

**ST HELENS
EMPTY HOMES STRATEGY**

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Executive Summary

The St Helens Council's Empty Homes Strategy is subject to ongoing review and articulates the Council's continued commitment to tackling the problem of long-term empty homes in the Borough.

This Strategy outlines a co-ordinated pro-active approach to tackling empty homes working with partners, including private landlords and homeowners to reduce the number of long-term empty homes in the Borough.

It is accepted that at any given time there will always be a number of empty homes. Many of these homes will be transitional vacancies or vacancies which occur as people buy and sell their homes. These homes are re-occupied relatively quickly, are necessary for the mobility of the housing market and seldom require the Council to intervene to ensure they are brought back into use.

This Strategy is not looking to intervene in the normal process of homes becoming empty and then coming back into use but will focus on tackling long-term problematic empty homes which have been vacant for 6 months and more.

Bringing long-term empty homes back into use has emerged as one of the Government's key housing priorities and some additional resources have been made available to local authorities to support them in this area.

Empty homes represent a wasted resource and a missed opportunity in meeting the housing needs of the Borough. They can cause problems for the Council, owners, neighbours and communities, the emergency services and the environment. They can often be a blemish on an area and can be subject to increasing anti-social behaviour such as vandalism and graffiti. Work on tackling empty homes complements the Council's overall aims and commitments set out in the St Helens Plan for creating better places and:

“ improving the range, quality and choice of housing provision across all tenures whilst maximising investment in housing as much as possible in the current economic climate.”

In St Helens there are currently over 1,000 homes that have been vacant for more than 6 months. This represents under 2% of the Borough's total housing stock. Whilst the level of long-term vacant homes has fallen in recent years, the Council cannot afford to be complacent with regard to the ongoing need to reduce vacancy numbers in order to address the need for affordable housing and tackle environmental and neighbourhood sustainability issues.

The approach to dealing with empty homes was reviewed during the lifetime of the previous Strategy. This Strategy has been further developed and amended to ensure the Council's actions remain responsive to current demands and legislative and strategic requirements. The Council's primary approach will be to encourage owners of private empty homes to bring them back into use through negotiation and to build on existing relationships and to engage with, and support, private landlords. However, this approach is not always successful and this Strategy is therefore intended to make sure the Council:

- a) has a range of options, including enforcement powers, available to help bring empty homes back into use;
- b) uses consistent agreed procedures to decide when and how action will be taken; and
- c) is systematic in the way in which it makes contact with the owners of empty homes.

In particular, this Strategy:

- sets out a series of clear objectives to tackle and reduce the number of long-term empty homes;
- identifies the tools available to deal effectively with empty homes;
- links empty homes to housing demand;
- introduces a new system for categorising and prioritising empty homes to determine those requiring further enforcement action;
- ensures an annual review of data to provide accurate information on the extent and scale of empty homes across the Borough;
- adopts an intelligence led approach using GIS and Council Tax data; and
- remains flexible, responsive and alert to national and sub-regional policy development and initiatives.

The Strategy concludes with a comprehensive action plan for further action that builds on previous and current achievements, ensuring a streamlined service for residents that provides positive outcomes and delivers value for money.

As a working document, the Council will monitor and revisit this Strategy annually, updating it as necessary to reflect delivery against the action plan and any changes in future policy to ensure that the Council continues to provide a good quality service in this area.

Introduction

At a time when housing is an increasingly expensive commodity, the number of new homes being built continues to fall and there is a severe shortage of affordable new homes, it is widely accepted that an empty home is a wasted asset. Empty homes can also have a detrimental effect on neighbourhoods and send out negative messages about the “liveability” of an area and be a magnet for a wide range of anti-social behaviour, from fly tipping through to squatting and other criminal activities.

It is essential therefore that the Council continues to explain how the issue of empty homes will be addressed, including the toolkit of measures that will be used to ensure that the best use is made of the housing stock in the Borough.

The St Helens Empty Homes Strategy is a key document that will continue to support the delivery of regeneration and renewal within the Borough and is a supporting document of the Private Rented Sector Strategy and Enforcement Policy, together with the overarching Housing Strategy.

Objectives of the Strategy

The overall aim of the Strategy is to implement a range of measures that will directly, or indirectly, help return long-term private sector empty homes back into use and so reduce the number of empty homes. To achieve this, the Council has identified a number of objectives to:

- raise awareness of empty homes in the Borough;
- develop a co-ordinated approach to help identify and tackle empty homes and to ensure that the most serious and problematic cases receive the most urgent attention;
- maximise the re-use of empty homes and to reduce the number of long-term empty homes in the Borough;
- provide good quality affordable housing, promote housing choice and meet housing needs through the use of existing resources; and
- improve the “liveability” of our neighbourhoods, by working in partnership to address the problems caused by long-term vacant homes, for example, fly tipping, vandalism and anti-social behaviour.

It is important to state that this Strategy is concerned with long-term vacant homes which have been vacant for more than 6 months.

The National Policy Context

In ‘Laying the Foundations’, a Housing Strategy for England, the Government has set out its commitment to bringing empty homes back into use as a sustainable way of increasing the overall supply of housing and reducing the negative impact that neglected empty homes can have on communities. It has put in place a number of practical and financial incentives and levers to support local housing authorities, housing providers and community and voluntary groups including:

- The award of the New Homes Bonus to empty properties brought back into use;
- Providing information and practical advice to local authorities and communities to help them address empty homes;

- Investing £100m funding through the Affordable Homes Programme 2011-2015 to bring problematic empty homes back into use and £50m to tackle the worst concentrations of empty homes;
- Changes to Council Tax exemptions for empty homes; and
- Proposing changes to Empty Dwelling Management Orders to target their use on the very worst long-term empty homes causing a nuisance to the community.

The Government believes that bringing empty homes back into use contributes to wider Government objectives such as:

- creating sustainable communities;
- tackling low demand and housing market failure;
- tackling anti-social behaviour;
- providing affordable, good quality homes; and
- Supporting local economies.

The St Helens Empty Homes Strategy will ensure that the Council remains responsive to the increased strategic importance that empty homes now has at a national level.

Whilst there is no longer a national requirement for local authorities to monitor their performance in tackling long-term vacant properties through the Best Value Performance Indicator No.64, the Council continues to monitor the statistics locally for properties brought back into use or demolished as a result of Council intervention. St Helens works closely with the Liverpool City Region Local Authorities to ensure monitoring data is comparable, thereby identifying vacancy trends across the sub region and supporting future service improvement and development.

Empty Properties – The St Helens Context

At any given time there will always be a number of empty homes due to people relocating and buying and selling their homes. In most cases this will be of a short-term duration. It is widely accepted that a certain level of vacancies are required if a local housing market is to function effectively. Government guidance recommends that planning policy should look to accommodate a vacancy rate of 3% to ensure a healthy housing market.

There are a number of reasons why homes become empty:

- a property is inherited and the new owner is unaware of their responsibilities or lacks the inclination or knowledge to deal with the property;
- part way through renovations the finance runs out;
- the owners live overseas and use the property only on a temporary basis;
- properties have been abandoned, sometimes due to ill-health;
- the property is subject to probate or other legal disputes such as marriage breakdown;
- a property is purchased as an investment and left empty waiting for a capital gain;

- a landlord is unwilling or unable to let the property either in the private rented sector or in the social housing sector; and
- a local authority and its partners may be taking direct action in acquiring properties for demolition.

The focus for activity in this Strategy will be to tackle those homes which have been identified as long-term private vacants. There will usually be homes which are in a poor condition and which have been vacant for more than 6 months. Understanding the reasons why homes have become vacant will determine which of the range of different approaches are available is adopted. Prioritising long-term vacant homes and bringing them back into use can:

- improve the look and feel of an area;
- reduce the fear of crime and anti-social behaviour;
- provide capital and income for the owner;
- improve housing market conditions and help regenerate areas; and
- increase housing provision and develop the range of housing options available.

St Helens Council has previously reacted to empty property complaints using a series of toolkit measures as appropriate. In order to remain responsive to emerging trends at a time of housing market change and as part of a wider preventative strategy, the Council has included for a more proactive stance against empty properties, with a greater emphasis on working with our partners and other stakeholders to enable owners to take action at an earlier stage.

It is increasingly important to remain responsive to areas which may exhibit the first signs of abandonment or lack of investor confidence, in order to try and arrest further decline and feed information into policy development as appropriate. Examples of this are major research work carried out in 2009 to identify levels of vacant dwellings within newly built apartments and also a study of vacancy levels in the Somerset Park area of Parr which has lead to further detailed surveys and consultation in the form of a Neighbourhood Renewal Assessment of the area in 2010.

Priority For Action

The criteria included within this strategy for the prioritisation of enforcement activity includes for an analysis of the borough's long-term empty properties on a ward-by-ward basis and is subject to annual review. This will enable the Council to identify concentrations of empty properties in particular wards and to prioritise intervention accordingly.

The Council's Approach

A targeted approach will be used to bring properties back into use using a range of potential solutions appropriate to the property. This will ensure that action is taken based on consistent and transparent policy criteria and will combine an approach based on incentives and enforcement.

a) Effective Prevention

The Council wishes to prevent properties being left vacant in the long-term and will take preventative action wherever possible to intervene. Understanding the reasons why a home has been empty for more than 6 months is the key issue in tackling empty homes. Reasons for vacancy may vary according to owner and property circumstances and the local authority has a key enabling role here. The following components make up the preventative toolkit, which will be the first step in addressing empty properties before any legal action is considered.

Identifying empty properties

Access to accurate information on empty properties is a vital part of effective prevention. The Council will use primary data such as council tax information and local intelligence to build up a register of empty properties. This data will be refreshed by local area inspections to take account of visible empty properties, together with a 6 monthly audit of Council Tax data to ensure that all properties listed as vacant for more than 2 years are included in the Empty Property Team's Prioritisation process (see Appendix 1) in order to maintain a register of active cases. It is important that this baseline information is as accurate as possible and updated as necessary.

Advice and Assistance

One of the most important measures in ensuring properties do not remain empty is providing good quality advice and assistance. The Council's Empty Property Team has responsibility for providing advice for owners and residents. Leaflets have been produced for owners detailing their rights and responsibilities for maintenance and repair together with advice for local residents affected by empty properties in their neighbourhood. There is also advice available on the Council's Web Site and direct contact details for the Empty Property Team.

Publicity

Effective publicity of successful interventions raises the profile of Empty Homes prevention work and sends out a clear signal that the Council will take action when necessary. Information regarding the Empty Homes prevention service has also been distributed to homes throughout the Borough alongside annual Council Tax statements. The Council will continue to investigate a variety of publicity mechanisms and aims to maximise opportunities as they arise.

Partnership Working

The Council recognises that third party organisations and individuals have an increasingly important role in assisting in the reoccupation of empty properties. In particular, provision of empty property information to Registered Providers and private developers can reduce potential long-term vacancy whilst requiring minimal involvement from Council Officers. This, in turn, releases the Empty Property Team to deal with the most problematic vacant properties. The Council therefore seeks to maximise and further develop existing partnership working with third parties, providing information on vacant properties to Registered Providers and encouraging them to seek additional funding by

way of bids from the Homes and Communities Agency (HCA) and encouraging them to take an active part in the acquisition, refurbishment and re-occupation of empty properties.

The Council is compiling a list of private developers who have expressed an interest in purchasing and refurbishing empty properties. Prospective purchasers and owners wishing to sell can therefore be brought together through the Council's enabling role.

Housing Options – Choice Based Lettings

The Council operates a choice based letting scheme known as "UnderOneRoof" which advertises the availability of social rented properties in the Borough. A PILOT scheme was introduced which allowed private landlords to access this facility. This scheme will give encouragement for inexperienced / first time landlords by ensuring that prospective tenants are subject to reference and financial checks. The direct payment of Local Housing Allowance to the landlord is also supported where appropriate.

Strategic Planning

The Strategic Planning process has a key role to play in preventing an increase in empty homes. Planning policy needs to take account of changes in the housing market and housing demand in the Borough. Planning policy should ensure that the new housing type and locations brought forward are in demand. Ensuring adequate demand should ensure that properties do not remain vacant for long periods of time and that local housing markets are balanced. The important role of empty properties in the wider strategic provision of housing is acknowledged by Government and has led to the inclusion of empty property performance within the New Homes Bonus grant calculation.

Council Tax

In accordance with Local Government Act 2003, the Council has exercised its discretion with regard to Council Tax discounts, with no discount available for long term empty properties. This measure is preventative as it removes a financial incentives which allows properties to remain vacant and sends a clear message to owners that empty properties are a liability. The Government has now extended Councils discretion with regard to technical application of Council Tax and this discretion will now be used by the Council in its treatment of empty homes for Council Tax purposes.

b) Enforcement - Use of Legislative Powers

There are various pieces of legislation, which the Council can use to deal with some of the more urgent problems, associated with empty properties, for example, the removal of hazards and security works. The ongoing need to take legal action in cases where owners are not fulfilling their responsibilities also builds up a case for enforcement action such as Compulsory Purchase Order, Enforced Sale and Empty Dwelling Management Orders, in order to secure a change in ownership or management.

In all cases, it is the Council's policy to make use of informal engagement to encourage owners to bring empty homes back into use voluntarily before moving on to enforcement and it will be important to make sure that any enforcement action taken is in line with the Council's Enforcement Policy so as to ensure consistency and proportionality.

There is a range of enforcement powers available to the Council and these are set out in Table 7.

Table 6: Enforcement Powers Available to the Council to Tackle Long-Term Empty Homes

Problem	Legislation	Power Granted
Dangerous or dilapidated buildings or structures	Building Act 1984 Sections 77 and 78	To require the owner to make the property safe (Section 77) or enable the Local Authority to take emergency action to make the building safe (Section 78).
	Housing Act 2004 Part 1	Under the Housing Health and Safety Rating System local authorities can evaluate the potential risks to health and safety arising from deficiencies within properties and take appropriate enforcement action.
Unsecured properties (where it poses a risk that it may be entered or suffer vandalism, arson or similar)	Building Act 1984 Section 78	To allow the Local Authority to secure the property.
	Local Government (Miscellaneous Provisions) Act 1976 Section 29	To require the owner to take steps to secure a property or allow to board it up in an emergency.
Blocked or defective drains or private sewers.	Local Government (Miscellaneous Provisions) Act 1976 Section 35	To require the owner to address obstructed private sewers.
	Building Act 1984 Section 59	To require the owner to address blocked or defective drainage.
	Public Health Act 1961 Section 17	To require the owner to address blocked or defective drainage.
Vermin (where it is either present or there is a risk of attracting vermin) that may detrimentally affect peoples health.	Public Health Act 1961 Section 34	To require an owner to remove waste so that vermin is not attracted to the site.
	Prevention of Damage by Pests Act 1949 Section 4	
	Public Health Act 1936 Section 83	
	Environmental Protection Act 1990 Section 80	
Unightly land and property affecting the amenity of an area	Building Act 1984 Section 79	To require the owner to remove waste from the
	Public Health Act 1961 Section 34	

Problem	Legislation	Power Granted
		property (see above).
	Town and Country Planning Act 1990 Section 215	To require the owner to take steps to address a property adversely affecting the amenity of an area through its disrepair.
	Building Act 1984 Section 79	To require the owner to address unsightly land or the external appearance of a property.

Enforcement Powers

By far the majority of empty homes in the Borough are returned into occupation without recourse to the most onerous enforcement powers that the Council has at its disposal. However, in cases where preventative measures do not result in effective engagement with the owner or clear plans to reoccupy a property, the Council will consider enforcement to secure a change in ownership or management if necessary. Such action is extremely time-consuming, and may not always be an appropriate course of action for all problematic long-term vacant properties.

This Strategy introduces a system of prioritisation to ensure that the most serious and problematic cases receive the most urgent attention.

The following table of criteria will be used to determine the properties to be prioritised for action. Individual cases will be reassessed in the case of changing circumstances.

Table 7: Assessment Framework for Prioritising Empty Homes

Issue:	0 points	1 point	2points	3 points
Length of time property has been left empty		Per Year Vacant		
Number of complaints received about the property	No complaints	1 - 2	3 - 4	5 +
Level of impact on the Surrounding neighbourhood	No Impact	Low	Moderate	High impact
Property state of repair	No disrepair	Low	Moderate (Cat 2 hazard)	High (Cat 1 hazard)
Attracting secondary problems I.e. fly tipping/anti social behaviour	No associated problems	Low	Moderate	High
Local housing demand	Low	-	-	High
Contribution to regeneration – Areas experiencing high deprivation levels.	-	-	-	High
Empty Property High Incidence Ward Area	Not in Priority ward	-	-	In Priority ward

Information affecting the prioritisation of empty property action (i.e. Local Housing Demand and Priority Ward Area) will be reviewed on an annual basis to ensure that intervention remains responsive to changing needs. (See appendix 1 for current prioritisation criteria)

Enforced Sale Procedure

Local authorities have the statutory power to force the sale of a property through the Law of Property Act 1925 s103. Where local authorities have carried out work in default under some of the above legislation and are unable to recover the debt, it is possible under this legislation to register a charge on the property. This recharge can then be recovered by way of an enforced sale. The property then passes onto a new owner who would hopefully complete any necessary refurbishment and thereby bring the property back into use.

Empty Dwellings Management Orders (EDMO)

Introduced by the Housing Act 2004 and enacted in 2006, Empty Dwelling Management Orders (EDMO) provide a relatively new tool for local authorities to tackle empty homes. The EDMO is a mechanism by which local authorities can secure occupation of a long-term empty property and take over management control of the dwelling. Two forms of EDMO exist, an interim EDMO and a final EDMO. An Interim EDMO Order should be considered as the final opportunity to find a voluntary solution with the owners 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). To obtain an Interim EDMO the Residential Property Tribunal Service must be satisfied that:

- a) the property is not exempt according to the Housing Strategy Statistical Appendix (HSSA);
- b) that the owner has been notified that the Council is going to apply for an EDMO;
- c) that the Council attempted to ascertain what steps the owner is taking to bring the property back into use (and the details of the action taken);
- d) the property must have been empty for at least 6 months;
- e) that by generating the Order, there is a reasonable prospect of the property being brought back into use.

If these matters are satisfied, the Residential Property Tribunal Service will then balance the rights of the owner against those of the wider community in making their decision.

This device provides an alternative enforcement action and is subject to approval of a Residential Property Tribunal. The resource implications for the making of an EDMO are quite considerable and very recent Government proposals will attach more stringent conditions as to the suitability of a property for EDMO. However the Council will look to include this measure as a part of the enforcement toolkit and would propose to make use of a local Registered Provider to act as managing agent. It is likely that properties which only require relatively low levels of refurbishment work would be suitable for this procedure so as to enable the monies to be recovered from the rental income. The option of voluntary private sector leasing currently being developed may encourage more proactive involvement from owners so as to negate the need for EDMO. Conversely, the case for EDMO is strengthened if owners have access to a voluntary scheme but still refuse to take measures which would lead to the reoccupation of their property.

Compulsory Purchase Orders

Compulsory Purchase Order is the mechanism by which a property can be purchased without the voluntary agreement of the owner if the circumstances meet set criteria through s17 of the Housing Act 1985. Applications for CPO of individual properties can be made if the property is required to meet local housing needs, if it has a detrimental effect on the neighbourhood or if it is part of a wider

clearance/redevelopment programme. The onus is on the local authority to show that all other available methods of redress have been exhausted before an application can be made to the Secretary of State. The timescales involved in administering a CPO can be extensive and it is therefore seen as a measure of last resort. In St Helens, five successful CPOs have recently been made with several more now being considered, and the Council will continue to consider this measure where appropriate. Under the CPO process the Council will seek to immediately transfer the property to a third party (Housing Association or private developer) subject to a legally binding agreement for the completion of any required refurbishment together with an undertaking to ensure that the property is used to meet local housing needs.

Monitoring and Review

This strategy is operational from 2013 to 2015 but will be reviewed annually and updated as necessary to ensure it remains responsive to local and national issues, changes in legislation/guidance and operational requirements. The prioritisation criteria will be subject to ongoing review during 2013 to ensure transparency and consistency of application. The Empty Property Team caseloads will be subject to 6 monthly management review and any cases requiring final intervention in the form of Compulsory Purchase, Enforced Sale or Empty Dwelling Management Order, will be subject to the Executive Decision of the Director, People's Services

Contact Information

Should you have any comments about this strategy or require any further information on empty property issues, please contact the Empty Property Officer at:

St Helens Council
Ground Floor Town Hall
Victoria Square
St Helens
Merseyside
WA10 1HP

Tel: 01744 676211 / 673473

Email : contactcentre@sthelens.gov.uk

Empty properties can also be reported via the Council website at www.sthelens.gov.uk using the online Vacant Property Service Request form.

Appendices

1. Strategic Assessment Criteria and Ward Analysis
2. Intervention Process Map

Appendix 1

Strategic Assessment Criteria

Strategic Criteria	Assessment	How Assessed	Review
High Local Housing Demand (Wards) - 2015: Billinge and Seneley Green Town Centre Haydock Windle Rainford		Review of demand through analysis of Choice Based Lettings Scheme	Annual Review/update as necessary Helena Partnerships Housing Strategy Officer
Contribution to Regeneration Wards experiencing high deprivation level: Town Centre Ward Parr Ward		High incidence of deprivation. Identified via info4Sthelens (Dec 2016)	Annual
Empty Property High Incidence Ward Areas (LTV > 2.5%) - 2015: Town Centre Ward		Annual ward analysis of long-term vacant properties	Annual review of Council Tax data Empty Property Assistant

Address: 26 Abberley Close, Town Centre, St Helens WA10 2AZ

				Date	25/7/11				
	0 points	1 point	2 points	3 points	Score	Score	Score	Score	Score
Length of time property has been left empty		17 years			17				
Number of complaints received about the property	No complaints	1-2	3-4	5+	3				
Level of impact on the surrounding neighbourhood	No impact	Low	Moderate	High Impact	3				
Property state of repair	No disrepair	Low	Moderate (Cat hazard) 2	High (Cat hazard) 1	2				
Attracting secondary problems i.e. fly tipping, anti-social behaviour	No associated problems	Low	Moderate	High	3				
				Total	28				
Local housing demand	Low	-	-	High	3				
Contribution to regeneration (High Deprivation areas of Parr, Town Centre)	-	-	-	High	3				
Empty Property High Incidence Ward Area	Not in Priority Ward	-	-	In Priority Ward	3				
				Total	9				
				Overall Total	37				

Comments: Several attempts to track down and communicate with owner failed. Property causing numerous problems and is located within LIP priority area with high local housing demand - final option was CPO (now complete and sold at auction 14/7/11).

Ward Analysis - Long Term Empty Homes – October 2016
Number of empty homes (6 months or more) by Ward

Ward	Vacant 6 - 12 mnths		Vacant 1yr - 2 yrs		Vacant 2 yrs - 5 yrs		Vacant 5 yrs +		Total Vacant		Total Dwellings
	No.	%	No.	%	No.	%	No.	%	No.	%	
Billinge and Seneley Green	19	0.40	8	0.17	11	0.23	8	0.17	46	0.98	4707
Blackbrook	20	0.44	14	0.31	11	0.24	6	0.13	51	1.12	4550
Bold	16	0.36	21	0.47	16	0.36	6	0.13	59	1.31	4496
Earlestown	31	0.59	20	0.38	17	0.32	7	0.13	75	1.4	5244
Eccleston	35	0.69	31	0.61	24	0.47	4	0.08	94	1.86	5055
Haydock	30	0.64	19	0.40	10	0.21	8	0.17	67	1.42	4705
Moss Bank	23	0.46	29	0.58	6	0.12	9	0.18	67	1.33	5027
Newton	23	0.42	19	0.35	15	0.28	4	0.07	61	1.12	5449
Parr	36	0.63	23	0.40	20	0.35	9	0.16	88	1.53	5745
Rainford	19	0.51	15	0.40	11	0.29	7	0.19	52	1.40	3707
Rainhill	23	0.46	16	0.32	14	0.28	6	0.12	59	1.19	4951
Sutton	34	0.63	27	0.50	25	0.46	13	0.24	99	1.83	5416
Thatto Heath	34	0.57	33	0.55	33	0.55	2	0.03	102	1.71	5951
Town Centre	44	0.72	55	0.90	43	0.70	16	0.26	158	2.59	6103
West Park	38	0.67	41	0.72	21	0.37	11	0.19	111	1.95	5694
Windle	30	0.64	23	0.49	10	0.21	11	0.23	74	1.57	4705
TOTAL	536	0.65	395	0.48	426	0.52	201	0.24	1263	1.54	82087

