



Tameside Empty Property Strategy 2013-2015



Foreword

I am very pleased to introduce Tameside Council's new Empty Property Strategy for the period 2012 – 2015.

The strategy sets out our clear objectives which together with the ambitions in our Housing Strategy and Economic Strategy demonstrate a commitment to developing sustainable communities in Tameside.

This empty property strategy will concentrate on three themes:

- Engagement with and advice to empty property owners
- Returning empty properties into use
- How we will use our enforcement powers

Empty properties are a wasted resource and by adopting a pro-active approach to tackling the problem, the Council and its partners will be helping to house more people in need of housing, boost the local economy, and reduce vandalism and crime whilst improving the

physical environment which supports many of the themes set out in the Sustainable Community Strategy. I strongly believe that the resources and commitment that will be strategically applied will ensure that Tameside delivers this achievable and forward thinking strategy.



Kieran Quinn Executive Leader



Section 1 – Introduction

1.1 Tameside Council has identified the number of long term empty properties across the borough as a priority for action and has developed this strategy to set out our understanding of the problem and the actions that we intend to take to address it. This is a cross-cutting strategy which deals with both residential and commercial empty properties.

1.2 For the purposes of this strategy we have defined empty properties as those that have been empty for six months or longer. We have chosen this definition as we recognise that properties may remain vacant for a number of months as part of the normal functioning of the market, and it can take some time for them to be sold or rented once they become vacant. However, if a property has been vacant for more than six months it indicates that the owner may be experiencing difficulty in selling or letting it, or that there are other reasons why it is being left empty. We will therefore focus our efforts on addressing these properties.

1.3 The economic downturn has had an impact on both the housing and commercial markets in Tameside, as elsewhere in the country. Attractive and vibrant areas are essential to the economic performance of Tameside, and those areas with high levels of vacant properties are less likely to perform well and attract new businesses and residents.

1.4 Empty properties are a wasted resource. Residential properties could provide much needed accommodation for those in housing need and commercial premises could provide an opportunity for new and existing businesses

to operate from suitable premises and engage directly with their customers. Their owners are also losing out on valuable income, and the Council can lose much needed revenue if any Council Tax or Business Rates discounts or exemptions are in place.

1.5 Empty properties detract from the amenity of an area and where there are concentrations of them they can give an area a sense of dereliction and limit its vibrancy. They can attract vandalism and anti-social behaviour, become a physical target for crime and arson, and then quickly fall into disrepair. They subsequently become a drain on both public and private sector resources as public agencies try to address the problems they cause and owners are left with increasing costs for repairs and maintenance.

1.6 Whilst individual empty properties have the potential to cause significant localised problems, the wider impact on the area and on communities is of even greater concern. Empty properties can quickly lead to a lack of commercial attractiveness in an area and detract from the business custom and trade.

1.7 Some of the district centres across Tameside have lost their vibrancy and declined in popularity over the years and whilst commercial premises remain empty, this situation will be difficult to reverse. Tameside also has high levels of housing need and we could improve the lives of many families if empty homes were made available to provide accommodation to rent or for sale.

1.8 The aim of this strategy is therefore simple: we aim to reduce the number of long term empty properties in Tameside.

1.9 The strategy has a number of objectives to guide how we will deliver our aim:

- i. Prevent properties from becoming empty
- ii. Minimise the time properties are empty
- iii. Maximise the number of empty properties that are brought back into sustainable use
- iv. Identify the empty properties in the Borough and maintain good up to date data about ownership, the intentions of the owner and interventions to help bring them back into use
- v. Develop innovative approaches to consultation and engagement with owners of empty properties to promote their re-use
- vi. Promote collaborative actions between sections of the Council and other organisations to maximise the effectiveness of intervention work
- vii. Reduce blight and develop solutions with others for properties which have reached the end of their useful life
- viii. Raise awareness about the need to bring properties back into use and the benefits that can be realised
- ix. Promote the development and use of a range of policy tools to bring homes back into use.

Section 2 – Strategic Context

2.1 The role and expectations of local authorities and how they address key issues within their local areas has been changing over the last few years. This part of the document sets the context for how we need to implement this strategy and the key policies and overarching strategies that we need to help deliver.

Public sector funding constraints

2.2 Public sector funding cuts continue to have an impact on service delivery across the board, with Councils and other public agencies under increasing financial pressure. This has led to significant reductions in the amount of capital resources that are available to deliver direct physical interventions, and also to reductions in staffing resources to deliver projects and initiatives. As a result, local authorities need to work in partnership to address the important issues in local areas, target their resources to those most in need and to secure the best value and outcomes from the resources they are able to invest. This will mean using all of the tools at their disposal and working collaboratively with communities, the voluntary sector and strategic partners to deliver services and initiatives.

Localism

2.3 One of the key foundations of the Government's policy agenda is their focus on localism and its themes of devolving services down to the lowest possible level, encouraging communities to play a role in planning and delivering services in their

local area, diversifying the supply of public services and promoting empowerment. The Localism Act 2011 introduced legislation to underpin this policy agenda and provides greater freedoms and flexibility to local authorities to enable them to develop projects and initiatives which benefit local communities.

Responding to the economic downturn

2.4 England continues to suffer from an economic downturn and the effects of this can be seen in all areas of the country, including Tameside. This has led to difficulties in accessing loan finance for new businesses, property owners and purchasers and has had a negative impact on business and trade in retail areas and on business more widely. These factors, combined with wider changes in shopping and trading patterns, have led to businesses closing down, high streets losing their vibrancy and properties becoming empty.

2.5 Economic growth is the government's key priority and it has introduced a number of policies and responses aimed at stimulating growth. Measures include supporting the private sector, reducing red tape for businesses and relaxing the planning system to make sustainable development easier and quicker.

2.6 The Portas Review of the high street sets out a number of recommendations for the government and in announcing its response to the review the government has made a number of funding streams available to selected areas to

address their issues and develop ideas for turning around the fortunes of their local high streets. The Council will need to consider the government's response and how it can use the initiatives to support economic growth in Tameside.

Laying the Foundations: A Housing Strategy for England

2.7 The government published its national housing strategy in November 2011. The strategy has a strong focus on increasing housing supply but recognises the importance of bringing empty homes back into use as part of a sustainable increase in supply and of reducing the negative impact that they can have on communities. The government has therefore introduced financial incentives for local authorities who are successfully tackling empty homes by providing funding through the New Homes Bonus for those homes that are brought back into use. This is in addition to funds that are being made available to local authorities and their partners to support proactive interventions. The government is also committed to examining other policy options such as changing the Council Tax payable on empty homes and is providing support to local authorities through the Homes and Communities Agency.

National Planning Policy Framework (NPPF)

2.8 Government published the NPPF in March 2012 with the aim of streamlining national planning

policy guidance and promoting economic growth and sustainable development whilst placing a greater emphasis on decision making at local level.

2.9 The NPPF contains a number of supporting policies in relation to developing an empty property strategy, specifically paragraph 51:

‘Local planning authorities should identify and bring back into residential use empty housing and buildings in line with local housing and empty homes strategies and, where appropriate, acquire properties under compulsory purchase powers. They should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.’

2.10 In addition NPPF paragraph 23 states that ‘Planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period. In drawing up Local Plans, local planning authorities should:

- recognise town centres as the heart of their communities and pursue policies to support their viability and vitality; and
- where town centres are in decline, local planning authorities should plan positively for their future to encourage economic activity.

Tackling Empty Homes

2.11 Tackling empty homes is one of the government’s stated policy priorities. The participation of the public, community and voluntary organisations and tackling empty homes is a critical part of their Housing Strategy for England.

2.12 As part of the Comprehensive Spending Review in October 2010, the Government announced a £100m fund to bring more empty homes back into use, and a further £100m was announced in the Housing Strategy. The majority of that funding is available over the period 2012-15 and is intended to deliver at least 3,300 Affordable Homes by March 2015.

2.13 A further 30 million was made available for community groups to bring empty homes back into use.

2.14 GMCA has secured £5 million from the Homes and Communities Agency to support returning 461 long term empty homes back into use through a combination of lease and repair units and the purchase and repair models. In addition GMCA aims to secure a further £7 million from HCA to bring 386 properties back

into use, including 284 non residential properties for mixed use development.

Greater Manchester Strategy

2.15 The Greater Manchester Strategy (GMS) sets out the strategic direction for the Association of Greater Manchester Authorities (AGMA), which includes Tameside, up to 2020. The strategy aims to deliver prosperity for all and has a vision of long-term sustainable economic growth. A key strategic objective of the GMS is to ‘create quality places to meet the needs of a competitive city region’. In order to achieve this, the Greater Manchester Local Investment Plan (LIP) 2 was prepared to help generate and shape investment in housing and physical regeneration. This has been driven by the local plans and priorities of the 10 AGMA districts and their partners.

Greater Manchester Housing Strategy and Action Plan

2.16 The Housing Strategy for the City Region builds upon these strategic priorities and also reflects the themes of the North West Regional Housing Strategy to improve the quality and quantity of housing, and enable people to access the housing that is available. Bringing empty properties back into use will help to deliver these priorities whilst also tackling blight in some neighbourhoods, improving the overall attractiveness of the area and removing some barriers to wider investment in areas.

Tameside Joint Core Strategy and Development Management Policies Development Plan Document (The Core Strategy)

2.17 The Core Strategy will be the spatial plan for the borough covering a fifteen year period. It will be in conformity with the overarching policy aims of the NPPF but will set out strategic objectives and specific policies for Tameside including town centres, economic development, housing and the historic environment.

2.18 The Core Strategy gives the opportunity for the Council to set out development management policies at a local level that will address the issue of empty properties.

Tameside Sustainable Community Strategy

2.19 The sustainable community strategy sets out the overarching vision and objectives for Tameside and provides a framework to guide delivery of actions to address those issues which are most important to local people. Key objectives include building sustainable neighbourhoods, transforming the economy and renewing our towns and improving the attractiveness of the borough. Tackling empty properties will help to deliver each of these objectives.

Enterprising Tameside Strategy

2.20 The newly adopted Enterprising Tameside Strategy recognises the economic challenges that the area is currently facing and highlights the importance of the wider city-region economy and Tameside's place within it. It states that in order to be economically thriving, Tameside must function effectively as a whole-place and community. The area suffered during the economic downturn and the strategy aims to deliver a step-change in the local and wider economy. A number of initiatives will deliver training and opportunities to increase employment and to promote and develop thriving town centres and support will be provided to promote new business in the area. The delivery of this strategy will be key in helping to address some of the vacant commercial properties within Tameside and bringing them back into long-term sustainable use.

Tameside Housing Strategy

2.21 The Housing Strategy for Tameside aims to create a residential housing offer that retains existing residents and attracts economically active households to the area. Getting the housing offer right in terms of type, size, tenure and price/affordability and in neighbourhoods that are sustainable in terms of popularity, low crime, quality environment and access to services is critical in underpinning the economic success of the borough

2.22 The delivery of the Empty Property strategy and its action plan will fulfil some of the actions within the Housing Strategy by setting an empty

homes reduction target and guiding the delivery of mechanisms and initiatives to achieve this. Along with the delivery of the Enterprising Tameside strategy, this will help to make our neighbourhoods more attractive, vibrant and sustainable and Tameside as an area more desirable.



Section 3 – Empty Properties in Tameside

The scale of the problem

3.1 Our records indicate that at May 2012 there were a total of 1,088 empty commercial premises and 1,239 residential properties across the borough. These are spread across all of our areas, and figures 1, 2 and 3 illustrate this.

3.2 A total of 15.34% of our business properties were empty at 1st April 2012, and 1.6% of our residential properties were empty. These percentages are in line with the profile elsewhere in Greater Manchester, but still represent a significant wasted resource in terms of properties and space that could be occupied to help meet housing need and support thriving shopping and business areas.

3.3 As well as being a wasted resource, they can also cause wider problems within the area such as being a target for vandalism and anti-social behaviour, which detracts from the amenity of the area. As a result they can place significant demands on public resources through complaints to the Council, the Police and the Fire Service.

3.4 As at April 2012 the Council was dealing with 160 complaints about empty residential properties across the borough. Our planning service received 430 complaints about empty properties in 2011/12, and 432 the previous year. This indicates that empty properties are causing significant concern to our local communities and problems within their neighbourhoods and reinforces the need for us to take action to tackle

empty properties through this strategy.

3.5 The largest numbers of empty properties are found within Ashton, Denton, Hyde and

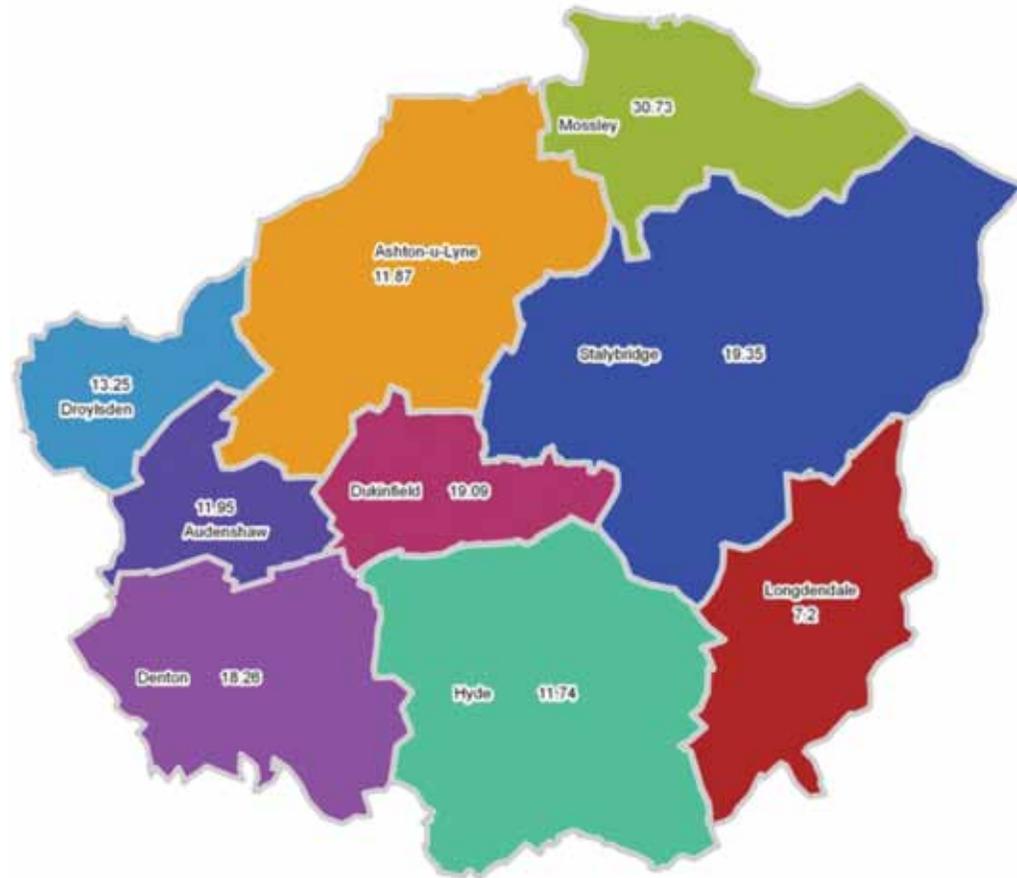
Stalybridge although there are also clusters of empty business properties in the smaller areas of Mossley and Dukinfield.

Figure 1: Summary of Empty Business and Residential Properties - empty for 6 months or more

	Total Number of Business Properties	Business Empty	% Empty Over 6 Months		Total Number of Private Residential Properties	Residential	% Empty Over 6 Months
Ashton	2014	239	11.87		14791	293	1.98
Audenshaw	251	30	11.95		4686	62	1.32
Denton	1035	189	18.26		12726	170	1.34
Droylsden	483	64	13.25		9028	116	1.28
Dukinfield	529	101	19.09		6532	77	1.18
Longdendale	125	9	7.20		3049	57	1.87
Hyde	1397	164	11.74		12658	220	1.74
Mossley	423	130	30.73		4442	71	1.60
Stalybridge	837	162	19.35		9523	173	1.82
Total	7094	1088	15.34		77435	1239	1.60

Source Data: Business Rates and Council Tax as at 1 April 2012

Map Showing the % of Empty Commercial Properties in Towns Within Tameside



Map Showing the % of Empty Residential Properties in Towns Within Tameside



The reasons properties are empty

3.6 The Council has engaged with the owners of empty properties in an attempt to understand why they are empty and what barriers exist to bringing them back into use. This engagement has been undertaken through an on-line survey of the owners of empty residential properties and an event with key stakeholders and partners about empty properties.

3.7 This has identified the following key messages:

- The owners of many empty residential properties have inherited them, or purchased them to live in or as an investment and many require renovation or improvement before they could be occupied. Of the property owners who replied to our survey, 52% had properties which required renovation or improvement, and a further 11% had properties which required major structural renovation. Unsurprisingly, almost 66% of these were not actively trying to sell or let their properties.
- Although some owners were in the process of renovating their properties so they could be sold or let, many such owners are unable to secure the up-front capital finance they need to make the property habitable. 12% of property owners who participated in our survey were unable to afford to carry out the required repairs.
- Some property owners wanted to sell their properties but had expectations about the value of the property which do not match the current

market reality, and wanted to wait until the market had picked up again. 12% of property owners who replied to our survey stated that they were waiting for the right time to sell;

- Feedback from lettings agents and owners indicates that there is a market for high quality residential properties which are renovated and improved to a high standard;
- The owners of empty commercial premises cited difficulties in gaining planning permission for change of use from one type of commercial use to another. However any planning applications are considered in line with national and local adopted planning policies and certain changes of use therefore, be considered acceptable.

3.8 Properties may be left empty for the following reasons:

Extension of transitional empties due to the economic downturn

3.9 These properties may be in good condition (some may be new) but have been on the market for sale or rent for longer than usual. Some have been taken off the market pending recovery of the property market. Owners often want to bring properties back into use and are willing to work together with the Council to make this happen. Appropriate intervention might include offering advice and assistance where possible, but it is hoped that the properties should come back into use without intervention when the property

market begins to recover.

Failing commercial and retail areas due to changing shopping patterns and the economic downturn

3.10 Tameside suffered during the recession and many businesses closed down. Some areas have lost their function and commercial premises are now standing empty with little likelihood of reopening in the same line of trade for the foreseeable future.

3.11 The 2009 Tameside Retail Study highlights changing consumer habits with many people now preferring on-line shopping for retail purchases rather than the traditional high street, although this tends to be largely focused toward electrical goods and food shopping. Whilst there are clear implications for the high street, predications of growth in this sector vary greatly and impact currently is very specifically focused upon narrow market segments.

3.12 The Greater Manchester Town Centres Study highlights a number of other important factors that result in successes or failures of the high street which in addition to on-line shopping include the emergence of a two tier retail environment. Out of centre retailing destinations become the favoured option for national multiples and these are frequented by consumers with high levels of car ownership. The result is a discount retailer orientated town centre with consumers who have lower levels of car ownership and

mobility and lower levels of disposable income, which brings about retail environments lacking in vibrancy and investor confidence.

3.13 A more localised assessment in the Tameside Retail Study 2010 highlights that in larger centres it is many of the smaller and older retail units which suffer from higher vacancy rates as they do not meet modern retailing requirements. This is highlighted in the above study, which found that Ashton had a higher than average level of vacant units and total floor space. Stalybridge also had a significantly higher level of vacant units although the total vacant floor space was in line with national averages.

Unpopular housing because of condition, size, type or location

3.14 Unfortunately some new properties built in the last 5-10 years are unpopular due to their type, size, location or cost. These properties do not necessarily cause an obvious eye sore nuisance but they add to the problem of affordability, add nothing to the local economy and take up precious land.

Properties empty because their owners are unable or unwilling to take action.

3.15 Within this category are homes left in people's estates when they die, homes abandoned for all sorts of complicated reasons, homes in serious disrepair and homes in dispute. These are the homes that can generate high costs to the public

in terms of reacting to complaints, dealing with anti-social behaviour and removing dangers to the public.

Repossessions by financial institutions

3.16 Some property owners have been unable

to afford mortgage repayments as a result of changes in their financial circumstances and their property has been repossessed. When this happens it can take some time for the financial institution to sell the property and it will remain empty throughout this period.



Section 4 – What we are doing to address the problem

4.1 Tameside Council has been working with a number of partners and stakeholders to develop approaches which will help to bring empty properties back into use. To date, these have mainly been focused on residential properties. The following are examples of initiatives that we have been working on:

- We are working with the Greater Manchester Combined Authority (GMCA), and Registered Providers that have secured funding to bring empty properties back into use across the sub-region. We have ensured that Tameside has been given appropriate priority in the identification of areas for targeting and allocation of resources. We have secured funding through the bid along with match funding from Ashton Pioneer Homes and New Charter Housing Trust and this will enable us to bring a minimum of 50 properties back into use through leasing and repair or purchase and repair schemes. The funding will also be recycled to ensure that we can deliver an on-going programme into the future.
- New Charter Housing Trust and Ashton Pioneer Homes have been working with us to develop a private sector leasing scheme. This would enable the owners of empty properties to enter into an agreement with New Charter or Ashton Pioneer Homes for a fixed period to enable improvement works to be carried out to make the property habitable and it would then be rented to an applicant from the housing waiting list.

- St Peter's Partnerships (SPP) is a community anchor organisation which brings people and organisations together to promote a range of community-led initiatives, which tackle the underlying long-term difficulties facing this regeneration area. SPP has been successful in securing funding through the communities and voluntary groups empty homes bid and they will work collaboratively with the council and registered social housing providers to create training and employment opportunities. Each empty home refurbished will operate as an "on-site" classroom providing invaluable work experience and strengthening community cohesion through local ownership of the project.
- We have established a number of Town Teams to lead the delivery of initiatives to re-invigorate our town centres. We have also supported the submission of a Portas Pilot bid for Stalybridge, and although this has not been successful, it has kick-started the momentum for positive change in the town.
- The Council has received £100k from the government's High Street Innovation Fund and has developed proposals to encourage re-letting of empty premises, by encouraging entrepreneurs and community/voluntary groups to temporarily take occupation.
- The Council is considering a number of options to support town centres in line with government policy reviews, and will make further decisions on this in due course.

- The Council is currently preparing its Core Strategy for the Borough which is able to respond to market changes and assist in creating a positive growth environment.

4.2 These initiatives will help to bring empty properties back into use, securing additional benefits by directly promoting employment through engaging local contractors to undertake repair and renovations and attracting businesses to improved premises. They will also increase revenue for the Council, and therefore the Tameside area, as a result of the increased Council Tax and Business Rates that we will be able to collect. We will also seek to promote economic activity through our lettings policies and make the best use of all of the housing stock by addressing under-occupation and over-crowding.

4.3 From 2009/10 to 2011/12 we have pro-actively brought back into use 64 residential properties as a result of action or support from the Council. An additional 104 residential properties have also been re-occupied following contact with us.

4.5 The council is working with Town Teams to identify empty properties as part of the GMCA bid.

Section 5 – What we need to do

5.1 We recognise that there is more that we need to do to address empty properties. We have developed an action plan (see Appendix 1) that sets out the steps that we will take to bring them back into use. The action plan deals with how we will address the key issues we face in Tameside. We have also taken account of feedback that we received during an Empty Property Event held in February 2012 where officers from across the Council came together with key delivery partners, elected members and stakeholders, including property owners.

5.2 In light of the public sector funding constraints and the economic difficulties facing many property owners, we will continue to work with our partners and owners to seek to reach agreement on how properties should be brought back into use. We will target our scarce resources at those areas which are suffering the greatest problems or where there is the greatest need and take the most appropriate action to address the issues.

5.3 We have identified the areas where there are the greatest concentrations of empty properties earlier in this strategy. We will therefore target the areas of Ashton, Stalybridge, Hyde and Denton in terms of our work to address empty commercial properties. In seeking to address empty residential properties we will work across the whole Tameside area, but target areas with clusters of empty properties, and link this with our work to address housing needs and weaker housing markets.

5.4 In delivering this strategy we aim to deal with a total of 180 properties by 2015 bringing them back into use whenever possible, or demolishing them if they are beyond economic repair. This target includes both residential and commercial empty properties.

5.5 We will ensure that our work to address empty properties will protect Tameside's rich heritage. Many of our town centres and surrounding areas have fine buildings and resources which contribute to the overall character and attractiveness of our borough. In our town centres this heritage contributes to their success and vibrancy. We will therefore consider the options for addressing the issues caused by the property and the potential options to bring it back into use carefully, and will take account of relevant guidance and best practice.

Engagement with and advice to property owners

5.6 Our limited resources mean that the primary focus of our action on empty properties will be through engagement and consultation with property owners to support them to bring their properties back into use. We want to work proactively with property owners to understand the reasons why their individual properties are empty and what barriers exist to prevent them being brought back into use.

5.7 Within our priority areas we will therefore develop a database of the owners of the empty

properties and engage with them to understand why their properties are empty and what support we can provide to help them bring them back into use. We will seek to work with the owners of these properties to encourage them to be brought back into use, either voluntarily using their own resources, or through one of the initiatives that we will deliver with our partners.

5.8 Tameside Council has been successful in securing funding to collaborate with the University of Salford to develop a Knowledge Transfer Partnership (KTP) that will produce both a creative and innovative approach to engaging with owners of empty properties. KTP is one of Europe's leading programmes combining graduate recruitment with knowledge exchange. This project provides the opportunity to develop an academic understanding of the needs of empty property owners and the reasons preventing them from returning their properties into use.

5.9 The owners of empty properties have told us that one of the barriers that they face is not knowing where to obtain advice and information on how they can bring their property back into use and, as a result, they are daunted by the task. We will therefore work with our partners New Charter Housing Trust and Ashton Pioneer Homes to provide a bespoke advice service for the owners of empty properties. We will signpost people to other relevant agencies and organisations where appropriate. In providing advice and information we will seek to manage the expectations of

owners in respect of the potential value of their property, the costs of any likely improvements, and the return that they could realise through potential options to bring it back into use.

5.10 The owners and agents of empty commercial properties have said that a key challenge for them is the ability to continue to use their empty property for the same business use class in light of the current market and economic conditions. The Council is currently developing its Core Strategy, and as such this presents a timely opportunity for property owners and agents to highlight issues which they face. This can then inform the development of planning policies for our retail centres and other areas which are in conformity with the NPPF.

5.11 It should be noted that through the existing adopted Tameside Unitary Development Plan, policies seek to promote retailing (Use Class A1) as the primary use within town centres but also gives advice on the acceptability of non-retail uses. Some changes of use are permitted by legislation and do not require planning permission at all. However, clusters or an over concentration of non-retail uses such as hot food takeaways (Use Class A5) can be harmful and will therefore be controlled to ensure that the vitality and viability of a centre is maintained.

5.12 We will improve our engagement processes with property owners and potential purchasers through the planning and pre-application processes to ensure that all requests for



change of use are considered fully in the light of all circumstances within the parameters of the relevant planning policies. It is important to note that the Council currently offers free pre-application advice.

5.13 We will ensure that the appropriate linkages are made between our planning advice and the wider advice we will provide about options for bringing empty properties back into use so that owners and purchasers can make fully informed decisions about how best to proceed. In addition, we will ensure that the linkages are made with training and employment programmes and support and advice for new business start-ups.

5.14 We are working with the private sector and Town Teams to explore options for how we can support them in promoting the reuse of vacant commercial premises through a number of innovative schemes for new or expanding businesses who move into premises that have been empty for six months or more.

Implement private sector leasing schemes

5.15 We will implement the private sector leasing scheme that has been developed with New Charter Housing Trust and Ashton Pioneer Homes. This will enable the owners of empty properties to retain ownership of their properties, whilst entering into an agreement with a registered housing provider for the property to be improved and rented for a fixed period.

New Charter or Ashton Pioneer Homes will take responsibility for the management of the property during the agreed period and will arrange for and fund the required improvement works to make the property habitable. They will then find suitable tenants and enter into a rental arrangement with them. The rental income will be used to repay the improvement works and New Charter Housing Trust or Ashton Pioneer Homes' management costs.

5.16 We will work with empty property owners, New Charter Housing Trust and Ashton Pioneer Homes to identify properties that would be suitable for the scheme. Suitable properties will include those that are of a size and type that are necessary to meet housing needs within the area in which it is located and that require levels of renovations that can be repaid from the projected rental income over the lease period.

5.17 In operating the scheme we will also help to address housing need by making the properties available to people on the housing register and also help to make the best use of the borough's social housing stock by helping to address under-occupation and over-crowding wherever possible.

5.18 We will also work with any other Registered Providers who wish to establish similar schemes in order to maximise the number of empty properties that can be brought back into use in this way.

Linking Empty Homes and The Green Deal

5.19 The Council will also explore the alignment of our empty homes initiative with Greater Manchester's (GM) role in the Green Deal, which is expected to be introduced at the end of 2012 (although this is dependent upon the government's timetable). As a minimum, this will include a proactive marketing and advisory role to encourage take up of Energy Company Obligation (ECO) and Green Deal funding but could include GM becoming a Green Deal Provider and procuring a delivery partner and local based supply chain.

5.20 This builds on extensive work around housing retrofit in GM to date, including the establishment of the 'Toasty Tameside' scheme to deliver loft and cavity insulation across the borough.

5.21 We expect that this development will complement the GM Housing Retrofit Strategy to develop a deliverable programme of retrofit activity, in line with challenging carbon reduction targets as set out in the GM Climate Change Strategy. This explores how empty properties in the social and private rented sectors could be made more attractive for letting purposes via Green Deal funded home energy improvements.

Use our enforcement powers

5.22 Some empty properties are in a condition which attract nuisance or which cause a risk to the community and those who occupy

neighbouring properties. In these cases the Council may be obliged to take immediate action to eliminate such risks or address issues with the property. Where the property is not in a condition to warrant immediate action by the Council, it may be appropriate to use certain enforcement powers to improve the amenity of the area. We will therefore consider using our powers in line with our enforcement policies and procedures.

5.23 Whilst we hope to reach agreement with empty property owners about how their properties can be brought back into use we recognise that in some cases owners will not want to engage with us, or take any positive action to have the property re-occupied. In these instances, where the property is causing wider problems in the area or bringing it back into use will help the Council to achieve its strategic aims, we will consider and use appropriate enforcement action to return the property to use as a last resort. Feedback from empty property owners and stakeholders at the Empty Property Event indicated that this approach had support.

5.24 In deciding whether to use our enforcement powers to bring a property back into use, we will consider the issues and problems that the property is causing and what potential sustainable uses would be suitable for the property in order to help achieve the Council's wider aims for our communities. We will consider all of the enforcement options available to us, and use whichever is most suitable. In some cases, depending on the extent of problems that the

empty property is causing, it may be appropriate to commence a number of courses of action.

5.25 The enforcement options open to us include taking action to safeguard the public through the service of enforcement notices to eliminate statutory nuisances or make the property safe. This action is aimed at resolving immediate short-term issues with the property. Other options are available to address the underlying and long-term issue of bringing the property back into use, which is our ultimate aim. These options include the use of Empty Dwelling Management Orders where we would seek to have the property managed by a third party and occupied, through to bringing the property into new ownership through the use of a Compulsory Purchase Order or forcing the sale of the property if there are debts owing to the Council.

5.26 Regardless of the course of action we follow, we will continue to try to engage with the property owner throughout the process and give them every opportunity to work with us to reach agreement about how to bring the property back into use. In doing this, we will set realistic and achievable targets and deadlines for certain actions to be completed which will ultimately lead to the property being re-used.

5.27 The primary function of local government enforcement work is to protect the public and the environment, and we will target our enforcement approaches in accordance with this principle. Details of the potential enforcement options that are open to us are set out at Appendix 2.

Council Tax Discounts

5.28 The Department for Communities and Local Government has announced that it intends to change the law so that a number of nationally set exemptions from council tax are converted into discounts which can be set by the local authority. In addition, the Government proposes to allow local authorities to charge higher levels of council tax for long term empty properties.

5.29 Proposed changes contained within the Local Government Finance Bill which is currently being considered by Parliament. The Department proposes to introduce the legislative changes on 1 April 2013, but this will only happen if the Bill is enacted and the necessary regulations are made in time. The Government appears to be firm in its intentions and Tameside Metropolitan Borough Council has already consulted on how it will implement their discretion, if it is introduced as the Government plans.

5.30 The Council is currently considering proposals that entail the removal of the discretionary discount for empty properties, with a premium applied to properties that have been empty for more than 24 months. These proposals also feature granting of a one month 'free' period for all properties with the exception of mortgagees in possession, that become empty from April 2013 onwards.

5.31 These policy changes aim to incentivise owners to bring the empty properties back into use to ensure they are not a wasted resource for

both the owner (economic) and borough (social and economic). This proposed policy change has potential benefits to increase supply of housing into the borough and to provide a boost to the Tameside economy.



Section 6 – Implementing the Strategy

6.1 The delivery of the Empty Property Strategy will be undertaken by the Council's Housing, Development and Building Control units. However due to the interconnected nature of empty properties, other stakeholders will prove pivotal in its success. The governance structure for the implementation of the Strategy will reflect this need to ensure resources are utilised efficiently and more effectively. To this end the Council's Head of Strategic Development and Investment will provide reports on progress against the Action Plan (see appendix 1) to the Delivery Lead - Place.

6.2 The Delivery Lead – Place is a group which consists of key organizations from the public, private and third sector relevant to achieve Economic Strategy outcomes. This group will meet twice per year, and will be responsible for commissioning Task & Finish Groups to achieve agreed outcomes regarding housing, infrastructure and planning issues.

6.3 This group is one of three delivery leads (Place, People and Enterprise) that feed into the Prosperous Tameside Delivery Board. The Delivery Board's role is to achieve sustainable economic recovery and growth by improving outcomes more efficiently under streamlined governance arrangements.

6.4 We will also establish an Empty Property Delivery Group to enable the sharing of information and best practice across the Council and other relevant organisations. This group will be delivery



focused, and will look at emerging information and issues and agree approaches. It will report to the Delivery Lead – Place group.

6.5 This governance approach undertaken will increase transparency to enable strategic links to be established between organisations involved in tackling empty properties. This will reduce duplication whilst allowing existing resources to be utilised more efficiently.

Contact Us

If you would like further information on this Strategy or would like to speak to someone about an empty property please contact the Council on 0161 342 3308.

Appendix 1 – Action Plan

Action	Responsibility	Deadline	Resources	Outcomes
Engagement with and advice to empty property owners				
Maintain database in respect of empty properties which are to subject to Council action, to include details of the properties, ownership details and detailed action recording to support any later enforcement action	Jim Davies Chris Anderton	Ongoing, to be monitored twice a year	Officer time	Up to date information allowing empty property owners to be contacted quickly to remedy urgent problems and support longer term intervention, and enable monitoring to ensure the property is returned to use
Review and update the information on the Council's website	Ade Alao	Ongoing, to be monitored twice a year	Officer time	Property owners can access relevant advice to help them bring their properties back into use and members of the public can report problematic empty properties
Application and submission by Tameside Council and Salford University to collaborate on a Knowledge Transfer Partnership with Salford University to support the development of an engagement and consultation strategy with empty property owners	John Hughes	31st March 2013	Officer time	Recruitment of a Post Graduate Level student based in Housing Services who will be dedicated to developing an engagement strategy with support from SHUSU and Salford Business School
Deliver an annual empty property awareness raising campaign	John Hughes	One campaign per year	Officer time Publicity costs and venue hire etc	Increased public awareness leading to increased reporting and owners contacting the Council and other partners seeking help and support to bring empty properties back into use

Action	Responsibility	Deadline	Resources	Outcomes
Respond to 100% of pre-application planning enquiries in respect of empty properties within twelve weeks of the date of the initial contact with the Council	Iain Chambers	Ongoing, to be monitored twice yearly	Officer time	Empty property owners and those considering purchasing an empty property receive appropriate advice about the potential options for the future use of the property
Develop web-based signposting and referral service for economic development initiatives	Ade Alao	31st March 2013	Officer time	Potential new business owners receive appropriate advice to support the development of sustainable local businesses
Implement private sector leasing schemes				
Work with New Charter Housing Trust and Ashton Pioneer Homes to bring a minimum of 50 empty properties back into use through the AGMA empty homes scheme	Housing Services	31st March 2015	Funding identified in the AGMA bid including £500k from the HCA and £500k from Registered Providers	50 homes returned to occupation 50 households living in suitable accommodation
Develop a process to make referrals to New Charter Housing Trust and Ashton Pioneer Homes in respect of properties that may be suitable for the scheme	Jim Davies	31st March 2013	Officer time	Empty properties which may be suitable for private sector leasing referred to the relevant scheme in order to bring them back into use

Action	Responsibility	Deadline	Resources	Outcomes
Use our enforcement powers				
Review relevant enforcement policies to ensure they support the approach outlined in this strategy, in the light of available resources	Chris Anderton Jim Davies	31st March 2013	Officer time	Clear guidelines for officers and empty property owners, and a consistent approach in tackling empty properties and the issues caused by them
Develop any necessary processes and procedures to support the use of enforcement tools/powers	Chris Anderton Jim Davies	31st March 2013	Officer time	Clear guidelines and processes for officers and empty property owners to support the eventual return to use of empty properties
Monitoring and governance				
Re-establish the Empty Property Delivery Group	Jim Davies	31st March 2013, to meet quarterly thereafter	Officer time to co-ordinate the group and report to PLACE	Effective sharing of information and best practice and efficient use of resources
Carry out routine monitoring six months after intervention on empty properties to check and record whether they have been brought back into use	Jim Davies	Ongoing, to be monitored twice yearly	Officer time	Robust monitoring to ensure that all issues with the empty property have been resolved, and understanding of the impact of officer intervention
Monitor and report progress on delivering the Empty Property Strategy to the PLACE group	Ade Alao	Ongoing, to be reported quarterly	Officer time	Empty Property Strategy Action Plan being delivered and performance reported to PLACE

Appendix 2 - Empty Property Powers

There are a range of powers available to local authorities to take action to address empty properties and help to bring them back into use. The options that can be considered include:

- **Service of notice** under a range of powers to require the owner to carry out repairs or improvements to address the poor condition or amenity of the property. Potential powers include:
 - **Housing Act 2004** if there are hazards that present a risk to neighbours or those who may be expected to visit the property;
 - **Environmental Protection Act 1990** if the condition of the property is such that it is causing a statutory nuisance;
 - **Building Act 1984** if the building is dangerous, or is seriously detrimental to the safety or the amenity of the area;
 - **Town and Country Planning Act 1990** if the property is unsightly and affects the amenity of the area;
- Making an **Empty Dwelling Management Order** to try to work in agreement with the owner to bring the property back into use, and ultimately to take over the management of the property for up to seven years;
- Using the **Enforced Sales Procedure** if there are outstanding debts, to recover the debts and to force the sale of the property in the hope that a new owner will carry out any required improvements and bring it back into use;

- Making a **Compulsory Purchase Order** to acquire the property and ensure its reuse or redevelopment.

Empty Dwelling Management Orders

The power to make EDMOs is given by sections 133 and 134 of the Housing Act 2004. Exemptions and additional requirements are set out in **The Housing (Empty Dwelling Management Orders) (Prescribed Exceptions and Requirements) (England) Order 2006** and supplemental provisions relating to requirements following the making of the order are set out in **The Housing (Management Orders and Empty Dwelling Management Orders) (Supplemental Provisions) (England) Regulations 2006** and their accompanying guidance notes.

CLG has produced a **Guidance Note on EDMOs** which sets out advice that local authorities are expected to follow in determining when to make EDMOs and the process to be followed.

Enforced Sales Procedure

The basis for using the ESP is where there is a financial Charge registered in Part 2 of the Local Land Charges Register. This gives a local authority the power to enforce that Charge. Consequently, the Council has all the powers and remedies available to a mortgagee under the Law of Property Act 1925.



Statute	Priority Charge over other charges	Interest accrues
Public Health Act 1936 S45 (works to closets) Sec 83 (filthy or verminous)	YES	YES
Local Government (Miscellaneous Provisions) Act 1976 S33 (restore services) S35 (private sewer)	YES	NO
Local Government (Miscellaneous Provisions) Act 1982 S27 (drains) S29 (Boarding Up)	NO	NO
Highways Act 1980 S154 (hedges, trees) S165 (unfenced land)	YES	NO
Building Act 1984 S59 (drainage) S60 (soil pipes) S76 (defective premises) S84 (yards)	YES	NO
Building Act 1984 S77/78 (dangerous building) S79 (unsightly property adversely affecting amenity of the area)	YES	NO
Housing Act 2004 S11 (Improvement Notice – category 1 hazard) S12 (Improvement Notice – category 2 hazard) S40 (emergency remedial action) S49 (powers to charge for certain enforcement action) S50 (recovery of charges under S49)	YES	YES
Town and Country Planning Act 1990 S215 (unsightly land/property affecting amenity of area) S172 (planning breach)	NO	NO
Environmental Protection Act 1990 S80 (statutory nuisance)	YES	YES
Prevention of Damage by Pests Act 1949 S4 (harbourage for rats and mice)	YES	YES

Section 7 of the Local Land Charges Act 1975, provides that a financial Local Land Charge takes effect, as if it had been created by a Deed of Charge within the meaning of the Law of Property Act 1925.

Section 101(i) of the Law of Property Act 1925, confers on a mortgagee a power of sale. An Order of the Court is not necessary as the legislation itself provides that power.

Section 87(1) of the Law of Property Act 1925, confers a right of possession. In addition, many of the statutes used by the Council, which result in carrying out Work in Default, give to the Council a power of sale and a right of priority over other Charges.

Compulsory Purchase Orders

Planning/Regeneration Powers

Town and Country Planning Act 1990 Section 226 enables a local authority to acquire land or buildings compulsorily for 'planning purposes' as defined by section 246 (1) of the Act. These powers are intended to provide a positive tool to help acquiring authorities with planning powers to assemble land where this is necessary to implement proposals in their community strategies, local development documents or masterplans.

Housing Powers

Housing Act 1985 Part II (Section 17) provides local housing authorities with the power to compulsorily acquire land, houses or other properties for the provision of housing accommodation. Acquisition must achieve a quantitative or qualitative housing gain.

Housing Act 1985 Part IX (Section 290) provides local housing authorities with the power to compulsorily acquire land and buildings (including added lands with justification) on the basis of property sub-standard property condition in a statutorily declared clearance area where a proposed after-use exists.

Local Government and Housing Act 1989 Part VII (Section 93(2)) provides local authorities with the power to acquire land and buildings for clearance or repair within a declared renewal area to meet the strategic objectives of a renewal area programme.

