

HOUSING CABINET MEMBER MEETING

Agenda Item 27

Brighton & Hove City Council

Subject: Refresh and update Empty Property Strategy
Date of Meeting: 3 July 2010
Report of: Director of Housing Culture & Enterprise
Contact Officer: Name: **Martin Reid** Tel: **29-3321**
E-mail: martin.reid@brighton-hove.gov.uk
Key Decision: No
Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To update the Empty Property Strategy which ran from 2006 – 2009, bringing it up to date and aligning the dates with the Housing Strategy (2009 – 2014).
- 1.2 The refreshed Strategy links into the Housing Strategy 2009 – 2014 and contributes to the 20:20 Community Strategy under Improving Housing and Affordability where private vacant dwellings brought back into use is a key target.

2. RECOMMENDATIONS:

- 2.1 Cabinet Member agrees the Strategy refreshed in line with the Housing Strategy 2009 – 2014
- 2.2 Cabinet Member agrees for the revised Strategy to go out for consultation to key stakeholders
- 2.3 Cabinet Member approves Assistant Director has delegated powers to agree any proposed changes to the Strategy post-consultation and in agreement with the Cabinet Member.

3. RELEVANT BACKGROUND INFORMATION:

- 3.1 The Empty Property Strategy has an excellent performance record. 165 properties (against a target of 153) properties were returned to use in 2009/10 including 31 units funded via BEST (Brighton & East Sussex Together) funding which are now leased to the council. Performance targets have been consistently met and Brighton & Hove is one of the top performing local authorities regionally and nationally. The current Strategy is attached as Appendix 1
- 3.2 The Council's Empty Property Strategy is based on the principles of Identify, Encourage and Enforce to bring empty private sector properties back into use.

- 3.3 The current Strategy ran 2006 -2009 and an update is now needed. The Strategy will remain largely unchanged, still being based on the system outlined in 3.2. However, a general 'refresh' to reflect economic, political and legislative changes, is needed – details of proposed changes attached as Appendix 2.
- 3.4 The revised Strategy will be launched in September this year at a Best Practice in Empty Homes work event to be organised by the Empty properties Team.

4. CONSULTATION

- 4.1 The draft Empty Property Strategy 2010 – 2014 will be placed on the council's website and comments invited. In addition to this individual groups / other local authorities / internal and external partners and connected services will be sent a copy of the revised document for comment.

5. FINANCIAL & OTHER IMPLICATIONS

5.1 Financial implications:

There are no direct financial implications arising from the recommendations made in this report. The revised empty property strategy 2010/14 forms part of the budget strategy and can be funded from within the agreed budget allocations for 2010-11

Finance officer consulted – Neil J Smith 21 June 2010

5.2 Legal Implications:

There are no direct legal implications arising from the recommendations in this Report but the Council's Legal Department will continue to provide legal support as and when required in the implementation of the Empty Property Strategy. Please note, however, that there may be resource implications for legal services in supporting the implementation of the Strategy. It is not considered that any individual's Human Rights will be adversely affected by the recommendations in this Report.

Lawyer consulted – Joanne Dougnaglo 10 June 2010

5.3 Equalities Implications:

Lack of suitable housing disproportionately affects the most vulnerable members of society. Bringing empty homes into use increases the supply of housing in the city.

5.4 Sustainability Implications:

Bringing empty homes back into use helps towards improving the quality of life in local neighbourhoods and to maximise housing resources. It helps to tackle and reduce incidents of antisocial behaviour, crime and disorder; it avoids existing housing going to waste providing much needed accommodation in the city.

5.5 Crime & Disorder Implications:

Empty Properties are known to blight areas and cause a nuisance to local people, attract anti-social behaviour, graffiti, drug activity and vandalism, and lead to dumping of rubbish and an increase in rodent and pigeon activity.

5.6 Risk and Opportunity Management Implications:

There is a risk associated with not having an Empty Property Strategy which is that the council has no formal framework within which to continue it's excellent work in this field.

The opportunity is to continue work to bring empty properties back into use (160 returned to use 2009/10, including 31 brought in to the leasing pot to provide temporary housing for those in housing need in the city.

5.7 Corporate / Citywide Implications:

Bringing empty homes back into use meets the following Council priorities:

'Protect the environment while growing the economy' by re-using existing housing stock and making property economically active, and

'Fair enforcement of the law' through use of relevant enforcement legislation.

Bringing empty homes back into use meets the following Housing priorities:

'Homes to meet the needs of the City' by increasing housing provision,

'Improving housing quality' by bringing property up to Decent Homes / liveable standards

The performance of the Empty Property Strategy is measured through a local PI set under the 'Improving housing & Affordability' section of the Local Area Agreement 2008 – 2011

In addition to the above bringing empty homes back into use improves the 'liveability' of local neighbourhoods, reducing potential hotspots for anti-social behaviour, and may generate additional council tax revenue.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

6.1 No alternative option.

Bringing empty properties back into use remains high on the political agenda. Brighton & Hove have a proven track record with excellent results produced within the existing Strategy. This is a specialist area of work which requires a separate Strategy.

7. REASONS FOR REPORT RECOMMENDATIONS

7.1 The council has an excellent record and reputation in dealing with empty properties and the Empty Property Strategy 2010 – 2014 will build on this. The document will be used to promote the service.

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix 1 Empty Property Strategy Empty Property Strategy 2006 – 2009 (readable format) This document is also on the council's website in the design layout of the finished document.
2. Appendix 2 – proposed changes / updates to Empty Property Strategy

BRIGHTON & HOVE CITY COUNCIL

**EMPTY PROPERTY STRATEGY
2006 - 2009**

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Why we need this strategy

Brighton & Hove is a bright, vibrant city and a popular place to live. There are many developments creating new businesses and new housing. And yet, even with new development, housing need continues to outstrip supply and many local people cannot afford to buy or rent a suitable home. There remains a need for more housing of all kinds.

At the same time a significant number of homes in the city remain empty for over 6 months and other, non-residential properties remain unused even though they offer the potential to be turned into homes. These are often rundown as well as empty, making neighbourhoods feel shabby and uncared for.

The majority of empty property in the city is privately owned. So why do people leave their property empty? Surely bringing it back into use would benefit both themselves and the local community. Often owners do not know how to get their property back into use, and sometimes they simply don't seem to care

This strategy sets out how we will work with owners of property and with local communities to make empty, wasted property a thing of the past.

Key objectives of this strategy:

1: To bring empty homes in the private sector back into use to increase housing supply in Brighton & Hove

2: To improve neighbourhoods by bringing empty property back into use

3: To identify non-residential empty property and vacant land that provides potential residential use

4: To minimise the number of properties becoming long term empty (over six months) by identifying them and working with the owners at an early stage

5: To offer advice and assistance to the owners of private empty property; those who are looking to purchase and/or develop

empty property, and those who are experiencing the problem of living near an empty property

6: To be a contact point within the Council in respect of privately owned empty dwellings and other empty buildings

7: To campaign and lobby on issues related to or likely to affect the Empty Property Strategy – at a local, regional and national level.

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Quote

To ensure that all the people of Brighton & Hove have access to decent affordable housing that enables a good quality of life'

Brighton & Hove Housing Strategy

Introduction

Brighton and Hove were among the first Local Authorities in the UK to develop strategies to deal with privately owned empty property. That was in the early 1990s when the two towns, as they then were, had yet to join forces and become the vibrant and popular City that it is today. We have had an active and successful Empty Property Strategy ever since.

Awareness of the problems associated with empty properties is higher on the political agenda than at any other time and the City Council's commitment to bringing empty properties back into use is as strong as ever. We believe that an empty property is a nuisance, a wasted asset and, most of all, a wasted home.

People sometimes question why the Council gets involved in dealing with privately owned properties and some even say it is none of our business. We do not agree. An empty property is not a 'stand alone' issue: all property is part of a community and the condition or use of a building can greatly affect the local area.

An empty property can be very distressing for neighbours, as it can become a magnet for anti-social behaviour, and is also at risk of being squatted. Owners of empty property often live elsewhere and are unaware of the impact their empty property is having on the local community.

Empty property is also a wasted resource in an area of high housing need. Brighton & Hove is a popular place with a wide range of housing needs. There is limited housing supply and further limits on

the land available for building new homes, bordered as we are by the South Downs and the sea.

The private housing market remains buoyant – both for purchasing and renting – as people aim to move house when their circumstances change, or get a first foot on the property ownership ladder. For many local people, owning or renting a property is beyond their means.

An empty property brought back into use is another home for someone in the City, whether that is a private buyer or tenant; a step onto the ladder for a Key Worker; housing with extra care for someone with support needs, or a homeless family.

Brighton & Hove City Council has a responsibility to all residents of our City including those who own property, those who live near an empty property, and those in housing need of any kind. This is why we aim to rid the City of the blight of empty property and we will continue to do our best to bring such properties back into meaningful use.

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The Brighton & Hove approach to empty properties

Brighton & Hove has a dedicated **Empty Property Officer** post within the Housing Strategy division which works closely with colleagues from other departments, particularly:

- ◆ Private Sector Housing (Environmental Health Officers) – for fitness and enforcement issues, and administration of the assistance funding;
- ◆ Housing Development – linking to Housing Association partners and the associated funding that they can attract;
- ◆ Temporary Accommodation Team – properties receiving Empty Property Assistance are generally let through this team;
- ◆ Housing Needs – working to identify and target property types that address specific housing need;
- ◆ Council Tax – identifying properties and owners details;
- ◆ Community Safety – working on problem properties which are attracting anti-social behaviour or are at risk of being squatted;
- ◆ Planning and Conservation – information sharing and enforcement issues;
- ◆ Legal Team – taking enforcement action;
- ◆ Economic Renewal and Regeneration – linking in to regeneration of particular areas of the City.

Dealing with empty property is a complex process and can involve many people and a substantial amount of officer time.

We are already recognised as innovative in dealing with empty homes, and have consistently exceeded the Performance Indicator figures set. In 2004 we won a national award from the Empty Homes Agency for Most Innovative Partnership Scheme. This scheme involved two long term empty properties being used for accommodation for those coming out of hospital and involved partnership working between the local Primary Care Trust, a Housing Association and the City Council.

This illustrates the approach we take in dealing with empty homes, and we are always looking for new ways to work to achieve our aims – providing more housing and improving our neighbourhoods.

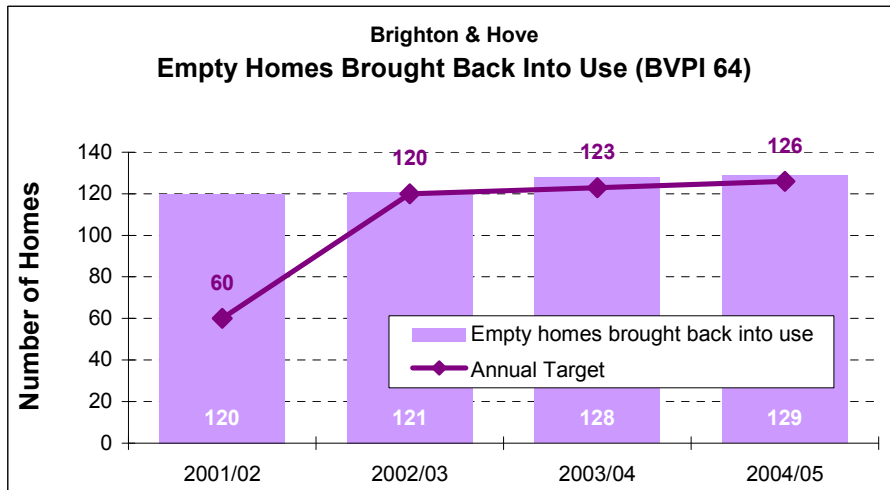
What often surprises people is that there are so many empty homes in the City. ‘Snapshot’ surveys through Council Tax records often show around 2000 properties empty at any one time, and this figure is mentioned as the ‘number of empties in the City’. However, this includes those between lettings and being sold, neither of which we would get involved with. We generally follow up on properties that have been empty for more than six months, record details of them on our Empty Property Database and contact the owners.

The most recent national figures - taken from the Housing Investment Programme returns collected by the ODPM - show 417 properties empty for over six months in Brighton & Hove on 1 April 2005. The vast majority of these properties are owned by private individuals. On top of this, there are the potential homes like flats over shops and unused offices, which could be converted to provide useful residential accommodation.

At the same time as homes are standing empty, there is real housing need in Brighton & Hove. There are in the region of 8000 people on the Housing Register including families accepted as homeless by the Council - of which there were 361 in 2004. There are also people looking to move ‘up’ the property ladder, either through renting or buying. The 2005 Housing Needs survey identified an annual shortfall of over 1000 units of affordable accommodation in the City and potentially 11,000 people whose current accommodation does not meet their needs, mainly in the private sector.

Bringing empty homes back into use and re-using empty flats over shops or abandoned office space increases housing supply and improves neighbourhoods. Research consistently shows that empty and run down property attracts anti-social behaviour and a shabby empty property next door can reduce the value of neighbouring property.

Chart: Empty Homes brought back into use (BVPI64)

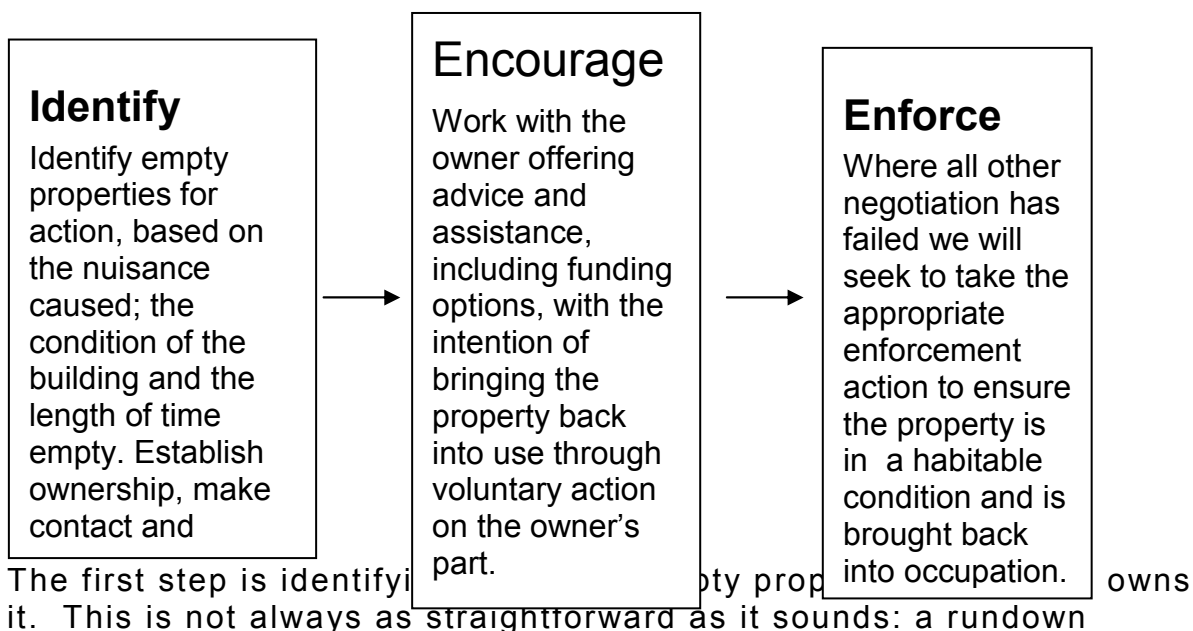


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The Brighton & Hove Strategy

The starting point of our Empty Property Strategy has always been to work with the property owner where possible. Each empty property is different and there are many reasons why they become empty. These reasons can be sensitive and it is important to be understanding of all different situations. However, it is also important to be committed to the principles of our strategy and recognise that an empty property is a blight on a neighbourhood and a wasted resource. Owners should know that while we would prefer to work with them, non-action is not an option. By owning a property they have a responsibility for it and must act accordingly

Our strategy follows three simple steps:



property may appear empty, but is actually someone's home, whereas a tidy house with curtains up may have been empty for years.

The most useful way we have of gathering information about empty property is through Council Tax records. Permission to use this information was introduced in the Local Government Act 2003 which allowed Local Authorities, for the first time, to use Council Tax information for: 'identifying vacant dwellings and taking steps to bring vacant dwellings back into use.'

We are also contacted by members of the public who report individual properties which they are aware of. This provides valuable information and helps to build up a detailed picture of the situation in Brighton & Hove.

Other than Council Tax records, we also liaise with Environmental Health, Planning and Building Control among others, talk to neighbours, carry out Land Registry searches and check with the Probate Office. We have been successful in tracing people as far away as Saudi Arabia and Australia. Once the owner is identified we will contact them and try to work with them in bringing the property back into use.

The reasons why people leave property empty can vary enormously. Sometimes there are sensitive issues, for example a property where the owner has gone into residential care and has expectations of returning, or where a property is the subject of probate or a legal dispute.

With other properties the reasons are less sensitive and less understandable, such as a property just left empty as the owner, who lives elsewhere, sees it as a long-term investment and does not want the 'hassle' of renting it out.

Encourage

Whatever the situation, the Empty Property Officer will contact the owner, talking to them directly where possible, and outline the options for their empty property, providing information that may assist them in deciding what to.

The options for owners are to rent the property out, to sell the property, or to live in it themselves. How quickly they are able to do any of this will generally depend on the condition of the property. We will advise and forward relevant information.

- ◆ Does the property require any building work to make it habitable? If so, does the owner intend to fund it direct, or are they seeking finance privately? Are they interested in the Council's Empty Property Assistance scheme?

- ◆ Are there any grants available for works if they decide to move into the property themselves?

Two photographs of property before and after intervention from EPS

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Photograph of owner handing keys to BHCC manager for EPA funded property.

- ◆ If the owner wants to rent the property out, do they intend to do so privately or through a Leasing Scheme? What schemes are available? -Is the Council renting private sector properties at the moment? Are there any schemes through local Housing Association partners?
- ◆ The local universities operate schemes for letting to students.
- ◆ Local Housing Co-operatives who are looking for property to lease and who may be prepared to renovate the property in exchange for reduced rental levels.
- ◆ Are they aware of the current VAT rates for developing empty property? We will send a VAT information sheet outlining reduced VAT rates for works to empty property, and provide a statement that the property has been empty to Customs & Excise if needed.
- ◆ Are there any Regeneration or Conservation plans for the area that the property is in? We will advise on how these plans may effect the property and on whether this has attracted other funding.
- ◆ Is the property a flat over a shop? We will send details of the Flat Conversion Allowance – a tax allowance introduced by the Inland Revenue in 2001 and designed to encourage people develop empty space above shops to rent out.
- ◆ Do they want to sell the property? We can forward a list of potential purchasers who have registered an interest with us, and offer guidance on looking for estate and letting agents locally.
- ◆ Has the property been the subject of any complaints? It may be necessary to take action against an owner if there are issues such as build up of rubbish, vermin, 'nuisance' to adjoining properties or if the condition of the property is affecting local amenity.
- ◆ Is the owner an established Landlord? Are they interested in joining our Landlord Accreditation Scheme?



Empty Property Assistance

This innovative funding is provided through the Council's Private Sector Renewal Programme

It offers

- Grant funding for works to make a building fit for occupation;
- Grants up to:
 - £15,000 for a one bedroom property
 - £20,000 for a two bedroom property
 - £26,000 for three bedrooms or more
- VAT on eligible works and a contribution to some fees also paid;
- in exchange for a five year nomination agreement to the property;
- property must have been empty for one year;
- management by the Council or a local Housing Association partner
- no hands-on management for the owner;
- guaranteed rental income for the lease length;
- property returned to owner at end of 5 years for owner to rent or sell;
- no repayment of grant (provided 5 year agreement honoured);
- can be used to develop flats above shops (including creating access)

Winners of Most Innovative Partnership Scheme – Empty Homes Agency Good Practice Awards 2004

Letting or Leasing

- directly with the Council and/or through Housing Association partners (depending on which schemes are in operation at the time);
 - owner signs a long term Lease (generally between three and ten years);
 - security of a guaranteed rental income for the lease length;
 - no managing agent fees
 - no 'void' rental loss (when the property is between lettings)
- Student letting schemes operated by the universities
- Guidance on letting in the private sector

VAT rates

- **Building empty ten years plus and being developed to sell or developed by RSL/Contractor or by DIY builders – 0% VAT**
- Building empty for three years to ten years – 5% VAT
- Building being converted to more or less units – 5% VAT
- Listed Buildings – 0% VAT
- ◆ Relates to qualifying items in all cases

TAX - Capital Allowances

Flats above shops

- 100% Capital Allowance
- Owners claim allowance up front
- Conversion works to space above shops
- Creating separate access is an eligible cost

Enforce

Enforcement action will be considered where a property has been empty for at least one year and where it is considered that the property is unlikely to be brought back into use unless such action is taken. This will be taken forward by the Enforcement Working Group, made up of the Empty Property Officer and officers from Private Sector Housing and Planning, with input from other sections as needed.

Enforcement action through the Empty Property Strategy is designed to ensure the re-occupation and/or refurbishment of an empty property. This could be on top of other action taken for issues like rubbish, vermin or other nuisance, or action taken through Planning or other departments. Enforcement action will be considered against individual property, group properties (i.e. those with more than one unit of accommodation in them) and vacant land sites.

The Enforcement Working Group will carry out an Enforcement Feasibility, designed to show which enforcement option is most suitable for that particular case. Weighting will be given to each case based on whether there is a history of nuisance or anti-social activity and the potential housing that could be provided from the empty property. Once the property and the type of action is agreed this will be pursued, with each case going through the applicable Council Committee approval process.

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When enforcement action is successfully taken against a property, the Empty Property Officer will aim to ensure that the property is brought back into use as quickly as possible, through whatever

means the form of enforcement dictates. Preference may be given to the Council's own leasing scheme or working with RSL partners to provide social housing but private sales and renting will also be used. The intention is to return the property to meaningful use by whatever means.

Enforcement options are:

Compulsory Purchase Order (CPO)

Compulsory Purchase Order carried out under Section 17 of the 1985 Housing Act (as amended). This allows Local Authorities to acquire property for either 'quantitative or qualitative gain'.

A CPO is the final solution to a problem empty property as it removes ownership from the current owner. Once approved we would arrange the sale of the property, preferably to a Housing Association partner to develop as affordable housing. If this is not financially viable, the property will be sold on the open market subject to covenants ensuring the refurbishment and reoccupation of the property.

Empty Dwelling Management Order (EDMO)

This is a new piece of legislation introduced as part of the Housing Act 2004. It is also the first ever piece of legislation to specifically target empty property. Having effect from April 2006, it involves the Local Authority taking over management of a property; carrying out works if applicable and then renting the property out. Management costs and any refurbishment costs can be reclaimed from the rental income – with any balance going to the owner.

Enforced Sale Procedure

Carried out under the S 103 of Law of Property Act 1925, this allows the Local Authority to force the sale of a property with a local land charge on it. It is a step on from Works In Default action by the Local Authority (where the Local Authority has paid for works to be done in lieu of the owner who is unwilling to actor untraceable).

However, if known, the owner has to be given the opportunity to repay the debt prior to sale. The Council does not acquire the property, it is sold to a third party. Any outstanding charges against the property, including any mortgage, are paid following the sale and the money remaining (if any) is put into an account for the owner to claim.

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Case studies

The recycled family home

Mrs S had inherited the house she grew up in from her mother. It was an old-styled house with a shop in the front room in a now under used terrace of such

properties. Mrs S wanted to keep the house in the family but wanted it to be used again as a family house and asked about Empty Property Assistance.

Planning policy dictated that she had to prove the property was no longer viable as a business. After marketing the property as a shop it was accepted that no tenant could be found and planning permission was granted. A three bedroom family house with a garden was created using just under £17,000.

As part of the Assistance scheme, Mrs S entered into a five year Nomination Agreement with the Council and the property was let through a local RSL partner to a local family in housing need.

Selling on

The owner of an empty studio apartment was happy to be contacted by the Empty Property Officer when the property showed up as a long term empty. The flat had been his mother's but she had passed away, he lived elsewhere in the UK and had been quite ill and unable to visit the property himself for some months. He was worried about what to do with the property and looking for **advice and guidance**.

The owner arranged for the keys to be provided and the property was visited by the Empty Property Officer. Some repair and updating was necessary and the visit alerted the owner to this. He was then able to arrange maintenance works to ensure the condition of the property did not deteriorate further.

The flat was in a quiet complex, largely used as retirement homes. The location and size of the unit meant it was not suitable for a leasing scheme. Ultimately the Empty Property Officer recommended that selling the property on the open market was the most suitable option. Details of similar properties and prices were forwarded to the owner along with details of Estate Agents working in the area.

The owner was pleased to have had some guidance at last and arranged the sale of the property.

Bringing flats above shops back into use

A developer contacted the team to discuss his plans to develop two flats above a shop in one of the city's busy shopping areas. He had identified a tenant for the commercial premises on the ground floor, and was planning to change the front of the shop to provide direct access to the flats above. Was there any help we could give?

Information on Empty Property Assistance and the Capital Allowances available for developing space above shops was forwarded and the scheme went ahead – producing two flats.

By losing a few square metres in the retail area, the living accommodation above has been made into not only somebody's home but into a realisable asset for the owners of the property.

This particular developer is currently working on his third scheme, and providing a total of eight homes.

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Regional Policy

The Sustainable Communities Plan published in 2003 sets out a long-term programme for delivering sustainable communities in urban and rural areas. The Plan emphasises the importance of brownfield land and referred to making better use of existing housing stock especially empty properties.

It also introduced a new regional approach to housing policy.

Regional Housing Boards were set up, including the South East Regional Housing Board which has responsibility for the preparation of the Regional Housing Strategy. This Strategy is the basis for informing Ministers on strategic housing investment policies within the region, with the aim of making housing policy more localised and therefore more relevant and specific to an area's needs.

The Board includes representatives from the Government Office for the South East (GOSE), South East England Development Agency (SEEDA), the South East England Regional Assembly, English Partnerships (the national regeneration agency) and the Housing Corporation (who administer funding for Housing Associations), as well as cross party representation from a group of elected councillors from across the region.

The South East Regional Housing Strategy was launched in July 2005, with an overall objective for everyone in the South East to live in a decent home. Identified priorities are: supply and affordability; sustainable communities, and decent homes and private sector renewal.

The strategy recognises that land is scarce in the region and that this means more emphasis on using 'brownfield' land (land that has already been used for another purpose i.e. industrial sites) and existing buildings, including unused offices and flats over shops. A National Land Use Database and the Brownfield Land Assembly Trust have been set up. These aim to identify sites in the region, some of which will be suitable for housing. A Register of Surplus Public Sector Land is also maintained by English Partnerships on behalf of the ODPM. This identifies land owned by public bodies that could be used to meet the Government's wider objectives including housing need.

There is a proposal to develop this work further working with partners like the Housing Corporation, English Partnerships and SEEDA. Housing cannot be developed as a stand alone facility, people need to work,

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spend their leisure time and send children to school as well. The Strategy works with partners to ensure a holistic and sustainable approach to housing developments.

The Strategy concludes with a set of principles entitled 'The Way Forward'. One of the principles is '**Innovative schemes should also be developed to utilise empty properties, flats over shops and empty office blocks which are potential homes.**'

We also regularly attend the **Sussex Empty Homes Forum (SEHF)** a group which meets regularly to discuss and work together on regional issues.

Photos

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National Policy

Empty property has become an important issue nationally over the last few years, with more pressure on Local Authorities to develop effective strategies for tackling this problem. The government has produced a range of guidance and legislation, designed to help Councils set and achieve challenging targets on this issue.

The **Urban Task Force**, set up in 1998, looked at the causes of urban decline and recommended measures to encourage people back into urban areas. *Towards an Urban Renaissance* was published in 1999 and included 105 recommendations, including:

- Making empty property strategies a statutory duty for Local Authorities: *Local Authorities are currently expected to have an Empty Property Strategy.*
- The reduction of VAT on conversion and refurbishment of empty property : *in the Budget 2001 VAT was reduced to 5% for improvement/conversion works to properties empty for over 3 years and to 0% for those empty over ten years to be sold after improvement*
- Changes in Council Tax rules to allow Local Authorities to charge full Council tax on empty property (people were previously charged only 50%), and allowing information to be used to help deal with empty properties: *Section 75*

of the Local Government Act 2003 allowed local authorities to reduce the council tax discount on empty property from 50% to 0%, (owners now have to pay full Council tax on their empty property) In addition to this: Section 85 of the same Act allowed information gained for Council tax purposes to be used for the purpose of identifying vacant dwellings and for taking steps to bring vacant dwellings back into use.

- Making Compulsory Purchase Orders less complicated by streamlining the procedures : *The DTLR produced a 5 part guide to Compulsory Purchase and Compensation in 2001*
- Looking at Flats over Shops as an under used resource: *in the Budget 2001 a capital allowance for creating flats over shops for rent was introduced.*

A Best Value Performance Indicator (the way the government measures and compares Local Authority performance across the country) for bringing privately owned empty property back into use, was introduced in 2000/01: Brighton & Hove City Council has exceeded the target set on a year by year

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basis since the introduction of the indicator

In February 2003 the Deputy Prime Minister launched the Communities Plan – Sustainable Communities : Building for the Future. This plan sets out a long-term programme of action for delivering sustainable communities in both urban and rural areas. The Plan includes housing and planning reforms and offers a new approach to how we build and what we build. It specifically refers to bringing empty homes back into use.

The Housing Act 2004 introduced Empty Dwelling Management Orders, the first piece of legislation specifically targeting privately owned empty property. These involve local authorities taking over most of the rights and responsibilities of the owner of an empty dwelling, to refurbish and rent out the property, without becoming the legal owner.

In January 2005 the government issued the next stage of the government's Sustainable Communities agenda - Sustainable Communities: Homes For All, one of two five year plans following from the Communities Plan. This refers specifically to the new powers introduced in the Housing Act and talks of the New Empty Homes (now Dwellings) Management Orders enabling local authorities to bring about a quarter of usable empty homes (around 25,000 nationally) back into use by 2010.

December 2005 saw the publication of the Government response to the Barker Review of Housing Supply. The Review was set up by the Chancellor of the Exchequer and the Deputy Prime Minister in April 2003, to look at issues underlying the 'lack of supply and

responsiveness of housing in the UK'. Kate Barker's final report – Delivering Stability: Securing our Future Housing Needs - was published a year later. This made clear that more housing of all kinds is needed and that only 'concerted action by all players' will meet the challenge of creating a more flexible housing market. The Barker Review did not specifically refer to empty homes BUT the Government response corrected this and does refer directly to the importance of using existing stock both in practical and environmental terms.

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Glossary of terms and contacts

Best Value Performance Indicators (BVPIs)

www.audit-commission.gov.uk

A series of targets set by the government, administered by the Audit Commission to measure local authority performance in all areas.

Brownfield Land Assembly Trust (BLAT)

www.seeda.co.uk

Set up by SEEDA, working closely with other partners, to specifically identify and acquire small, derelict sites in urban regeneration areas for recycling into the housing land market. These sites are likely to have specific development cost constraints, which means that they are not deliverable by Housing Associations or developers by conventional methods in the residential market.

Communities Plan

www.communities.gov.uk

Working name for the Sustainable Communities: Building for the Future publication (Feb 2003) 'The Plan sets out a long-term programme for delivering sustainable communities in both urban and rural areas. It aims to tackle housing supply issues in the South East, low demand in other parts of the country, and the quality of our public spaces.' [ODPM website January 2006].

DCLG – Department of Communities and Local Government

www.communities.gov.uk

Created in May 2006 with a powerful remit to promote community cohesion and equality as well as responsibility for housing, urban regeneration, planning and local government. Supersedes ODPM in these areas.

Empty Homes Agency

www.emptyhomes.com

The Empty Homes Agency is an independent campaigning charity, which exists to highlight the waste of empty property in England and works with others to devise and promote solutions to bring empty property back into use.

English Partnerships

www.englishpartnerships.co.uk

English Partnerships is the national regeneration agency, supporting high quality sustainable growth across the country. They are a key delivery agency for the urban renaissance and the government's new Sustainable Communities agenda.

Government Office for the South East (GOSE)

www.GOSE.gov.uk

Regional operations for ten central Government departments. Structured through multi-disciplinary teams that include housing and regeneration.

Housing Association

A non-profit making organisation providing affordable housing. If registered with the Housing Corporation also known as registered social landlords (RSLs). Brighton & Hove works with a number of Housing Associations.

Housing Corporation

www.housingcorp.gov.uk

Funds and regulates housing associations in England, investing for the creation and maintenance of safe and sustainable communities. Through regulation it promotes a viable, properly governed and properly managed housing association sector. A housing association is

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National Association of Empty Property Practitioners

www.naep.org.uk

The National Association of Empty property Practitioners was established in May 2001 to support people involved in delivering empty property strategies. It was launched by empty property practitioners with the support of government ministers, the Housing Corporation and the Empty Homes Agency. It's aims include: promoting unity and understanding amongst Empty Property Practitioners, promoting the role of Empty Property Practitioners and promoting policies and practices which offer effective responses to the challenges presented by Empty Property. NAEPP worked with the Audit Commission to set the definition of BVPI 64 [see also BVPI).

National Land Use Database

www.nlud.org.uk

'The objective of the full National Land Use Database is to develop a complete, consistent and detailed geographic record of land use in England, extendable to the other countries of the United Kingdom.' [ODPM website January 2006]

ODPM – Office of the Deputy Prime Minister

www.odpm.gov.uk

Government department now superceded by DCLG

Regional Housing Board / Regional Housing Strategy

www.GOSE.gov.uk

Set up by Ministers to develop regional housing strategies and advise on funding.

South East England Development Agency

(SEEDA)

www.seeda.co.uk

The South East development agency with strategic lead in promoting sustainable economic development in the region. Housing role includes brownfield land development programme and promotion of best practice in built environment skills and sustainable construction.

South East England Regional Assembly

(SEERA)

Grouping of local authorities with economic and social partners (CBI, TUC, voluntary sector etc) set up and funded by Government to promote South East England. Also the regional planning body.

Sussex Empty Homes Forum

Forum with representatives from all local authorities in Sussex specifically to discuss and share good practice on empty homes work.

Sustainable Communities

'Sustainable communities are about things that matter to people: decent homes at prices people can afford, good public transport, schools, hospitals, and shops; people able to have a say on the way their neighbourhood is run; and a clean, safe environment'.

(Definition from ODPM website January 2006)

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Links to other Council strategies:

◆ **Corporate Plan:**

- ◆ Corporate objective of 'Liveability' (Improving the quality of life in the City)

◆ **Housing Strategy:**

- ◆ 'To do all within our power to ensure all the people of Brighton & Hove have access to decent affordable housing that enables a good quality of life'.

- ◆ **Homelessness Strategy 2003 – 2008:**
- ◆ Specific reference to the Empty Property Strategy as a means of bringing more housing into use.

- ◆ **Sustainability Strategy - Local Agenda 21:**
- ◆ 'to make the most effective and efficient use of previously developed land ('Brownfield sites') and promote best sustainable practice in new development'.

- ◆ **Community Safety and Crime Reduction Strategy:**
- ◆ ten key priorities including improving the physical environment in neighbourhoods and reducing anti-social behaviour.

- ◆ **Brighton & Hove Economic Strategy 2005 – 2008 :**
- ◆ Strategic Priority 2 'Renewing the Urban and Physical Environment.' Objective 2a Make the best use of derelict Brownfield and Greenfield sites for commercial and housing use'

- ◆ **2020 Community Strategy**
- ◆ : links to the Regeneration and Neighbourhood Renewal Strategies. Eight key targets including : A safer city, an Affordable City and an Attractive City

- ◆ **Brighton & Hove Regeneration Strategy and Neighbourhood Renewal Strategy:**
- ◆ recognising that Brighton & Hove is a city of neighbourhoods. With specific targets on housing, crime prevention and the environment.

- ◆ **Brighton & Hove and Adur Area Investment Framework (AIF):**
- ◆ a framework developed at the request of the South East of England Development Agency (SEEDA) to channel future regeneration funding into priority regeneration areas in the South East region.

- ◆ **Local Plan :**
- ◆ planning guidance for the city. Includes specific policies on use of empty property. .

The Empty Property Strategy operates within the Council's Equalities Policy

All of the above documents can be accessed via www.brighton-hove.gov.uk

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Performance Monitoring

The council reports performance to the Audit Commission under BVPI64.

Best Value Performance Indicator 64: 'The number of private sector dwellings that are returned into occupation or demolished...as a direct result of action by the Local Authority.'

	2006/07	2007/08	2008/09
BVPI Target	149	149	130

2006/07 and 2007/08 enhanced target funded by LPSA (Local Public Service Agreement funding)

For previous years performance please see table on page 4

Brighton & Hove City Council Projected routes into use:	2006/07	2007/08	2008/09
Advice	84	86	70
Empty Property Assistance	15	15	15
Leasing schemes	20	20	20
Compulsory Purchase Action	2	3	3
Other Enforcement	12	13	12
RSL funded schemes	16	12	10
Total units:	149	149	130

The BVPI figure is assessed as a whole and does not require a breakdown of how the figure is achieved. To monitor and improve our service we have set projected routes into use as an internal target system

Strategic priorities

These are key areas which we are looking to either expand or newly develop to improve the service:

- Compulsory Purchase Orders
- Empty Dwelling Management Orders
- Regional working
- Involvement in master planning working with Economic Development & Regeneration on major projects

Brighton & Hove City Council Joint working:

Projected timings

Priority regeneration areas/schemes (working with Economic Development & Regeneration):

Circus Street	2006/09
LR2 (London Road/Lewes Road)	2009/12
London Road Open market	From 2007

Townscape Heritage Initiative
(Working with City Planning)

Central Brighton	subject to bid
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Contact:

Empty Property Officer

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Bartholomew Square, Brighton BN1 1JP

(01273) 293297 or 293035

Back cover

‘Empty homes represent waste, financial expense and missed opportunity. They can blight communities, attract vandals and squatters and tie up the resources of local authorities and the emergency services. Bringing empty homes back into use is a sustainable way to meet future housing demand and helps to alleviate pressure to develop greenfield sites’.

ODPM

Appendix 2 : Summary of proposed changes to Empty Property Strategy

Empty Property Strategy refresh 2010 : Briefing for OMT 3 June 2010

The existing Empty Property Strategy runs from 2006 – 2009. There has been excellent performance throughout life of this strategy and key elements will remain the same. Proposal is to make the new Strategy run from 2010 to 2014 to link in with the Housing Strategy.

Some elements of updating will be necessary, to include:

General:

- Changes that reflect the new economic position – i.e. housing market more subdued
- Changes that reflect political changes - empty homes get their own mention in the Coalition document

Specific:

- Confirmation / update of key objectives
- Increased emphasis on regional / cross-boundary working
- Update funding options available under the strategy (moving from grants only to grants and loan options)
- Update enforcement options/ related performance
- Update case studies
- Update general regional and national policy
- Update glossary of terms and contacts (government departments and responsibilities have changed)
- Update links to other council strategies
- Increased emphasis on joint working within council and success thereof (NEW)
- Link specifically into new Housing Strategy 2009 – 2014 (NEW)
- Update performance monitoring
- Update photos / charts - form and content
- Refresh appearance of Strategy to make it lighter colour (easier to read) and to reflect new corporate identity as outlined in communications leaflet 'The new face of our council'.

Timetable:

Revised content to go to CMM July 7.

Consultation and revisions : July to August

Design updates: August to September

Launch late September (at event – see below)

Alongside the refreshed Strategy we will be developing a leaflet in the same corporate style to provide information to both owners of empty homes and general public interest.

Organising a 'Best practice in empty homes work' event (target date late September) – to promote BHCC and regional working. The Strategy and leaflet will be launched at this event.

