



East Lothian
Council

Applying for council housing

**Housing
application
& allocation
guide**



This leaflet will help you make the most of your options to secure council housing in East Lothian. Because there are more applicants looking for council housing than there are properties available, East Lothian Council's Housing Allocations Policy seeks to ensure that applicants with the greatest housing needs are prioritised and that we make best use of our housing stock.

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Data Protection

East Lothian Council uses the personal data you provide for purposes associated with the delivery of our services and in line with current retention policies.

www.eastlothian.gov.uk/communityhousingpn
dpo@eastlothian.gov.uk

Data Protection Officer, East Lothian Council
John Muir House, Haddington EH41 3HA

Applying for council housing

Who can apply?

Anyone can apply to East Lothian Council for housing though not everyone will be eligible for a housing allocation. Applicants must be aged 16 years or over to register on the housing list.

Applicants living outwith East Lothian can apply if they:

- Work or have been offered work in the area
- Wish to move into the area to look for employment
- Wish to move into the area to be near a relative or carer
- Have special social or medical reasons for moving to the area
- Are a current member or Veteran of the Armed Forces
- Wish to provide support to a relative already living in the area

How do I apply?

Application forms and guidance notes are available from any of the local housing offices, or online at: **www.eastlothian.gov.uk/housing**

If you require any assistance to complete the application, please ask at your local housing office. Once you have completed and signed your application, please return it to us along with any supporting evidence we have asked for.

Verification

All the information you supply will be checked. This includes previous addresses and current housing circumstances. If false or misleading information is provided, the council will cancel or suspend your application. Please contact us if you are unsure about what to include in your application; this will help you to include the necessary details.

How will I know my application has been assessed?

When we receive applications for housing we aim to process them within 28 days. We will send you a letter to confirm that your application has been placed on the housing list. If you do not provide all the information we need, it will take us longer and your application may not be awarded the correct number of points.

Home ownership

Following the introduction of the Housing (Scotland) Act 2014, East Lothian Council is now able to take home ownership into consideration when assessing an applicant's priority for housing – this will include everyone named on your application that will be re-housed with you. This new power also includes the proceeds from the sale of a current or previous property.

The new legislation considers that homeowners usually have lower housing needs than other applicants and have more housing options available to them.

If you are a homeowner your application for housing will still be accepted but it will be suspended until your circumstances change. This means you will be registered on the housing list but you will not be considered for an offer of housing.

There are circumstances where we will disregard home ownership, for example, when your home no longer meets your needs and cannot be adapted. Please speak to a Housing Officer as soon as possible if you are unable to remain in your home. Please refer to our ***Allocations Policy*** which is available at www.eastlothian.gov.uk/housing

Application suspensions

In certain circumstances, we may suspend your application for a period of time from the point you apply. We will do this if you or someone on your application

- **has a history of anti-social behaviour**
- **has been convicted of a crime that has been committed in or near the property where you were a tenant**
- **has outstanding rent or tenancy related debt**
- **has previously abandoned or neglected a tenancy**
- **has provided false information on the application for housing**
- **has been served with an eviction notice**

The length of suspensions will depend on the circumstances. You have the right to appeal against a suspension by applying to the Sheriff Court.

More information is available in our ***Cancellations, Suspensions and Exclusions*** leaflet or from your Housing Officer.

Your areas of choice

You can select as many or as few areas of choice for housing as you wish. The more areas you choose will increase your opportunities for housing. Your Housing Officer can advise you regarding availability of properties in any particular area.

If you require a particular type of property, please check that there are a reasonable number of these properties in your areas of choice.

Applicants who have been accepted for rehousing under homelessness legislation who have not received an offer of housing within six months will need to meet their Housing Options Officer to review their application where existing areas and house types are not realistic.

This will result in a widening of areas of choice to include a main town, property size (in line with your needs) and include all property types (unless there is a relevant health assessment to indicate otherwise) to enable an offer of housing to be made, and for the council to meet its statutory obligations.

For advice relating to your particular circumstances please contact us on 01620 827827

Information on our housing stock is provided in the tables on pages 8 and 9.

Note: A two apartment (2APT) property is equal to one bedroom; a three apartment (3APT) is equal to two bedrooms, and so on.

Housing supply in East Lothian

To help inform your areas of choice and maximise your opportunities for housing, the table on pages 10–11 records the properties allocated over the past five years by area and apartment size, and the percentage of total housing stock this represents.

It is important to note that the council no longer has housing stock in some areas, and supply of housing is limited in others.



Housing stock levels: March 2023

PROPERTY TYPE:	1 APT	2APT	3APT	4APT	5APT	6APT	7/8APT	TOTAL
Musselburgh	14	516	1050	459	60	1		2100
Oldcraighall			15					15
Wallyford		34	176	86	7			303
Whitecraig		18	115	50	3			186
Tranent		250	683	372	21	1		1327
Blindwells		12	33	11	4			60
East Saltoun		7	8	5	1			21
Elphinstone		12	48	18	3			81
Gilchriston			1					1
Gladsmuir			4	3				7
Glenkinchie				4				4
Humbie		2	2	2				6
Macmerry		53	123	60	7			243
New Winton			2	2				4
Ormiston		49	172	63	7		1 (7)	292
Pencaitland		19	38	17				74
Upperkeith			4	2				6
Haddington	16	227	338	242	30	1		854
Athelstaneford		3	6	6				15
Bolton				2				2
East Fortune		5						5
Garvald			3					3
Gifford		14	34	9				57
Morham			1	2				3

PROPERTY TYPE:	1 APT	2APT	3APT	4APT	5APT	6APT	7/8APT	TOTAL
Prestonpans	3	283	734	357	54	2		1433
Cockenzie		31	68	17				116
Longniddry		41	38	13				92
Port Seton		15	94	94	4	1		208
North Berwick		85	165	87	10			347
Aberlady		19	66	17	5			107
Dirleton		13	30	11				54
Drem				3				3
Gullane		24	74	22	2			122
Kingston				1				1
Dunbar		95	363	226	20		1(8)	705
East Linton	10	21	70	20	4			125
Innerwick		2	15	12				29
Spott				3				3
Stenton			1	4				5
West Barns		14	54	15	1	1		85
Whitekirk				3				3
Total	43	1864	4628	2320	243	7	2	9107

Housing Allocations: 1 April 2018 to 31 March 2023

	General needs						Amenity			Sheltered		
	1 Apt	2 Apt	3 Apt	4 Apt	5 Apt	6 Apt	1 Apt	2Apt	3 Apt	1 Apt	2 Apt	Total
Dunbar Town		30	112	29	2			17				190
Dunbar Villages Area	4	9	25	7				2				47
Haddington Town	1	94	93	75	1			18	3			285
Haddington Villages Area		2	7	4				3				16
North Berwick Town		26	44	7	1			8				86
North Berwick Villages Area		16	49	14				6	5			90
Musselburgh Town	1	124	256	74	11	1	4	22		90	2	585
Musselburgh Villages Area		5	50	29	2			3				89
Prestonpans Town		63	168	48	11	1		48	1			340
Prestonpans Villages Area		9	47	12	2			14	4			88
Tranent Town		66	165	44	5	1		31		22		334
Tranent Villages Area		34	114	43	10			32	6			239
Total	6	478	1130	386	45	3	4	204	19	112	2	2389
% of Allocations	0.25	20.01	47.30	16.16	1.88	0.13	0.17	8.54	0.80	4.69	0.08	100.00
% of Stock	17.14	37.97	24.58	16.64	18.52	42.86	50.00	43.04	82.61	85.50	28.57	26.23

Note: There were no 7 or 8 APT properties allocated during this period.

Our housing allocation process

How we prioritise applications

We use a **Groups Plus Points System** to allocate properties. This allows us to have separate groups to meet specific needs. Applicants are placed in the appropriate group(s) based on their application details.

East Lothian Council has four groups that make up its allocations system:

- **Transfer applicants**
- **Specialist Property**
- **General Needs**
- **Sustainable Communities**

Applications from those who are assessed as homeless or threatened with homelessness, are placed in the *General Needs* group.

When a property becomes available – it is automatically placed against one of the four groups – in accordance with the agreed allocation targets or by the nature of the property itself, for example, sheltered housing.

For Transfers, General Needs and Specialist Properties – an offer of housing will be made to the applicant with the most points and these points are based on the housing needs of the applicant. Where a number of applicants have the same points level, the applicant with the earliest date of application will be given priority.

For Sustainable Communities other rules apply – it will be the attributes of the applicant that are the main consideration – a local lettings plan will be used to select applicants with the appropriate attributes and the applicant with the earliest date of application will be made an offer of housing. See '*What is the Sustainable Communities Group?*' on page 16 for more information.

I have a health condition that makes my current property unsuitable

If you have a health condition that is made worse by your current accommodation, you may be awarded **Health & Housing Priority** by the council's Health & Housing Panel. Please check our guidance for more information on completing the housing application. East Lothian Council will prioritise offers of properties that are **Adapted for Disabled** and **Suitable for Disabled** to those with an assessed need for re-housing.

How long will I have to wait to get an offer of housing?

The length of time you wait for an offer of housing depends on a number of factors;

- **The number of points you have**
- **The group(s) in which your application is placed**
- **The areas and type of property you have asked for**
- **The availability of the size and type of home you need**
- **Turnover of suitable property**

Receiving an offer

If you have low or no housing needs, you may not receive an offer of housing.

If a property becomes available, we will contact you by telephone and/or in writing. You must let us know whether you wish to accept the offered property as soon as you can and no later than three days from receipt of the offer.

East Lothian Council will make two reasonable offers of housing to applicants at the top of the housing list. Homeless applicants will be made one reasonable offer of housing. These offers will be based on the information provided by the applicant. If an offer is refused the council will establish the reason for this and ask the applicant to update their application if necessary.

After two reasonable offers have been made and refused, the application will be suspended for a period of twelve months during which time no further offers will be made.

Homeless applicants who refuse one reasonable offer of housing made under Homeless Legislation will have their homeless priority withdrawn but they will stay on the housing list.

An applicant can appeal each offer they are made if they feel it is not reasonable, for example, the offer is not in an area of their choice, of suitable size for their family or meet any identified health needs. However, if the reason for the offer not being suitable is due to the applicant not informing their local housing office or Review Team of a change in their circumstances, the offer will be considered reasonable and count as one of their two offers.

This is why it's very important that the local housing office or Review Team know of any changes in the applicant's circumstances to enable them to make suitable offers of housing.

Appealing against a decision

Applicants who are not satisfied with any aspect of a council decision can appeal. Further information can be found in our **Appeals** Leaflet, which is available from your local housing office or online at www.eastlothian.gov.uk/housing

What if there is a change in my circumstances?

If there is a change in your circumstances then you should inform your local housing office or Review Team straight away. It may be that you want to add someone to your application for housing or change areas of choice. It is important that your application is kept up to date because offers of housing are made using the information you provide. If you are a current council tenant you may also need to complete a new Household Form available from your local housing office or online at www.eastlothian.gov.uk/housing

Homelessness

Our Homelessness team can advise you of current options. If you are, or think you might become homeless, then contact them as soon as possible – call **01620 827536** during office hours or **0800 169 1611 (emergency)**.

Annual review of housing applications

Your application for housing will be reviewed on an annual basis to make sure the information you gave us is up to date and accurate. You must respond to this review and provide any supporting evidence that is requested. Failure to do so could mean that your application is cancelled.

How will I know that my application has been assessed?

When we receive applications for housing we aim to process them within 14 days. We will send you a letter to confirm that your application has been placed on the housing list. If you do not provide all the information we need, it will take us longer and your application may not be allocated the correct number of points.

Occupancy guide

FAMILY GROUP	PROPERTY SIZE
Single person	*Studio flat or 1 bedroom
Couple	1 or 2 bedrooms
Single parent with overnight access to child/ children from a previous relationship	1 or 2 bedrooms
Couple or single parent with 1 permanently resident child	2 bedrooms
Couple or single parent with 2 permanently resident children	2 or 3 bedrooms
Couple or single parent with 3 permanently resident children	3 bedrooms
Couple or single parent who have permanently resident children of different sex, one of whom is over the age of 10	3 bedrooms
Couple or single parent with 4 or more permanently resident children	3 or 4 bedrooms

* The council recognises that studio flat accommodation might not fully meet the needs of housing applicants. Applicants who are allocated a studio flat accommodation from East Lothian Council can choose to remain on the housing list, retaining their original date of application. Both approved foster carers and 'looked after' kinship carers will be entitled to apply for an extra bedroom to provide care for a child.

Housing Needs Points System

NEEDS FACTORS	GROUPS	POINTS
People who are living in unsatisfactory housing conditions AND who have unmet housing needs	Health Needs	
	Cat. A	80
	Cat. B	50
	Cat. C	6
	Social Need (Rehousing panel priority)	300
	Keyworker	80
	Two Tenancies for One	80
	Shared Amenities	8
	Loss of Tied Tenancy	40
	Loss of Service Tenancy – Armed Forces	4 points per year – max 40 points
	Overcrowding (per bedroom short)	4 or 8 pts
	Closing Order	80
	Tenement Flat or Shared Stair (council tenants only)	4 or 3 pts
Insecurity of Tenure (private tenancies created prior to December 2017)	8	
Social housing tenants who are under occupying their tenancy	Housing Supply (transfer and Registered Social Landlord tenants only)	20 pts per bedroom
Homeless persons and persons threatened with homelessness AND who have unmet housing needs	Those accepted for re-housing under homelessness legislation	200

Sustainable Communities

What is the Sustainable Communities Group?

A Sustainable Community is where people want to live and work, now and in the future. These are communities which meet the diverse needs of existing and future residents, are sensitive to their environment and contribute to a higher quality of life.

Current housing legislation tells the council which applicants should receive priority when making offers of housing. The circumstances of these applicants are then allocated points to give them priority on the housing list, for example, a property may no longer be suitable for an applicant's health condition – in this example 80 points would be given to the applicant; or the applicant may be homeless and the relevant points would be applied to their application for housing to give them priority. However, the council recognises that there are other groups in the county, who also want to be considered for council housing but who are not given reasonable preference by current housing legislation.

These are applicants with lower housing needs, for example, who may be living with relatives and cannot afford to access the private housing market or who are already existing private rented tenants and cannot afford to meet the cost of renting privately.

East Lothian Council has introduced a Sustainable Communities Group to widen access to council housing for applicants with lower housing needs.

How does the Sustainable Communities Group work?

The Sustainable Communities Group uses Local Lettings Plans to allocate properties according to the particular circumstances of the area or street by letting to a household that will contribute to the sustainability of that community.

Local Lettings Plans operate alongside the council's needs based allocations policy and are developed by local tenants and residents groups, community housing staff, and councillors who have identified an issue or problem within their community and the use of a Local Lettings Plan could help contribute towards a more balanced and sustainable community.

Local Lettings Plans identify the applicant with the appropriate attributes that will address the issues identified in the area.

For example, a lettings plan may select 'private rented sector' as an attribute, to maximise access to social housing for those currently in private rented accommodation. Or it may select an attribute that states that the applicant must have 'no history of antisocial behaviour'. Local Lettings Plans use attributes that are designed to help resolve the housing management issues within the lettings plan area. All the applicants whose household circumstances include these attributes will be selected and priority for an offer of housing within the lettings plan area will be given to the applicant with the earliest date of application.

How do I apply to the Sustainable Communities Group?

All applications for housing will be automatically placed in the Sustainable Communities Group (you must tell the council if you do not wish to be placed in this group) as well as the main group as determined by their application details, i.e. Transfers, General Needs, Specialist Property.

Please note: there are certain questions in the housing application form that must be completed to be considered the Sustainable Communities Group.

Sustainable Communities Attributes

(Date of application applies):

Employment	<ul style="list-style-type: none"> ▪ Student for at least 6 months ▪ Employment for at least 6 months ▪ Self-employed for at least 6 months
First time householder	<ul style="list-style-type: none"> ▪ Living with family for 6 months ▪ Not overcrowded
Tenure	<ul style="list-style-type: none"> ▪ Private rented sector ▪ Sub-tenant ▪ Registered Social Landlord / council
Household composition	<ul style="list-style-type: none"> ▪ Single person ▪ Single parent with children ▪ Couple with no children ▪ Couple with children
Age	<ul style="list-style-type: none"> ▪ 16 – 17 ▪ 18 – 24 ▪ 25 – 44 ▪ 45 – 59 ▪ 60 – 64 ▪ 65 – 69 ▪ 70 +
Social Connection	<ul style="list-style-type: none"> ▪ Live currently in the area ▪ Close relative in the area
Anti-social behaviour	No

Your rights

Your rights to council services and to fair and courteous treatment will not be affected by submitting an appeal. If you feel this has happened, please let us know.

Complaints

The appeal decision is final. However, if you are unhappy with how your appeal was handled (rather than the decision itself) you can submit a formal complaint to the Chief Executive in line with the final stage of the council's feedback procedure. For more information, please visit our website at www.eastlothian.gov.uk/feedback

For example, you can make a complaint if you feel we haven't:

- applied our policies or procedures properly
- met our customer care standards
- provided accurate advice and information

If you continue to feel you have been unfairly treated then you can contact the Scottish Public Services Ombudsman (SPSO). The SPSO will only normally consider complaints that have completed the internal complaints procedure.

The SPSO is the final stage for handling complaints about public services in Scotland and can investigate complaints about maladministration or service failure.

You should contact the SPSO within 12 months of the date you first noticed the problem you are complaining about. In special circumstances, the Ombudsman may consider matters that have gone on longer than 12 months.

www.spsso.org.uk/contactform

Scottish Public Services Ombudsman (SPSO)

Bridgeside House, 99 McDonald Road, Edinburgh, EH7 4NS

Freephone 0800 377 7330

Get in Touch

AREA OFFICES

Call **01620 827 827**, email us or visit your nearest housing office.

MUSSELBURGH

The Brunton, Ladywell Way
musselburgharea@eastlothian.gov.uk

PRESTONPANS

George Johnston Centre, 35 Winton Place
prestonpansarea@eastlothian.gov.uk

TRANENT

George Johnston Centre, 35 Winton Place
tranentarea@eastlothian.gov.uk

HADDINGTON

John Muir House, Brewery Park
haddeast@eastlothian.gov.uk

NORTH BERWICK

Library & Customer Services, School Road
housingnorthberwick@eastlothian.gov.uk

DUNBAR

Bleachingfield Centre, Countess Crescent
housingdunbar@eastlothian.gov.uk



Versions of this leaflet can be provided in Braille, large print, audiotape, or your own language. For assistance call our Community Housing freephone: **0800 413 721**

To make a comment, suggestion or complaint about a council service, visit our website at
www.eastlothian.gov.uk