



EMPTY HOMES STRATEGY 2014 - 2019

READING BOROUGH COUNCIL

1st April 2014



APPROVED BY HOUSING, NEIGHBOURHOODS AND LEISURE COMMITTEE. 1ST APRIL 2014

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EXECUTIVE SUMMARY

The Empty Homes Strategy explains why and how the Council brings privately owned empty homes back into use and sets out the extra benefits delivered through our empty homes work.

Our last Strategy responded to concerns about the number of derelict homes that were causing problems to local areas. Our work since then has brought over 75 of the worst empty homes back into use and has delivered additional benefits to communities, owners and the Council.

Of the 2,500 empty homes in Reading, the number of those empty for six months or longer) has reduced since 2008 from 468 to 329. These are scattered around Reading with higher prevalence in the town centre. We focus on the homes with the greatest impact on communities and on owners with the most complex problems to overcome.

Our work relies on good joint-working between teams and external agencies that helps to provide local housing and work for local people. We have improved the lives of some owners who were either vulnerable or at a loss what to do with their empty homes.

We offer all owners practical and financial help, but will resort to formal powers to persuade stubborn owners to act. We aim to increase the supply of affordable housing by offering empty home loans in return for the home being leased to our Housing Association partners. We aim to maximise the New Homes Bonus reward that is earned through the drop in numbers of long term empty homes.

The Government's National Empty Homes Strategy, launched in 2011, added impetus to our local work through a new capital funding programme, a reward scheme and a deterrent to owners who leave their homes empty for too long.

This Strategy sets out a plan for the empty homes work in Reading for the next five years that is built on lessons learned and the partnerships built so far.

LEAD COUNCILLOR FOREWORD

The publication of Reading Borough Council's Empty Homes Strategy for 2013-2018 demonstrates the Council's continued commitment to identifying empty homes in the borough and them bringing into use. The question could be asked "why should the Local Authority intervene in what are basically private property matters?" For me, the answers are threefold – in the time of huge housing demand and rising homelessness, it would be wrong to ignore houses, sitting empty, that are a wasted resource that could be used in tackling this demand. Empty houses have an impact on their neighbourhood, both visually and in terms of attracting anti-social behaviour, making people feel their area is neglected. Finally, the Council receives a grant in the form of a New Homes Bonus for each home brought back into use.

This new strategy brings the Council's approach to empty homes up to date building on the work of the 2008-2011 strategy, incorporating lessons that have been learned; and takes opportunities presented by national policy where they exist for part-funding.

Having seen a number of one-time notorious neighbourhood eye-sores that have been repaired and are now family homes, I am convinced that the patient and tenacious work done focussing on the empty-home owner, often sympathetically, with legal action only as a last resort continues to be worthwhile and brings huge benefits to our community.

COUNCILLOR RICHARD DAVIES – LEAD COUNCILLOR FOR HOUSING

1. OUR EMPTY HOMES AIMS

- **Identify empty homes and their owners, understand the reasons why their homes became or remain empty and work with owners to bring the homes back into use.**
- **Minimise the impact of empty homes on the community through the appropriate use of statutory and discretionary enforcement powers.**
- **Increase the number of affordable homes in partnerships with the Home & Communities Agency and with Housing Associations.**
- **Maximise New Homes Bonus earned for the Council through empty homes work.**

2. POLICY BACKGROUND

How many empty homes are there? 259,000 are long- term empty (meaning they have been empty for more than six months) in England. -Empty Homes Agency 2012

*"We will never know exactly how many empty houses there are, unless we visit every single one".
- Empty Homes Consultant*

The Government published the first ever National Empty Homes Strategy in 2011. The Government sees re-use of empty homes as, "*a sustainable way of increasing the overall supply of housing*". Government empty homes policies since 2011 include capital investment through the Empty Homes Programme, the New Homes Bonus for bringing homes back into use and a Council Tax Premium charge for very long term empty homes.

Reading's Strategy is one of many that form the Council's wider Housing Strategy 2009-2014. It sets out how we will meet the Housing Strategy objective, *"To make best use of existing housing stock within the town we will increase the number of empty properties brought back into use through Council intervention"*.

This Strategy links to other Council strategies covering Anti-Social Behaviour, Anti-Fraud, Economic Development, Community Development and Environmental Quality.

3. WHY DO WE HAVE AN EMPTY HOMES STRATEGY

It is fair to ask why the Council, a public body, should involve itself in privately owned homes. Along with the rights of home ownership, owners also have responsibility for making sure their homes do not have negative impacts on the wider community. Empty homes damage local areas and are a waste of scarce housing when many people have no home of their own to live in.

- **Impact on neighbourhoods.** The Council receives over 100 complaints per year about empty homes. Concerns include the unsightliness of derelict homes, fly-tipping, vandalism, damage to neighbouring property, squatters and fire-setting. The demands placed on the public services are less if these homes were in use. The best way to protect property is to occupy it.
- **Waste of housing, a scarce resource.** In 2013, there were over 9000 people on the Council's Housing Register waiting for a home. Of these, 124 were classed as homeless. Some people see inequity when there are people without a good quality home while others keep homes empty. Housing need cannot be met by empty homes alone and many empty homes are unsuitable for use as affordable housing.

Bringing homes back into use has many varied benefits to local people.

- Empty homes can help meet housing demand that might otherwise remain unmet or might only be met by building more new houses on Greenfield sites.
- Renovating empty homes creates work for local trades and helps the local economy.
- Absence of empty homes boosts the sense of local well-being and local house prices.
- Owners can earn income through rent, their home is more secure when in use and their asset does not suffer depreciation through dilapidation.

Case Study – An-term empty home that is not a “Long Term Empty Home”.
The owner had died 6 years earlier and left no Will or obvious beneficiary. A dispute between two relatives meant neither had authority to do anything to or with the house. No-one would pay Council Tax until Probate is awarded. This is not classed as a “Long Term Empty” home, but was treated as one because it had been empty for six years, it was causing problems to neighbours and that it was occupied by a squatter for a time.

4. WHICH EMPTY HOMES DO WE FOCUS ON?

'Long Term Empty 'Homes are the subject of this Strategy. Around 2,500 homes are empty in Reading today. 2,000 of which will be occupied within days or weeks by new owners or tenants. The rest are inactive in the market because the owner is unwilling or unable to act. Homes that are empty for six months or longer are called Long Term Empty homes. These homes are often the subject of public complaints and are the least likely to return to use without the involvement of the Council. Other classes of empty home are set out in the Appendix B.

The number of Long Term Empty homes in Reading has reduced from 468 in 2008 to 329 in 2013. Homes are scattered around the Borough with increased prevalence in the town centre. 30% of Reading's Long Term Empty homes have been empty for two years or longer. Empty home trends and distribution are set out in the Appendix B.

Empty flats over shops are considered under the Strategy but many of them are ill suited as modern day housing. This Strategy does not apply to empty commercial premises.

Case Study. A priority empty home in the suburbs.



This priority empty home in Caversham had been empty for a year prior to Empty Homes action starting in 2008.

It was a high priority because of its poor visual condition, repeated break-ins and because it became an anti-social squat. See Appendix A for Priority Scoring Matrix.

The owner was bankrupt and died shortly after emigrating, leaving the home empty.

Our approach was to ask the Trustee in Bankruptcy for contact details of all the deceased's Creditors. We then sought out the Creditor most likely to take on the risk and responsibility of sorting out the legal ownership of the property.

The Creditor agreed to fund repairs from their own funds, negotiated with the Trustee in Bankruptcy to buy out the remaining Creditors. He renovated the home and sold it to a family in 2009.



5. HOW DOES THE COUNCIL RESPOND TO LONG TERM EMPTY HOMES?

We are notified of Long Term Empty homes through referrals and Council Tax data. Empty homes action involves three phases of work, Investigation, Negotiation/Assistance, and Enforcement.

1. Investigation Phase– Survey the home and apply Priority Matrix Score. Trace and contact the owner to discuss if and why property is stuck.

2. Negotiation/Assistance Phase –Advise owner of options (Occupy, Lease out, Rent out, sell). Provide practical and financial assistance. Make the owner aware of consequence of non-cooperation.

3. Enforcement Phase – Council uses powers to remedy dangerous or defective homes and in last resort. Council uses powers to take over control of the property.

More detail on the work involved in the three phases, of grants and loans and of enforcement powers can be found in Appendix B.

6. WHAT IS NEW IN THIS STRATEGY?

- **New Homes Bonus (NHB)** is paid to Councils that increase the number of occupied dwellings in their districts each year. It rewards Councils that reduce the total number of empty homes. The reward is worth around £8,000 for each extra occupied property arising. NHB is thus an important incentive to Councils continuing to commit to empty homes work. The count is based on Council Tax records. Because Council Tax empty homes data is rarely accurate, the NHB calculation is not a true measure of how many empty homes there are. The Council continues to push to improve the accuracy of this base data.
- **The Empty Homes Programme** is a capital funding scheme run by the Homes and Communities Agency. The Council and partners, Housing Solutions and Radian Housing, won £480,000 funding to provide loans to owners to bring 30 empty homes back into use by March 2015. The homes must meet the Decent Homes Standard, be leased to the housing associations and be let at Affordable Rent.
- **Empty Home Loans** were introduced in 2013 when the Council joined the Flexible Home Improvement Loan (FHIL) scheme. FHIL comprises 17 local Councils. FHIL also administer the Affordable Home Loan funded through the Empty Homes Programme above in partnership with Housing Solutions Ltd. The provision of financial assistance to empty home owners through these schemes has become a major component of empty homes work.
- **The Empty Home Premium** has been introduced. Homes left empty for two years or longer are now attract an extra 50% Council Tax charge which is designed to dissuade owners from leaving homes empty in the long term.
- **Empty Dwelling Management Orders** can now be used by the Council since the appointment of Housing Solutions Ltd as property manager for homes subject to formal action under Part 4 of the Housing Act 2004.
- **Revised Guides To Enforcement Powers.** The Compulsory Purchase Order Procedure and the Enforced Sales provisions of section 103 of the Law of Property Act 1925 have been updated and authority to implement the powers has been delegated.

7. TARGETS, MONITORING AND PERFORMANCE – THE DELIVERY PLAN.

OVERALL TARGET - We aim to bring 20 high priority long term empty homes back into use per year through informal and formal methods in each year of the strategy.

MONITORING. Monitoring is based on the Empty Homes Network's "Guidelines for Monitoring Empty Homes Interventions". We record eligible homes returned to use as a result of Council action, including input from the Council, from advice, financial assistance, enforcement action, leasing arrangements. Where cause and effect is harder to prove, the case file will show a degree of engagement that, on balance of probability, helped to return the home to use.

PERFORMANCE REPORTING. Performance is reported in the Housing Strategy Statistical Appendix and the Climate Change Action Plan. Since 2010, empty homes figures have been drawn from the Council Tax Base Form to calculate the value of New Homes Bonus the Council would receive. From 2014, an annual performance report will be submitted to the relevant Committee.

EMPTY HOMES ACTION PLAN 2013-2018

ACTION	TARGET	LEAD OFFICER	OUTCOMES
High priority empty homes returned to use	20 p/a	Empty Homes Officer (EHO)	As per Strategy
Respond to empty home complaints and improve customer service	Ongoing	EHO	Service improvement suggestions incorporated into service design.
Take enforcement action to improve empty homes where necessary	Ongoing	EH Working Gp. & Env. Enf. Group.	Results of enforcement actions publicised to raise awareness
Maximise New Homes Bonus & improve base data accuracy.	Jan, May & Aug yearly	EHO with Council Tax	NHB reward increases
Investigate further bids for capital funding.	As bid rounds arise	EHO	Increased investment in empty homes work
Info sharing at RBC and Berkshire Empty Homes Groups and NLA events	6 events p/a	EHO	Learning from colleagues and coordinated approach.
Investigate feasibility of shared empty Homes Service between Councils	N/A	Berkshire LA service managers	Decision whether to pursue made. May lead to economies of scale in service provision
Devise scheme to assist with homes left empty due to complex Probate.	July 2014	EHO	Scheme in place. The bereaved receive a tailored service.
Review Delivery Plan and report on performance	Annual	EHO	Delivery Plan matches Corporate Plan and service priorities.
Deliver HCA Empty Homes Programme and RBC Empty Home Grants	Ongoing to March 2015	EHO & partner agencies	30 empty homes leased to RSLs and let as affordable housing

8. COUNCIL RESOURCES FOR THE EMPTY HOMES STRATEGY

Despite there being no statutory duty to do so, the Council devotes resources to empty homes because it regards the issue as significant. The work is labour-intensive, requires detailed background research and regular liaison with owners. Success depends on the dedicated part-time empty homes officer based in Environmental Health sustaining contact with owners and coordinating inputs from other Council teams. Appendix B sets out the Council teams and external agencies that can be involved in each phase of work.

The Council has an Empty Homes Working Group that discusses solutions to problem empty homes and improves the ways that we work. The Group comprises staff from Environmental Health, Legal Services, Planning, Local Tax Recovery and the Empty Homes Officer. The EHO attends the Council's area-based Anti-Social Behaviour Action Groups, the Environmental Enforcement Group and Neighbourhood Action Groups.

Empty homes outcomes are heavily dependent on a good working relationship with Council Tax teams. Empty homes work helps with Council Tax collection and with the recovery of long standing debts. Our good practice has been highlighted by Shelter Scotland, below.

In Reading, the empty homes officer has developed a give-and-take relationship with his finance department. In exchange for interrogations of the council tax data on his behalf, council tax staff receive information from him about homes where council tax liability has changed so that they can update their records. His work to identify the location of the owner for the purposes of bringing the home back into use is then able to be used by council tax staff to pursue debt recovery.

"Guide to Data Collection Shelter" Scotland 2010

9. HOW HAVE WE DONE? WHAT HAS WORKED WELL? WHAT HAVE PEOPLE SAID?

"The empty property was being used as a drug house / prostitution venue / squat etc. this had a considerable impact on myself and my neighbours. The Empty Homes Officer was extremely helpful. He was able to realistically advise us on what could be achieved and was able to deliver this. Arranging for shutters to be installed etc. and ensuring that they were kept in place. Without the invention of the Empty Homes Officer I am convinced that the other agencies would not have been so joined up he was an essential part of the process."- A Reading Resident and Neighbourhood Watch member.

Only those empty homes that have required a significant input to broker change are counted towards the annual target. There are many other homes that have come back into use as a result of 'soft touch' inputs such as mail-outs or the giving of 1-off advice.

From 2008 to 2011, we returned only 17 high priority LTE's back into use and reduced the amenity impact of a further 15 homes. Since 2011, a further 60 high priority empty homes are back in use. The most common outcome has been for the owner to decide to sell the property. Most owners needed only some advice and guidance to act, while 18 required some form of formal action to persuade them to act.

“He took the trouble to travel to meet me and explained the situation with great clarity. He helped me to make an informed decision and moved the situation forward as a result of his clear explanation of the options not only from the Council’s point of view but from my point of view as well. As I had no funds available I sold the property in order to reduce my debts.” - An owner who could have faced costly enforcement action.

We now aim to bring back into use 20 Long Term Empty homes per year.

We did not generate new homes for affordable rent during the last strategy because there was no local housing association willing to take on management of ex-empty homes. Empty homes have been supplied as rented housing for the Council’s Deposit Guarantee Scheme.

“I can’t begin to praise enough the sterling work the Empty Homes Officer did in helping me. My home was out of control and like an anvil around my neck that was preventing me from leading a normal life”. - An Empty Home Owner

10. WHAT ELSE CAN WE DO AND WHAT CAN WE DO BETTER?

The Homes and Communities Agency set out 11 key facets of a successful empty homes strategy. Our current position against these themes is set out in Appendix B. A review of the service in 2009 found four areas of weakness.

SECURING THE NECESSARY CAPITAL & REVENUE BUDGETS
ESTABLISHING MECHANISMS TO SECURE HOMES FOR PEOPLE IN HOUSING NEED
BUILDING INTERNAL PARTNERSHIPS TO ENSURE A PROPER JOINED-UP RESPONSE
MASTERING THE DEMANDING LEGAL PROCEDURES REQUIRED FOR ENFORCEMENT WHERE OTHER AVENUES TO ADDRESS NUISANCE EMPTIES HAVE BEEN EXHAUSTED

The first three have been addressed through partnership building with two local Housing Associations and capital funding from the Government’s Empty Homes Programme. We continue to address the fourth theme through the Empty Homes Working Group and by updating key legal procedure documents. All four facets above remain constraints, but to a lesser level than found in 2009.

Stakeholders have expressed interest in applying this Strategy to commercial property. The Council can address dilapidation of commercial property through various enforcement teams, but has no powers or mandate to bring vacant business premises back into use.

Empty flats over shops were not included in the last Strategy because of access and layout problems. This strategy does now address empty flats over shops where practicable and cost effective, but they will remain a low scoring priority. We will reconsider this if national policy changes and is supported by sustainable funding.

11. CONTACT DETAILS – WHERE TO GET ADVICE.

READING BOROUGH COUNCIL EMPTY HOMES TEAM

01189 373091

Housing & Public Health

Reading Borough Council

Civic Centre

READING

RG1 7AE

emptyhomes@reading.gov.uk

www.reading.gov.uk/emptyhomes

Other sources of information include

Empty Homes – an independent charity that focuses on this work area

<http://www.emptyhomes.com/>

Empty Homes Network – An association of empty property practitioners

<http://www.ehnetwork.org.uk/>

The Homes and Communities Agency - Empty Homes Forum

<http://www.homesandcommunities.co.uk/empty-homes>

Self Help Housing – promoting self-help housing initiatives

<http://self-help-housing.org/>

Appendix A. Empty Homes Scoring Matrix

Address _____

Date confirmed empty: _____ - Date assessed: _____

Criteria	Classification	Score
Property Type	Flat over commercial/Purpose built flat	5
	Semi Detached	10
	Terraced	15
	Detached	20
Location	Prominent site (main road)	10
	Situated on 'Gateway', regeneration or deprivation area	20
	Both	30
Time Vacant	Less than 6 months	5
	6-12 months	10
	12-24 months	15
	24-36 months	20
	36+ months	25
Management Standard	Securely Managed	5
	Enforcement action (for each action)	20
	Poor management	20
	Land Charges	20
	More than one of above	50
Owner Contact	No response (for each no response)	5
	No reliable address for owner	10
	No firm plans for bringing the property back into use	10
	No confirmed funding in place to bring the property back into use	10
	More than one of above	35
Future Potential housing units	Low	5
	Medium	10
	High	20
TOTAL		

APPENDIX B. EMPTY HOMES FIGURES, PARTNERS AND APPROACHES

Council Tax data is used to count empty homes. Council tax data is only as reliable as the information that the owners give the Council. Many homes registered as empty when they are not and many registered as occupied when they are empty. An empty home becomes a Long Term Empty home once it has been empty for six months or longer.

The Government Department for Communities and Local Government (DCLG) counts LTE's, **"privately owned homes registered with Council Tax as empty for six months or longer"**.

Table 1 below shows there to be 329 privately owned Long Term Empty homes in Reading in October 2013. Privately owned LTE's account for only 0.5% of all homes in Reading; lower than the average for South East of 0.8%. Of the 329 LTE's, 93 are paying the Long Term Empty Premium Council Tax charge as they have been empty for two years or longer.

TABLE 1. PRIVATELY-OWNED LONG TERM EMPTY HOMES BY OWNER SINCE 2008						
OWNED BY	Oct 2008	Oct 2009	Nov 2010	Sep 2011	Nov-12	Oct-13
Individuals	295	319	323	281	305	236
Companies	147	157	141	67	82	60
Housing Assoc.	26	40	92	86	25	45
Public body (not RBC)	0	0	0	3	5	5
TOTAL	468	517	556	437	417	329

Tables 1 to 4. Source: RBC COUNCIL TAX Oct 2013

The figures above do not correspond with figures used to calculate the New Homes Bonus.

The longer a home stays empty, the more likely it is that the owner will be difficult to engage. Table 2 below shows the length of time that homes are empty in Reading.

TABLE 2. PRIVATELY OWNED LONG TERM EMPTY HOMES BY LENGTH OF TIME EMPTY 2013					
TIME HOME HAS BEEN EMPTY	< 1yr	1 to 2 yrs	2 to 3 yrs	3 to 5 yrs	> 5 yrs
% OF EMPTY HOMES	26%	43%	15%	10%	6%

The LTE classification is our focus, but other classes of empty homes exist. Table 3 below shows the numbers of all empty homes (including those owned by the Council and other public bodies) that attract some of the different Council Tax discounts.

TABLE 3. ALL EMPTY HOMES BY COUNCIL TAX DISCOUNT OR EXEMPTION 2013		
Empty Home Type	Council Tax payable	Homes
Class A - Major works	50% for up to 1 year or till works are complete	64
Class C – empty for up to 6 months	None for the first month. Then reverts to a “Long Term Empty”	639
Long Term Empty	Full charge until empty for 2 years	296
Long term Empty Premium	Empty for 2 years. 150% of full charge	115
Class E – Person moved to care home	None	71
Class F – Person has died.	None until 6 months after Probate is granted.	243
Second Home	95% of full charge	900
Others		607
TOTAL UNOCCUPIED HOMES		2,514

The Council will contact owners of homes that are not registered as “Long Term Empty” if the home is causing a problem locally.

WHERE ARE READING’S EMPTY HOMES?

Empty homes are scattered around the town as shown by Figure 1 below.

FIGURE 1. DISTRIBUTION OF LONG TERM EMPTY HOMES IN READING 2008

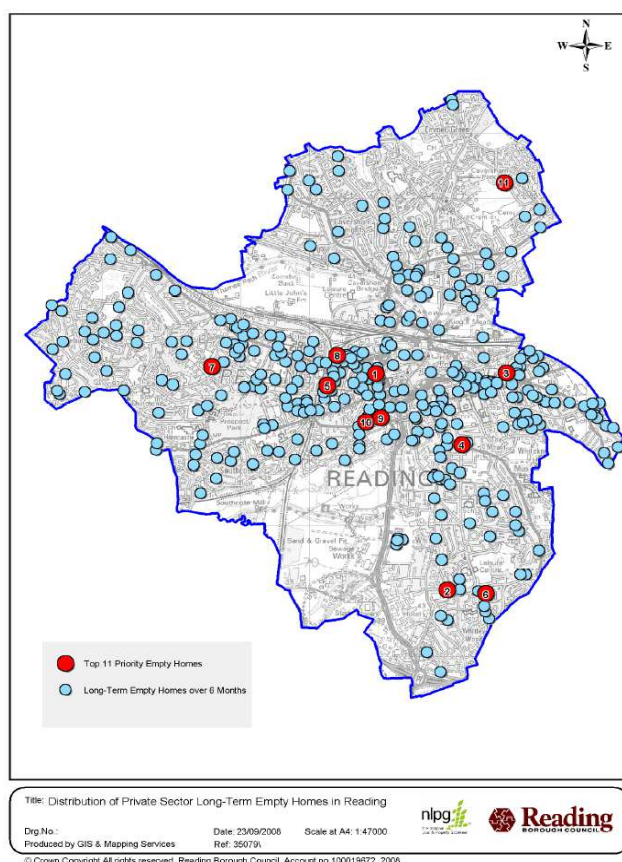


Table 4 below shows the numbers of privately owned Long Term empty homes by Council ward. The figures can change significantly if large buildings such as outdated sheltered housing schemes, a closed for demolition.

TABLE 4. PRIVATELY OWNED LONG TERM EMPTY HOMES BY WARD 2013							
WARD	Homes	WARD	Homes	WARD	Homes	WARD	Homes
Abbey	55	Katesgrove	25	Peppard	13	Thames	10
Battle	51	Minster	24	Southcote	12	Whitley	9
Park	33	Caversham	22	Kentwood	11	Church	8
Redlands	28	Norcot	14	Tilehurst	11	Mapled'm	3

SUMMARY OF EMPTY HOMES ASSISTANCE SCHEMES

The Council helps empty home owners in many ways, some of which are forms of financial help. The main thrust of the 'Negotiation' phase is to assist the owner with an Options Appraisal that helps them decide what to do with the empty home. The Council can provide letters of support to owners wishing to claim VAT Relief on renovations works in long term empty homes; help with finding builders, surveyors, solicitors, architects, estate agents and auctioneers.

DISCRETIONARY EMPTY HOMES GRANTS.

Maximum grant is £10,000.

Description, Eligible Works and Client Group	Non-eligible Works	Summary of Conditions
<ul style="list-style-type: none">Homes that have been empty for more than 6 monthsAssists with renovations, repairs, energy efficiency measures e.g. heating, boilers, insulation and double glazing.Property must meet the Decent Homes StandardHMO work: inc. fire precautions, means of escape and the provision of adequate facilities and amenities for the number of people and households.	<ul style="list-style-type: none">Works covered by insurance. Decorating. Replacing or Upgrading non defective installations. Repairs to rectify poor DIY. Servicing of boilers and other installations and equipment.HMO: Non structural works required under S372 of the Housing Act 1985, Management Regulations for e.g. cleaning communal areas, rubbish removal, decoration, servicing of gas or electrical installations	<ul style="list-style-type: none">Home is empty for more than 6 monthsNo grant if any form of statutory notice has been served.A 5 year charge is registered against the property. Breach of grant conditions will mean full repayment of the grantMust rent the home for 5 years through the Council's Housing RegisterNot open to Hg Associations

FLEXIBLE HOME IMPROVEMENT LOAN SCHEME

The loan must not exceed the lesser of the cost of the works or two-thirds of the value of the property. Further advances or stage payments maybe possible if the value of the property increases as the work progresses.

Description, Eligible Works and Client Group	Non-eligible Works	Summary of Conditions
<ul style="list-style-type: none">5-yr fixed term loan owners to bring the home back into use.Interest rate from 5 to 7%.Property must have enough equity to support the loan.Can supplement EH Grant.Eligible works as per Empty Homes Grant.	Non-eligible works as per Empty Homes Grant	<ul style="list-style-type: none">Loan secured as a charge on the property.Loan is repaid in full at end of loan term by regular or periodic repayments, remortgaging or selling the home. Loan must be repaid if the property is sold

The HCA Empty Homes Programme Schemes are similar to the Empty Home Loan above with the main differences being that the property must be leased to one of the Housing Association partners, let at affordable rent for the term of the lease and the loan interest rate is 3.5%

SUMMARY OF POWERS USED IN THE EMPTY HOMES STRATEGY.

The range of powers that the Council is authorised to use within the Empty Homes Strategy is set out in Table 5 below. Powers are used in accordance with the Council's Enforcement Policy and Scheme of delegation.

Many powers allow for the Council to carry out works if an owner refuses to do so, and to recover costs through debt recovery and register the debt as a Local Land Charge. The powers to recover debts, whether the debts arise through enforcement work or through Council Tax arrears, are highly persuasive and effective when coordinated with empty homes work.

TABLE 5. SUMMARY OF ENFORCEMENT POWERS USED IN THE EMPTY HOMES STRATEGY
PRIMARY ENFORCEMENT TOOLS. Used to gather information and to address defects, risks and hazards at an empty home.
Local Government Act 2003 - S75 allows local authorities to reduce some council tax discounts. S85 also allows disclosure of Council Tax data for the purposes of bringing long-term empty homes back into use.
Housing Act 2004 - Part 1 concerns the assessment of hazards in the home, and powers including improvement and prohibition notices and emergency actions for urgent works. S237 allows the Council to use Council Tax and Housing Benefit data when exercising functions in Parts 1 and 4 of the Act. See also Secondary Enforcement Powers below for the Empty Dwelling Management Order.
Building Act 1984 – several powers to require property owners to address problems of ruinous, dangerous or dilapidated properties.
Local Government (Miscellaneous Provisions) Act 1982 - S29 “Boarding Up Notice” gives the Council power to require owners to prevent unauthorised entry to or to prevent a home from becoming a danger to public health.
Local Government Planning and Land Act 1980 – “Public Request to Order Disposal” residents can notify the Secretary of State of unused publicly-owned land or property. Secretary of State can order the disposal of land or property.
Environmental Protection Act 1990 - relates to abatement of statutory nuisance, including accumulations of rubbish or dampness affecting neighbouring properties.
Town and Country Planning Act 1990 – s215 “Tidy Up Notice” requires owners to deal with unsightly land or the external appearance of a property. Also includes powers relating to compulsory purchase.
Planning (Listed Building and Conservation Areas) Act 1990 - introduced power for local authorities to require urgent works to be carried out to unoccupied buildings to prevent deterioration, and compulsory acquisition of listed buildings in need of repair.
Prevention of Damage by Pests Act 1949. Councils can require owners to eradicate vermin or take steps to prevent vermin infestations.

SECONDARY ENFORCEMENT POWERS. These powers of last resort are used to change the ownership or management of an empty home where an owner proves to be wholly non-compliant with primary enforcement power Notices and where there is no reasonable chance that the home will be brought back into use through other measures. Each power has prescribed procedures and each requires a different level of political approval before it can be used.

Law of Property Act 1925 - allows local authorities to recover debts registered as a land charge (for example, some works carried out in default) by enforcing the sale of the property if the debt remains unpaid.

Acquisition of Land Act 1981 - (as amended by the Planning and Compulsory Purchase Act 2004) – Power for Local Authorities to make Compulsory Orders.

Housing Act 2004 - Part 4 concerns Empty Dwelling Management Orders, to allow local authorities to bring empty homes back into use while legal ownership remains with the owner.

In addition to the statutory powers listed above, the Empty Homes Strategy relies on other agencies using their powers to encourage an empty home owner to take notice and to act. These include powers such as the Anti-Social Behaviour Act 2003 and the Police and Crime Act 1998 as used by the Police. The Proceeds of Crime Act 2008 as used by Approved Financial Investigators is also relevant.

APPROACHES AND PARTIES INVOLVED IN THE 3 PHASES OF EMPTY HOMES WORK

We tailor our approach according to the characteristics of the empty home and its owner. Some owners are willing and able to act while others can be obstructive, uncooperative and non-compliant. Owners often spurn the offer of assistance until they are made fully aware of the enforcement powers that Council can use to force the issue. While the Priority Matrix in part determines how a case proceeds, the human factor plays the greatest part in the progress and success of a case. Table 6 below sets out some reasons why owners leave homes empty. Each reason requires a different approach.

TABLE 6. CAUSES OF HOMES BECOMING LONG TERM EMPTY

"I am not being neglectful of the site but it just that it seems very difficult to make steps forward with any haste or success."

"I have a bit of a mental block when it comes to dealing with this property. I don't even know how to go about finding people to do the work that it needs."

In general, homes stand empty because owners lack the time, money, will and/or knowledge to do anything with their spare home. Every owner has a different story. Some of the reasons for lengthy vacancies found in Reading are listed below,

- **Dilapidation.** Some homes are uninhabitable and owners lack the money or know-how to get the home renovated. Some are empty despite there being less than £1,000 of works needed to make them habitable.
- **Unclear Ownership.** This can arise when an owner has died without a Will or where the

owner (either an individual or a company) is insolvent. Mortgage fraud and money laundering also make ownership unclear.
<ul style="list-style-type: none"> • Abandoned because the owner could not or did not wish to live in the home any longer. This can occur because of family or relationship breakdown, financial hardship or where a couple moves into in one house but retain the other house as an empty home. Two Reading owners are known to have left bought new homes because their original homes became squalid hoards. They have then left their original homes unoccupied. One local owner kept an empty home for his cats to live in when he bought a new home.
<ul style="list-style-type: none"> • Investment properties. These arise when owners prefer not rent out the home because they wish to protect capital values and may wish to dispose of the asset quickly without having the trouble of moving tenants out. There are more investment empty homes when house prices are depressed. One local owner said he has been waiting for house prices to increase since 1991.
<ul style="list-style-type: none"> • Inheritance vacancies. Some owners did not know they had inherited a home. Others do know but live far away and the empty home remains out of sight and out of mind. One owner has bought a home for their children to use in 15 years time, but do not want the trouble of letting it to a tenant in the meantime.
<ul style="list-style-type: none"> • Neighbour Disputes. More than one owner has been found to leave his property empty to upset the neighbours and as a challenge to the Council and Police.
<ul style="list-style-type: none"> • Empty in Memoriam. Some owners have an understandable deep-rooted emotional attachment to the home and cannot bring themselves to do anything with it.
<ul style="list-style-type: none"> • Homes are also empty for long periods for understandable reasons such as the occupier is in hospital, a care home or in prison. It is rarely appropriate to target these homes.
Most owners do want to get their homes back into use and need a little time, help or money to do so. However, there is always a small hard-core who do not fulfil their responsibilities as property owners and are happy for their homes to be a menace to local people.

Our approach is to help the owner take as much responsibility and action as they are capable of while applying a balance of enabling and enforcement that is appropriate to each case. We find that many empty homes are an expression of turmoil in the owners' lives and pride ourselves on adopting compassionate and person-centred ways of working with owners who may be confused or vulnerable. Some cases will involve working with care and support agencies while a few cases have triggered Adult Protection procedures.

Table 7 below sets out some of the main actions used in the three phases of empty homes work. Each of the above phases overlaps. It is possible to be providing assistance while also taking enforcement action on the same case. The threat of enforcement action considerably strengthens the Council's hand in the negotiation phase.

TABLE 7. ACTIVITIES IN THE 3 PHASES OF EMPTY HOMES WORK		
Investigation	Negotiation/Assistance	Enforcement
What is the story? What are the barriers to re-use and	Help owners to bring homes back into use and to make the	Using our powers to encourage owners to take

what are the solutions?	empty home their priority.	property ownership seriously.
Identify and inspect the home. Complete the Priority Risk Rating. Trace and contact owners and others with an interest. Use of data sources, tracing agents, neighbours.	Options Appraisal. Sell it. Let it. Lease it. Occupy it. Valuations, builders & costs of works, Legal issues (inc Probate), Council Tax status, VAT relief, Loans & Grants, Auctioneers, Estate/Letting Agents, Housing Associations.	Force owners to care for the home and bring back into use where all other methods have failed. Addresses public health and health & safety problems. Forces an owner to bring the home back into use or to force a change of ownership.
First contact often prompts owners to act quickly.	Offer of help, even if spurned, can spur owners into action.	Formal action adds cost to owner of keeping the home empty.

Empty homes success depends on good team-working both within the Council and with external agencies and companies as set out in Table 8 below.

TABLE 8. COUNCIL TEAMS AND EXTERNAL PARTIES IN THE 3 PHASES OF EMPTY HOMES WORK.			
	INVESTIGATION PHASE	NEGOTIATION & ASSISTANCE PHASE	ENFORCEMENT PHASE
COUNCIL TEAMS	Local Tax Recovery Fraud Investigation Planning Community Care Registrar & Coroner Press Office StreetCare Anti-Social Behaviour Refuse Service Highways	Local Tax Recovery Fraud Investigation Planning Community Care Registrar & Coroner Press Office StreetCare Anti-Social Behaviour Refuse Service Highways	Local Tax Recovery Legal Services Planning Enforcement Building Control Press Office StreetCare Property Maintenance Valuations Finance-Debt Recovery Approved Financial Investigators
EXTERNAL PARTNERS	Police; Insolvency Service; Fire Service; Other Local Authorities; Treasury Solicitor; Local Newspapers; Tracing Agents; Local People; Health Services; Prison Service; Land Registry.	Housing Associations; Estate Agents; Auctioneers; Local Architects, Agents & Builders; Home Improvement Agency; Solicitors; Independent Financial Advisers; Police; Insolvency Service.	Police; Solicitors; Trustees in Bankruptcy; Law of Property Act Receivers;

Table 9 below shows how Reading's Strategy performs against the 11 key facets of a successful Empty Homes Strategy as set out by the Homes and Communities Agency.

TABLE 9. READING EMPTY HOMES STRATEGY PERFORMANCE AGAINST KEY THEMES 2008-12		
1. DETAILED ASSESSMENT OF PATTERNS OF VACANCY TO INFORM THE RIGHT RESPONSES	5. IDENTIFYING, ENGAGING & INCENTIVISING DELIVERY PARTNERSHIPS TO PROCURE, REFURBISH & MANAGE HOMES	9. PROVIDING ADVICE, ACCURATE & EXTENSIVE INFORMATION AND SIGN-POSTING FOR OWNERS
2. SECURING THE NECESSARY CAPITAL & REVENUE BUDGETS	6. DEVISING & MARKETING NEW GRANT OR LOAN SCHEMES	10. TRACING OWNERS & HELPING RESOLVE OWNERSHIP ISSUES
3. NEGOTIATING WITH NERVOUS, CONFUSED OR HOSTILE OWNERS TO ENCOURAGE THEM TO ACT	7. BUILDING INTERNAL PARTNERSHIPS TO ENSURE A PROPER JOINED-UP RESPONSE	11. MASTERING THE DEMANDING LEGAL PROCEDURES REQUIRED FOR ENFORCEMENT WHERE OTHER AVENUES TO ADDRESS NUISANCE EMPTIES HAVE BEEN EXHAUSTED
4. ESTABLISHING MECHANISMS TO SECURE HOMES FOR PEOPLE IN HOUSING NEED	8. MONITORING RESULTS & KEEPING THE PUBLIC INFORMED OF WHAT IS GOING ON	



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