley Local Authorities were involved in this initiative to target long term empty homes through purchase and renovation. 7 properties were purchased within Hartlepool.
- Sub Regional Empty Homes Strategy.** At the time of writing this Strategy work has commenced on the development of a Sub Regional Empty Homes Strategy to introduce wider ranging and varied enforcement approaches, and where possible, to follow a common approach.

Local Strategies

Empty homes impact upon and have links with many local strategies, as detailed in figure 3.

Figure 3: Local Strategies



- **Community Strategy & Neighbourhood Renewal Strategy 2008-2020.** The Community Strategy, called Hartlepool's Ambition, looks ahead to 2020 and sets out the long-term vision and aspirations for the future:

"Hartlepool will be an ambitious, healthy, respectful, inclusive, thriving and outward-looking community, in an attractive and safe environment, where everyone is able to realise their potential".

The Vision is described in more detail in eight themes:

1. Jobs and the Economy
2. Lifelong Learning and Skills
3. Health and Wellbeing
4. Community Safety
5. Environment
6. Housing
7. Culture and Leisure
8. Strengthening Communities

The Neighbourhood Renewal Strategy provides the context for neighbourhood level regeneration within Hartlepool. It forms part of the Community Strategy and its aim is to reduce inequalities in the most disadvantaged communities and to help tackle social and economic exclusion by lowering worklessness and crime and improving health, skills, housing and the physical environment.

- **Housing Strategy 2006-2011.** The current Strategy was developed by the Hartlepool Partnership through the Housing Partnership. It details our housing objectives, priorities and the actions that will be undertaken to meet local housing need and aspiration. The aim of the housing partnership is to:

"Ensure that there is access to good quality and affordable housing in sustainable neighbourhoods and communities where people want to live."

In 2008 a supplement was produced to be read alongside the Housing Strategy 2006-11. It acknowledges that there is a need to be more proactive in bringing empty homes back into use and to consider the use of all of the options open to the council.

- **Private Sector Housing Renewal Strategy.** This Strategy identifies the following priorities:
 - Achieving Decent Homes targets for private housing occupied by vulnerable groups
 - Delivering empty homes initiatives
 - Providing targeted support to renovate and repair housing in areas adjacent to redevelopment areas

- **Homelessness Strategy.** At the time of writing this Strategy work has commenced on the development of an updated Homelessness Strategy for Hartlepool. The Strategy will set out the strategic framework for the continued improvement to the housing and support services delivered by the Council and its partners in the prevention of homelessness.
- **Housing Market Renewal / Regeneration.** HMR is a key priority for the Council. It is the leading thrust of the Council's Housing and Regeneration Strategies and a major element of the Local Strategic Partnership's Community Plan. Access to funding since 2006 has been through the Council's participation in the Tees Valley Living Partnership, where the Council is a major local authority partner in the 'Pathfinder'. Sub regional co-ordination is undertaken by Tees Valley Living with implementation and delivery by the individual local authority.

The Council's Housing Regeneration Team prepare neighbourhood, area based and town-wide regeneration strategies, co-ordinate the development of bids and submissions for regeneration resources and manage/support a range of regeneration programmes and projects.

The programme has been driven by community input and involvement which has been heavily influenced and guided by residents. Two key documents are the New Deal for Communities Community Housing Plan and the North Central Hartlepool Master Plan. All current and passed HMR sites have been the key priorities in these documents.

- **Crime, Disorder and Substance Misuse Strategy 2008-2010.** The Crime and Disorder Act 1998 placed a statutory duty on local authorities to form a Crime and Disorder Reduction Partnership (CDRP) and to work with partners to promote community safety. In Hartlepool this is the Safer Hartlepool Partnership and its Strategy 2008 – 2011 has the reduction of criminal damage and anti social behaviour among its priorities.

3.6.5 Links to training / employment

Within the Council's HMR and new build programme links have been made to employment and training. At the initial developer selection stage a development brief is produced which details the employment and training requirements of the scheme. The preferred developer is then appointed and the employment and training requirements secured within a development brief. On commencement of the development the employment and training requirements are monitored by the Council's Working Solutions Team to ensure that all requirements in the development brief are fulfilled. This approach is used for all Council HMR schemes and new build affordable housing schemes.

Footnotes

- 1 Empty for over 6 months.
- 2 The Private Rented Sector: its contribution and potential. October 2008. Centre for Housing Policy, University of York.
- 3 Housing Strategy Statistical Appendix 2009.
- 4 A Review of the impact of the recession on the implementation of Hartlepool's Housing Strategy. Housing Sub-Group, September 2009.
- 5 Empty Homes Agency 2008.



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