

# How we let our Council Houses

**Guidance  
notes**



This leaflet will help you to 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 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.

For more information see:

[www.eastlothian.gov.uk/communityhousingpn](http://www.eastlothian.gov.uk/communityhousingpn)

Personal data will be retained in line with East Lothian Council retention policies.

Data Protection Officer,  
East Lothian Council,  
John Muir House,  
Haddington, EH41 3HA.  
Email: [dpo@eastlothian.gov.uk](mailto:dpo@eastlothian.gov.uk)

# East Lothian Council Housing Allocations Policy

## Who can apply?

Anyone can apply to East Lothian Council for housing but not everyone will be eligible for an offer of housing. Applicants must be aged 16 years or over to register on the housing list.

Anyone outwith the East Lothian area 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 needs for moving to the area
- Wish to provide support to a relative already living in the area

## Where can I get a form?

You can get an application form for housing from any of the local housing offices named on the back of this guidance leaflet. Should you need help completing the form, please ask at your local housing office. Once you have completed your housing application form, please return it to us, along with any supporting evidence we have asked for.

There are also guidance notes available to help you answer the questions contained in the housing application form. These notes are available from your local housing office or online at [www.eastlothian.gov.uk](http://www.eastlothian.gov.uk)

## The information you supply

All the information you supply will be checked and verified. This includes previous addresses and current housing circumstances. If false or misleading information is provided, the Council will take appropriate action to cancel or suspend your application. We ask that you contact us if you are unsure about what to include in your application; this will assist you to include the necessary details.

## Home Ownership

Following the introduction of the Housing (Scotland) Act 2014, East Lothian Council are 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.

This is because the new legislation considers that homeowners usually have lower housing needs than other applicants and more housing options available to them. If you are a homeowner your application for housing will be still be accepted but it will be suspended until your circumstances change. This means 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](http://www.eastlothian.gov.uk)

## 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 or
- where you or someone who is to be re-housed with you has been convicted of a crime that has been committed in or near the property where you were a tenant or
- there is outstanding rent or tenancy related debt
- you have previously abandoned or neglected a tenancy
- you have provided false information on your application for housing
- there has been an Order for Recovery of Possession made against you or someone who is to be re-housed with you

The length of suspensions will depend on the circumstances of the individual. 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 maximise your opportunities for housing. Limiting your areas of choice will reduce the chance of an offer being made. Your Housing Officer can advise you regarding turnover of stock in a 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. Your chances will be greatly improved if you keep your areas of choice as wide as possible.

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

This will result in a mandatory widening of areas of choice to include a main town, property size (in accordance with existing occupancy levels) and include all property types (unless there is a relevant health assessment to indicate otherwise) to enable an offer of housing to be made. This is to allow the Council to meet its statutory obligations.

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

**Information on stock/supply is provided for your information in the tables overleaf.**

**A 2 apartment (2APT) is equal to one bedroom; a 3 apartment (3APT) is equal to two bedrooms and so on.**

## Housing Revenue Account (March 2019)

	1 APT	2APT	3APT	4APT	5APT	6APT	8APT	TOTAL
Musselburgh	14	493	1008	446	54			2015
Wallyford		34	176	87	6			303
Whitecraig		18	115	49	4			186
Oldcraighall			15					15
Tranent		243	670	372	19	1		1305
Elphinstone		12	48	18	2			80
Gladsmuir			4	3				7
Macmerry		49	109	56	3			217
Ormiston		41	159	46	7			253
Pencaitland		19	38	16				73
East Saltoun		7	8	5	1			21
Gilchriston			1					1
Glenkinchie				4				4
Humbie		2	2	2				6
Upperkeith			4	2				6
New Winton			2	2				4
Haddington	16	215	329	219	30			809
Athelstaneford		3	6	6				15
Bolton				2				2
Garvald			3					3
Gifford		14	35	8				57
Morham			1	2				3

Continues overleaf

# Housing Revenue Account (March 2019)

Continued from previous page

	1 APT	2APT	3APT	4APT	5APT	6APT	8APT	TOTAL
Prestonpans	3	277	713	349	52	1		1395
Cockenzie		31	62	17		1		111
Port Seton		15	94	94	3			206
Longniddry		41	38	13				92
North Berwick		85	165	86	9			345
Aberlady		14	56	16	5			91
Dirleton		13	30	11				54
Gullane		24	66	18	2			110
Drem				3				3
Kingston				1				1
East Fortune		5						5
Dunbar		95	354	215	19		1	684
West Barns		14	55	15	1			85
East Linton	10	21	71	19	4			125
Stenton			1	4				5
Spott				3				3
Innerwick		2	15	12				29
White Kirk				3				3
<b>Total</b>	<b>43</b>	<b>1787</b>	<b>4453</b>	<b>2224</b>	<b>221</b>	<b>3</b>	<b>1</b>	<b>8732</b>



## Housing supply in East Lothian

It is important to remember that the Council no longer has housing stock in some areas, and supply of housing is limited in other areas. To enable you to maximise your areas of choice the Council have recorded the houses it has allocated over the past five years by area and apartment size.

The table below tells you how many houses have been let in each area and the percentage of total housing stock this represents.

### Allocations from 1 April 2014 to 31 March 2019

	1 APT	2APT	3APT	4APT	5APT	TOTAL
Dunbar Town	0	53	150	55	1	259
Dunbar Villages	0	13	28	13	3	57
Haddington Town	0	111	94	37	1	243
Haddington Villages	0	9	9	1	0	19
Musselburgh	8	220	276	99	15	618
Musselburgh Villages	0	5	75	21	0	101
North Berwick	0	41	66	26	1	134
North Berwick Villages	0	26	38	8	1	73
Prestonpans Town	1	103	147	46	14	311
Prestonpans Villages	0	31	38	12	1	82
Tranent Town	0	120	164	53	2	339
Tranent Villages	0	54	75	18	1	148
<b>Total</b>	<b>9</b>	<b>786</b>	<b>1160</b>	<b>389</b>	<b>40</b>	<b>2384</b>
<b>Total of available supply</b>	<b>0.4%</b>	<b>33.0%</b>	<b>48.7%</b>	<b>16.3%</b>	<b>1.7%</b>	<b>100%</b>

## Number of offers

East Lothian Council will make two reasonable offers of housing to applicants at the top of their housing list. Homeless applicants will be made one reasonable offer of housing. These offers will be based on the information provided by the applicant. After 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. Any further offers will be based on any remaining housing need.

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.

It is very important, therefore, 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.

For further information on our appeals process, please see our [Appeals Leaflet](#), this is available from your local housing office.

## **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.

## **Annual Review of Applications for Housing**

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.

## **What should I do if I think I might become homeless?**

The Council's Homelessness Unit will be able to advise you on the options available. If you think you might become homeless then you should contact them as soon as possible – telephone number 01620 827536 during office hours or 0800 169 1611 (emergency).

## **I have a health condition that makes my current property unsuitable**

If you have a health condition that is worsened by the accommodation that you currently occupy, you may be awarded a Health & Housing priority by the Council's Health & Housing Panel. Please see the guidance information for completing the Housing application form for further information. East Lothian Council will offer properties that are deemed 'Adapted for Disabled' and 'Suitable for Disabled' to those with an assessed need for re-housing in the first instance.

## **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 pointed correctly.

## **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) as determined by 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.

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

The length of time you wait for an offer of housing may depend on a number of things.

- 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

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.

# What if I am not happy with a decision?

Applicants who are not satisfied with any aspect of a Council decision can appeal against that decision. Further information can be found in our Appeals Leaflet, which is available from our local housing offices.

## Occupancy Levels

Family Group	Size of property
Single person	*Studio flat or 1 bedroom
Couple/ same sex couple	1 or 2 bedrooms
Single parent with access to child/children from a previous relationship	1 or 2 bedrooms
Couple/ civil partnership or single parent with 1 permanently resident child	2 bedrooms
Couple/ civil partnership or single parent with 2 permanently resident children	2 or 3 bedrooms
Couple/ civil partnership or single parent with 3 permanently resident children	3 bedrooms
Couple/civil partnership who have permanently resident children of different sex one of whom is over the age of 10	3 bedrooms
Couple/civil partnership 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 under unsatisfactory housing conditions AND who have unmet housing needs	Health Needs	
	Cat. A	80
	Cat. B	50
	Cat. C	6
	Social Need	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
	Tenemental 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 & RSL tenants only)	20 pts per bedroom
Homeless persons & persons threatened with homelessness AND who have unmet housing needs	Those accepted for re-housing under homelessness legislation	200

## **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 pointed 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 recognise 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. The 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 elected members 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. 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 that there are certain questions in the housing application form that must be completed to be considered for all of the attributes contained within the Sustainable Communities Group.

# Sustainable Communities Attributes

(Date of application applies):

Employment	<ul style="list-style-type: none"><li>▪ Student for at least 6 months</li><li>▪ Employment for at least 6 months</li><li>▪ Self-employed for at least 6 months</li></ul>
First time householder	<ul style="list-style-type: none"><li>▪ Living with family for 6 months</li><li>▪ Not overcrowded</li></ul>
Tenure	<ul style="list-style-type: none"><li>▪ Private rented sector</li><li>▪ Sub tenant</li><li>▪ RSL/Council</li></ul>
Household composition	<ul style="list-style-type: none"><li>▪ Single person</li><li>▪ Single parent with children</li><li>▪ Couple with no children</li><li>▪ Couple with children</li></ul>
Age	<ul style="list-style-type: none"><li>▪ 16 – 17</li><li>▪ 18 – 24</li><li>▪ 25 – 44</li><li>▪ 45 – 59</li><li>▪ 60 – 64</li><li>▪ 65 – 69</li><li>▪ 70 +</li></ul>
Social Connection	<ul style="list-style-type: none"><li>▪ Live currently in the area</li><li>▪ Close relative in the area</li></ul>
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](http://www.eastlothian.gov.uk)

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.

#### Scottish Public Services Ombudsman (SPSO)

FREEPOST EH641, Edinburgh, EH3 0BR

Freephone: 0800 377 7330 | [www.spso.org.uk/online-contact](http://www.spso.org.uk/online-contact)

## Get in Touch



### AREA OFFICES

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

<b>MUSSELBURGH</b>	The Brunton, Ladywell Way musselburgharea@eastlothian.gov.uk
<b>PRESTONPANS</b>	Aldhammer House, High Street prestonpansarea@eastlothian.gov.uk
<b>TRANENT</b>	George Johnston Centre, Sanderson's Wynd tranentarea@eastlothian.gov.uk
<b>HADDINGTON</b>	John Muir House, Brewery Park haddeast@eastlothian.gov.uk
<b>NORTH BERWICK</b>	Library & Customer Services, School Road housingnorthberwick@eastlothian.gov.uk
<b>DUNBAR</b>	Bleachingfield Centre, Countess Crescent housingdunbar@eastlothian.gov.uk

To make a comment, suggestion or complaint about a council service, visit our website at **[www.eastlothian.gov.uk](http://www.eastlothian.gov.uk)**



Versions of this leaflet can be supplied in Braille, large print, audiotape or in your own language. Please phone customer services if you require assistance on 01620 827 199