

1. **Appendix 1: Table of S106 Commuted Sums for Affordable Housing**

1.1 The Council currently holds £1,406,296 (£64,583 currently committed) in S106 commuted sums which have been paid in lieu of affordable housing, and anticipates collecting further sums. The table below details the amounts that have already been paid to the Council.

Site	Location	Sum
Shobnall Road	Burton	£20,236
Burton Road	Tutbury	£100,000
Efflinch Lane 1	Barton	£565,058
Efflinch Lane 2	Barton	£330,800
Hadley St	Yoxhall	£390,202
		<hr/>
		£1,406,296 Total

2. Appendix 2: Uttoxeter

Empty Homes Scoring Matrix

Address				Services within 1 mile	1	Local Shop	1
3 bed end terrace					1	GP Surgery	1
Criteria					1	Chemist	1
Property Type	1	4 bed house		Visual Impact (Location)	3	Medium	3
	2	1 bed house or flat			4	High	
	3	Bungalow			5	Very High	
	4	3 bed house	4	Accessibility	2	Some Adaptions	
	5	2 bed house			3	Significant Adaptions	
Visual Impact (Exterior, ASB)	1	Complaints per item max 4	2	Council Debt	-	1 point per £1,000	0
	1	Visible Disrepair per item max 4	2		Grand Total		
	1	Abandoned vehicle on drive					18
	2	Overgrown Garden		Likely Investment Required			
	2	Boarded up		Zoopla Estimated Value		£125k	
	2	Vermin		Year Built (approx)		Pre 1919	
	2	Graffiti		Registered Empty Since		2010	
	2	Dumped Rubbish	1	State of Repair Visibly: V Poor /Poor /Fair		Poor	
	3	Council Enforcement	3	Summary View		Medium Investment	

3. Appendix 3: Rural

Empty Homes Scoring Matrix

Address																																									
inner terrace																																									
Criteria	Points																																								
Property Type	1	4 bed house																																							
	2	1 bed house or flat																																							
	3	Bungalow																																							
	4	3 bed house	4																																						
	5	2 bed house																																							
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4. Appendix 4: Rural

Empty Homes Scoring Matrix

Address							
inner terrace							
Criteria		Points					
Property Type	1	4 bed house		Services within 1 mile	1	Local Shop	1
	2	1 bed house or flat			1	GP Surgery	1
	3	Bungalow			1	Chemist	1
	4	3 bed house	4	Visual Impact (Location)	3	Medium	
	5	2 bed house			4	High	
Visual Impact (Exterior, ASB)	1	Complaints per item max 4	2	Accessibility	2	Some Adaptions	
	1	Visible Disrepair per item max 4	4		3	Significant Adaptions	
	1	Abandoned vehicle on drive			4	Fully wheelchair accessible	
	2	Overgrown Garden	2	Council Debt	1	1 point per £1,000	0
	2	Boarded up			Grand Total		21
	2	Vermin		Likely Investment Required			
	2	Graffiti		Zoopla Estimated Value		£262k	
	2	Dumped Rubbish		Year Built (approx)		Pre1919	
	3	Council Enforcement	1	Registered Empty Since		1998	
				State of Repair Visibly: V Poor/ Poor/ Fair		V Poor	
				Summary View		High Investment	

5. Appendix 5: Greater Burton upon Trent

Empty Homes Scoring Matrix

Address																																									
End terrace																																									
Criteria		Points																																							
Property Type	1	4 bed house																																							
	2	1 bed house or flat																																							
	3	Bungalow																																							
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6. Appendix 6: Inner Burton upon Trent

Empty Homes Scoring Matrix

Address				Services within 1 mile			
				1	Local Shop	1	
				1	GP Surgery	1	
Inner terrace				1	Chemist	1	
Criteria				Points			
Property Type	1	4 bed house		Visual Impact (Location)	3	Medium	
	2	1 bed house or flat			4	High	
	3	Bungalow			5	V High	5
	4	3 bed house	4	Accessibility	2	Some Adaptions	
	5	2 bed house			3	Significant Adaptions	
			4		Fully wheelchair accessible		
Visual Impact (Exterior, ASB)	1	Complaints per item max 4		Council Debt	1	1 point per £1,000	£1,440
	1	Visible Disrepair per item max 4	3	Grand Total			
	1	Abandoned vehicle on drive		18			
	2	Overgrown Garden	2	Likely Investment Required			
	2	Boarded up		Zoopla Estimated Value	£52k		
	2	Vermin		Year Built (approx)	Pre1919		
	2	Graffiti		Registered Empty Since	2001		
	2	Dumped Rubbish		State of Repair Visibly: V Poor/ Poor/ Fair	V Poor		
	3	Council Enforcement		Summary View	Medium Investment		

7. Appendix 7: Central Burton upon Trent

Empty Homes Scoring Matrix

Address

Inner terrace

Criteria Points

Criteria	Points
Property Type	1 4 bed house
	2 1 bed house or flat
	3 Bungalow
	4 3 bed house
	5 2 bed house 5
Visual Impact (Exterior, ASB)	1 Complaints per item max 4
	1 Visible Disrepair per item max 4 3
	1 Abandoned vehicle on drive
	2 Overgrown Garden
	2 Boarded up
	2 Vermin
	2 Graffiti
	2 Dumped Rubbish 1
3 Council Enforcement 3	

Services within 1 mile	1 Local Shop 1	
	1 GP Surgery 1	
	1 Chemist 1	
Visual Impact (Location)	3 Medium 3	
	4 High	
	5 V High	
Accessibility	2 Some Adaptions	
	3 Significant Adaptions	
	4 Fully wheelchair accessible	
Council Debt	1 1 point per £1,000 £13,369	
Grand Total		31

Likely Investment Required

Zoopla Estimated Value	£85k
Year Built (approx)	Pre1919
Registered Empty Since	2003
State of Repair Visibly: V Poor/ Poor/ Fair	V Poor
Summary View	Medium Investment

8. Appendix 8: Further Enforcement Options

- 8.1 Derby City Council (DCC) is our nearest neighbour with experience of an extensive programme of enforcement against empty homes. DCC have never been unable to sell an empty at auction, despite targeting dilapidated properties which in some cases are at the bottom end of the market (renovated value of less than £100k). DCC recently sold a property which had an unauthorised loft conversion, and wrote specific requirements into the sale agreement requiring that the new owner remedy the situation.
- 8.2 Local estate agents Frank Innes stated that there is a strong market in dilapidated properties due to the potential to increase value, much of which occurs at auction. Property auctions in the Midlands are held in Derby, Nottingham, Leicester and Birmingham. Rob Stone of SDL Auctioneers is based in Derby and states that in excess of 250 people are regularly interested in purchasing empty homes, and subject to the seller accepting the guidance given on price they can guarantee over 100 viewings. Rob Stone stated that any property can be sold provided the price reflects the condition; he regularly sells properties that have been subject to a fire or are otherwise structurally unsound. Details of past auctions available on SDL Auctions website¹ corroborate the successful sale of dilapidated properties.
- 8.3 The Council has the following tools at its disposal to take enforcement action against empty homes:
- 8.3.1 Compulsory Purchase Orders (CPO) are the most powerful tool available to the Council. A CPO² has to be awarded by the Secretary of State subject to a proportionality assessment. If awarded, a CPO gives the Council ownership of the property with the previous owner being entitled to appropriate compensation. Guidance³ states that CPOs should be considered on their merits as a last resort where owners have refused or failed to co-operate. Where the Secretary of State confirms such an Order, the acquiring Council would normally be expected to dispose of the properties acquired⁴. An effective means of bringing a property into use is to sell the empty homes at auction under leasehold only, with a covenant of 12 months to fully renovate the home and bring it back into occupation. The new owner can then apply for the freehold at a nominal fee once the Council is satisfied. This process is fairly widely utilised in areas such as Derby and Birmingham. The compensation awarded to the owner would be the

¹ <https://www.sdlauctions.co.uk/property-auctions/past-auctions/>

² <https://www.gov.uk/government/publications/compulsory-purchase-and-compensation-booklet-1-procedure>

³

<http://webarchive.nationalarchives.gov.uk/20120919132719/www.communities.gov.uk/documents/housing/pdf/138826.pdf>

⁴

<http://webarchive.nationalarchives.gov.uk/20120919132719/www.communities.gov.uk/documents/housing/pdf/138826.pdf>

price paid at auction, as this is a transparent process for arriving at a valuation⁵.

- 8.3.2 The Council has the power to apply for an Empty Dwelling Management Order⁶ as a means of bringing a home which has been empty for more than 2 years into use. This order operates as a compulsory lease, enabling the Council to undertake repairs and arrange occupation of the property. This approach would be most appropriate for properties which require only modest repair prior to occupation.
- 8.3.3 The Council can undertake the necessary works and then attach a 'charge' to the property on the Local Land Charges Register. As a result of this charge the Council can then follow the enforced sale procedure to collect on the charge⁷.
- 8.3.4 Provision of loans to enable owners to undertake the works themselves. The Coalition Government made funding available via the 'Empty Homes Loan Fund' in 2011 but the scheme was abandoned in August 2014 due to low take up⁸. This result is echoed by the Council's participation in the West Midlands Kick Start scheme which provided loans for the repair of occupied properties; levels of interest were very low and the scheme proved complicated to administer.

⁵ <https://www.gov.uk/government/publications/compulsory-purchase-and-compensation-booklet-4-compensation-to-residential-owners-and-occupiers>

⁶ The Housing (Empty Dwelling Management Orders) (Prescribed Period of Time and Additional Prescribed Requirements) (England) (Amendment) Order 2012 (S12012/2625)

⁷ <http://www.nplaw.co.uk/enforced-sales/>

⁸ <http://www.insidehousing.co.uk/3m-empty-homes-loan-scheme-scrapped/7005023.article>