

LONDON BOROUGH OF
WALTHAM FOREST
EMPTY PROPERTY STRATEGY
2007-2010

Section One: The Need for An Empty Property Strategy

1. Introduction

Council Tax records show there are 2,475 empty private sector dwellings in Waltham Forest, of which 1,611 have been empty for six months or more. This represents over 3% of the total private sector stock. As with most London boroughs, demand for affordable housing continues to outstrip supply, seriously impacting on the Council's ability to meet housing demand. To demonstrate this, in 2005/6 the total number of households accepted for housing were 1,400 whereas the total number of Council and Housing Association properties available for letting in that period was 942.

Bringing empty properties back into residential use could provide much needed homes for those with housing need in the borough. In order to maximise the supply of affordable, decent housing we will be working closely with the business sector with the aim of turning redundant commercial spaces into homes. Reducing the number of empty properties in the borough can also result in improved environmental conditions and a reduction in the level of crime, anti-social behaviour and blight often associated with empty and derelict properties.

1.1 Background

The need to reduce empty homes has been widely recognised for a number of years, mainly through the campaigning of organisations such as the Empty Homes Agency. In response, the Government has introduced a number of measures aimed at encouraging the re-use of empty homes.

The Barker Review, commissioned by the Government in 2003 highlighted the need to increase the supply of housing and recommendations were made as to how the shortfall can be addressed, all of which were concerned with new build. The Government's response to the Barker review however, states that in addition to new build, it is essential to make better use of existing housing stock and one way of doing this is to address the issue of the number of private sector empty properties vacant for six months or more.

The Housing Act 2004 introduced Empty Dwelling Management Orders (EDMOs), a new legislative tool for tackling privately owned empty properties. EDMOs gives the Council the power to take over the management of a property where all efforts to work with the owner to bring the property back into occupation have failed. Waltham Forest will seek firstly to work with empty property owners, encouraging and supporting them to turn their empty properties into homes. However, where all our efforts have failed we will use enforcement powers to bring empty properties back into use.

The Council is also required to declare the number of properties brought back into use as a result of action taken. Best Value performance Indicator 64

(BVPI64) monitors this performance. The table below shows the east sub-region performance for 2004/5.

	Private sector stock (non RSL)	No of vacant private sector dwellings	Vacant private sector dwellings as % of total private sector stock (= (2) / (1))	Private sector vacants: of which vacant for more than 6 months	Private sector vacant dwellings returned to occupation or demolished in 2004/05 directly due to action by LA (BVPI 64)
EAST SUB-REGION					
Barking	45,944	1,881	4.1%	141	77
City Of London	4,828	38	0.8%	38	-
Hackney	45,838	2,296	5.0%	1,362	487
Havering	82,513	1,510	1.8%	1,079	1
Newham	65,472	926	1.4%	1,089	302
Redbridge	87,162	2,148	2.5%	776	145
Tower Hamlets	52,768	1,677	3.2%	858	446
Waltham Forest	72,947	3,128	4.3%	1,736	297
Total	457,472	13,604	3.0%	7,079	1,755

The table below shows the number of properties brought back into use over the last 4 years.

Empty Properties brought back into use 2002/3 - 2005/6				
Method	2002/3	2003/4	2004/5	2005/6
Temporary Social Housing Grant	8	23	11	16
Single Regeneration Budget		5	1	4
THMR (inc. FHMR)	3	22	5	
HILS				33
Private Sector Leasing Scheme	287	472	195	366
Rent Deposit Scheme		8	43	105
Advice		2	9	
Total	298	532	297	497

1.2 Aims and objectives

The Empty Property Strategy provides a framework within which the Council can work with other organisations and property owners to bring empty properties back into use. The overall aim of the Empty Property Strategy is to reduce the number of long-term empty properties, and increase the supply of affordable, decent housing. We have set out below our main priorities for action in order to achieve the aims of the Empty Property Strategy:

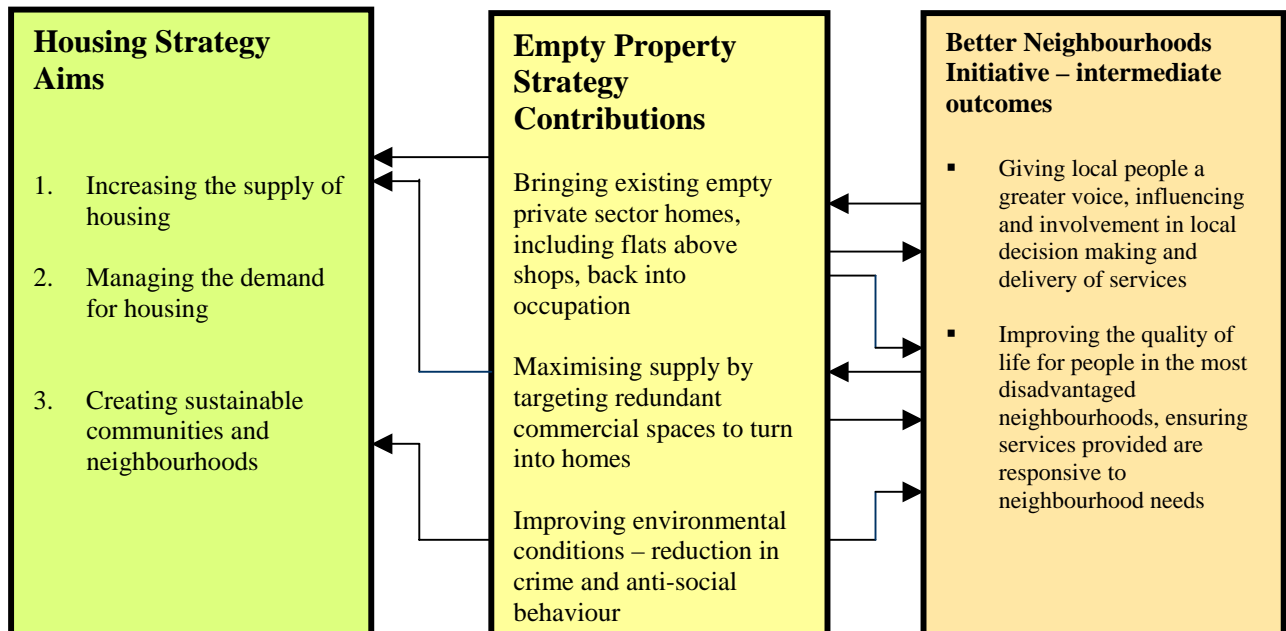
1. Identify long-term empty properties in the borough
2. Provide encouragement and support to empty property owners
3. Develop a more co-ordinated approach to carrying out empty property work
4. Use enforcement powers where necessary
5. Promote the benefits of turning empty properties into homes

1.3 Resources

The Housing and Neighbourhoods service currently employ two Empty Property Officers with responsibility for all aspects of empty property work, from identifying empty properties to negotiating between empty property owner's, property developers and RSLs. The costs of delivering the programme will be met from sub-regional funding. The amount of sub-regional funding allocated to Waltham Forest for 2006/7 is £728,000, which will be used to bring 55 empty and derelict properties back into use. Waltham Forest has been assured a budget of £262,000 for 2007/8. Additional funding may become available through Temporary Social Housing Grants (TSHG), which only RSLs can bid for. TSHGs can be used to bring empty properties back into use.

1.4 Strategic context

This strategy represents an integral part of the Council's Housing Strategy Statement 2006-2010. It also has a positive impact on the Council's Better Neighbourhood's Initiative – how people see their neighbourhood and the way that agencies work together in that area can have an impact on crime rates and an important element in tackling anti-social behaviour. Better Neighbourhoods provides a model for engaging communities and an opportunity for delivering holistic outcomes. The diagram below shows linkages between the Empty Property Strategy, Housing Strategy and Better Neighbourhoods Initiative.



The Empty Property Strategy will also make a significant contribution towards a number of other corporate objectives, including the Community Strategy, Corporate Improvement plan, Regeneration and Investment Strategy and the Crime, Disorder and Drugs Strategy.

1.5 National and regional statistics

Figures produced by the Department of Communities and Local Government (DCLG) showed that there were around 689,000 empty homes in England in 2004. The Empty Homes agency estimates that in London alone, there are approximately 74,811 empty privately owned homes, of which 36,200 are empty long-term. At the same time national housing projections have estimated the need to accommodate 3.8 million households by 2016¹. Even allowing for the efficient operation of the property market, it is estimated that empty and commercial properties in England (including spaces above shops) have the potential for around 420,000 homes. This represents housing for around 15% of anticipated new households, highlighting the importance of unlocking the potential of empty property².

1.6 Local statistics

As with other London boroughs the Council faces an increasing demand for social housing. As well as the duty to provide accommodation to those accepted as homeless, the Council also faces pressures from existing tenants seeking transfers and those on the housing register. There is also the need to enable or directly provide housing for key workers if the regional and local problems of recruitment and retention of key workers is to be addressed. In Waltham Forest, it is projected that for 2006/7 the shortfall between supply and demand will be approximately 1,896 dwellings. Below is a summary of the demand for social housing in the borough

Demand Summary 2005/6 to 2009/10

	2005/6	2006/7	2007/8	2008/9	2009/10	Total
Demand						
Transfers	183	200	200	200	200	983
Housing Register	324	277	277	277	277	1432
Households Currently In Temp Accom.						
Studios/One bed	0	300				300
Two bed	0	1020				1020
Three bed	0	440				440
Four bed plus	0	240				240
Total	0	2000				2000
Homeless	893	810	800	800	800	4103
TOTAL DEMAND	1400	3287	1277	1277	1277	8518

Housing needs research highlighted the need to find ways of increasing provision of affordable housing due to the growing gap between supply and demand for housing in the borough. One way of doing this is to bring empty properties in the borough back into use.

¹ Housing Statistics: Projections of Households in England 2021 (DTLR, 1999)

² More than a Roof: A Report into Tackling Homelessness (ODPM, 2002)

Section Two: Delivering our Priorities

Priority One - Identify long-term empty properties in the borough

2. Defining Empty Homes

In order to function effectively the housing market needs vacant homes to allow for residential mobility, redevelopment and improvement to take place. This means that there is an expectation that some properties will inevitably remain vacant at any given time. It is important therefore, to define what is considered to be an empty property within the context of this strategy. Research has shown that there are two types of vacant properties³, namely:

Transactional vacancies: As properties are bought and sold, or relet, there will be a period of vacancy in between the changes in occupation. Such 'transactional vacancies' are not usually the cause of problems, but are a normal part of the operation of the housing market. These properties seldom require the intervention of the Council in order to ensure they are brought back into use within 6 months.

Problematic vacancies: These are properties that are inactive in the housing market and empty for six months or more. These long-term properties cause the greatest concern and will be considered when assessing the extent of the problem and how best to target remedial action. When deciding if a property is a 'problematic vacancy' and targeted under this strategy, the following questions will act as a guide:

- Has the property been targeted by vandals?
- Is there furniture in the property?
- Does the property/ garden appear maintained?
- Is the property an eye sore?
- Are there signs of long-term disrepair?
- Do the neighbours know when the property was last occupied?
- Is the property secure?

³ Empty Homes in London, 2004

2.1 Flats above shops and under- used commercial spaces

In addition to those properties identified as empty using the above guidelines, empty commercial spaces and flats above shops have the potential for conversion, and are therefore also targeted under this strategy. For example, a room above a shop maybe used for storage and may appear occupied, however, if there is room on the ground floor level which could be used for storage purposes, then there maybe conversion potential on the upper floor⁴.

In 2005/6 we undertook a £110,000 project involving utilising space above an Internet café, from which 8 units were created. We have also identified potential for creating 30 flats above a supermarket, over two floors. We successfully pursued the owner, resulting in a joint project between the Council, the owner and a property developer. The £1.25m project will create new homes that will be used to house homeless families and the target for completion is 2007/8.

2.2 Analysis of reasons why properties remain empty

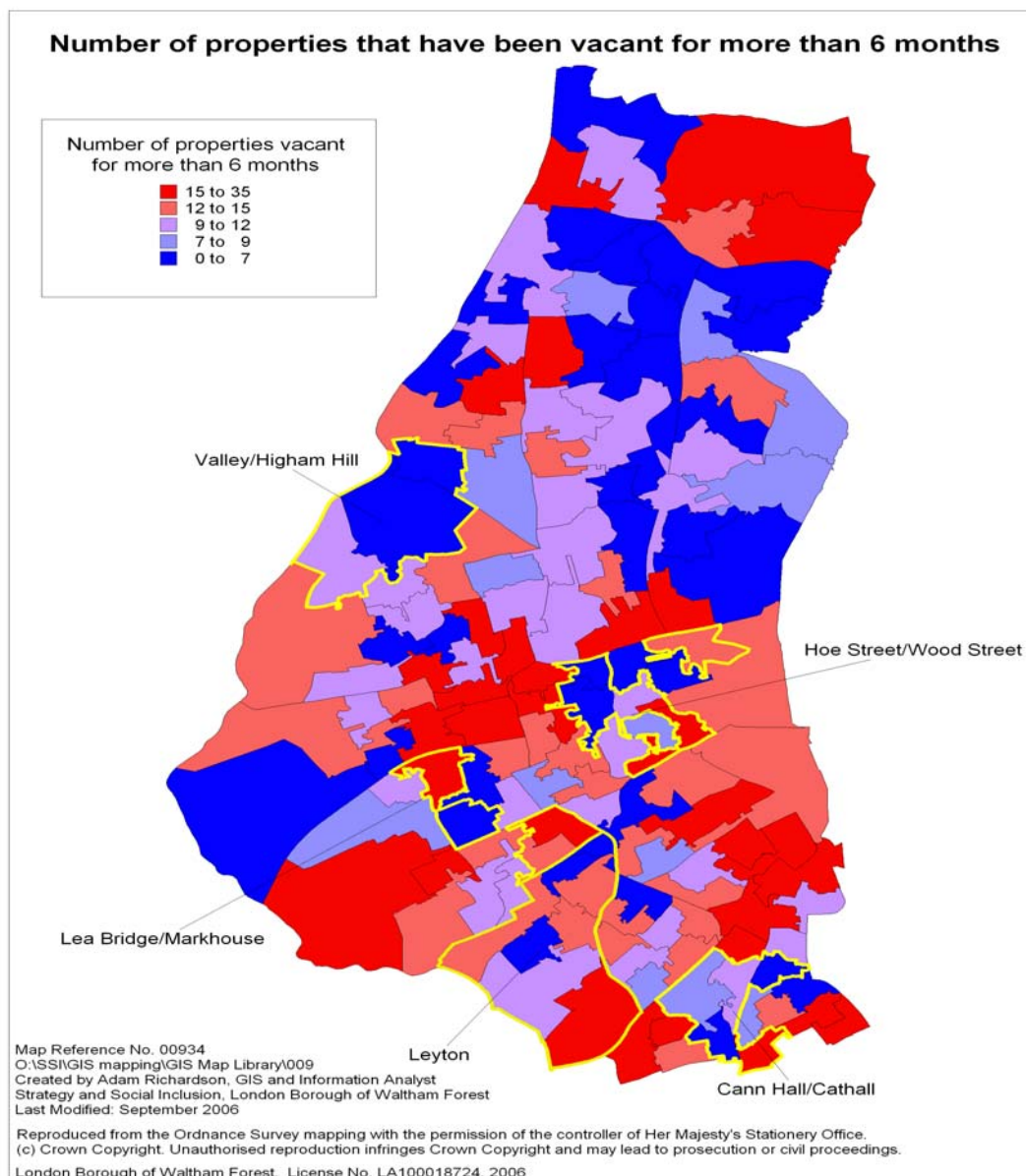
By analysing Council Tax data and the Waltham Forest Private Stock Condition survey, we have a good idea of the approximate number of empty private dwellings in the borough. What is not known, are the reasons why properties remain vacant despite the borough being one of high housing demand. Listed below are some of the possible reasons why private properties remain empty:

- ❑ Lack of funding to carry out repairs - the Private Sector Stock Condition survey found a large proportion of empty dwellings to be in disrepair.
- ❑ Many vacant properties in the borough are a commercial /residential mix that are generally above shops. These properties may not have been in residential use for many years and there may be particular reasons for this. Separate access from the streets could be one reason. It would mean expensive conversion work is needed. This could mean loss of retail space.
- ❑ Location of properties above shops can also present problems for owners where properties are located on main roads with no on street parking, as is common within the Borough. Owners have in the past found that this creates obstacles in obtaining planning permission for the necessary change of use permission.
- ❑ Some shop leases may specifically prohibit sub-letting the upper parts of properties.
- ❑ Many owners have no experience of residential letting and perceive residential letting as risky. They may not be aware of other options available to them

⁴ Empty Property: Unlocking the potential – a case for action

2.3 Location of empty properties in the borough

It is important that we know where empty properties are located so that resources can be effectively targeted. Using Geographical Information System (GIS) mapping below, we can see that although there are a few pockets of long-term empty properties to the North of the borough, of major concern are Central Walthamstow and the South of the borough, where resources will initially be focused. Both the Cann Hall and Cathall Wards in the South have also been identified as super output areas targeted under the Better Neighbourhoods Initiative. This provides an opportunity for maximising and achieving holistic outcomes through effective partnering with the Neighbourhoods team.



Priority Two - Provide encouragement and support to empty property owners

3. Establishing ownership of empty properties

One of the major problems officers face when dealing with empty properties is establishing the ownership of the property. In some cases this is relatively straightforward, particularly with regard to flats above shops. However, some owners may not live locally and neighbours may not know their whereabouts. The Council's designated Empty Property Officers have responsibility for establishing ownership of empty properties through various means including enquiries through the following agencies:

- Accommodation / managing agents
- Revenues and Benefits (Council Tax)
- Land Registry
- Electoral register
- Utility companies
- Neighbours

3.1 Options available to empty property owners

Our aim is to provide good quality and up-to-date advice and information to owners about all aspects of bringing their empty properties back into use. Once ownership of a property has been established, the Empty Property Officers will contact owners to find out what their intentions are. We will provide owners with literature and information packs, advising them of the benefits of turning their empty properties into homes and the options available to them. For example, an owner who wishes to retain the property may wish to consider the following:

- Re-occupying the property themselves
- Letting the property through a letting/ management agent
- Letting the property and managing it themselves - Landlord Accreditation will enable the owner to run successful rental business
- Voluntary sale to private individual, property developer or Housing Association

The Council will monitor cases where the owner advises they will bring the property back into use through one of the above means. Other options empty property owners will be asked to consider are listed below:

Private Sector Leasing Scheme (PSL)

This scheme allows owners to lease their properties to the Council's managing agents/ approved Housing Association, who will in turn sub-let to homeless households. This removes the day-to-day management responsibility and risk for the owner, who will be guaranteed rent for a specified period of time irrespective of whether the property is let or not. The PSL team has been proactive in homeless prevention and in the last year (2005/6) provided approximately 480 homes to homeless households.

Rent Deposit Scheme

In the 2003 the Council introduced the rent deposit scheme, which guarantees owners of empty properties that we will find them suitable tenants and also guarantees a deposit and help with setting up an Assured Shorthold Tenancy.

Housing Association Leasing scheme (HALS)

This scheme provides an opportunity for owners to lease their property to registered social landlords (RSLs) for periods of three to five years, for which the Council gets nomination rights to the properties. Through partnership working with RSLs such as Christian Action, Network, London & Quadrant and East Homes, in the last year we successfully acquired nomination rights to 26 properties. We will build on these partnership arrangements to secure accommodation for those with housing need.

Empty Property Grants (Renovation)

This scheme is linked to the Rent Deposit scheme and provides owners with financial assistance of up to a maximum £10,000, to turn their empty properties into homes. A condition attached to the grant is that the council will have minimum 5-year nomination rights to the property, at agreed rent. The Council is particularly keen to use these grants for the renovation of flats above shops and under-used commercial spaces with potential to create 'bulk units'. We have successfully targeted a commercial property with redundant space above, from which 11 new units are being created. In the last year Waltham Forest spent a total of £139,000 bringing 22 empty properties back into use through sub-regional resources.

Temporary Social Housing Grant

This programme can assist RSLs and owners to bring empty properties back into use. The RSL acquires the property on a lease from the owner for a minimum period of two years (maximum 30 years), with a Social Housing Grant (SHG) for renovation works. This provides a method of utilising properties that owners do not require for occupation in the short or medium term, but they still wish the property to be returned to them at some point.

Priority three - Develop a more co-ordinated approach to carrying out empty property work

4. Working with our partners

The Council recognises that in order to achieve the aims of the Empty Property Strategy greater coordination of partners both internally and externally, is required. A Private Sector Housing Action Partnership is now functioning with representation from the Local Strategic Partnership, external agencies and major groups in the borough. The objectives of the group include working on improving the condition of private sector housing in the borough, including empty properties.

Internal partners

Working with internal colleagues, we aim to develop our expertise in areas that impact on empty property work such as conversion, building control, planning and environmental health and housing issues. Information sharing is also important particularly between departments that impact on empty property work for example, Council Tax, Better Neighbourhoods team, Environmental Health and Planning. We have developed good partnering arrangements with Council Tax, which enables the Empty Property Officer to obtain up-to-date lists of properties registered as empty on their databases. The Empty Property Officer will, in turn, notify Council Tax of properties registered as empty, which have become occupied.

We are seeking opportunities for working with the Better Neighbourhoods team whose model of engaging the community and directing resources in super output areas, provides an opportunity for identification of empty properties and achieving joint outcomes. We are also committed to keeping Members informed about all aspects of empty property work.

External partners

Waltham Forest has been engaging with a range of partners to deliver empty property work. We will strengthen existing partnerships and identify ways of working more effectively with our partners. We also aim to identify opportunities for working with new partners that have potential for bringing in expertise and resources to build on our successes.

Working closely with our sub-regional partners provides an opportunity for finding solutions to shared problems, maximising efficiency and cost savings. We will continue to partner with the east sub-regional boroughs and are currently investigating the possibility of running a joint campaign aimed at highlighting the penalties for not bringing empty properties back into use.

Our aim is to keep our partners informed and involved about all aspects of empty property work, through our Private Housing Forums and publications. We will also encourage feedback.

Priority Four - Using enforcement powers

5. Why use enforcement?

The Council will seek firstly to work closely with empty property owners encouraging and supporting them. However, where owners have refused offers of help and can give no good reason why the property should remain empty, we will use enforcement action wherever necessary.

5.1 Compulsory Leasing

Empty Dwelling Management Orders (EDMOs) was introduced by the Housing Act 2004 and gives the Council the power to 'step into the shoes' of owners and take over the management of properties that have been left empty for at least six months. The Council can then do whatever it takes to bring the property back into use. There are two types of orders, an interim EDMO and a final EDMO. An interim EDMO is time limited but a Final EDMO may be granted, subject to certain conditions in which case the local authority may continue to manage all the responsibilities normally undertaken by the owner for up to seven years. EDMOs are essentially compulsory leasing.

Where there is no realistic prospect of bringing an empty property back into occupation other than through enforcement, an order will be drafted for approval by the Residential Property Tribunal. The Council will need to show that we have done all we can to contact the owner to work with them.

Where the Council obtains an EDMO, any costs incurred with improvements to the property will be recovered from rents received when the property is let. However, we acknowledge it would not be economically viable to pursue an EDMO where the property is in a particularly bad condition. We are currently exploring management arrangements for properties acquired under EDMOs, preparing reports in order to consult with RSLs and Ascham Homes (the Council's Arms Length Management Organisation).

5.2 Compulsory Purchase Orders

Under Section 17 of the Housing Act 1985, local authorities can acquire buildings and land through compulsory purchase. This allows Compulsory Purchase Orders (CPOs) to be made for the purpose of providing housing accommodation or facilities connected to housing accommodation, for example, environmental improvements. However, this process is complex and lengthy and will only be considered when all other options have been exhausted. In some cases the threat of a CPO may be sufficient for owners to take necessary steps to bringing their properties back into residential use.

Priority Five – Promote the benefits of turning empty properties into homes

6. Raising Awareness

A key element of this strategy is raising awareness of the issue of empty properties amongst staff, residents, empty property owners and other stakeholders. We will use the following medium to promote the benefits of turning empty properties into homes:

- Private Housing Forums
- The Council's website
- Empty Homes Week of Action in London
- Council publications such as Waltham Forest Magazine (WFM)
- Poster campaign
- Joint publicity work with our sub-regional borough partners
- Empty homes stories in local press
- Information pack containing literature and advice
- Staff payslip messaging

Contacting us

To speak to us about an empty property or to obtain further information about how to bring an empty property back into use, you can: -

Telephone the Empty Property Officer on 020 8496 5518

Write to the Private Sector Leasing Team at the address below

Fax us on 020 8496 5579

Email empty.property@hsg.lbwf.gov.uk

Visit the Housing Department (address below)

The Private Sector Leasing Team

Housing and Neighbourhoods Service
Cedar Wood House
2d Fulbourne Road
Walthamstow
London E17 4GG

Appendix 1 - Action Plan

Target	Actions	Benefits/ outcome	Timescale	Lead Officer
<i>Priority one – identify long term empty properties in the borough</i>				
Identify 100 properties empty long-term, by March 2007	Set up an empty property hotline and explore possibility of SMS texting to report an empty property	Point of contact for residents Alternative method for residents who do not want to speak to someone	January 2007	GH
	Develop and maintain database of agencies that will assist in tracing owners	Save time	February 2007	GH
	Conduct a survey in smaller 'shop parade' urban areas to identify under-used commercial spaces and shops above flats	Indication of scale of the problem Identification of potential new homes	April 2007	GH
	Using GIS mapping identify areas for targeting under this strategy, and provide incentives to staff to identify long-term empty properties are	Prioritise resources according to area needs Joint outcomes with Better Neighbourhoods team	March 2007	GH
<i>Priority two – provide encouragement and support to empty property owners</i>				
Bring 50 long-term empty properties back into occupation by April 2007	Set up a comprehensive database of empty properties, including redundant/ underused spaces, with adequate monitoring tools	Easy access to information about empty properties	January 2007	GH/PA
	Send letter to empty property owners with Council Tax demand, enquiring about their intentions and providing advice and information	Alert owners properties being monitored May voluntarily bring property back into use	February 2007	GH/PA
	Negotiate between empty property owners and developers and RSLs	Facilitating negotiations between RSLs, property developers and empty property owners	Ongoing	GH/PA

Target	Actions	Benefits/ outcome	Timescale	Lead Officer
<i>Priority Three – develop a more coordinated approach to empty property work</i>				
Improve communications amongst relevant services and partners	Establish systems for sharing information internally including length of time vacant, circumstances, state of repair and any actions being taken out by other services	Prevent duplication of work Direct resources accordingly Pooling of resources	March 2007	GH
	Provide progress reports to Private Housing Steering Group and Sector Strategic Group	Monitor performance Take remedial action early	Quarterly	GH
	Identify opportunities for running joint campaigns with the East sub-region	Holistic approach to shared issues Efficiency and cost savings	Ongoing	GH/JJ
	Identify opportunities for bringing together RSLs, property developers and owners	Enabling re-use of empty properties	Ongoing	GH
	Use Private Housing Forums to share information with external partners and stakeholders on empty property work	Keeping our partners informed	Quarterly	GH/ JJ
<i>Priority four – use enforcement action where necessary</i>				
Develop an enforcement policy/ protocol by April 2007	Assess impact and cost implications of EDMOs for Waltham Forest and develop report for negotiations with RSLs and Ascham homes regarding management of properties under EDMOs	Identify best delivery mechanism for Management of properties acquired through EDMOs	February 2007	GH/ JJ/ RG
	Consult sub-regional partnership regarding issues around EDMOs	Identify how partner boroughs are implementing EDMOs	Ongoing	GH/JJ
	Develop criteria for selection of empty properties to action through EDMO	Clear guidelines for staff dealing with empty properties	April 2007	JJ

Target	Actions	Benefits/ outcome	Timescale	Lead Officer
<i>Priority five - promote the benefits of turning empty properties into homes</i>				
Deliver two high-profile publicity campaigns by March 2007	Publicise Empty Property Strategy	Raise awareness of our approach for tackling empty properties	October – December 06	JJ
	Send information packs with Council Tax demand to empty property owners, with translation request form	Raise awareness and provide advice Alert owners property being monitored Ensure everyone can access services	January 2007	GH
	Highlight a success stories in the borough using local media	Highlighting benefits of brining empty properties back into use	December 2006	GH
	Use internal publications to show success stories	Raise awareness amongst staff	Ongoing	GH
	Place empty property advert in Waltham Forest Magazine	Raise awareness amongst residents	Twice yearly	GH
	Investigate possibility of bus campaign with sub-regional borough partners, to raise awareness of penalties for not brining empty properties back into use	Efficiency and cost savings Working together to tackle shared problems	February 2007	GH
	Alert staff about issue of empty properties via payslips	Raise awareness amongst staff	February 2007	GH

