Foreword

I have pleasure in introducing the Council’s New Empty Property Strategy 2011 - 2016.

This Strategy sets out a clear direction and action plan for tackling empty properties which are a waste of valuable resources, often an eyesore and adversely affects the neighbourhood and community. The Empty Property Strategy alongside the Housing Strategy demonstrates our commitment to developing a sustainable, strong and thriving community in Hounslow.

In line with our pledge, “A fresh war on waste”, I believe this strategy sets out key objectives, which enable the staff to build on the achievements of the last 2 years. It also clearly sets out the Council’s approach and commitment to tackling empty properties. We therefore aim to bring up to 250 empty properties back into affordable housing use through this 5 year Strategy.

This Strategy will concentrate on four key objectives, they are:

1. Encourage property owners to bring empty properties back into use.
2. Bring problematic empty properties back into use through enforcement action.
3. Devise and explore new and innovative solutions to bring empty properties back into use and increase the housing options in Hounslow.
4. Develop a co-ordinated approach to help identify and tackle empty properties.

I commend this Strategy and look forward to reporting its success and achievements in the near future.

Councillor Ruth Cadbury
Deputy Leader and Lead Member for Housing Strategy & Commissioning
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1) Introduction.

Hounslow’s Empty Property Strategy 2011 - 2016 sets out a clear direction and Action Plan to reduce the number of empty properties, thus tackling the blight and anti-social behaviour associated with these properties.

By tackling empty properties we will:

- improve the local environment and neighbourhood
- reduce vandalism and associated anti-social behaviour
- contribute towards the growing housing need by increasing housing provision and expanding the housing options available
- regenerate affected areas and reduce the detrimental affect these properties have on the housing market.

At best empty properties are a waste of valuable resources but often empty properties could have devastating affects on the neighbourhoods and their environment. For example, the Royal Institution of Chartered Surveyors (RICS) states that an empty property reduces the market value of adjoining properties by up to 18%, and the Mayor of London’s Housing Strategy states that a fifth of people living near an empty property believe that the property attracts crime.

The Empty Homes 2009 report stated that there were 75,706 empty properties in London alone. In Hounslow at any given time there are around 2000 empty properties, some of which are undergoing renovation or awaiting probate etc. However we estimate that there are approximately 500 empty properties that require our intervention to bring them back into use.

Through this 5 year Strategy we aim to bring up to 250 empty properties back into affordable housing use.
2) Policy context.

2.0 National policy context

The Coalition Government has promised to “explore a range of measures to bring empty homes into use” (Coalition paper May 2010). Given the current economic climate, it is likely that Government will look increasingly to Council’s to find more innovative housing solutions that do not put strain on the national budget.

2.1 Regional policy context

The Mayor of London in London’s Housing Strategy 2009-2014 states that:

“No more than one per cent of homes should stand empty and unused for more than 6 months”. (Policy 2.3D).

In order to achieve this, the Mayor has directed a £60 million targeted funding stream to improve advice, information, support and in some circumstances grants for owners to bring their properties back into use.

The Mayor has also directed that;

“Better information should be available to help target action to tackle abandoned and derelict homes, with no financial incentives to leaving homes empty” (Policy 2.3E).

2.2 West London Housing Partnership

Hounslow is a member of the West London Housing partnership (WLHP) along with Kensington and Chelsea, Hammersmith and Fulham, Brent, Harrow, Hillingdon and Ealing. The partnership works collectively to bring empty properties back into use via the West London Empty Homes Project.

This project has been running since 2006 and aims to tackle the 700 properties that have been empty for more than 6 months (or such amended timescale as may be implemented in the future) across the sub region. Since 2006 to date the partnership has brought 780 empty homes back into residential use with Local Authority nomination rights, across the sub region. Although there will be no further sub regional funding beyond April 2011, we intend to continue to work collaboratively and utilise cross sub regional expertise.
2.3 Local Policy context

It is part of the Council's Strategic housing role to make effective use of empty homes and the Council’s Housing Strategy includes actions on ensuring the most efficient use of housing resources by bringing empty properties back into occupation.

Objective 2 of the Housing Strategy 2010 - 2015 is to improve the standards in private sector housing, especially rented. As part of this objective 2.3 commits to tackle long term empty homes.

3) Empty properties in Hounslow.

The London Borough of Hounslow’s 2009 Strategic Housing Market Assessment found the level of vacant property in Hounslow to be 1.7% of all properties, which is lower than the national average of 3% however remains above the Mayor's target of 1%.

![Graph showing empty properties as a percentage of all properties in Hounslow, London, and England.](source: 2009 SHMA)

The figures below show an overall year on year decrease of properties standing empty for more than 6 months in the borough, which puts Hounslow in the top quartile when compared with other London authorities.
The figures for Hounslow over the last 3 years are set out below:

<table>
<thead>
<tr>
<th>Year</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>No of empty homes 6 + months</td>
<td>614</td>
<td>473</td>
<td>386</td>
</tr>
<tr>
<td>No of empty homes brought back to use</td>
<td>30</td>
<td>40</td>
<td>43</td>
</tr>
</tbody>
</table>

Source: HIP HSSA

The graph below illustrates that the number of properties Hounslow has successfully brought back into use is increasing year on year.

Number of empty properties back into use

Source: HIP 2007-2010

One of the key issues for Hounslow is the fact that only one of these properties was brought back into use through enforcement. One of our key objectives is to develop a more coordinated response in conjunction with the Borough Solicitor to tackle the most problematic empty properties.
4) Delivery of the Strategy through the Key Objectives

The balance between resources available, priorities of the Council and national and local delivery targets will determine what is achievable in reducing the number of empty homes in the borough. Based on these, Hounslow Council anticipate bringing up to 250 empty properties back into affordable use over the next five years.

This strategy focuses on 4 key objectives:

1) Encourage property owners to bring empty properties back into use
2) Bring problematic empty properties back into use through enforcement action
3) Devise and explore new and innovative ways to bring empty properties back into use and increase the housing options in Hounslow
4) Develop a co-ordinated approach to help identify and tackle empty properties

The diagram below explains why Hounslow Council has chosen to place such emphasis on bringing empty properties back into use.

- **Owner**
  - Increased Income: Owners can loose up to £8000 per year through leaving a property empty (Royal Institution of Chartered Surveyors)
  - Increased Capital value
  - Reduced costs of insurance, repairs and maintenance
  - Reduces opportunity for squatting and vandalism
  - Access to Council’s support services in managing property

- **Community**
  - Reduces opportunity for negative impact on house prices (Royal Institution of Chartered Surveyors)
  - Prevents anti social behaviour including vandalism, arson, burglary, fly-tipping and drug misuse.

- **Who benefits from bringing empty properties back into use?**

- **Council**
  - Increased housing supply
  - Reduced costs in dealing with complaints about empty homes
  - Increased income from Council Tax

Who benefits from bringing empty properties back into use?

Community

Owner

Council
4.1) **Encourage property owners to bring empty properties back into use.**

The Council’s primary approach in tackling the issue of empty properties is to work with the owners to encourage them to bring the property back into use voluntarily. Our Empty Property Officers provide advice and support on a one-to-one basis where each case is assessed on its merits. The Council currently offer Discretionary Financial Assistance, which is funded through the West London Housing Partnership.

This Financial Assistance helps towards the cost of works to bring the property up to the Decent Homes Standard. This financial assistance is for landlords who intend to let their property through one of the Council letting schemes; details of the letting schemes can be found below.

The works that can be funded through Financial Assistance includes the improvement of:

- Bathroom
- Boiler & Radiators
- Chimney breast/stack
- Electrical
- External render
- Fascia & soffits
- Fencing
- Flooring
- Guttering
- Internal decoration
- Internal doors
- Internal staircase
- Kitchen
- Plaster
- Roof covering
- Roof Insulation
- Windows & Doors

**Letting schemes**

There are different housing options which the Council uses to assist families or individuals who are homeless, or at risk of becoming homeless.

**Let Start Scheme**

The Let Start Scheme (tenant introductory scheme) has a range of benefits for landlords, and tenants, which include:

- A deposit guarantee paid on behalf of tenants.
- Various sized family units who have been assessed as homeless by the Council and therefore qualify for housing benefit
- No fees to pay for the introduction of tenants
- Incentive payments for landlords or agents
- Tenants can choose the area they wish to reside in, and landlords can choose a suitable family or individual for their property
- Financial assistance available to help towards meeting the Decent Homes Standard
- Advice to landlords and tenants on issues involving tenancies
Private Sector Leasing (PSL)

Private Sector Leasing is a scheme where the Council enters into a lease, normally for 3-5 years, with a private owner or landlord. The Council use the property to provide affordable accommodation for homeless families.

The Private Sector Leasing Scheme was set up to help meet the ongoing demand for social housing within the Borough.

It is a successful way of working with private landlords to provide a supply of good quality accommodation.

The scheme has a range of benefits for landlords, which include:

- Full management of the property, from inspections, to finding the tenants
- Guaranteed rent
- No fees to pay.
- Compensation for any damage that may be caused by occupants
- Payment of rent quarterly in advance
- Rent is paid during void periods (Maximum of 28 days)

Advice on Repair Works

The Council’s Empty Property Officers can provide a Schedule of Works clearly outlining what works need to be completed to bring the property up to the Governments Decent Homes Standard.

ACTION - Encourage property owners to bring empty properties back into use.

- Maintain an accurate database of empty properties
- Hold publicity campaigns promoting available services
- Develop a procedure for dealing with empty properties
- Bring 50 empty properties back to use annually through advice and assistance

4.2) Bring problematic empty properties back into use through enforcement action.

In cases where a property remains empty for a significant length of time without good reason the Council will consider a number of enforcement options to bring the property back into use. The options available include but are not limited to:
Enforced Sale

Enforced sale is a procedure for Local Authorities to recover a debt by forcing the sale of a property. In doing so it often brings the property back into use and is increasingly being used for this purpose. Where a property has debts (owed to the Council) secured against it as a local land charge or Land Registry caution this may be considered an appropriate option.

In all cases the Council will first attempt to recover the debt informally following the relevant procedure and if the debt is not cleared a formal Notice (Section 103 Law of Property Act 1925) is served giving the owner a time period of 12 weeks in which to pay. If the Notice is not complied with the property can then be sold (normally at auction). The money from the sale (less costs) is then passed onto the owner.

Not all debts may be secured as a local land charge or as a Land Registry caution, the Council can instead apply to the County Court for an interim charging order. If successful the Council may then apply for a final charging order to enforce the sale of the property.

Compulsory Purchase Order (CPO)

Where a Local Authority is able to make a compelling case in the public interest for a property to be compulsorily purchased, and other methods of returning the property to use have been tried and failed, a CPO can be considered a suitable option. It is generally considered to be a last resort and other methods will be attempted first.

Where this is the case the Council may apply to the Secretary of State for an Order to be made. In making an application the Council must show (among other things) a clear intention for the use of the property/land, and be able to show that it has the necessary resources available to follow through with the CPO.

Where an owner is not willing to sell by agreement an application may be made under Section 17 of the Housing Act 1985, which allows for land/property to be acquired for residential purposes if there is a general housing need in the area. If using this provision the Council must also demonstrate a qualitative or quantitative increase in the Housing Stock.

Section 226 of the Town and Country Planning Act 1990 allows Local Authorities to acquire land or buildings if such acquisition will allow improvements or redevelopment to take place that contributes to the promotion/improvement of economic, social or environmental well being. It may be appropriate to acquire empty properties that adversely affect the street scene because of their condition.

Owners of properties that are compulsory purchased may be entitled to compensation for the loss of their property at a level equivalent to the open market value and may be entitled to additional compensation under certain
circumstances. These additional payments are not due if the owner has been served with and has failed to comply with certain statutory notices requiring works to the property.

In order to obtain a Compulsory Purchase Order an application must be made to the Secretary of State and will only be successful where:

1. It can be proven that the public benefit outweighs the private loss
2. The Council is able to show that is has clear intentions for the land/property and
3. The necessary resources are in place.

The process is not without financial risk and the Council will carefully consider whether it is appropriate to take action to compulsorily purchase.

**Empty Dwelling Management Orders (EDMO)**

Introduced by the Housing Act 2004, EDMOs provide a relatively new tool for Local Authorities to tackle empty properties.

Two forms of EDMOs exist, an interim EDMO and a final EDMO. An interim order should be considered as the final opportunity to find a voluntary solution with the owner to bring the property back into use. In order to obtain an interim EDMO, an application must be made to the Residential Property Tribunal Service (RPTS)

Amongst other matters the RPTS must be satisfied:

- that the property is not exempt according to the Housing Strategy Statistical Appendix (HSSA). Exempt properties include:
  - second homes
  - holiday lets
  - flats and houses normally occupied by students
  - when the owner is in prison
  - when the owner is receiving or giving care
  - in the armed or visiting forces
  - if the dwelling is flood damaged or awaiting clergy
- that the owner has been notified of the Councils intentions to apply for an EDMO
- that the Council has attempted to ascertain what steps the owner was taking to bring the property back into use (and those details)
- that the property must also have been empty for at least 6 months
- that there is no reasonable prospect of the dwelling being occupied in the near future
- that by granting the order there is a reasonable prospect of the property being brought back into use

If these matters are satisfied the RPTS will then balance the rights of the owner against those of the wider community in making their decision.
Once granted, an interim Order lasts for a maximum of 12 months during which time the Council must take such action as they consider appropriate to ensure that the dwelling becomes (and continues) to be occupied. This may include creating tenancies with the permission of the owner. The Council must also take such other steps as they consider appropriate. Where no such steps exist which are appropriate in order to secure the occupation of the dwelling the Council must either make a final EDMO or revoke the interim order.

No further application to the RPTS is required to make a final EDMO where an interim order has been granted but the owner may appeal to the RPTS against the Council’s decision to make such an order. The order must set out:

- the extent and cost of any works required
- the expected income
- any compensation payable to third parties
- where the rent payable is less than the open market rent, how this will be made up?

It must also include details of how any surplus is to be paid to the owner (after deductions), how any surplus is to be carried over to a subsequent final EDMO or how any deficit is to be recovered in a subsequent EDMO.

The EDMO may last up to seven years but the Council may revoke the order if it considers it is appropriate to do so. Circumstances where revocation would be appropriate include:

- that there are no steps that the Council can take to secure occupation of the dwelling
- that it will be or continue to be occupied after renovation
- the dwelling is to be sold
- another EDMO has been made to replace it
- that revocation is required to prevent or stop interference with the rights of a third party in consequence with the order

If the property is occupied at the time of revocation it cannot be revoked without the permission of the owner and the Local Authority may make the revocation subject to payment of any expenditure not yet recovered. However if an EDMO ceases to have effect and a deficit exists the Council may not under most circumstances recover the relevant sums.

Whilst a final EDMO is in force the Council effectively becomes the landlord and may carry out renovation/maintenance work, create tenancies and will be responsible for the management of the property. Both interim and final EDMOs allows a Local Authority to collect rent and other payment from the occupant of a property and use it to meet any expenses incurred.

It is important to consider the likely income from the property against the expenses likely to be incurred in bringing the property up to a habitable
standard and in managing the property through an EDMO. In some circumstances the expenses incurred by a Local Authority may exceed the income; although the Council may still proceed with an EDMO it would result in the Council being unable to recover all of its expenses in relation to the property. This is particularly important as few empty homes are in a habitable condition. In consequence the property in question may not be appropriate to let and will be likely to require some if not substantial repair work.

An EDMO might be suitable where the cost of the works to bring the property up to standard are not significant and may be recovered in the period of the Order.

In considering the most appropriate course of action the Council will utilise all relevant legislation including; the Housing Act 2004, the Town and Country Planning Act 1990 and the Building Act 1984 as set out in Appendix A of this strategy.

The London Borough of Hounslow was amongst the first borough in London to successfully complete an Interim Empty Dwelling Management Order (IMO), and in addition to this was amongst first borough to go on to successfully complete a Final Empty Dwelling Management Order.

Appendix B provides a brief overview of the case history.

**ACTION - Bring problematic empty properties back into use through enforcement action**

- Develop a policy for dealing with empty properties.
- Identify problematic empty properties for appropriate enforcement action.
- Set up procedure and template documents for CPO, EDMO and enforced sale
- Set up a working group with other relevant departments for over seeing the enforcement action
4.3) Devise and explore new and innovative ways to bring empty properties back into use and increase the housing options in Hounslow.

Hounslow Council is committed to explore innovative solutions to help reduce empty properties within the borough. The Council will research initiatives with a view to pilot successful schemes. Some of the schemes that the Council will consider are:

**First Time Buyer Financial Assistance**

This scheme will target first time buyers who purchase an empty property that requires works to bring the property up to the Governments Decent Homes Standard within a specified time.

The scheme will encourage first time buyers by offering substantial financial assistance which will be match funded making the refurbishment cost more manageable.

The Council's surveyor will determine what level of work is needed to achieve the Governments Decent Homes Standard and a schedule of works will be given to the applicant to that effect.

**ACTION - Devise and explore new and innovative ways to bring empty properties back into use and increase the housing options in Hounslow**

- Develop policies for newly identified schemes such as first time buyers, owner occupier in hardship
- Explore other solutions and set up relevant policies
- To promote options available for bringing empty properties back into use.
- Review the current Empty Property Grant Policy.
4.4) Develop a co-ordinated approach to help identify and tackle empty properties.

In order to contribute towards the growing demand for housing together with tackling the blight of empty properties, the Council intends to work in collaboration with other departments and external partners to help bring empty properties back into use.

Private Sector Housing will build on the close working relationship it has with council tax with a view to replicating this with other departments across the Council including:

- Safer Neighbourhood
- Planning
- Building Control
- Pollution
- Registered Providers
- Hounslow Homes
- Government Agencies

The London Borough of Hounslow is the lead authority for the West London Housing Partnership (WLHP) (which includes Kensington and Chelsea, Hammersmith and Fulham, Brent, Harrow, Hillingdon and Ealing). As detailed in paragraph 2.2 the partnership has received direct government funding and has brought 780 empty properties back into residential use across all member boroughs in the last 5 years.

The Council intends to build on the success of the WLHP by establishing/restabilising partnerships with relevant government agencies, as there is a clear commitment from the new coalition government. Taking action on empty properties in London is one of the key priorities for The Mayor of London. The Council will use this opportunity together with the resources made available by the Mayor to achieve the objectives set out in this Strategy.

**ACTION - Develop a co-ordinated approach to help identify and tackle empty properties**

- Create a communication channel with relevant departments and external bodies
- Develop a protocol for a referral mechanism.
- Set up a proactive program to help identify empty properties
- Carry out Private Sector Stock Condition Survey.
### 5) Action Plans.

#### Encourage property owners to bring empty properties back into use.

<table>
<thead>
<tr>
<th>Action</th>
<th>Measurable Outcome</th>
<th>Resources</th>
<th>Target</th>
<th>Lead Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maintain an accurate database of empty properties</td>
<td>6 monthly checks.</td>
<td>Data entry system (Flare)</td>
<td>Ongoing</td>
<td>Empty Property Officers</td>
</tr>
<tr>
<td>Hold publicity campaigns promoting available services</td>
<td>Annual check to ensure information is informative.</td>
<td>Funding</td>
<td>Annually July-August</td>
<td>Empty Property Officers</td>
</tr>
<tr>
<td>Develop a procedure for dealing with empty properties</td>
<td>Create procedure</td>
<td>Existing procedure Input from Empty Property Officer</td>
<td>September 2011</td>
<td>Empty Property Officers, Head of Private Sector Housing &amp; Policy and Performance</td>
</tr>
<tr>
<td>Bring 50 empty properties back to use annually through advice and assistance.</td>
<td>Annually reduce the number of empty properties by 50</td>
<td>Empty Property Officer Legal Team</td>
<td>March of every year</td>
<td>Private Sector Housing</td>
</tr>
</tbody>
</table>

#### Bring problematic empty properties back into use through enforcement action.

<table>
<thead>
<tr>
<th>Action</th>
<th>Measurable Outcome</th>
<th>Resources</th>
<th>Target</th>
<th>Lead Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Develop a policy for dealing with empty properties.</td>
<td>Create procedure</td>
<td>Existing procedure Input from Empty Property Officer</td>
<td>September 2011</td>
<td>Empty Property Officers &amp; Head of Private Sector Housing</td>
</tr>
</tbody>
</table>
### Identify problematic empty properties for appropriate enforcement action.

<table>
<thead>
<tr>
<th>Action</th>
<th>Measurable Outcome</th>
<th>Resources</th>
<th>Target Date</th>
<th>Lead Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>6 Monthly review</td>
<td>Close working with internal departments Street survey</td>
<td>Ongoing</td>
<td>Empty Property Officers</td>
<td></td>
</tr>
</tbody>
</table>

### Set up procedure and template documents for CPO, EDMO and enforced sale

<table>
<thead>
<tr>
<th>Action</th>
<th>Measurable Outcome</th>
<th>Resources</th>
<th>Target Date</th>
<th>Lead Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Confirm with Borough Solicitors the documents are legally correct</td>
<td>Existing staff</td>
<td>December 2012</td>
<td>Empty Property Officers &amp; Head of Private Sector Housing</td>
<td></td>
</tr>
</tbody>
</table>

### Set up a working group with other relevant departments for overseeing the enforcement action

<table>
<thead>
<tr>
<th>Action</th>
<th>Measurable Outcome</th>
<th>Resources</th>
<th>Target Date</th>
<th>Lead Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Check progress annually</td>
<td>Department networking</td>
<td>March 2014</td>
<td>Empty Property Officers &amp; Head of Private Sector Housing</td>
<td></td>
</tr>
</tbody>
</table>

### Devise and explore new and innovative ways to bring empty properties back into use and increase the housing options in Hounslow.

<table>
<thead>
<tr>
<th>Action</th>
<th>Measurable Outcome</th>
<th>Resources</th>
<th>Target Date</th>
<th>Lead Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Develop policies for newly identified schemes such as first time buyers, owner occupier in hardship</td>
<td>Implement and monitor each scheme throughout the scheme inline with the new policy</td>
<td>Information on successful schemes</td>
<td>Ongoing</td>
<td>Empty Property Officers &amp; Head of Private Sector Housing</td>
</tr>
<tr>
<td>Explore other solutions and set up relevant policies</td>
<td>Implement and monitor each scheme throughout the scheme inline with the new policy</td>
<td>Existing staff</td>
<td>Ongoing</td>
<td>Empty Property Officers &amp; Head of Private Sector Housing</td>
</tr>
</tbody>
</table>
To promote options available for bringing empty properties back into use.

- 2 landlord events per year and website advert every 6 months
- Existing staff, PR team and funding
- Ongoing
- Empty Property Officers

Review the current Empty Property Grant Policy.

- Revise and amend the policy if required
- Current policy
- December 2011
- Empty Property Officers & Head of Private Sector Housing

<table>
<thead>
<tr>
<th>Develop a co-ordinated approach to help identify and tackle empty properties.</th>
<th>Action</th>
<th>Measurable Outcome</th>
<th>Resources</th>
<th>Target Date</th>
<th>Lead Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Create a communication channel with relevant departments and external bodies</td>
<td>Agreed periodic referrals with 4 meetings per year</td>
<td>Departmental staff</td>
<td>Ongoing</td>
<td>Head of Private Sector Housing</td>
<td></td>
</tr>
<tr>
<td>Develop a protocol for a referral mechanism.</td>
<td>Agreed protocol</td>
<td>Departmental staff</td>
<td>May 2011</td>
<td>Empty Property Officers &amp; Head of Private Sector Housing</td>
<td></td>
</tr>
<tr>
<td>Set up a proactive program to help identify empty properties</td>
<td>Monitor additional properties identified every 6 months</td>
<td>Funding</td>
<td>Ongoing</td>
<td>Empty Property Officers</td>
<td></td>
</tr>
<tr>
<td>Carry out Private Sector Stock Condition Survey.</td>
<td>Stock Condition Report</td>
<td>Funding &amp; Staff resources</td>
<td>September 2011</td>
<td>Head of Private Sector Housing</td>
<td></td>
</tr>
</tbody>
</table>
6) Resources.

To successfully deliver the Empty Property Strategy the Council will utilise all available resources across its own departments and its external partners including the continuation and growth of the WLHP

The key resources required to continue to deliver this strategy include:

- The continuation of two Empty Property Officers. There are two Empty Property Officers, one of which is funded directly by a Government grant until March 2011. If the Officer is not funded after March 2011 this will severely limit the department’s capacity to deliver this strategy.

- The Council Tax Departments continued cooperation in providing the Empty Property Officers with information to help identify additional empty properties.

- A close working relationship with the Planning Department.

- A close working relationship with the Borough Solicitors Office. It is imperative and essential that legal action is taken promptly and in accordance with law in problematic cases.

- Continued government funding to assist owners bringing their empty properties back in to use.

- Funds to carry out marketing campaigns and projects to assist the Empty Property Officers.

- Continued engagement with the WLHP and proactive involvement with key government agencies.
7) Monitoring the Strategy.

The effectiveness and delivery of the Strategy will be monitored through the action plans, which will be linked to the Hounslow Plan and the Departmental Business Plan.

The actions identified under each objective will be monitored within the Housing Management Team via meetings on a regular basis. The overall progress towards the annual target of bringing empty properties back into use is monitored as a Level 1 Performance Indicator by Members at quarterly Council’s Executive meetings.

The success of new polices, procedures and initiatives will be measured by achievement of the overall target.

The Head of Private Sector Housing will be responsible for co-ordinating delivery and compliance with the Action Plan.
APPENDIX A

Housing Act 2004

The current standard for assessing housing conditions is a risk-based assessment process carried out using the Housing Health and Safety Rating System (HHSRS). The purpose of the HHSRS assessment is not to set a standard but to generate objective information in order to determine and inform enforcement decisions.

The HHSRS assesses 29 categories of housing hazards; it does not provide a single rating for the premises as a whole or in the case of multiple occupied buildings for the building as a whole.

The assessment is based on the risk to the potential occupant who is most vulnerable to that hazard. For example, falls associated with stairs and steps constitute a greater risk to those aged over 60. Therefore, it is this group when assessing hazards relating to stairs that are considered the most vulnerable. A dwelling that is safe for those most vulnerable is safe for all.

The rating is expressed through a numerical score that falls within a prescribed band. There are 10 bands; Bands A to C are category 1 hazards and Bands D to J are category 2 hazards.

Action undertaken by the Council is based upon a three-stage consideration:
(a) the hazard rating determined under the HHSRS; (b) whether the council has a duty to act for category one hazards or power to act for category 2 hazards; and (c) the authority’s judgement as to the most appropriate course of action to deal with the hazard, having regard to Statutory Enforcement Guidance and the Council’s Enforcement Policy.

The Housing Act contains a range of enforcement options available to Local Authorities including the power to;

- Serve an improvement notice requiring remedial works;
- Make a prohibition order, which closes the whole or part of a dwelling to some or all of the occupants (or restricts the number of permitted occupants);
- Suspend these types of notice;
- Take emergency action¹;
- Serve a hazard awareness notice;
- Make a demolition order²;
- Declare a clearance area².

¹ Not available for Category 2 hazards
² Available for Category 2 hazards only in prescribed circumstances

The Statutory Enforcement Guidance to the 2004 Act states that the action chosen must be the most appropriate course of action in relation to the hazard
in all the circumstances and sets out the general factors relevant to the enforcement options listed above.

Other powers exist that can help bring problematic properties back into use, these powers are as follows:

**Town and Country Planning Act 1990**

If it appears to the Local Authority that the amenity of part of their area is being adversely affected by the condition of neighbouring land and buildings, they may serve a notice under section 215 of the Act on the owner requiring that the situation be remedied. The notices should set out the steps that need to be taken, and the time within which they must be carried out. A power under section 219 exists for the Council to undertake clean up works and recover the costs from the landowner.

The scope of works that can be required in section 215 notices is wide and includes planting, clearance, tidying, enclosure, demolition, re-building, external repairs and repainting.

**Building Act Notice under the Building Act 1984**

Section 79 of the Building Act 1984 empowers Local Authorities to deal with ruinous and dilapidated buildings or structures and neglected sites “in the interest of the amenity”.

Section 77 enables a Local Authority to deal with buildings that it considers to be dangerous. It can apply to the Magistrates Court for an order requiring the owner to make the building safe or demolish it. If the owner fails to comply, the Council can carry out the works in default.

Section 78 allows Local Authorities to deal with buildings that pose an immediate danger. This emergency measure allows them to carry out remedial works without giving the owner the opportunity to deal with it directly. The Local Authority is only entitled to carry out works that remove the danger.
Appendix B

The property initially came to the attention of the London Borough of Hounslow in 2003 when it was reported as an empty property. An investigation was undertaken to identify and contact the owners and other possible responsible parties, however, no additional parties were identified.

The Empty Property Officer arranged to have the property secured against unauthorised entry, and at this time it was noted that the property was in an advanced stage of disrepair with evident structural defects, which had a potential to impact on the neighbouring properties.

Given the lack of response from the owner and any other possible interested parties it was considered that it was in the public interest for the Council to exercise its powers under the Housing Act 2004.

Following an internal and external inspection it was the Council’s decision that an Interim Empty Dwelling Management Order would be the most appropriate course of action.

In preparing the case to the Residential Property Tribunal the Empty Property Officer contacted the neighbouring landowners and residents to ascertain in their opinion how the empty property affected them.

The Interim Management Order was approved in July 2007, whereupon at this stage the Empty Property Officer began the tender process, which resulted in works commencing in September 2007. Further to this a Final Empty Dwelling Management Order was approved in June 2008. The property was occupied in September 2008.