

**The Empty Homes & Facelifting Programme**

**REPORT TO EXECUTIVE**



<b>DATE</b>	<b>12<sup>th</sup> April 2023</b>
<b>PORTFOLIO</b>	<b>Housing and Development Control</b>
<b>REPORT AUTHOR</b>	<b>John Killion</b>
<b>TEL NO</b>	<b>475886</b>
<b>EMAIL</b>	<b>jkillion@burnley.gov.uk</b>

**PURPOSE**

1. To seek approval to make several Compulsory Purchase Orders (CPOs) for long term vacant properties in the private sector.
2. To dispose of the properties in accordance with the Council's Disposal of Empty Dwellings Policy and scheme of delegation or to Calico Homes as appropriate.
3. To seek approval for a programme of external property Facelifting works on Piccadilly Road, Albion Street, Baker Street, Raglan Road and Willis Street in Trinity.

**RECOMMENDATION**

4. That the Head of Housing and Development Control in consultation with the relevant Executive Member approve in pursuance of the powers obtained under Section 17 of the Housing Act 1985 (as amended) to make the following compulsory purchase orders for the purpose of renovation and/or re-sale by the most appropriate method:  
  
The Burnley (10 Penistone Street Burnley) Compulsory Purchase Order 2023  
The Burnley (71 Albion Street Burnley) Compulsory Purchase Order 2023  
The Burnley (6-8 Whitefield Street Hapton Burnley) Compulsory Purchase Order 2023  
The Burnley (23 Bramley Avenue Burnley) Compulsory Purchase Order 2023  
The Burnley (17 Pheasantford Street Burnley) Compulsory Purchase Order 2023
5. That the Head of Legal and Democratic Services be authorised to agree terms for the acquisition of the properties, to acquire the properties in this report by agreement as an alternative to compulsory purchase in accordance with the terms of delegation.
6. To authorise the Head of Legal and Democratic Services to make minor amendments, modifications or deletions to the CPO schedule of interests and map, should this be necessary, and to finalise the making and submission of the CPO, including promoting the Council's case at public inquiry, if necessary.
7. Subject to confirmation by the Secretary of State to authorise the Head of Legal and Democratic Services to secure full title to and possession of the CPO land as appropriate by:

- Serving notice of confirmation of the CPO on all interested parties
  - Serving notice of intention to execute a General Vesting Declaration
  - Executing the General Vesting Declaration
  - Serving Notices to Treat and/or Entry as appropriate
  - Acquiring land and interests by agreement if possible
8. That the Executive authorises the tendering of any renovation/building works and face-lifting works in accordance with SOC 1, 15 and 16 and delegates power to accept the tender to the Head of Housing and Development Control.
9. That the Executive approves that the proceeds from the sale of the properties is recycled back into the Empty Homes Programme for further acquisitions and renovations.

## REASONS FOR RECOMMENDATION

10. The owners of these properties have been contacted and have either not responded at all or have given no reasonable proposals for renovating the property or bringing it back into housing use.
11. The majority of the properties are long term vacant properties, being empty, in one case for 12 years. Without intervention by the Council through acquisition by agreement or CPO the properties may remain vacant, continue to deteriorate, attract anti-social behaviour, fly-tipping and arson, all of which cause fear in local residents, resulting in a declining neighbourhood.
- 10 Penistone Street Burnley vacant since 24<sup>th</sup> January 2011*  
*71 Albion Street Burnley vacant since February 2016*  
*6-8 Whitefield Street Hapton vacant since 3<sup>rd</sup> March 2018*  
*23 Bramley Avenue Burnley vacant 26<sup>th</sup> February 2022*  
*17 Pheasantford Street Burnley vacant since 28<sup>th</sup> July 2022*
12. Through the Vacant Property Initiative and Empty Homes Programme over 150 properties have been acquired, refurbished and re-sold or re let, bringing those properties back into use and providing high quality accommodation.
13. To use facelifting as a regeneration tool in certain areas to improve the external appearance of blocks, to assist in raising property values, to assist in raising demand and so reducing the number of empty properties and to encourage complementary investment in the properties by their owners.
14. There are over 80 properties in the proposed face-lifting scheme. Property surveys need to be undertaken in late April and May 2023 to ensure the work can be tendered at the beginning of June 2023 for completion of the actual sandblasting, repointing and new gutters during the summer months of July to September 2023.

## SUMMARY OF KEY POINTS

15. The Empty Homes Programme (EHP) is an established project and is an amalgamation of programmes used over the last several years. The initiative identifies properties that have been vacant for a long period of time, and which are causing problems for neighbouring properties and local residents, mainly supporting the five current Selective Licensing designations but also borough wide.
16. Since the financial year 22/23, and as part of the Councils commitment to reduce carbon emissions, all properties renovated under the Empty Homes Scheme have a retrofit assessment carried out. This identifies the best solutions to fit to the property to reduce emissions. This can include solar pv, solar thermal, air source heat pumps etc. with solar pv tending to be the most cost effective.
17. Since the inception of the programme in 2004, the number of empty properties reached its height in 2009 when there were 3232 empties. Since then, the number has fallen to nearly half the numbers reported in 2009. Last year the figure was 1867 (4.42%), a slight increase from the year before of 1832 (4.48%). However, the number of long-term empties (over 6 months empty) in the borough continues to reduce from 1139 in 2017 to 658 in 2022, these properties are the ones the empty homes programme targets as they tend to cause the greatest problems and are unlikely to be brought back into use without the Council's intervention.
18. Negotiations for the acquisition of the properties have not yet commenced on the majority of the properties as no contact has been received from the owners. If the owners do contact the Council efforts will be made to purchase the properties by agreement.
19. Where owners contact us, we will work with them to reach an agreement for bringing the property back in to use preventing the need for a CPO. If agreement cannot be reached satisfactorily, the council will use the CPO power as a last resort to ensure the property is brought back in to use.
20. If the owners do not come forward to receive their market value compensation within a six-year period then the Council can no longer be held to account for the compensation monies as the Limitation Act 1980 comes into force.
21. The main purpose of facelifting schemes is to contribute to the transformation of the housing market, give confidence to the community in a neighbourhood through works to external elevations of sustainable homes including works such as stone cleaning, siliconing, pointing and gutter replacement to front and gable curtilages.
22. Some landscaping (or other works) may be needed at the former Austin Street site to contribute to the overall scheme. This will be done in consultation with Green Spaces and Amenities.

## **FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

23. The cost of delivering the properties detailed in this report will be funded from the approved Empty Homes Capital Programme 2023/24. It is not envisaged that all the CPOs listed in this report will be made in this financial year as properties may be brought

back in to use by owners prior to making the CPO or properties may be bought by agreement.

24. The majority of the cost associated with the programme are made up of two elements, buying the property and the renovation cost. We can reasonably assume, given past experience, that the selling prices for the properties above would vary from between £65,000 to around £200,000 once renovated. We can also assume that we would need to spend around £42,000 renovating each of the properties (maybe as much as £60,000 in one or two cases).
25. Throughout the financial year properties will be chosen from the list above. Any properties not selected this year will be placed in next year's programme and use the associated budget.
26. Any receipts generated from the sale of properties will be recycled back into the programme to enable the purchase and renovation of more problem properties.
27. The required funding for the Facelifting works in this report are estimated to be in the region of £300-350,000. This will be met from the 23/24 empty homes capital budget.

## **POLICY IMPLICATIONS**

28. Overall, the proposed action will help to achieve the Council's strategic plan of "People Places Prosperity and Performance". The acquisition and renovation of the vacant properties will enable the Council to bring them back into use, which will improve the environment for residents in the vicinity of the vacant properties by reducing the potential for crime and anti-social behaviour. The face-lifting scheme will improve the visual appearance of the properties in the Piccadilly Road area and act as a catalysts for further improvements to be made to properties within the private sector.
29. In terms of Human rights Act implications, Government advice is that local authorities must strike a fair balance between the demands of the community and the need to protect individual's fundamental rights. In considering this balance, one of the issues that a court would look for is whether compensation will be payable. The level of compensation is of course negotiable between the Council and the property owner's Valuer. In addition, individual rights are protected by the statutory objection and inquiry procedure.
30. It is anticipated that the recommendations in this report will have no further policy implications.

## **DETAILS OF CONSULTATION**

31. None

## **BACKGROUND PAPERS**

32. None

**FURTHER INFORMATION**

**PLEASE CONTACT:**

**John Killion (Team Leader Empty Homes)**

**01282 475886**

**ALSO:**

**Clare Jackson (Private Sector Housing Manager)**

**01282 477231**