

**Health, Housing and Adult
Services**

Empty Property Strategy

2007-2011

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FOREWORD by Councillor H Trueman, Cabinet Member with Portfolio for Housing and Public Health

I am pleased to introduce Sunderland's second Empty Properties Strategy building on the extremely successful work already carried out across the city to bring long-term empty properties back into use.

Housing is the cornerstone of any sustainable community and this strategy supports the overall aims of the council in improving the quality of housing in Sunderland. It is set within the national housing policy perspective and aligns itself to regional and sub regional priorities.

As one of the first local authorities in the United Kingdom to produce an Empty Property Strategy, this review continues to assist me in redefining the City Councils role, image and profile in respect to housing standards across the region and indeed the country.

We want to help create a city that is:-

- Prosperous
- Thriving
- Inclusive
- Dynamic

And to:

- Develop sustainable communities for the 21st Century and beyond, where everyone in Sunderland and those wanting to come to Sunderland have the opportunity of a decent home.

At a local level the Empty Properties Strategy will ensure early intervention prevents empty properties causing problems to neighbourhoods. It will do this through a range of measures including tackling anti social behaviour and addressing poor standards of landlord management through selective licensing. It will continue the work to make sure owners of long term empty properties secure sustainable occupation, work which won the council the Francis Garrett Award in October 2004.

This strategy has been drawn up following a full consultation exercise. The views of as many stakeholders as possible have been included in the strategy – including the general public, service users, elected members and officers of the council and its partners.

The City Council remains committed to improving its housing services and housing provision within the city for the benefit of its customers and all Sunderland residents. It will ensure the city offers the highest quality housing in respect of design, condition, choice, value for money, affordability and management and sets out to deliver the city's vision for the future:

“Sunderland – a city for everyone to be proud of. Sunderland will be a prosperous city. A desirable, safe and healthy place to live, work, learn and visit, where all people can reach their full potential.”

Councillor Harry Trueman, Cabinet Member with Portfolio for Housing and Public Health
Introduction

Sunderland City Council has always been pro-active in working with its strategic housing partners to bring empty properties back into occupation.

The City Council produced its first Empty Property Strategy in 2003. This document updates that Strategy. It is a key document for the Council providing a partnership framework for bringing empty properties back into occupation

Introduction

Sunderland City Council has always been pro-active in working with its strategic housing partners to bring empty properties back into occupation.

The City Council produced its first Empty Property Strategy in 2003. This document updates that Strategy. It is a key document for the Council providing a partnership framework for bringing empty properties back into occupation.

The strategy was produced in line with guidance from the Department for Communities and Local Government and The Empty Homes Agency. It is linked closely with the Sunderland Strategy, Sunderland's Housing Strategy, Crime & Disorder Strategy and Private Sector Housing Strategy and the Regional Spatial Strategy.

"Empty Properties are 'The Worst Neighbours from Hell'. They dramatically add to the decline of an area's value and force owners to move out often leaving the area to descend into irreversible urban decline".

Empty Home Agency – (EHA)

Empty Properties are almost inevitable in all cities, communities and neighbourhoods. Some empty properties, like those that are being actively advertised for sale, are necessary for movement within the housing market. Those that are in a poor state of repair and subject to prolonged vacancy are different.

These properties are a wasted resource. The housing charity 'Shelter' state that for every homeless person in this country, seven properties stand empty, wasted and detrimental to the neighbourhood.

The costs of empty properties are considerable. The EHA estimate that leaving a property empty can cost owners over £5000 a year in lost rental income, repairs, notices and depreciation in value. The council incurs costs in dealing with the increased number of properties lying empty. Importantly, there are also costs to the

community. The visible presence of a number of boarded up homes can often accelerate housing decline, devaluing other homes.

Long-term empty homes in the private sector [both for owner occupation and for rent from private landlords] are the focus of this strategy. Our objectives are:

- To bring them back into residential occupation.
- To work proactively and preventatively to ensure that the number of potential future empty properties is minimised.
- Use the additional tools provided by the Housing Act 2004, along with training and support for officers, to tackle empty properties within the private sector.

Purpose of Strategy

1. The purpose of the Strategy is to provide a pro-active strategic approach to the reduction in the number of empty properties in Sunderland. The strategy will play a key role in assisting the creation of sustainable communities in all neighbourhoods of the city and especially in those suffering from decline.
2. The Key aims of the strategy are to:
 - Monitor the numbers of empty homes in Sunderland and research the reasons why they are vacant
 - Determine those areas of the city which have sustainability issues with regard to housing stock in the private sector
 - Reduce the number of long-term empty properties in Sunderland and the detrimental effects they have on local communities
 - Reduce crime and anti social behaviour targeted at empty properties
 - Reduce the incidence of arson on empty properties

- Reduce the burden and costs of Empty Properties to owners and communities
- Help landlords and owners realise the full potential of their properties
- Encourage the regeneration of declining areas and communities
- Assist in delivering the aims of the Private Sector Housing Strategy 2006-2011.
- Encourage the regeneration of poor housing stock and discourage building on 'green field' sites.
- Encourage the occupation of empty properties to help support and sustain communities and deter decline in sustainable areas of the city's housing stock.
- Provide more properties for sale or rent that are available to meet our housing needs and, in particular, the prevention of homelessness.

The National Picture

3. Empty homes and the problems associated with them are not restricted to Sunderland. Throughout the country, the Empty Homes Agency advises Local Authorities how to tackle the problem of empty properties. The agency strongly recommend that all Local Authorities adopt an Empty Property Strategy as part of their Corporate Regeneration Strategy and appoint a dedicated Empty Property Officer to specifically target empty properties and the issues surrounding them.
4. Nationally, the United Kingdom has approximately 860,000 empty homes across all tenures. Over 585,569 of these are in the private sector and although it includes second homes and properties temporarily empty due to house sales, this figure is very high. It is reported that a property loses 10% of its value when standing next to an empty home, equating to nearly £34 billion lost countrywide

The table below shows the distribution of empty properties across England:

Region	Total empty properties April 2006
North East	39,148
North West	128,473
Yorkshire & Humberside	79,505
East Midlands	58,419
West Midlands	77,544
East of England	56,656
London	91,219
South East	91,232
South West	57,956
England	680,412

Figures from the Empty Homes Agency, (EHA)

5. Empty properties cost local taxpayers and property owners. Bringing 50 properties back into use would generate at least £41500 in Council Tax Revenue alone, based on Council Tax Band A. If just 1% of the national total of empty private sector properties were occupied, rental income would exceed £30 million [figures from the EHA]
6. For a local case study outlining the costs of an empty property, see Appendix

Regional Picture

7. Information from The Empty Homes Agency confirms that there were 39,148 empty properties in the North East region in April 2005. The private sector accounted for 30,119 of these, local authorities accounted for

5,209, other public properties 396 and registered social landlords 3,424.

8. These figures show a reduction of 7,521 since April 2002.

The Local Picture

9. Sunderland is a modern and vibrant city, with a busy social and shopping area in the city centre. New life has been breathed into the city by way of the Metro link with Newcastle, South Shields and beyond. Investment from 14 overseas and 10 national companies who have chosen Sunderland to expand their service/s has been secured. Developments in recent years in the city include Doxford Park International Business Park, Metro connection and Sunderland Football Club's Stadium of Light have increased the city's appeal and highlighted Sunderland nationally.
10. The housing market in the city is generally viewed as buoyant. The average cost of a property has risen from £106,031 to £128,137 as at December 2006. The cost of properties throughout the country differs greatly. Although over the last 2 years the price gap between North and South has narrowed slightly, the average cost is still significantly different. The average cost across all property types in the North in March 2006 stood at £130,000 the lowest region in the country, whilst nationally the average cost across all property was £183,486.
11. Of the five Tyne and Wear Local Authority areas Sunderland has, on average, the lowest cost properties, see below: -

Tyne & Wear Regions	Average Cost of Property
Sunderland	£128,137
South Tyneside	£130,222
Gateshead	£131,801
North Tyneside	£146,683
Newcastle	£171,718

12. Within the city, different areas have different house values. These can be broken down even within the postcode areas. The table below demonstrates property prices within an actual postcode area of Sunderland, based on sales during October, November & December 2006.

Areas in Sunderland	Average cost of property
Coalfield	£124,707
Sunderland North	£112,506
Sunderland East	£148,558
Sunderland South	£131,185
Sunderland West	£119,661
Washington	£132,585

13. Sunderland has a population of some 280,300 occupying approximately 123,982 properties.
- The Private Sector has approx 89,520 properties that are either owned outright, being purchased by residents or rented privately from landlords.
 - Of these properties, 4.7% (5,453) are rented to tenants by private landlords.
14. This is well below the national average of 10% but typical of towns and cities in the North East of

England. It is also partly due to the high level of social rented housing in Sunderland [provided mainly by Gentoo].

15. Most privately rented properties provide very good housing at an affordable cost to the tenant. The council's view is that this should be built upon. The private rented sector is capable of offering a good standard of accommodation for all in housing need.
16. Most property types in the city are sought after, from houses and cottages to bungalows. Property prices are rising and developers are constantly searching for opportunities in popular areas to build new properties to meet the city's need for better quality accommodation. From April 2006 to March 2007 a total of 688 new units of accommodation were completed.
17. Given the buoyancy of the housing market and the popularity of housing in most parts of the city it is surprising that approximately 1679 residential properties remain empty. A number of them are in need of repair and deteriorating. A 'hard core' of about 411 empty properties have stood empty for over 6 months and have attracted complaints from the general public.
18. A recent analysis of new build apartments/ flats in Tyne and Wear found that nearly 30% are empty for over six months once completed and liable to pay council tax. (Tyne and Wear Housing Partnership) This is possibly due to investment buying, lack of demand or a general slow down in the wider housing market.
19. Over the last three years the average number of new build flats/ apartments completed in Sunderland is 183 units per year. The research figures suggest that this could mean an additional 55 empty units per year in the city. Importantly,

these dwellings are not classed as in low demand and the Empty Properties Officer has few powers to encourage re-occupation. This has a direct bearing on our key performance indicator regarding bringing properties empty for more than six months back into occupation.

20. Research is currently being carried out with the Northern Housing Consortium to assessing the impact of the "buy to let" market. Closer working with Planners to apply relevant conditions to new housing sites will help the situation as will closer working with Council Tax staff to identify local approaches aimed at discouraging people from leaving properties empty.
21. Of the 1500 empty properties in the private sector visited as part of the Empty Property Strategy research by 30 April 2006, 150, (10%), were found to be boarded up. Boarded up properties are unsightly and can become targets for fly tipping, crime and anti social behaviour. The best form of security is always occupation.
22. Between April 2006 and March 2007 the Housing Renewal Team
 - Served 10 legal notices on owners of empty dwellings that were insecure, charging the costs of the works required by the notices to the owners.
 - Reacted to 222 complaints [roughly 4 per week] in connection with empty properties.
 - Issued 29 legal notices to remove perishable fly tipped refuse from properties across the city.
23. The 2002 Private Sector Stock Condition Survey indicated that 1.7% of the City's private housing stock was vacant. A further such survey will be completed

during 2007 along with a Local Housing Market Assessment. Results will be published in late 2007.

24. The average cost of repairing an empty property in England & Wales is some £10,460, rising to over £11,000 for detached dwellings. For pre-1919 properties, (the most common category of unfit property in England & Wales), the average cost is £6,400. However, a small proportion, (approximately 8%), of properties can be made fit for as little as £1,000.
25. The Sunderland Private Sector Stock Condition Survey 2002 identified 408 unfit, empty dwellings with an average estimated cost of just over £7,000 per property to make them fit. These figures will be updated by the 2007 Survey. This represents a significant cost to bring every unfit empty property up to an appropriate standard. This is in addition to properties that are occupied but also require investment to bring them up to standard.

Implementing the strategy

26. Previously, the city council responded reactively to individual complaints in respect of empty properties. Resources were concentrated on occupied homes and those unfit or in a poor condition. A dedicated Empty Property Officer was appointed in 2003 and the council's approach has since been more strategic and research led. We now have a focussed approach in assessing priorities and the ability to target those dwellings in the most need of attention. The strategy has been successful in returning a large number of empty properties back into occupation. It is crucial that resources are effectively targeted towards those properties that are detrimental to neighbourhoods.

27. During 2006/2007 the Empty Property Officer was successful in bringing 193 properties back into occupation, during 2005/2006 - 187 properties, during 2004/2005 - 65 properties were brought back into occupation. There is still work to do and we will strive to improve on past performance.

28. The council has always utilised the powers at its disposal when dealing with dwellings, both empty and occupied. However as part of the strategy, a clear message will be sent out to any owners and/or landlords who refuse to keep their properties well maintained and well managed. This message will clearly state that:

- Properties should be kept to a reasonable standard
- Owners should work in partnership with the Council to re-let or sell as soon as possible or enforcement action will be taken
- It is not our intention to force landlords into working independently and we will encourage all landlords to work in partnership.

Sunderland's Voluntary Accredited Landlord Scheme

29. In 2003 the council introduced a voluntary Accreditation Scheme for private landlords who operate within the city. As at July 2007, 203 landlords including providers of student accommodation are members. These landlords must meet a set of standards relating to the management of their properties and their physical condition. In return they get the following advantages:

- The status of being recognised by the council as a good landlord
- Help with tenancy documents that will deter poor tenants

- Tenants who behave appropriately are more likely to visit Accredited Landlords first for housing
- Shared information on the suitability of tenants
- Free advertising of properties
- Inclusion in possible 'property matching'

30. Membership of the Accreditation Scheme helps landlords to be more attractive to prospective tenants and therefore helps in reducing the chances of properties owned by these landlords becoming and remaining empty. The Empty Property Strategy encourages all landlords to join the scheme regardless of the number of properties they own in Sunderland. The council acknowledges that the majority of landlords in the city do co-operate, in managing and maintaining their stock to a very high standard.

Research & monitoring

31. To tackle the problem of empty properties effectively, we need to know where and why properties are empty. Empty Property research commenced in November 2002, and will be ongoing, to ensure that the location of empty properties is known. Working in partnership with staff from Council Tax, this process has been very successful.
32. The council has established an 'Empty Property Database', to monitor empty properties across the city. Information such as length of time empty, type of property and ownership details is collected. Details can change quickly and keeping the information updated is ongoing to maintain accurate records.
33. The information is used to target resources effectively by enabling the Empty Property Officer to prioritise long-

term empty properties. The data is used to assess priority areas that may need additional resources or may be identified for clearance areas.

Clearance areas

34. The strategy will continue to identify properties that cannot be sustained due to a lack of demand, lack of investment and/or over supply. Various indicators can be employed to identify such properties, these include: -

- High proportion of long-term empty properties
- Condition of the properties
- Impact on the neighbourhood
- Consultation with residents
- Consultation with stakeholders of the area
- Length of time vacant
- Information from landlords
- Demand for housing
- Local housing market

35. Before any decisions are made for the future of such properties, the council will undertake a Neighbourhood Renewal Assessment, (NRA). The NRA will assist in the process of consultation with the community and in determining the most appropriate way forward.

Partnership working

36. The council will continue to develop links with the owners of empty properties, prospective buyers of empty properties, landlords, including Registered Social Landlords and all other stakeholders who have an interest in areas affected by empty properties.

Empty Homes Agency [EHA]

37. The EHA is an independent campaigning charity that works towards reducing empty properties nationally. The agency fully supports this strategy and will provide help and advice when needed.

North East Empty Property Forum

38. The Forum was established in February 2003 in line with Central Government's objectives. The forum meets formally four times a year, exchanging ideas and good work practices on dealing with empty properties.

Tyne & Wear Fire Service

39. The Fire Service, and in particular the Arson Task Force supports the Empty Property Strategy. The service plays an important role in identifying empty properties that are at risk from arson attacks.

Northumbria Police

40. The Police fully support the strategy, aiming to reduce crime and anti social behaviour that occurs due to properties becoming and remaining empty.

Specialist advice

41. Sunderland City Council's Empty Property Officer is well placed to be able to offer specialist advice to housing providers including RSL's in addition to private landlords. Advice can be given on a range of subjects, such as letting and marketing empty properties and/or operating an empty property strategy.

Priority properties & neighbourhoods

42. A 'Priority Property' is a dwelling, which the Council deems to require urgent attention. The following criteria will contribute towards priority status:

- Any property which has been empty for over 6 months
- Any property in an area with a 'high demand' for housing – high demand can be assessed by examining the housing market in that area
- Any property which would constitute a useful addition to the housing stock
- Any property or properties blighting a terrace where there is a proven need for housing

43. These factors have been decided upon in consultation with the people of Sunderland and in the light of complaints received regarding empty properties.

New Deal for Communities

44. Three officers are currently employed in the Hendon "Back on the Map" area specifically to tackle empty properties, private landlords and anti social behaviour.

Tyne and Wear Strategic Housing Partnership

45. Regionally, a new performance and governance framework for the Tyne and Wear Strategic Housing Partnership has been agreed. A key area of work for the members of the partnership is that of addressing all issues in Private Housing – none more so than empty properties

Key actions of the strategy

46. The Empty Property Officer will continue to prioritise all long-term problematic empty properties. To ensure reoccupation of long-term empty properties, we will:

- Continually monitor all empty properties in the city of Sunderland using the empty property database

- Continually publicise options open to owners of empty properties
- Continually monitor where and why properties are empty
- Identify and prioritise properties which have remained empty for longer than 6 months
- Continually promote the Empty Property Strategy throughout the city
- Work in partnership with the Empty Homes Agency and the North East Empty Property Forum
- Monitor and understand the local housing market across all sectors within the city
- Provide specialist advice and assistance to all housing providers including private landlords, RSL's and other Local Authorities.
- Improve on the council's performance towards meeting the relevant Best Value Performance Indicator
- Work with patch based Registered Social Landlords officers who can report empty properties.

Reviewing the strategy

47. This strategy will be delivered throughout the period 2006 to March 2011. During this time all findings and feedback will be

monitored. A review of the strategy will be undertaken in early 2010 and any recommendations for improvement will be considered.

Key outcomes of the strategy

The following key outcomes for the strategy have been identified:

- Greater awareness of empty property issues.
- Raised awareness amongst owners of empty properties of the impact they have and how they can bring them back into use.
- Good understanding of issues in problem areas.
- Multi disciplinary and cross agency response to empty properties.
- Reduced length of time a property stands empty.
- Help to create sustainable and safer communities.
- Coordinated information and communication channels about empty properties for residents, owners and other interested parties.
- Liaison with landlords, landlord's agents and owners of properties to identify potential solutions.

Table of Key Actions

Action	Outcome/Purpose	To be achieved by	Target Achieved	Responsible	Resources
Map empty properties on GIS.	Allow officers to identify long-term problematic empty properties in specific areas and identify sustainability issues.	Mar-08		EPO/IT section	Housing Renewal Team Corporate Services ICT
Visit all empty properties within 5 working days	To improve performance regarding identifying and securing empty properties	To be monitored quarterly	Yes	EPO	Housing Renewal Team
Prioritise long term empty properties in New Deal for Communities Area. The PSHO is aiming to assist in the reoccupation of 78 empty properties in the three year period.	Allow officers to tackle the most problematic long-term empty properties to ensure they are returned into occupation.	Mar-09		PSHO/EPO/PSHO	Housing Renewal Team
Continue to work closely with Council Tax and other internal departments.	Allow officers to tackle problematic long-term empty properties to ensure reoccupation.	Monthly review meetings.		EPO	Housing Renewal Team Corporate Services Housing Service
Attendance of North East Empty Property Forum	Allow officers to share best practice and develop further best practice with other council's	Quarterly		EPO	Housing Renewal Team
Continue to work closely with external agencies.	Allow officers to tackle problematic long-term empty properties in conjunction with partners to ensure reoccupation.	Quarterly meetings.		EPO	Housing Renewal Team
To canvass the opinion of people who live near empty properties.	Establish the views of residents regarding empty properties	As and when required for enforcement action	Yes	EPO	Housing Renewal Team Housing Strategy Team
Ensure reoccupation of 160 empty properties 2007/2008.	Achieve target of Empty Property Strategy and Neighbourhood Renewal Fund Performance Indicators	Mar-08		EPO	Housing Renewal Team

Ensure the reoccupation of 150 empty properties 2008/2009.	Achieve target of Empty Property Strategy and Neighbourhood Renewal Fund Performance Indicators	Mar-09		EPO	Housing Renewal Team
Examine the effect of the increase in buy to let properties within new build developments.	Develop greater understanding of local housing market issues.	Mar-08		EPO	Housing Renewal Team
Research the reasons the property remains empty.	Develop greater understanding of local housing market issues.	Six monthly	Yes	EPO	Housing Renewal Team
Review Empty Property Strategy 2010-2011	Provide a strategic plan to tackle empty properties. To be reported to cabinet by 2010.	Nov-2010		HRM/EPO	Housing Renewal Team Housing Strategy Team

Contacts

48. If you own or know about an empty property within the city you can request the Information for Owners booklet and/or the Empty Property leaflet from the council. This gives information on the various options open to you regarding your vacant dwelling or what to do if you are aware of an empty property. If you require any further information or would like to make any comments about this strategy, please contact:

Lisa Ketley,
Empty Property Officer
Housing Renewal Team,
Health, Housing & Adult Services,
PO Box 104, Civic Centre,
Sunderland,SR2 7DN
Tel: (0191) 553 1636
e-mail lisa.ketley@sunderland.gov.uk

Or you can e-mail
housing.renewal@sunderland.gov.uk

For advice or assistance in dealing with unfit or sub-standard housing contact:

Stuart Greenhow, Housing Renewal Team, Health, Housing and Adult Services, Civic Centre, Sunderland, SR2 7DN
Tel: (0191) 553 1701

For help on tackling crime & anti social behaviour and details of our Accredited Landlords Scheme contact:

Judith Morton, Housing Renewal Team, Health, Housing and Adult Services, Civic Centre, Sunderland, SR2 7DN
Tel: (0191) 553 1720

APPENDIX 1

Performance

The council is required to report figures to Central Government annually; this is the Best Value Performance Indicator 64 as detailed below. This figure allows for the comparison of Sunderland City Council with other councils' performance in terms of bringing empty properties back into use. The tables below compare Sunderland's performance from April 2002 to March 2006 with the 4 other metropolitan authorities that make up the Tyne and Wear Region. Information from the Office of the Deputy Prime Minister, (ODPM), website.

BVPI - Best Value Performance Indicator 64

Best Value Performance Indicator 64 relates to the number of private sector vacant dwellings that are returned into occupation or demolished during the financial year, as a direct result of action by the local authority. An authority should include any dwelling that it considers was re-occupied or demolished during the year directly as a result of action it undertook or initiated.

Key Lines of Enquiry

An effective Empty Property Strategy is key to the council demonstrating that it is effectively tackling poor housing conditions in the private sector. The council has fully developed ways to intervene in private sector housing, making best use of the provisions in the Housing Act 2004.

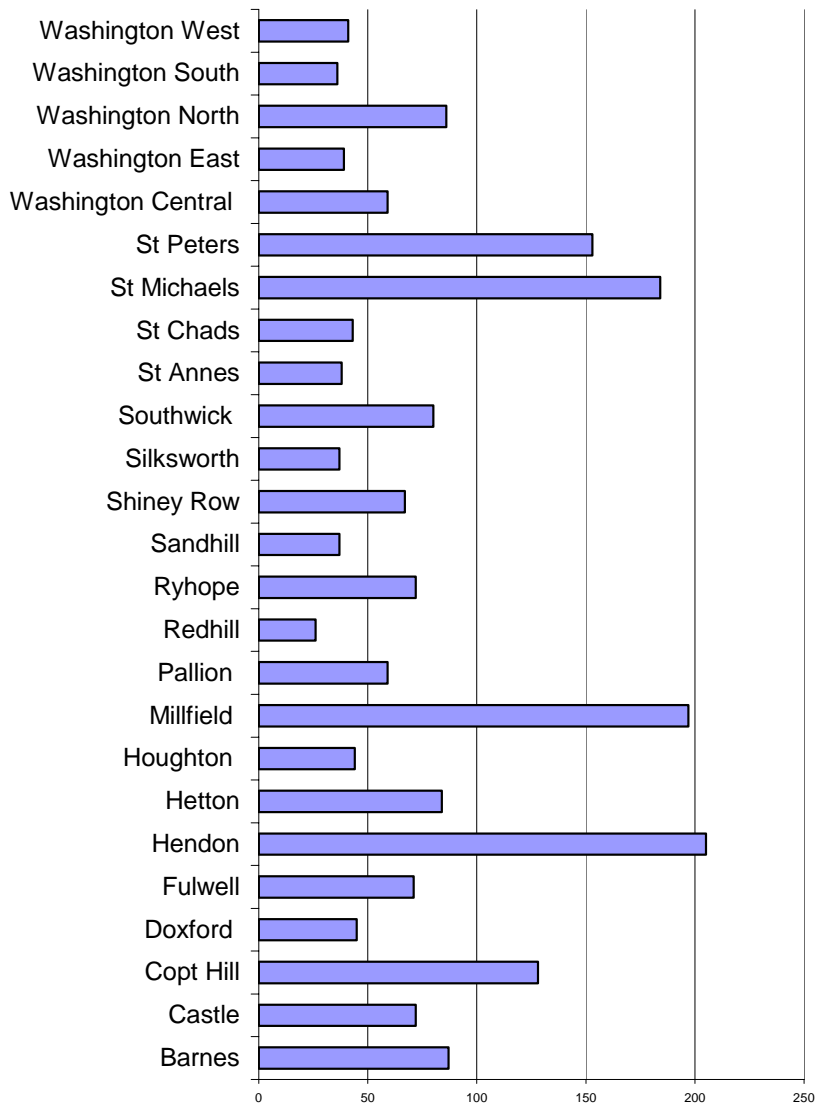
Definition of Best Value Performance Indicator (BVPI) 64

Authority	Best Value Performance Indicator 64 2000- 2001	Best Value Performance Indicator 64 2001- 2002	Best Value Performance Indicator 64 2003-2004	Best Value Performance Indicator 64 2005-2006
Gateshead	0.5%	2.5%	55	1,623
Newcastle City	N/A	0.2%	56	244
North Tyneside	1.3%	1.2%	16	134
South Tyneside	N/A	0.0%	6	25
Sunderland	5.7%	9.8%	44	187

) Housing
) Market
) Renewal
) (HMR)
) Pathfinder

For 2005-2006 the format for reporting the figures has changed to numbers of properties from percentage of empty properties to actual numbers.

Empty Properties By Ward Total 1,807



The graph shows the percentage per ward amount of the total empty homes within the city as at July 2007. As you can see by the graphs, empty properties are more prominent in the inner city areas and wards with a prevalence of terraced houses built prior to 1919.

It must be noted that due to Boundary Commission changes ward boundaries have been repositioned, wards have been amalgamated and improved reporting systems have increased the number of empty properties found within the wards.

However, a reduction can be noted in the older areas of the city containing more traditional older type properties. There has been a slight increase in the Copt Hill, and Southwick wards where homes have been vacated due to renewal activity in those areas.

The total number of long term empty properties listed on the empty property database has decreased due to improved surveillance and ongoing changes to Sunderland's housing market. In 2003 there were 473 problematic, long term empty properties. As of July 2007 there were 411. A recent analysis of new build apartments/ flats in Tyne and Wear has found that nearly 30% are empty for over six months once completed and liable to pay council tax. This is predictably due to investment buying, oversupply of that type of property or a general slow down in the wider housing market. Over the last three years the average number of new build flats/ apartments completed in Sunderland is 183 units per year. If 30% are empty that means there are an additional 55 empty units per year. These dwellings are not usually in low demand areas. In the absence of complaints the Empty Properties Officer has few powers to encourage occupation.

The Empty Property Officer concentrates more resources on problematic long term empty properties that attract complaints from residents and can become targets for vandalism, fly tipping and other anti social behaviour. The BVPI figures detailed below highlight the success of the Empty Property Officer role from 2003 to 2006.

Sunderland BVPI figures

Year	BVPI Figure
2002/2003	37
2003/2004	44
2004/2005	65
2005/2006	187

The BVPI figures for this council have remained in the upper quartile position for all England authorities throughout this period.

The council also report on the percentage of total private sector homes vacant for more than six months for the HIP return. This figure is collated from information obtained from several departments within the council.

APPENDIX 2

Tool Box

The Empty Property Strategy forges links to the Sunderland Strategy, the council's Housing Strategy, Private Sector Housing Strategy and the Affordable Warmth Strategy. The Government consider bringing empty homes back into use to be major priority, so much so that they have recently made changes to existing legislation and introduced new powers that give councils increased capability with which to tackle the problem of empty homes. These include: -

Informal Approach

In the first instance the council will attempt to broker an agreement with the owner or landlord to return the property to long-term, sustainable occupation. If an owner can do this independently the council will monitor the case until occupation is confirmed. If an owner or landlord cannot facilitate the occupation of a property the council will provide assistance and work in partnership with the owner to help return an empty dwelling to occupation. Advice will be given on all aspects of reoccupying empty properties. An owners information booklet has been produced and can be obtained from the council. This details the options open to owners and landlords of empty dwellings. For a pack please see the contact details which are listed at the back of this document.

Legislative Approach

The Regulatory Reform Act 2001 – The introduction of this legislation provided Local Authorities with the opportunity to change the way financial assistance, (or housing grants), are offered to owners of residential properties, both empty and occupied. Sunderland Council was one of the first in the country to have

published its utilised financial assistance policy, which came into effect on 1st April 2003.

Housing Act 2004

The Housing Act contains wide-ranging measures of reform that will help those most vulnerable while creating a fairer housing market for all those who own, rent or let residential property. Empty Dwelling Management Orders were introduced specifically relating to empty properties details as follows.

Empty Dwelling Management Orders

An Empty Dwelling Management Order EDMO allows the council to take over most of the rights and responsibilities of the proprietor it has the right to possession of the dwelling whilst the order is in force. They allow the council to secure occupation and proper management of privately owned houses and flats that have been unoccupied for a specific period of time. However the council do not become the legal owner.

There are two types of order- interim EDMO and final EDMO

Interim EDMO

To make an interim order the council must apply to a Residential Property Tribunal. There must be no one in occupation of the dwelling, whether the occupation is lawful or unlawful.

The dwelling must have been unoccupied for a minimum period of six months and the owner does not intend to take immediate steps to secure occupation of the dwelling. There is also a reasonable prospect that the dwelling will become occupied if an interim EDMO is made.

An interim EDMO comes into force as soon as it has been authorised and can last for a maximum of 12 months.

Final EDMO

The council may make a Final Empty Dwelling Management Order either to replace an interim order or a previous final EDMO if it considers the dwelling would otherwise become unoccupied. For example if the relevant proprietor refused to allow a tenancy to be granted under an interim EDMO or that the dwelling would be likely to remain unoccupied.

A final EDMO must contain a management scheme setting out how the council intends to carry out its duties and how it will account for monies expended and collected whilst it is operative.

Compulsory Purchase Orders & Enforced Sale Procedure

These are two pieces of legislation, which give the council the power to remove management control from reluctant, neglectful and absentee owners of problematic empty properties. This legislation will be considered in order to purchase empty properties that meet the following criteria:-

- long-term empty properties
- in a 'poor' state of repair and deteriorating
- properties in a high demand area
- properties which cause damage to neighbouring dwellings, or are a danger to the public

*Some additional powers that the council has at its disposal are given by the **Housing Act 2004**:*

Section 11/12 *Serving an improvement notice*

Section 20 - *Making a prohibition order.*

Section 28 - *Serving a hazard awareness notice.*

Section 40 - *Taking emergency remedial action*

Section 43 - *Making an emergency prohibition order*

Housing Act 1985:

Section 265 - *Amended demolition order.*

Section 289 - *Amended power to make slum clearance*

The Town & Country Planning Act 1990 provides for a Notice to be served to owners to tidy land adversely affecting the amenity of the area, it also gives Councils the power to enter land to carry out works and to recover the costs.

Additionally, should a complaint be received regarding a property, which is empty and 'open to access', the council, may serve a notice on the owner in respect to Section 29 of the Local Government (Miscellaneous Provisions) Act 1982. This will instruct the owner to carry out works to secure the premises and make them safe. If these works are not completed satisfactorily the council may carry out the works in default, and the full costs then charged to the landlord or owner.

Housing Health and Hazard Safety Rating System

Part 1 of the Housing Act 2004 contains provisions which replace the housing fitness regime set out in the Housing Act 1985, this is an important reform. The housing fitness standard is based on criteria first introduced 80 years ago and there is wide support for modernisation. The test of fitness and its criteria is replaced with an evidence-based risk assessment procedure, the Housing Health and Safety Rating System (HHSRS).

HHSRS is a new approach to the assessment of risks to health and safety in residential premises. The council will base enforcement decisions in respect of all residential premises on assessments under HHSRS. This reform will enable the council to address more effectively the hazards to health and safety present in the home.

Selective Licensing

The Housing Act 2004 provides powers for local authorities to selectively licence landlords of privately rented properties in designated areas suffering from low housing demand and/or significant and persistent anti-social behaviour. In order to do so the council must make an application to the Secretary of State for approval to designate the selected area as a licensable area. The council must show that all other reasonable steps to resolve the problems have been taken and that selective licensing will bring about a positive result. Prior to the introduction of any selective licensing scheme, a consultation exercise would be undertaken with stakeholders in the area.

Respect Agenda

Sunderland City Council is committed to using relevant powers contained in the Anti-social Behaviour Act 2003 and the Police Reform Act 2002 and is in the process of implementing new projects as part of the RESPECT agenda which will significantly impact upon instances of anti-social behaviour occurring in the city.

The Council will use its enforcement powers to ensure that private sector property is improved where necessary.

APPENDIX 3

Case Study - previous complaints

Empty properties attract complaints for many different reasons.

A particular property that had been empty for some time had attracted serious complaints to the Housing Service. Each complaint was thoroughly investigated and involved visits to the property.

It became necessary for the council to serve legal notices upon the owner of the property for works that were required to make the property and locality safe. This included:

- The removal of refuse and food waste
- Removal of dumped fridges
- Works to secure the property and make it safe

Residents who lived near to this empty property had been forced to watch the property decline over the years and perceive that their homes were devalued. They had experienced problems with youths hanging around the property, they were also fearful that the property could be attacked by vandals.

The work detailed is costly and all costs incurred were charged to the owner. The council were successful in encouraging the owner to sell the property. The property is now reoccupied following extensive refurbishment works.