

Liverpool City Council

Empty Homes Strategy 2010-2013



**Liverpool
City Council**

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1. Leader of the Council - Introduction:

The purpose of this strategy is to support the City Council's key aim to reduce long term empty homes to 4% by 2013. The strategy aims to set the scene in terms of the extent of the empty homes challenge in the City, to build on the good work already in progress and to develop an effective action plan that will involve greater partnership working stake-holders working in the City and local people by helping to foster innovative approaches for tackling empty homes.

Empty homes have a proven negative social and environmental impact on our local communities and we recognise that by effectively bringing them back into use will help maintain sustainable neighbourhoods. I am extremely concerned about the effects of empty homes on our communities and where housing stock is completely unsustainable the City has undertaken a programme of acquisition and clearance of these obsolete dwellings.

The problems associated with population loss and housing market weakness have been well documented in Liverpool and although we have achieved a lot over the previous decade through our housing renewal and regeneration intervention programmes; the reduction of long term empty properties is still a key priority for the City Council. This empty homes strategy has therefore been developed to support the development of new initiatives that will help reduce vacancy rates.

The delivery of this strategy supports and contributes the City's overarching Housing Strategy. This strategy was developed after consultation with:

- Registered Social Landlord partners working across the City,
- Liverpool City Council colleagues from different departments including Neighbourhood Management staff and from the Public Protection Team,
- The Empty Homes Agency,
- Private Sector Landlords,
- The Liverpool Charity & Voluntary Services / The Liverpool Community Network,
- NewHeartlands,
- Liverpool First for Housing (Strategic Housing Partnership)
- Neighbouring Local Authorities in Merseyside; and
- Other government agencies.

A workshop event was held on 25 January 2010. The main purpose of the workshop was to engage with stakeholder partners and community representatives and to stimulate a dialogue that would inform a preliminary action plan and the Empty Homes Strategy 2010-2013. A Draft Empty Homes Strategy was considered by the Sustainable Communities Select Committee in April 2010. This Strategy has been produced taking into consideration all the views all the participants of the workshop and the Members of the Select Committee. An Empty Homes Working Group has

been established whose details can be accessed on the City Council's website. The Empty Homes Working Group will monitor and develop this strategy and action plan however we still value your views about the future of empty homes in the City. To get in touch please find our contact details at the end of this document.

I am encouraged by the enthusiasm of stakeholder partners such as the Registered Social Landlords (RSL's) working in the City and community representatives who have already expressed and demonstrated their commitment to working with us in developing this final strategy document and in helping us to reduce empty homes in Liverpool.



**Councillor Joe Anderson
Leader of the City Council**

2. Empty Homes – definitions and common problems:

What is an empty home?

At any given time there will always be a number of empty homes due to people relocating, buying and selling their homes. In most cases this will be a short term situation. Of more concern are the **long term empty homes which are defined as having been empty for six months or more**. The physical signs identifying an empty property can vary especially where properties are used as second homes and only occupied at certain times of the year. Sometimes properties that look boarded up and in a state of disrepair with overgrown gardens may not be empty and are perhaps waiting for a new owner to take possession; the City uses a number of approaches before identifying a property as empty; these are discussed later in this document.

There are a number of reasons why properties can become empty such as:

- A property is inherited and the new owner is unaware of their responsibilities
- Part way through renovations the finance runs out
- Owners are overseas and use the property on a temporary basis
- Health issues of an owner
- The property is subject to probate or other legal dispute such as marriage breakdown
- A landlord is unwilling or unable to let the property either in the private rented sector or in the social housing sector
- Direct action by the Council and its partners in acquiring properties for demolition

The benefits of bringing an empty home back into use:

- Improving the look and feel of the area
- Reducing the fear of crime and antisocial behaviour
- Providing capital or income for the owner
- Improving housing market conditions
- Increasing housing provision

There are other reasons for tackling empty homes:

- Empty properties deteriorate at a quicker rate
- They can become sites of fly-tipping and anti-social behaviour
- They can become sites for vermin
- They reduce the overall value of properties in the area, yet increase insurance costs for neighbouring properties
- The poor image can discourage future investment in the area

3. Our Strategic Aim:

The key aim for our empty homes strategy is to reduce the overall vacancy level in all types of housing to 4% by 2013 and to maximise the number of empty homes brought back into use. The Action Plan attached at Appendix 4 sets out how this will be achieved for both the private and social housing sectors. To achieve the 4% target it has been further disaggregated by Neighbourhood Management Areas (NMA's) as shown in Figure 1.

Figure: 1

Neighbourhood Management Area	% Vacancy rate at 2010	% Target rate by 2013
Alt Valley	3.9%	2.6%
Central	6.4%	4.3%
City & North	9.7%	6.4%
Liverpool East	5.3%	3.5%
Liverpool South	3.6%	2.4%
City wide	6%	4%

Our focus will both be on the private sector and social housing in the City. We will work with other organisations and owners of empty properties including Registered Social Landlords (RSL's) and Landlords from the Private Rented Sector. We will concentrate on long term empty properties within the context current housing market. This Empty Homes Strategy is linked to and contributes to the overall City's Housing Strategy and the Private Sector Housing Strategy.

Our main objectives are:

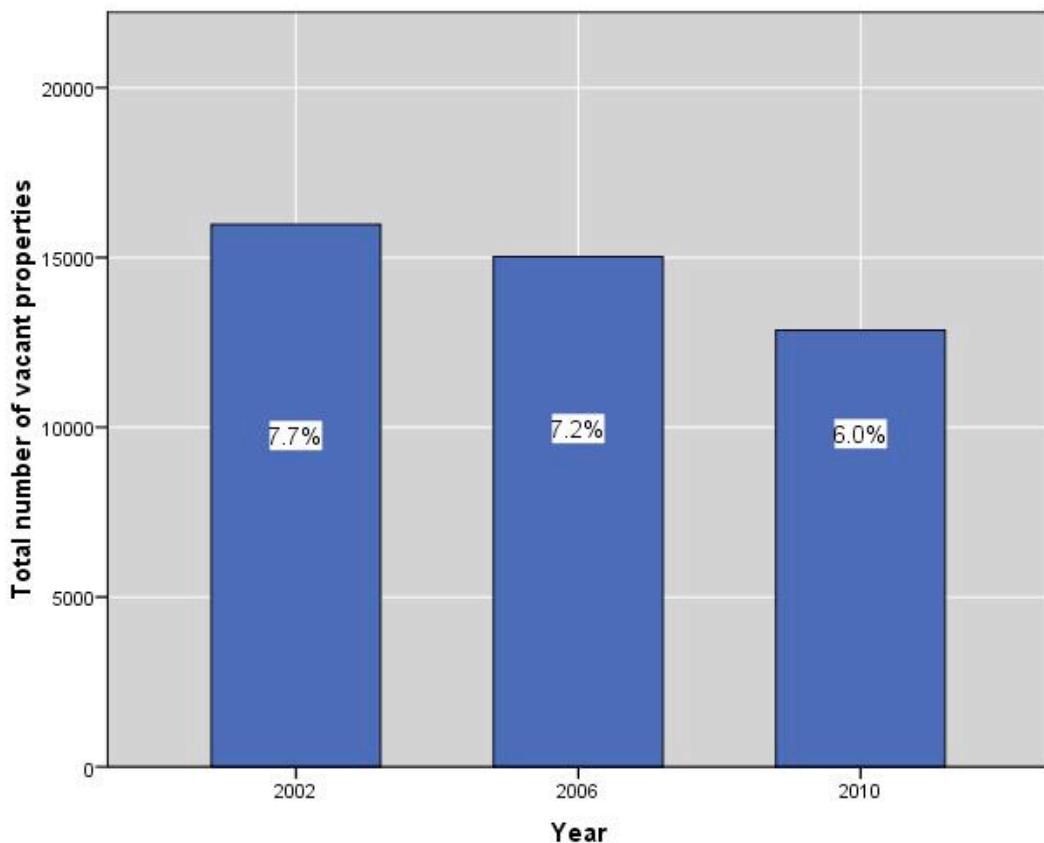
1. To ensure the City-wide availability of information on empty homes.
2. To further develop effective partnership working within the Council and with external partners
3. To raise the awareness of empty homes in Liverpool
4. To encourage reuse through information and incentives focussing on the private sector.
5. Engagement of local communities at neighbourhood level in developing local strategies for tackling empty homes
6. To take enforcement action where appropriate and investigate how enforcement procedures could be improved
7. To bring back homes in partnership with Registered Social Landlords where a specific housing need is identified.
8. To investigate new incentive proposals that will bring empty homes back into use in the private sector.

4. Background to empty homes in Liverpool:

The City has had a serious problem relating to very high vacancy levels during the last few decades. This was due to a combination of economic decline leading to population loss and a poor housing offer with a high prevalence of pre1919 terraced houses. The resulting housing market, in certain areas, does not meet the needs of current population. Housing market renewal interventions have been addressing the problems associated with obsolescence in the housing market for many years. The City as a whole has consistently been reducing the number of empty homes over the last decade or so. Recent research by the City suggests that action taken to resolve empty homes has had a positive effect on a host of other neighbourhood values such as increased underlying equity in residential property, reduction in levels of crime and anti-social behaviour plus increased popularity of the housing offer. The City's Liverpool Asset Management Project team (LAMP) collects sources of evidence for the empty homes data in the City.

The City has experienced an overall reduction in empty homes from 11.1% (Source: CURS) in 1998 to 6% in 2010 (Source: LAMP). The graph below shows data from 2002 to 2010.

Figure 2: Citywide all tenure vacants



*Source: LAMP

In more recent years there has been an increasing demand from the Government to local authorities to make full use of all the housing stock. This has been driven by a shortage of affordable housing. We aim to contribute to this agenda by reducing the number of wasted homes within the City and increase the supply of good quality homes. The City's housing market interventions have made a significant impact in reducing empty homes and the aim is to continue to do so under the current economic climate of reduced public sector resources by developing new approaches. It is therefore envisaged that this strategy and action plan will help foster innovative approaches that do not put additional pressure on public sector resources. The Communities and Local Government (CLG) department formally required that the number of empty properties were monitored by:

- Best Value Performance Indicator (BVPI) 64 / Comprehensive Performance Assessment (CPA) H023 – number of private sector vacant dwellings that are returned into occupation or demolished as a direct result of action by the Local Authority.
- CPA H018 – percentage of total private sector homes that are vacant for more than six months.

As from 1st April 2008 both indicators no longer exist. However, the City has agreed to continue to monitor and measure its performance on the numbers of empty properties brought back into use so it is retaining the BVPI 64 indicator as a Local Performance Indicator (LPI) by monitoring the housing market renewal interventions and the results of enforcement action taken.

The Housing Act 2004 introduced a new legislative tool in order to tackle empty properties by means of compulsory leasing referred to as Empty Dwelling Management Orders (EDMOs). The use of these is considered in detail in Section 8 below.

Housing Market sub-areas:

The City's Housing Strategy identifies a number of sub areas within Liverpool with different housing market characteristics and the following sections describe vacancy rates and the main issues surrounding empty homes in these areas:

- **Inner Core– 2010 Vacancy rate: 7.2%**

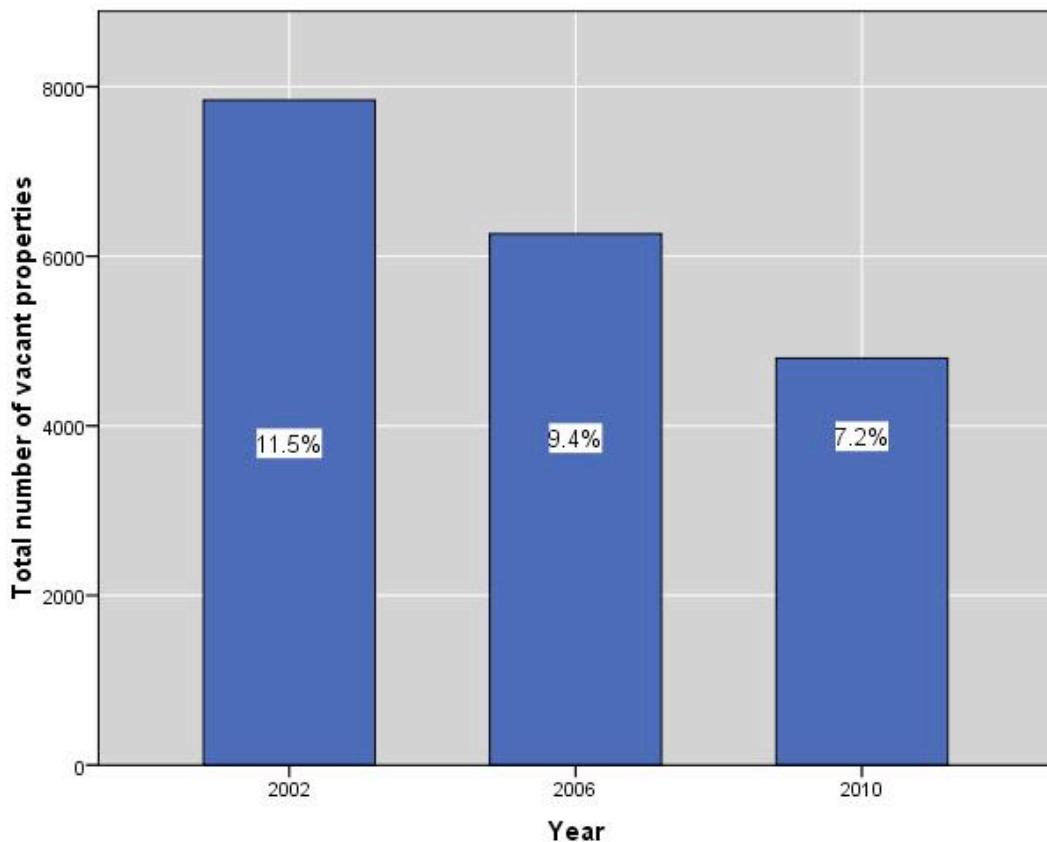
(Excluding the UDP City Centre area)

The tenure profile of this area shows a high concentration of pre-1919 terraced houses that no longer meet the needs of existing community. The Inner Core has the greatest prevalence of empty homes and the majority of the City's housing market renewal intervention activity occurs within this geographical boundary. The Inner Core is further sub-divided in to four Zones known as Wavertree, City Centre South, City Centre North and Stanley Park. Parts of the Inner Core have been identified for a programme of clearance of

the unsustainable stock that no longer meets the needs of the existing or any future members of the community. The harm caused by empty homes has included a lack of confidence in the area leading to lack of investment in both the private sector and from RSLs. Many of the issues and problems arising from empty homes are being successfully managed through the 'Living Through Change' programme particularly in the clearance areas however in the "sustainable" areas the issues are more difficult to resolve as long term solutions will require investment from owners. The 'Living Through Change' programme is part of the City overall housing renewal agenda. The graph below shows how the vacancy levels have changed since 2001.

Figure 3 - Inner Core, all tenure vacants

(Graph- Excluding the UDP City Centre area, and excluding the acquisition of unsustainable stock in preparation for clearance)

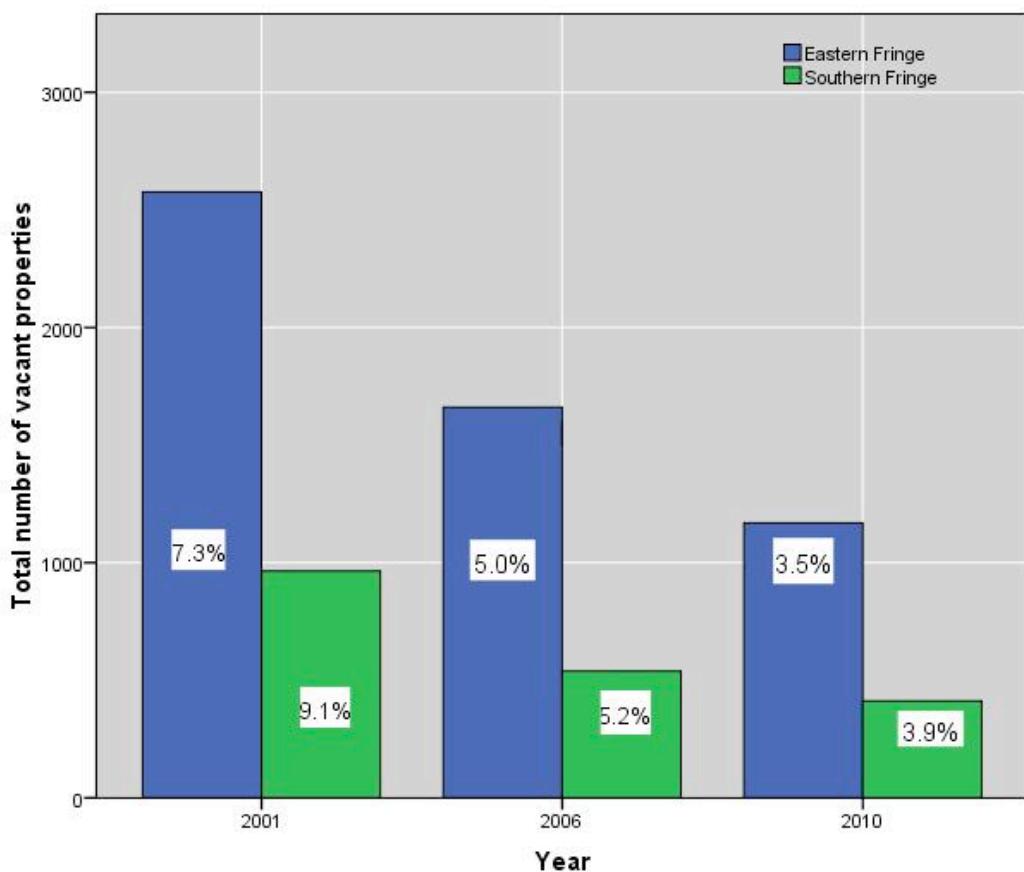


*Source: LAMP

- **Eastern Fringe and Southern Fringe – 2010 Vacancy rates: 3.5% & 3.9%**

The Eastern and Southern Fringes housing zones of the City are characterised by a high concentration of social housing provided by the RSL's and a number of large former council estates. Where privately owned housing has been acquired under the 'Right to Buy' scheme there is some evidence of subletting and poor management including homes being left empty. This strategy and action plan aims to support the commitment from the RSL's social housing providers working in this area to tackle the empty homes not only within their own stock but also the privately owned dwellings. There are good examples of collaborative work involving Ward Councillors, City Council officers, and RSL's to address anti-social and criminal behaviour associated with empty homes.

Figure 4 - Eastern & Southern fringes, all tenure vacants

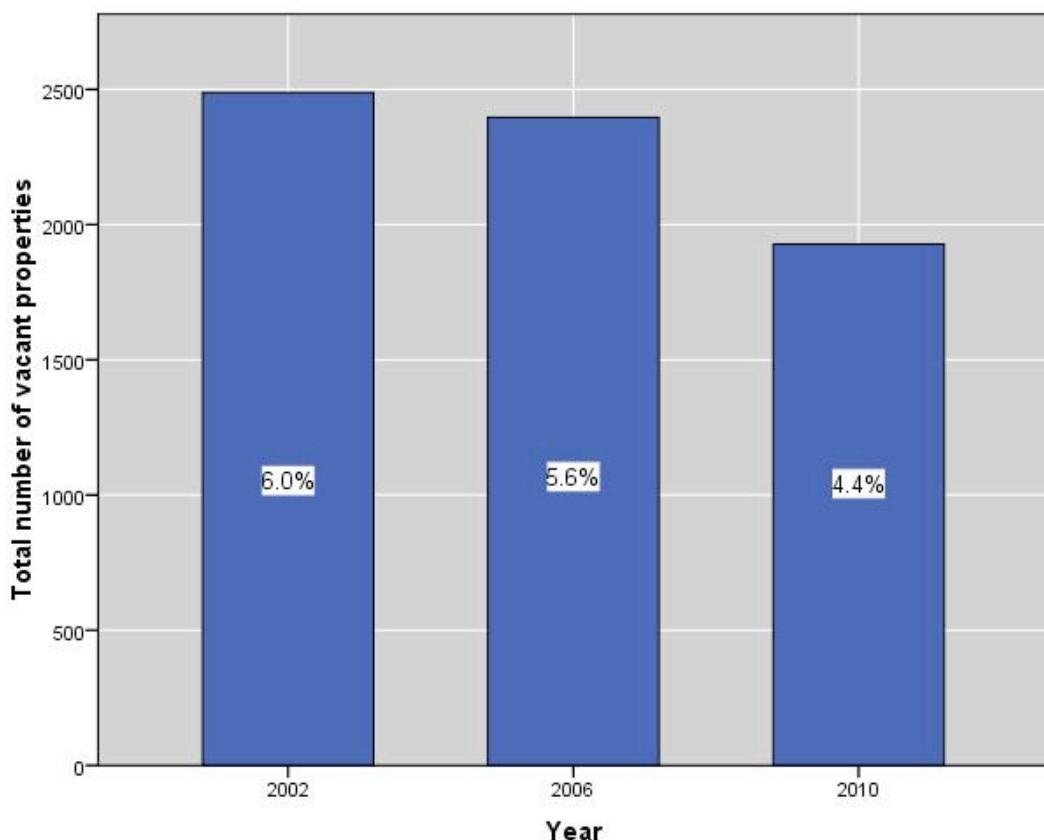


*Source: LAMP

- **Central Buffer – 2010 Vacancy rate: 4.4%**

The Central Buffer covers a large geographical area from Orrell Park in the North of the City to Dingle in the South. The vacancy rates have been consistently below the City's average. There has still been a consistent improvement of vacancy rates as can be seen in the graph below:

Figure 5 – Central Buffer all tenure vacants:

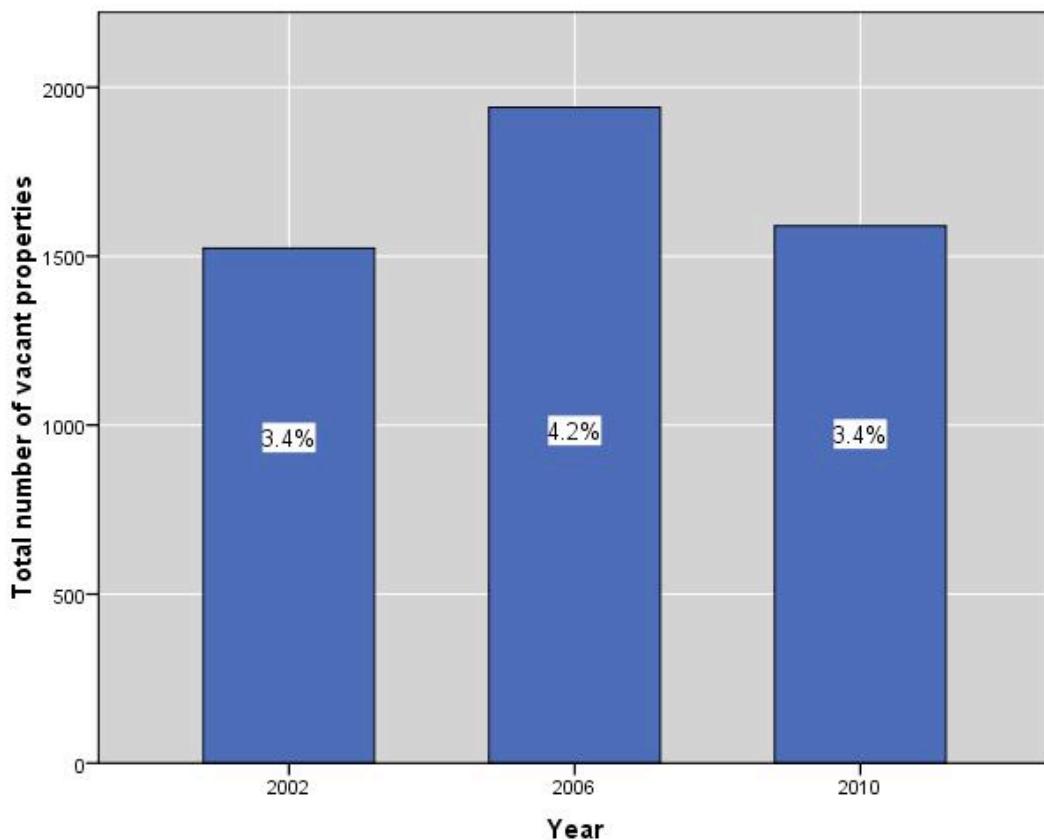


*Source: LAMP

- **Suburban Core – 2010 vacancy rate: 3.4%**

The suburban core of the City is the most stable part of housing market with high levels of owner occupation and consistently low levels of empty homes. The City's enforcement team however still provides a reactive service where problem empty homes are identified. The graph below shows that the impact of the City's actions is resulting in an overall reduction of the vacancy rate.

Figure 6 – Suburban Core, all tenure vacants



*Source: LAMP

- **City centre (UDP boundary) – 2010 Vacancy rate: 10.2%**

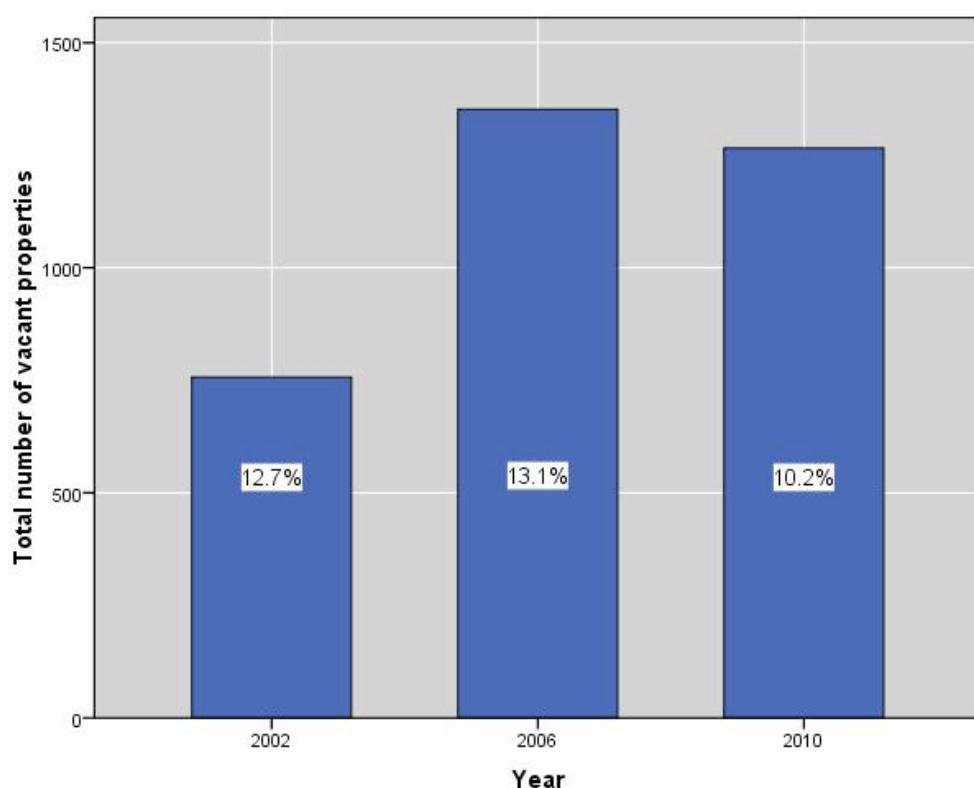
There are specific issues about vacancies in city centre apartments. In 2008 Liverpool City Council commissioned a study into the City Centre housing market. This concluded that the City Centre had matured as a residential market that catered for a range of groups. Although there have been successes in attracting new households there is an underlying trend of vacancies. This is partly due to the higher turnover of this kind of accommodation which has also been observed in other Core Cities and also the speculative nature of investment in this kind of property for example buy-to-let and the more recent phenomena of buy-to-leave. Further work has been done in terms of the information base relating to the level and distribution of vacant apartments and the breakdown of tenure. There has also been a high level of liaison with the umbrella organisation known as ENGAGE representing residents on quality of life issues. ENGAGE includes the City Centre and Waterfront Leaseholder Federations. The City Council helped set up the ENGAGE group and continues to support its activities. There is emerging evidence that the Waterfront market behaves differently to the City Centre in that the waterfront apartments attract a more stable

resident - that being from older age group who are less likely to move and therefore this is a lower turn over of apartments.

Where apartment blocks are being affected by empty homes and are suffering from poor management there may be opportunities for RSL's to become involved either as landlords or as managing agents. This opportunity has been identified for investigation in the action plan, (see appendix 4).

The graph at figure 7 shows although there is huge increase in numbers of apartment dwellings and therefore an increased number of vacancies the City is still managing vacancy levels.

Figure 7: City Centre (UDP boundary) – all tenure vacants



*Source: LAMP

5. Current Evidence base:

There are 214,777 dwellings in the City, of which 155,174 dwellings are in the private sector and 57,590 are in the social housing sector; of these the total number of empty homes is 12,838 units. In Liverpool the situation relating to empty homes is complex with, as discussed above, the Inner Core area displaying evidence for the greatest need for intervention. The current vacancy rate for the City is 6.0% (as of April 2010), this figure includes those unsustainable properties identified as part of the housing renewal and clearance programmes. Some of these properties have been acquired and are awaiting demolition and unless stated otherwise are included in the data sets shown.

Figure 8: The table below show current vacancy rates for the City:

**note the City Centre is defined by the Unitary Development Plan (UDP) boundary*

Vacants as at 1st April 2010

	Vacants	Dwellings	%
Inner Core excluding City Centre	6473	68511	9.4
City Centre	1266	12460	10.2
Citywide excluding Inner Core and City Centre	5099	133806	3.8
Citywide	12838	214777	6.0

Long term voids as at 1st April 2010

	LTVs	Dwellings	%
Inner Core excluding City Centre	4827	68511	7.0
City Centre	921	12460	7.4
Citywide excluding Inner Core and City Centre	3115	133806	2.3
Citywide	8863	214777	4.1

- *The figures above include acquisitions made of unsustainable stock in numerators (counts) and denominators (dwellings)*
- *The figures below exclude acquisitions of unsustainable stock*

Private Sector vacants as at 1st April 2010

	Vacants	Dwellings	%
Inner Core excluding City Centre	3662	42386	8.6
City Centre	1183	9878	12.0
Citywide excluding Inner core and City Centre	4485	102860	4.4
Citywide	9349	155174	6.0

Social Housing Sector vacants as at 1st April 2010

	Vacants	Dwellings	%
Inner Core excluding City Centre	1138	24069	4.7
City Centre	81	2575	3.1
Citywide excluding Inner Core and City Centre	604	30906	2.0
Citywide	1824	57590	3.2

6. Vacancy levels compared with North West and National data:

National break down of empty homes:

Between 1997 and 2008 the total number of empty homes in England reduced by 9 per cent, from 763,234 to 697,055 dwellings. This means that about 3% of the housing stock is empty at any one time. The private sector accounts for 88 per cent of the total and 1.6 per cent of the private sector stock (293,728 dwellings) are vacant for more than six months.

Figure 8: Regional breakdown of empty homes: (2008)

Region	Who owns the empty homes?						
	Total Empty Homes	Percentage of homes empty	Local council	Housing association	Other public body	Privately owned	Private homes empty more than 6 months
North East	43,968	3.76%	3,027	4,113	234	36,594	18,379
North West	129,073	4.15%	4,916	10,185	243	113,729	66,691
Yorkshire & the Humber	92,409	4.06%	5,922	4,701	441	81,345	41,299
East Midlands	62,584	3.25%	3,316	2,359	576	56,333	29,095
West Midlands	72,329	3.09%	4,124	4,613	233	63,359	34,511
East of England	64,054	2.59%	2,108	3,013	614	58,319	27,976
London	82,327	2.51%	9,503	6,355	920	65,549	28,377
South East	91,074	2.52%	2,632	4,468	932	83,042	34,663
South West	59,237	2.54%	1,396	2,232	609	55,000	22,294
ENGLAND	697,055	3.10%	36,944	42,039	4,802	613,270	303,285

Regional totals as supplied by DCLG may differ from individual boroughs due to additional cross-referencing with other bodies such as Government departments

Regional totals have been grossed for missing values

Notes:

1 Each year the Department for Communities and Local Government collects data on the number of empty homes from each local authority in England and from other Government departments and bodies - HSSA Statistics.

2 'Local council' is the local authority, e.g. borough council, district council, metropolitan borough council; 'housing associations' are organisations which provide social housing; 'other public body' refers to Government departments and organisations such as the NHS, Highways Agency, Ministry of Defence, etc; 'private landlords' can be individuals or private developers

LA data are reported figures. # indicates figure not supplied. Regions' totals include estimated values for missing data. Hence summing LA figures would not yield region's figure. England total is sum of all regions' figures with estimates. "-" indicates not applicable or non-derivable.".." indicates not available

Source for figure 8: <http://www.emptyhomes.com/usefulresources/stats/regions08.htm>

Figure 9: A summary break down of vacancy levels in 2008 compared with National and Regional levels can be seen in the table below:

Area	Vacancy Percentage Rate for 2008	Vacancy Percentage Rate for 2009
Liverpool	6.81%	*6.94% <i>*Note: (the 2009 figure for Liverpool includes increased acquisitions of unsustainable stock identified for demolition and the 2010 figure has been reduced to 6%)</i>
North West	4.15%	3.91%
England	3.10%	2.87%

Source for figure 9 and 2009 rates: <http://www.emptyhomes.com/usefulresources/stats/2009breakdown.htm>

7. How we currently deal with empty homes in Liverpool:

Housing Renewal

Housing renewal contributes to our strategy by removing identified unsustainable stock in specific intervention areas, thereby providing sites for new homes. Enforcement action is taken against owners of vacant property in sustainable neighbourhoods to ensure they are brought back into use or in some cases demolished. Refurbishment is also encouraged by providing financial assistance to owners in sustainable areas to encourage external property improvements to be carried out. Under the housing renewal programmes, since 2004/05, the City has demolished 1,475 units of unsustainable vacant housing stock, has supported the new development of 1,200 units and has improved 2,200 as part of its front external improvement programme.

Vacant Dwelling Initiative

This initiative has been established for over fifteen years and helps the City Council to take effective action against owners of vacant and run down properties. The most common complaints which we receive about empty homes are:

- build up of rubbish;
- infestations of vermin, in particular rats;
- risk of injury to children and others who enter the building;
- ruined and neglected buildings being an eyesore and having a negative effect on the neighbourhood; and
- drug users getting into the property and leaving hypodermic syringes.

This can threaten the success of our regeneration strategy. Our "Vacants Initiative Team" was formed within the Public Protection Division. It was launched in 1993. Since that time it has gathered momentum, resources and expertise using a wide range of legislation to action its objectives. The process can be complex and requiring considerable resources. However, some cases can be effectively dealt with in a relatively short period of time. In 2008/09 the Vacants Team handled over 1,500 complaints and served over 775 statutory notices to remedy unsatisfactory conditions. In addition a total of 470 properties were brought back in to use and 16 were demolished.

The way the team deals with vacant dwellings follows a nine step approach which is shown at appendix 1.

Health Improvement Team (HIT):

The Health Improvement Team is another support service that addresses privately owned, vacant properties in disrepair. Typically this involves entering premises, clearing fly tipping, removal of graffiti and securing properties. The team was formed to improve housing standards in the private rented sector by taking enforcement action. Their work includes houses in multiple occupation (HMO's), proactively targeting privately owned vacant and dilapidated properties to either refurbish or return them to use or secure their demolition as appropriate. Further details of the work this team does can be found in the City's Private Sector Housing Renewal Strategy.

HomeNow:

HomeNow is a scheme which acquires and refurbishes a limited number of empty properties in the more sustainable housing renewal areas. It was originally intended that these would provide additional choice to owner occupiers who were being relocated from areas undergoing redevelopment. Following the approval of the Private Sector Renewal Strategy this was expanded to include all first time buyers. Existing properties refurbished under the HomeNow scheme are improved to a minimum of 'decent homes' standard. These refurbishments also bring long term vacant properties back into use which are often blighting otherwise sustainable streets.

City Centre Management:

The City Centre Management team provide a coordinated approach with the Vacant Dwellings Team in dealing with complaints received by members of the public, the City Centre and Waterfront Leaseholder Federations (ENGAGE) and Ward Councillors about empty apartments in the City. Where empty apartments are causing a particular problem to individual blocks the City Centre Management Team aims to help resolve issues through the recently established City Centre Problem Solving Group.

8. Enforcement action powers:

Initially we would seek to encourage the owners of empty homes to bring them back into use voluntarily. Our approach is focused on engaging with the owners offering support, advice and assistance. However, where an owner is unwilling to bring the home back into use, and it is either causing a problem within its neighbourhood, or would meet a particular housing need, there is a range of the enforcement powers available to local authorities.

A number of legislative tools can be used against the owners of empty properties to encourage them to bring their properties up to a decent standard, particularly when failure to do so would have negative impacts on the wider community. The action taken and any advice or assistance given will be dependent on previous enforcement action taken against the owners or their property. The specific powers are summarised below:

- Town & Country Planning Act 1990, section 215 – where the condition of land or a building impairs the visual amenity and is detrimental to the amenity of that area.
- Building Act 1984, section 79 – where a building is in such a ruinous and dilapidated state that it is seriously detrimental to the amenity or of the neighbourhood.
- Building Act 1984, section 59 – where the condition of the drainage to a building is prejudicial to health or a nuisance
- Housing Act 2004, sections 11, 12, 20, 21 and (46 which substitutes section 265 of Housing Act 1985) - where the condition of a property is defective such that its use needs to be prohibited, works are required for improvement or the property requires demolition.
- Environmental Protection Act 1990 - section 80 - where a statutory nuisance exists, is likely to occur or recur at the property.
- Prevention of Damage by Pest Act 1949 - section 4 where the condition of the property is such that it is providing or likely to provide harbourage to rodents.
- Local Government (Miscellaneous Provisions) Act 1982, section 29 – where a property is open to unauthorised access.
- Local Government (Miscellaneous Provisions) Act 1976, section 16; and Town & Country Planning Act 1990, section 330 – used to require information from an owner of a property.

Empty Dwelling Management Order (EDMO):

If the owner of a property has no good reason for it to remain empty and makes no effort to ensure it is re-occupied, the local authority may seek an EDMO. This means management of the property moves to the local authority or a nominated party, usually a Housing Association for up to 7 years. The owner is not entitled to receive any rent or other payments from anyone occupying the dwelling and may not exercise any rights to manage the dwelling whilst an EDMO is in force. However the owner has the right to dispose of the property during the EDMO. As an EDMO is considered a local land charge because money is often required to bring the property up to decent homes standards, the local authority can also have the details entered with the Land Registry.

Enforced sale:

The Law & Property Act 1925 (S30) allows local authorities to recover charges through the sale of the property. This option is a debt recovery one but also gives us another route to bring an empty home into use.

Any notices that have been served on an owner, which they don't respond to and which result in the local authority completing work on the property in default, will incur a land charge. If this is on an empty property, and the owner fails to address the debt or bring the property back into use the local authority can look to encourage an enforced sale. The owner will no longer have ownership of the property which may be put up in a local property auction.

CPO (Compulsory Purchase Order):

Similar to an enforced sale, a CPO is another option available to the local authority and demonstrates a zero tolerance towards empty properties.

Again, absentee landlords of empty properties, particularly those in a very poor state of repair may find they lose ownership of that property if the local authority decides to dispose of it on the open market or to a housing association.

CPO's can be made under S17 of the Housing Act 1985 or under S226 (as amended by Planning and Compulsory Purchase Act 2004) of the Town & Country Planning Act 1990, for the provision of housing accommodation or to make a quantitative or qualitative improvement to existing housing.

For more information on any of the above legislation visit
www.communities.gov.uk or by contacting the Vacant Dwellings Initiative team at environmental.health@liverpool.gov.uk

The following are some example of the results of enforcement action taken:

LIVERPOOL 25

Legislation used – Environmental Protection Act 1990 and Town and Country Planning Act 1990

Complaints were received from Residents and Ward Councillors who were concerned about the condition of the property and the anti-social behaviour it was attracting. The Vacant a Team, after long discussions with the owner, served a notice. The owner then carried out work on the property improving it and removing the blight.

Property prior to enforcement action



Property after action was taken



LIVERPOOL 7

Legislation used – Town and Country Planning Act 1990

Complaints were received from residents in the road concerned about the impact the property was having on the area. The property was owned by an overseas company who sold the property at auction after receiving notices that were served on them. The new owners, fully aware of the notices refurbished the property relatively quickly after purchasing it.

Property prior to enforcement action



Property after action was taken



LIVERPOOL 17

Legislation used – Town and Country Planning Act 1990

Complaints were received from owners of adjacent properties. A notice was served by The Vacant Team and as a result the property was refurbished.

Property prior to enforcement action



Property after action was taken



LIVERPOOL 9

Legislation used – Town and Country Planning Act 1990

Local residents were concerned that the property because of its unsightly condition was a blight on the area because of its appearance and because it was attracting anti-social behaviour to the area. A notice was served by The Vacant Team and as a result the property was refurbished by the owner.

Property prior to enforcement action



Property after action was taken



LIVERPOOL 11

Legislation used – Town and Country Planning Act 1990

The City Council received complaints concerning the condition of the property and its resulting affect on the amenity of the area. A notice was served by The Vacant Team and as a result the property was refurbished by the owner.

Property prior to enforcement action



Property after action was taken



LIVERPOOL 4

Legislation used – Town and Country Planning Act 1990

This property was a concern for local residents who say it was attracting anti-social behaviour and as such blight the area. A notice was served by The Vacant Team but the notice was not complied with and the work was carried out by the City Council in default of the notice.

Property prior to enforcement action



Property after action was taken



9. Conclusion:

The presence of empty homes is an obstacle to the long term prosperity of the City. It is not only a wasted resource, but also has a negative effect on the lives of people with empty homes in their neighbourhoods.

Building on our experiences over the past 10 years and the input received from the Empty Homes Workshop held in January 2010 a number of key actions emerged which now form the basis of a detailed action plan (see appendix 4). The actions will be monitored through the City Council's business planning process; the Empty Homes Strategy 2010-2013 will be refreshed annually with updates on progress reported to the Housing Select Committee and the Liverpool First for Housing - Strategic Housing Partnership. These reports on progress will be made available for the public to access from the City Councils website. Updates will also be made to local people through the Neighbourhood Committee system.

An Equality Impact Assessment will be completed on this strategy and the final report will also be published on the City's website.

This strategy has highlighted the problems associated with empty homes in Liverpool and the City's commitment to tackling these problems. There is still much to do but this strategy provides a framework for developing a wide range of actions with partners reducing the number of empty homes in the City. The Action Plan is not an exhaustive plan; the intention for this first version of this document is to set out the main actions that require attention to drive forward the implementation of the Empty Homes Strategy to reduce vacancy levels in the City.

10. Have your say.....

This strategy will be reviewed and updated annually- please tell us your views on any of the policies we implement and include any comments or questions you have for us via email:

samra.o'neill@liverpool.gov.uk or by phone on 0151 233 2775

Correspondence address

Samra O'Neill

Private Sector Housing Strategy Manager
Housing Strategy & Investment
Liverpool City Council
Community Services Portfolio
Postal Address:
Municipal Buildings
Dale Street
Liverpool
L2 2DH

Name: (Optional)

Address: (Optional)

LARGE PRINT OR OTHER LANGUAGES USING THE CONTACT DETAILS
ABOVE

Appendix 1: Summary of timescales for enforcement action (nine step approach for dealing with Empty Homes)

1. **Service request** – receive a request from customer (i.e. member of public, councillor, partner) to deal with issues surrounding a vacant property.
2. **Initial visit/inspection** – visit the customer gather information – visit property, inspect and identify best course of action.
3. **Ownership enquiries** - neighbours, council tax, other council services, H.M. Land Registry, tracing agents etc.
4. **Advice** – questionnaire and information to owner. A copy of the letter and questionnaire sent to the empty home owner can be seen at appendix 3 below.
5. **Take Action** – refer to other service area, take enforcement action/serve relevant notices as appropriate
6. **Monitor** – revisit the property monitor work assess compliance
7. **Warning** – where there is no compliance send standard warning letters
8. **Formal Action** – where notices are not complied with – take direct action (work in default) and/or prosecution
9. **Recovery of costs** – may involve enforced sale of property to recover costs.

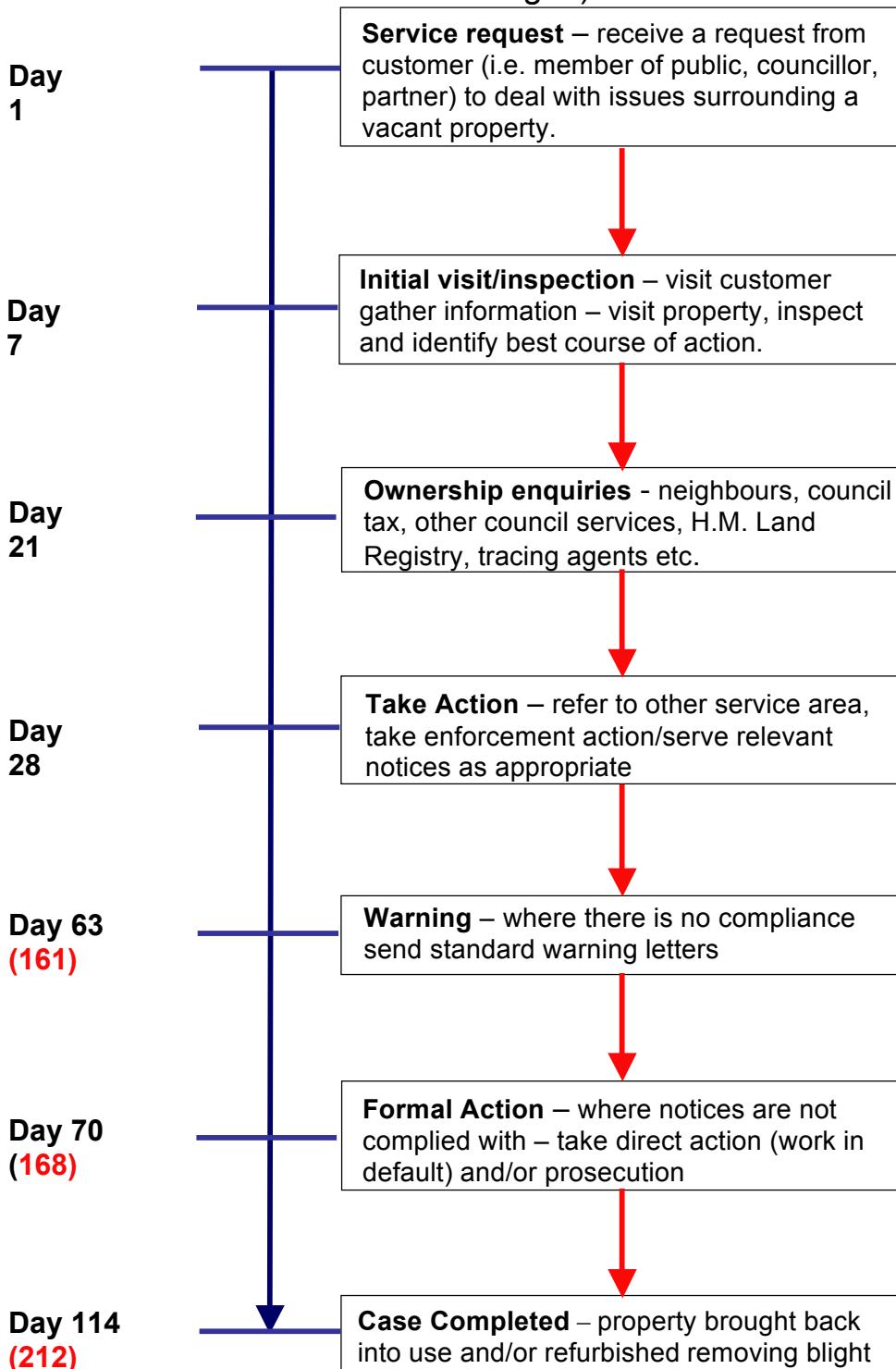
Whenever resources allow, pro-active work is undertaken based on the following criteria:

- Nuisance
- Prominence and impact
- Length of vacancy
- Complimentary to other activity

The flow chart diagram below shows the route that is followed when a potentially empty home has been identified with possible outcomes.

Flow-Chart dealing with Vacant Properties

(Times in days represent average times for stages)



Numbers in **(brackets)** represent average times for notices served under:

- Section 79 of the Building Act 1984
- Section 215 of the Town and Country Planning Act 1990
- Section 11 and 12 of the Housing Act 2004

The average timescales for the stages in this flow chart are presented below:

Summary - minimum time-scales for enforcement process

	Average time for stage (Days)	Running total (Days)
Service request	1	1
Initial visit	7	7
Ownership enquiries	14	21
Notice procedure	7	28
Notice expires	28 (126)	56 (154)
Revisit / Warning Letter	7	63 (161)
W.I.D. Procedure starts	7	70 (168)
Quotes obtained	14	80 (182)
Contractor notified	2	86 (184)
W.I.D. Completed	28	114 (212)

Numbers in brackets represent minimum times-scales for notices served under:

- Section 79 of the Building Act 1884
- Section 215 of the Town and Country Planning Act 1990
- Section 11 and 12 of the Housing Act 2004

These timings are indicative and will be dependant on a number of issues such as whether or not the property is registered with land registry, type of notice served, accessibility to and co-operation of the owner (as we will always seek the co-operation of the owner in the first instance) etc.

In addition some owners commence work and then stop for varying reasons and therefore these timings should be regarded as a minimum. However, officers will always attempt to arrive at a positive outcome as soon as possible.

If an appeal is launched against any of the notices this may also lengthen the process because most notices are suspended, while an appeals process is underway

Appendix 2: Sample contact letter with owner of identified empty property:

Dear Sir

BUILDING ACT 1984

ENVIRONMENTAL PROTECTION ACT 1990

PREVENTION OF DAMAGE BY PESTS ACT 1949

RE: PRIVATELY OWNED VACANT AND DILAPIDATED PROPERTIES INITIATIVE

ADDRESS:

The above mentioned property has been inspected by an Officer of Public Protection and was found to be vacant.

There is considerable concern amongst the community and the Council about the impact that vacant properties have on the City. Once left vacant, properties often deteriorate rapidly and can give rise to complaints regarding:

- Rubbish accumulations;
- Vermin infestations – particularly rats and flies;
- The risk of injury to children and others who enter the building;
- Use of the property by drug abusers – who discard hypodermic syringes etc; and
- Blight on the area and reduction in property values because of neglected or ruinous buildings.
- Arson, vandalism and anti-social behaviour

The City Council has introduced policies for responding to the above problems and Public Protection is now serving a variety of legal notices which compel owners to improve their premises. A number of owners have been prosecuted and many others are faced with re-paying costs. The Council is now also recovering its costs for works carried out in default of owners, by forcing the sale of the properties involved.

In addition provisions [Empty Dwelling Management Orders] contained within the Housing Act 2004 give the Local Authority power to take over the control of vacant properties, subject to certain conditions.

Because of the Council's concerns and experience related to vacant properties, it is important that you take immediate action to protect your asset.

It is particularly important to ensure that even during brief periods of vacancy, all doors, windows and external areas are kept secure to prevent unauthorised access, vandalism and fly-tipping. You should monitor the

security of the property on a regular basis and in particular you should take immediate action to curtail any fly tipping.

The City Council has a duty to act where fly tipping has taken place and will serve notice on property owners where there is nuisance, likelihood of a nuisance or harbourage for rodents. In such cases the costs of removal of accumulations are recoverable from property owners if the Council is forced to carry out works in default of statutory notices.

Further sanctions are available where it appears to the Council that the amenity of part of their area is adversely affected by the condition of any building or land. In such cases the Council can serve notice requiring the owner to carry out such works or repair or restoration as are necessary in the interests of amenity. (See - Section 215 of the Town and Country Planning Act 1990 and Section 79 of the Building Act 1984).

A number of options are open to owners of vacant premises and it would be in your interests to contact this Service to discuss the matter further. Officers from this Service have wide experience and would be happy to give any assistance which might lead to a satisfactory outcome.

In particular officers would be happy to give you any information we have about the prospects for selling or letting the property.

Expert advice is also available from a variety of sources (see Yellow Pages under: - Property Management, Accommodation Residential, Estate Agents) and through the Liverpool Private Rented Sector Forum (details available on request).

In the light of concerns mentioned above, I shall be grateful if you will inform me in writing of your proposals for the property.

The property has been included in the City Council's Vacant and Dilapidated Properties Initiative programme and will be visited periodically to ensure that it does not cause problems for local residents.

Yours faithfully

Officer Name
Officer Designation

VACANTS INITIATIVE QUESTIONNAIRE

Liverpool City Council Environmental Health Service has become increasingly concerned with the number of premises within the City that have become vacant for no apparent reason.

This Service has a duty to enforce the statutory powers that are available to it, in order to bring about an effective solution to these problems. It is also acknowledged however, that a broader understanding of the reasons why a property becomes vacant, and/or remains vacant is needed. Such information would provide the means by which this Service could provide a greater standard of help and advice to owners of vacant premises.

To help us provide a better service to yourself, we would be grateful if you could complete the following questionnaire.

ADDRESS OF PREMISES:

1. When was the premises last occupied?
2. For what reason did the premises become vacant?
3. What are your plans for the premises? (please tick appropriate boxes)
 - Refurbish for sale
 - Short term let
 - Long term let
 - Occupy yourself
 - Other (please include any details below)
4. Are you experiencing difficulty in realising your long term plans, such as: (please tick appropriate boxes)
 - Unable to sell the property
 - Unable to find a suitable tenant
 - Insufficient funds for carrying out repairs
 - Any other reasons (please explain)

5. Would you like any advice about finding suitable tenants or preparing the property for sale or let?
6. Would you be interested in contacting potential buyers for your property or your property putting on a list for any prospective purchasers?
7. Would you like to be informed about any specific interest that may be shown in your property?
8. What sort of help, if any, do you think you would need to cause the premises to be occupied?
9. Do you think the City Council should help you to bring the property back into use, if so, in what way do you think the City Council should help?
10. If there are any other comments or suggestions you would like to make, please feel free to make them.

Name and Address of person completing this form

Contact Number:

Please return completed form to:

Vacant and Dilapidated Properties Team
Public Protection Business Unit
Municipal Buildings
Dale Street
Liverpool
L2 2D

Appendix 3: Vacancy Levels: Maps & Tables

Map 1: Vacancy Levels by Neighbourhood Management Area (NMA's)

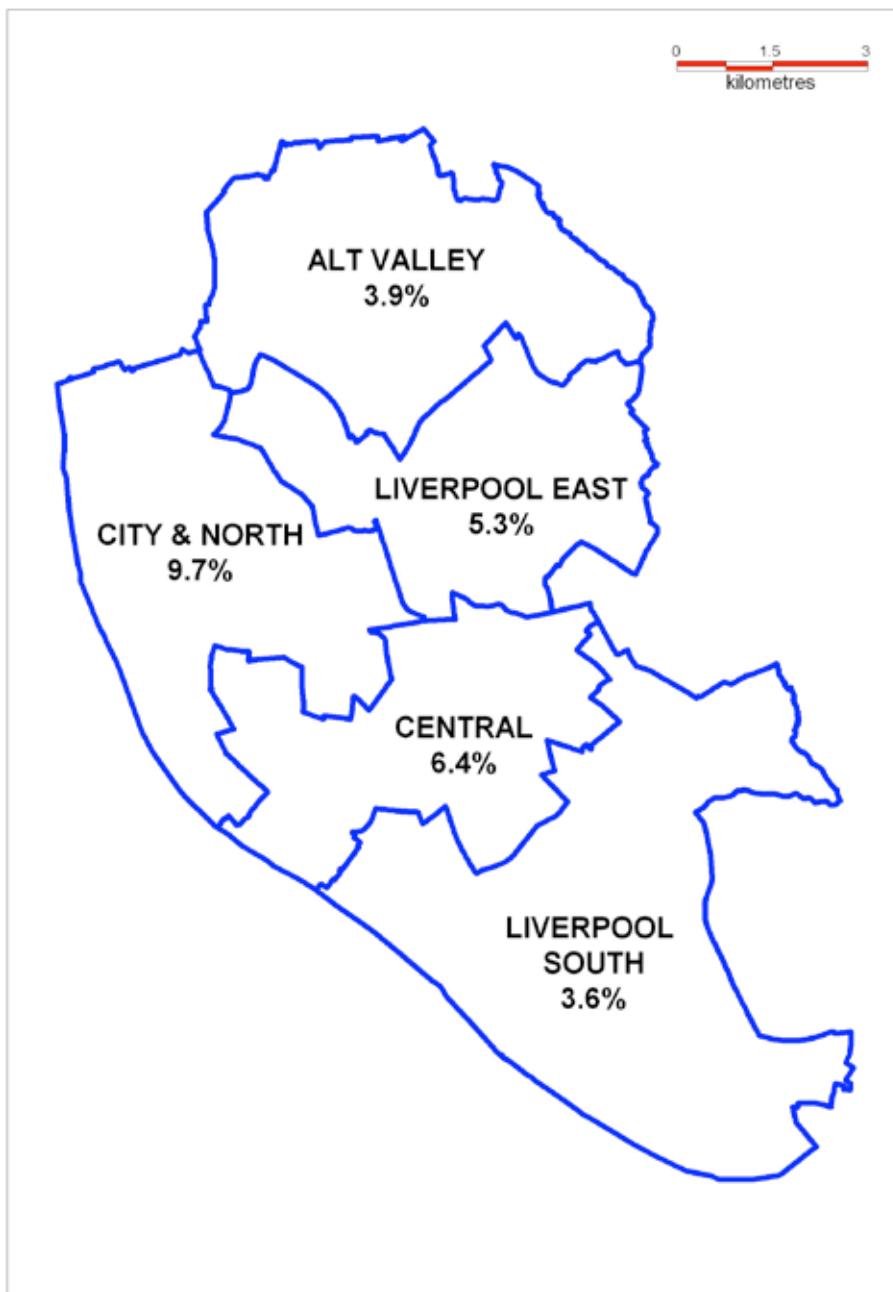


Figure 10: All tenure vacants as at 1st April 2010
 *Includes acquisition of unsustainable stock

NMA's	vacants	dwellings	vacants %
Alt Valley	1603	40995	3.9
Central	2585	40251	6.4
City & North	5013	51654	9.7
Liverpool East	2226	42180	5.3
Liverpool South	1411	39696	3.6

Map 2: All tenure vacants by ward, as at 1st April 2010

***Includes acquisitions of unsustainable stock which are part of the City's Housing Renewal Programme.**

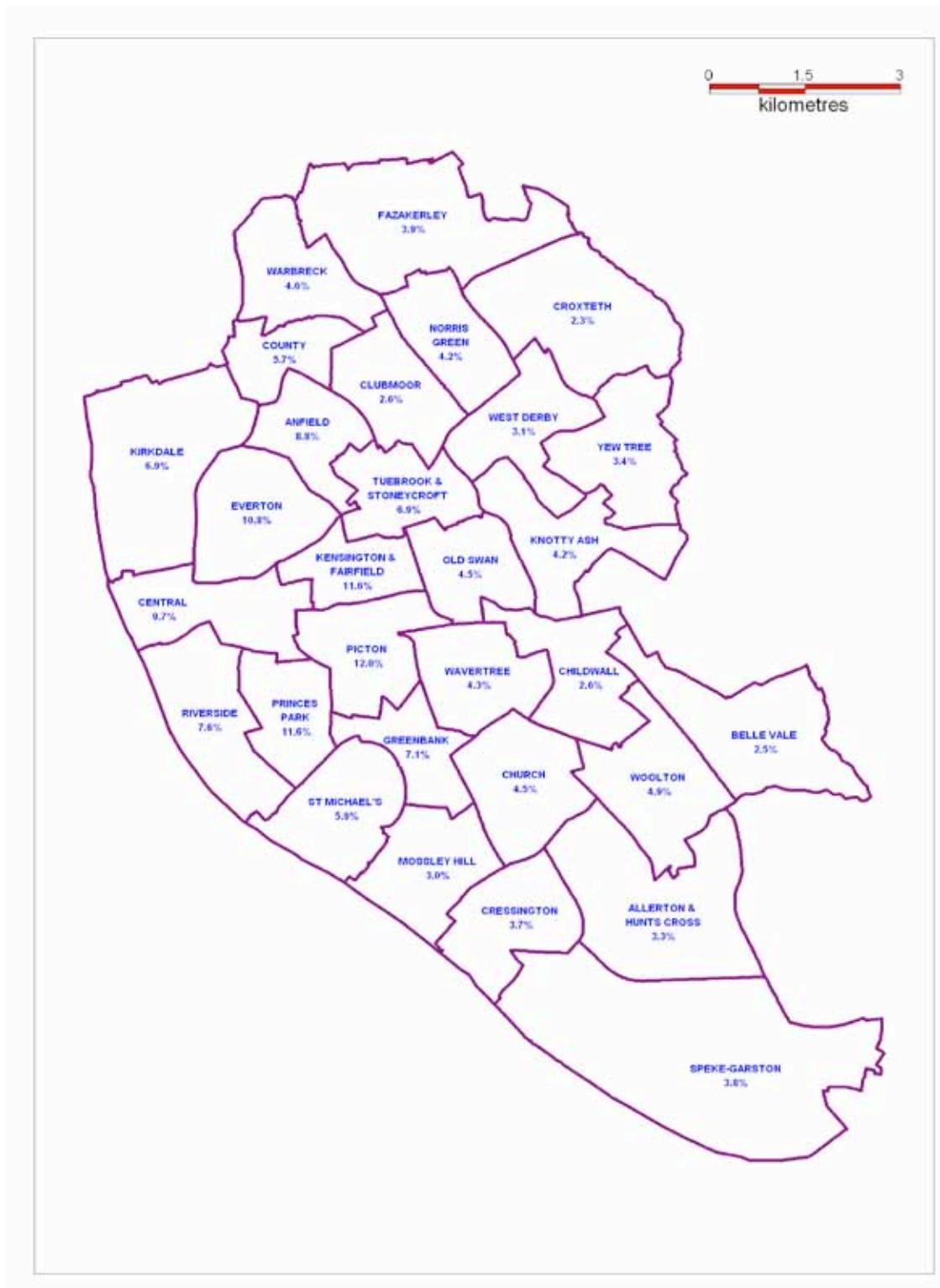
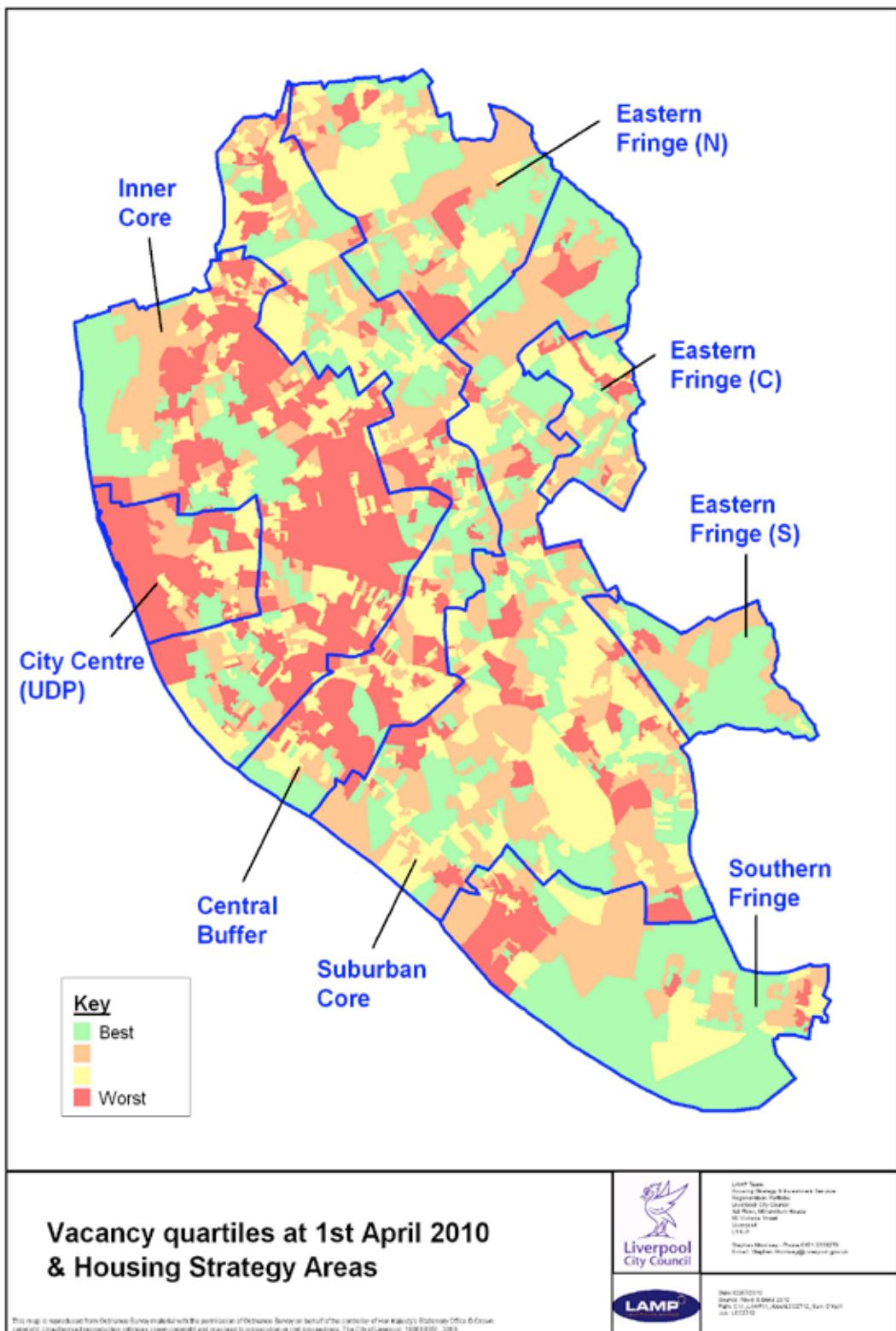


Figure 11: All tenure vacants and long term voids as at 1st April 2010 by Ward

WARD	vacants	long term voids	dwellings	vacants %	long term voids %
ALLERTON AND HUNTS CROSS	202	120	6137	3.3	2.0
ANFIELD	654	469	7439	8.8	6.3
BELLE VALE	167	108	6629	2.5	1.6
CENTRAL	837	590	8674	9.7	6.8
CHILDWALL	147	89	5699	2.6	1.6
CHURCH	264	185	5912	4.5	3.1
CLUBMOOR	178	103	6889	2.6	1.5
COUNTY	416	230	7351	5.7	3.1
CRESSINGTON	236	140	6444	3.7	2.2
CROXTETH	139	61	6189	2.3	1.0
EVERTON	891	717	8248	10.8	8.7
FAZAKERLEY	263	160	6835	3.9	2.3
GREENBANK	433	294	6069	7.1	4.8
KENSINGTON AND FAIRFIELD	936	689	8069	11.6	8.5
KIRKDALE	592	402	8545	6.9	4.7
KNOTTY ASH	253	175	6012	4.2	2.9
MOSSLEY HILL	159	95	5329	3.0	1.8
NORRIS GREEN	285	163	6745	4.2	2.4
OLD SWAN	342	206	7586	4.5	2.7
PICTON	1034	825	8606	12.0	9.6
PRINCES PARK	1056	883	9107	11.6	9.7
RIVERSIDE	723	535	9512	7.6	5.6
SPEKE-GARSTON	338	199	8855	3.8	2.2
ST MICHAEL'S	401	246	6775	5.9	3.6
TUEBROOK AND STONEYCROFT	547	358	7889	6.9	4.5
WARBRECK	322	179	6986	4.6	2.6
WAVERTREE	284	176	6689	4.3	2.6
WEST DERBY	189	120	6157	3.1	1.9
WOOLTON	309	217	6302	4.9	3.4
YEW TREE	241	129	7097	3.4	1.8

Map 3: The areas of greatest concentrations of Empty Homes in the City - 2010.



Appendix 4: ACTION PLAN

Aim	Task	Responsibility	Timescale's
<p>1. To ensure the City-wide availability of information on empty homes:</p>	<ul style="list-style-type: none"> • To identify areas with particular concentrations of empty homes such as the City Centre where there has been an increase in numbers of empty apartments. Part of this work will involve identifying the problems associated with these properties. • Maintain a database of all empty homes using information from Council Tax and other areas of the Council, supported by information from RSL's, private sector owners and other individuals <ul style="list-style-type: none"> ▪ The implementation of the Empty Homes module of the ICT software used by the Public Protection Unit. System data to be shared with the City's LAMP team. • To utilise the Strategic Housing Market Assessment to gain a better knowledge of sub-housing markets such as city centre apartments. 	<ul style="list-style-type: none"> • Working Group • LCC – Housing Strategy/Public Protection • LCC – Housing Strategy 	<p>Sept 2010 – Sept 2013</p> <p>Jan 2010 – Sept 2013</p> <p>Jan 2011</p>

<p>2. To develop effective partnership working within the Council and with external partners</p>	<ul style="list-style-type: none"> • To investigate the possibility of using Temporary Social Housing Grant with partner RSL's to bring empty homes back into use. • To establish a register of all void property ownership by neighbourhood and to agree to share information on how best to tackle them – commitment to establishing a coordinated approach with partners • To compile 'hit – lists' of Long Term Voids and agree remedial action with partners 	<ul style="list-style-type: none"> • RSL partners • LCC – LAMP, RSL partners • LCC, LAMP, Revenues & Benefits 	<p>Sept 2010</p> <p>Jan 2011 – Sept 2013</p> <p>Sept 2010-2013</p>
<p>3. To raise the awareness of empty homes in Liverpool</p>	<ul style="list-style-type: none"> • To effectively publicise the problems of empty homes City-wide and the services offered. Encouraging owners to seek help to bring their property back into use. • To launch an Empty Homes Campaign • To liaise with The Empty Homes Agency, Government Departments and neighbouring Local Authorities to share good practice 	<ul style="list-style-type: none"> • LCC working group • LCC – Working Group • LCC 	<p>Sept 2010-Sept 2011</p> <p>Jan 2011</p> <p>Sept 2010 - Sept 2013</p>

	<ul style="list-style-type: none"> To encourage members of the public to report empty homes and the problems they are causing by re-examining reporting procedures. 	<ul style="list-style-type: none"> LCC 	Sept 2010 – 2013
4. To encourage reuse through information and incentives focussing on the private sector.	<ul style="list-style-type: none"> Clarify council tax discounts on empty homes To investigate the possibility of using empty dwellings to help reduce the homeless numbers in the City by developing options such as tenancy bond schemes Offer advice, support or incentives to help bring the property into use by creating information sheets for landlords and owners Develop an empty homes financial assistance package Encourage the owners of empty homes to see the benefits of returning their property to use via the Empty Homes Campaign 	<ul style="list-style-type: none"> LCC LCC – Homelessness Team & Working group LCC, working group LCC LCC & Working Group 	Sept 2010 - 2011 Jan 2011 April 2011 April 2011 Jan 2011 – Jan 2012

<p>5. Engagement of communities at neighbourhood level in developing local strategies for tackling empty homes</p>	<ul style="list-style-type: none"> • To prioritise for action those empty homes that are problems for local people and communities: <ul style="list-style-type: none"> ▪ In their local areas, and ▪ Those that could alleviate particular housing need. • To target high profile and problematic empty homes – once a list has been compiled to engage with Local Community via Neighbourhood Structures. • To ensure that the Ward Level ‘walk about’ with local Ward Members and local people includes the identification of empty properties where they are causing problems and that this information is taken to the Empty Homes Working Group and the City’s Enforcement Team for appropriate action to proceed. 	<ul style="list-style-type: none"> • LCC • LCC • LCC, Neighbour hood management Staff, Working group 	<p>Sept 2010 – 2013</p> <p>Sept 2010 – 2013</p> <p>Sept 2010 – 2013</p>
<p>6. To take enforcement action where appropriate and investigate how enforcement procedures could be improved</p>	<ul style="list-style-type: none"> • Where a property is prioritised for action and the owner refuses to bring the property into use, undertake the most appropriate enforcement action for that situation. • Review the existing arrangements within the Enforcement Team for tackling Empty Homes 	<ul style="list-style-type: none"> • LCC • LCC 	<p>Sept 2010 – 2013</p> <p>Sept 2010 - 2013</p>

<p>7. To bring back homes in partnership with Registered Social Landlords where a specific housing need is identified.</p>	<ul style="list-style-type: none"> • Assess the resources available for tackling empty properties • Develop general schemes with partner RSL's which can be offered to the owners of empty homes. Work with RSL's on individual cases where this could provide the most effective use of the property. • Develop the possibility of learning initiatives • Develop the possibility of HAMA type schemes 	<ul style="list-style-type: none"> • LCC & working group • Working group • Working group • Working group 	<p>Sept 2010- Sept 2013</p> <p>Sept 2010 – Sept 2013</p> <p>Sept 2010 - 2013</p> <p>Sept 2010 - 2013</p>	
<p>8. To investigate new incentive proposals that will bring empty homes back into use in the private sector</p>	<ul style="list-style-type: none"> • To investigate the possibility of RSL's becoming managing agents for private sector City Centre apartment blocks. • To investigate the viability of a Private Sector Leasing Scheme 	<ul style="list-style-type: none"> • Working group • Working group 	<p>April 2011</p> <p>April 2011</p>	

