

**Local Housing Strategy – Review Criteria Template
East Lothian Council Feedback**

Criteria	Comment
<p>Equalities</p> <ul style="list-style-type: none"> Equality Statement reflecting Equality Act 2010. Equality Impact Assessment – completed and reflected in LHS. 	<p>Strengths – The LHS is strong on equalities and this is reflected throughout. There is an equalities statement reflecting the Equality Act 2010 and an EQIA as an appendix, informed by focus groups covering BME, ex-offenders, Gypsy/ Travellers, homeless, older people and carers, and identifies issues/challenges and outcomes. The LHS illustrates a good understanding of mainstreaming equalities.</p> <p>Area for consideration – None</p>
<p>Local Context</p> <ul style="list-style-type: none"> Background to local authority area, location, urban/rural split, population etc. Summary of progress made on outcomes set in earlier LHS. Explanation of process chosen (e.g. option appraisal) to agree approach to address identified priorities. 	<p>Strengths – The document provided a good summary of the area, with maps. The summary of each of the main settlements was helpful. The document provided information on the area, location and urban/rural split and population. Issues and challenges for the local authority are clearly stated - this is to be welcomed and could be seen as Good Practice. A summary of the outcomes from the earlier LHS was provided in the appendices. The document stated that an option appraisal was carried out to identify priorities.</p> <p>Area for consideration – More information about what was involved in the option appraisal process would have been helpful, and how priorities were identified but this is a minor point. Supporting Paper 1: East Lothian Local Housing Strategy 2018-23 – Consultation and Engagement has been prepared as part of a suite of documents underpinning and informing the LHS. Supporting Paper 1 provides additional information on the processes / outcomes from consultation and engagement, including the options appraisal process, while ensuring the LHS document remains succinct.</p>
<p>Consultation</p> <p>Evidence of:</p> <ul style="list-style-type: none"> Wide range of engagement methods; 	<p>Strengths – The LHS has clearly been developed with input early on from residents - with evidence of widespread consultation from a variety of groups and</p>

<ul style="list-style-type: none"> • Inclusive process; • Influence. 	<p>with a range of engagement methods - to try to ensure a people-centre strategy that is well-informed, clear and easy to read.</p> <p>The information that helped inform the EQIA (from a range of focus groups representing those who may not normally readily engage) was used to inform the LHS.</p> <p>The process used suggests a more co-production style of approach to strategy development, which is starting to be used more widely, and is encouraged and welcomed.</p> <p>Views expressed during the consultation to develop the draft LHS, were captured and used to inform and agree the council's priorities and LHS outcomes.</p> <p>Area for consideration – A bit more detail on the engagement process would have been helpful - specifically who was engaged and did it include particular groups e.g. young people, older people, disability groups, ethnic minorities etc. However this may be picked up at a later date in the “you said, we did” section which is still in development. Supporting Paper 1: East Lothian Local Housing Strategy 2018-23 – Consultation and Engagement has been prepared as part of a suite of documents underpinning and informing the LHS. Supporting Paper 1 provides additional information on the processes / outcomes from consultation and engagement, including the options appraisal process, while ensuring the LHS document remains succinct.</p>
<p>Community Planning</p> <ul style="list-style-type: none"> • Evidence of clear links between Single Outcome Agreement (SOA) priorities and LHS outcomes. 	<p>Strengths – There is clear evidence of links with the SOA and the LHS outcomes</p> <p>Area for consideration – None</p>
<p>Development Plans</p> <ul style="list-style-type: none"> • Evidence of Alignment with plans supporting the strategic aims set out in the LHS. 	<p>Strengths – Page 18 provides a table showing evidence of alignment with plans supporting the strategic aims set out in the LHS</p> <p>Area for consideration – None</p>

<p>Housing Supply</p> <ul style="list-style-type: none">• Clear summary of key findings from HNDA.• Housing Supply Target calculation clearly articulated.• Clear vision for the future of housing across all tenures based on national priorities.• Role that specific tenures are likely to play, both now and over the longer term.• Clear strategic direction for housing investment.	<p>Strengths – There is a clear summary of the key findings from the HNDAs. The housing supply targets are clearly articulated and there is a clear vision for the future of housing across all tenures based on national priorities.</p> <p>Area for consideration – Although table 6.8 details the investment that has taken place 2012-2017, it does not give an indication of future investment through the Affordable Housing Supply Programme or who is delivering it. Additional text has been included in the final LHS to address this. It is not clear who CRE, DCHA or ELHA are and for a lay reader this needs an explanation. Relevant footnotes have been added at Table 6.8 and an Abbreviations Appendix has been added also to address this.</p> <p>Also there is no explanation of housing association activity in the area for example number of associations, specialist associations, where they operate. Is the council planning to build? Additional text has been included in the final LHS to address this. And whilst the LHS attempts to align its housing/planning process in terms of HNDA/HST etc. the methodology in the text is lengthy and a little confusing e.g.:</p> <ul style="list-style-type: none">• A lengthy comparison is made between HNDA1 and HNDA2 which reveals a difference of 41 units.• The document then seems to say that SESplan HSTs will be used instead – so why does the HNDA1/HNDA2 comparison need to be mentioned at all. <p>This issue here is possibly presentational. The narrative may benefit from omitting the references to the HNDA1 & 2 comparison and clearer links /evidence of how the HSTs have been determined from the SESplan2 figures.</p> <p>HNDA1 and associated housing supply targets have been used to inform the Proposed East Lothian LDP, which is anticipated to be approved and published during summer 2018. However HNDA2 and associated housing supply targets have been used to inform the LHS 2018-23 and the main issues report of the Proposed SDP 2 for the SESplan area. It is clear that the LDP is not synchronised in relation to the housing development planning framework and once the LDP is approved summer 2018, work will commence asap on a revised LDP, to ensure</p>
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	<p>realignment. For this reason, it was considered (following advice from the Scottish Government) that the LHS should be open and transparent and to assist with this process it would be helpful to set out HNDA1 estimates followed by HNDA2 estimates, comparing the estimates and subsequently showing how housing supply targets has been arrived at, to show a logical and transparent process has been followed. For clarity, the LHS states the following:</p> <p><i>The LHS and Local Development Plan require to be aligned through the HNDA in accordance with the development planning process. Given this, housing and planning have jointly input to the HNDA process. However the development planning process is lengthy in comparison with LHS and HNDA timescales, which both follow a five-yearly cycle and given this, the Local Development Plan, LHS and HNDA cycles are currently not aligned. The Proposed Local Development Plan accords with Strategic Development Plan 1 (SDP1) and is informed by SESplan HNDA1 and corresponding Housing Supply Targets as opposed to HNDA2. HNDA2 and corresponding Housing Supply Targets have been prepared for SDP2, which is anticipated to be approved and replace SDP1 in mid-2018.</i></p> <p><i>To address issues of alignment in practice, with this LHS spanning the timeframes of both SDP1 and SDP2, the LHS sets out key SESplan HNDA1 figures in comparison with key SESplan HNDA2 figures for transparency, although it aims to meet Housing Supply Targets derived from SESplan HNDA2. SESplan HNDA2 was prepared using a more robust methodology, in accordance with most recent Guidance and is supported by more recent and credible data. It is anticipated that during the lifetime of this LHS, key documents will become aligned, with SDP2 to be approved in mid-2018.</i></p> <p>Considerable thought has been given to the potential omission of HNDA1, which would make the text shorter and simplified. However in the interests of transparency and accountability, it was agreed with support of the Scottish Government that information on both HNDA1 and HNDA2 should be provided.</p>
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<p>Sustainable Places</p> <ul style="list-style-type: none"> • Clear approach to supporting development and maintenance of sustainable communities through the delivery of good quality, sustainable housing. 	<p>Strengths – The Scottish Government’s LHS guidance (2014) requires local authorities to consider the key role housing has to play in developing maintaining and supporting sustainable places through both the provision of high quality development and the provision of effective services that assist in maintaining and supporting communities. The document provides a clear approach to supporting development and maintenance of sustainable communities through the delivery of good quality, sustainable housing.</p> <p>Area for consideration – Although the LHS is reasonably clear about how the Council intends to contribute to Sustainable Places it is perhaps too focussed on the provision of transport links to achieve this. A significant number of consultation responses to the draft LHS relating to transport received through formal consultation shows that for East Lothian, this is a critical issue. Many of the comments from both stakeholders and local communities stated that the coverage of transport issues in the LHS was insufficient. This reflects the character of East Lothian, which consists of six very different towns, lacking in connectivity through public transport, with transport links key to achieving sustainable communities. It may benefit from further details/clarity of how the Council could link housing with wider service provision to create Sustainable Places as required by LHS Guidance. Additional text added to the final LHS to address this point. ELC may want to consider demonstrating how the Affordable Housing Supply Programme will contribute to the East Lothian economy and how it will bring community benefits, employment and training. Additional text added to the final LHS to address this point.</p>
<p>Rural Housing</p> <ul style="list-style-type: none"> • Set out any distinctive issues in addressing housing and housing related services within a rural context. 	<p>Strengths – The draft LHS makes clear the particular issues faced by rural communities in addressing housing issues and related services in rural areas, with a particular shortage of affordable homes and high house prices.</p> <p>Area for consideration – Section 6.8 could reference the Scottish Government’s Rural Housing Fund (RHF). A link to the Scottish Government RHF webpages</p>

	<p>could possibly be added and reference to the type of organisations that may be eligible to apply and that different tenures can be supported through RHF. It could also be noted that RHF supports new build and refurbishment projects. https://beta.gov.scot/policies/more-homes/rural-housing-fund/ Rural Housing Fund is referenced appropriately and a link to the website provided</p>
<p>Empty Homes</p> <ul style="list-style-type: none"> • Show how empty properties could play a part in increasing housing supply and explain future actions to bring empty properties back into use. • Show how income from council tax is used to boost housing supply levels. • Set out approach to CPOs in tackling the issue of empty properties. 	<p>Strengths – The document provides a comprehensive breakdown of empty dwellings in the East Lothian area. As part of Key Outcome 1, the Council list improving knowledge and understanding of empty homes issues as one of their actions and states that community land ownership could be one way to enable local people to bring empty homes back into use.</p> <p>Area for consideration – The section would benefit from more information about how the council will tackle empty homes. Do they provide information and advice to owners, will they make use of CPOs where the empty property is causing blight. What funding is available (THI, CARS etc) How will they help people. What will they use the empty homes for? (Homelessness?). East Lothian Council anticipates carrying out research into empty homes, to commence spring 2018, to improve knowledge and understanding around the reasons for empty homes and how home owners can be supported to bring empty homes back into use. The findings of this research will inform a strategic approach to tackling empty homes and delivery priorities going forward i.e. the provision of information and advice; making use of empty homes and how empty homes brought back into use may be used i.e. to accommodate homeless households. Additional wording and an additional action to reflect this have been incorporated into the final LHS.</p> <p>Prior to the removal of Council Tax second home discount for 2017/18, there were 513 second homes in East Lothian. The majority constituted longer term private lets with only a small proportion used as short term lets and holiday homes. With only 120 properties available for short term holiday type lets, the Council do not perceive this as being problematic in the area and state that the Council actually consider this as making a positive contribution to the local economy via tourist income. Sums raised from Council Tax (CT) on second homes is used to increase</p>

	<p>supply of new houses and ELC may want to consider using this funding source to bring long term empty homes back into use.</p> <p>As part of Key Outcome 2 the Council had listed facilitating access to funding via an empty homes loan fund. The LHS states that no loans have been taken out to date and the resource was ultimately reduced. Because of this the action has been removed for the LHS period 2018/2023. This has reduced further the options available to owners of long term empty homes.</p> <p>It would have been helpful to hear more about the use of Compulsory Purchase Orders (CPO's) and how the orders have been used in the past. However, it is encouraging to see the Council intend to take a strategic approach to bringing empty properties back into use by considering the use of CPOs (Priority 2 Outcome, Theme 2: Increase Housing Supply). <i>The use of CPO's has been limited to date in East Lothian and given this, it is not considered appropriate to include more on this in the final LHS. However as above, East Lothian Council anticipates carrying out research into empty homes, to commence spring 2018, to improve knowledge and understanding around the reasons for empty homes and how home owners can be supported to bring empty homes back into use. The findings of this research will inform a strategic approach to tackling empty homes and delivery priorities going forward. This will include consideration of the use of CPO's. Additional wording has been included in the final LHS to reflect this.</i></p> <p>It is encouraging to see the Council participated in the Empty Homes project with Shelter and that the Council will continue to work with homeowners to help bring empty homes back into use. It would have been good to see more on how the Council intend to do so though. <i>As above, East Lothian Council anticipates carrying out research into empty homes, to commence spring 2018, to improve knowledge and understanding around the reasons for empty homes and how home owners can be supported to bring empty homes back into use. The findings of this research will inform a strategic approach to tackling empty homes and delivery priorities going forward, with a focus on how the Council can work with homeowners on a practical basis. Additional wording has been included in the final LHS to reflect this.</i></p>
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<p>Self-Build/Custom Build</p> <ul style="list-style-type: none"> • If appropriate, be clear on local approach, with existing policy or other information clearly referenced. 	<p>Strengths – Recognises the vitally important role that self and custom build housing plays in our rural and urban communities in providing homes, supporting communities and supporting smaller building firms.</p> <p>The Council has shown its commitment to the promotion of self and custom build in East Lothian with the LHS clearly stating the Council’s intention to explore opportunities to increase the supply of housing including those from self and custom build. The LHS also makes mention of the upcoming £4m national self-build loan fund and the community empowerment aspect in relation to self and custom build.</p> <p>Area for consideration – This is an area that is clearly in the early stages and they are aware that this will take some time to develop further.</p> <ul style="list-style-type: none"> - We would encourage East Lothian Council to signpost interested self-builders to the national self-build loan fund once it is officially open for applications for loan funding. Although the Council does not have a specific local approach or policy at present on self and custom build, we would encourage the Council to consider how self and custom build could help to increase housing supply across all tenures in East Lothian. A positive and flexible approach to development can support a greater diversity of housing delivery and increase overall supply. Although the Council does not have a specific approach or policy at present, the Council will ensure interested self-builders are signposted to the national self-build loan fund, via the new style East Lothian Council website to be launched end May 2018. The draft LHS includes an action to ‘Explore opportunities for the effective support of community-led housing / self-build / custom build’ and this may lead to the development of a specific policy.
<p>Preventing & Addressing Homelessness</p> <ul style="list-style-type: none"> • Clear focus on prevention and the consolidation of the Housing Options approach. 	<p>Strengths –This was a good comprehensive summary of the issues and it covered all the points being asked. The LHS highlights that ELC introduced a housing options prevention approach to homelessness with a 90% success rate in</p>

<ul style="list-style-type: none"> • Explain the support provision that is in place or being considered, to help those homeless and at threat of homelessness. • Show how the requirements of the Housing Support Duty are being addressed: www.scotland.gov.uk/Resource/0042/00423606.pdf. • Clear links to Scottish Social Housing Charter outcomes: www.scottishhousingregulator.gov.uk/what-we-do/how-we-regulate/scottish-socialhousing-charter. • As appropriate, link LHS actions to those of Housing Options Hubs, referring to good practice as appropriate. 	<p>preventing homelessness. It refers positively to the impact of the Housing Options Hubs and its role in rolling out the HO toolkit, which is a key action of the LHS. The LHS references a range of support available such as the SLAB project, Bridges project, Recycling First and Edinburgh Cyrenians with regards to conflict resolution. It also mentions the rent deposit scheme but recognises a decline in usage that ELC puts down to landlord concerns over UC. Exploring Housing First to ensure support available for homeless people with complex needs is an action within the strategy. The LHS provides a good overview of current activity contributing to meeting the housing support duty in ELC. In addition under actions, Theme 2 ‘Support for Homeless Households’ lists a number of proposed activities that enhances this, including pre tenancy checks to identify where applicants need additional support and exploring opportunities for collaborative working with ELC HSCP and other services. The strategy makes clear links to the charter and details specific actions and approach by ELC to support this. The LHS is positive about the sharing of practice and collaborative working encouraged through the Hubs and their role in coordinating the roll out of the toolkit.</p> <p>Area for consideration – None</p>
<p>Temporary & Supported Accommodation – Impact of Welfare Reform</p> <ul style="list-style-type: none"> • Show consideration of accommodation needs for people under 35, (shared room rate revision). • Show impact of Welfare Reform on the provision of temporary and supported accommodation. • Clear strategy in place for future use of any hostel provision. 	<p>Strengths – This was a good comprehensive summary of the issues and it covered all the points being asked. The LHS recognises the potential significant impact of welfare reform on the financial sustainability of temporary accommodation in ELC. Theme 3 – ‘Temporary Accommodation’ lists a number of proposed actions around temporary accommodation, including carrying out a whole-systems review of TA and preparation of a TA strategy.</p> <ul style="list-style-type: none"> - Area for consideration – Perhaps a bit more could be said about the complications for under 35s as a result of welfare reform and what ELC is considering to tackle this. Both the draft and final LHS set out information

	<p>in relation to East Lothian Council’s homelessness prevention and housing options approach. The LHS includes an action to ‘Continue monitoring the effects of Welfare Reform and Universal Credit, introducing mitigating measures where possible to ensure no-one becomes homeless as a result’. This includes under 35’s. East Lothian Council is also seeking to increase a range of housing options such as low cost home ownership, the Council’s own discounted sale model and mid-market rent housing options, which are aimed at a variety of key groups, including under 35’s. The Temporary Accommodation Strategy will also consider a range of accommodation options to mitigate the complications for under 35’s i.e. flat-sharing and build to rent models.</p>
<p>Specialist Provision As a minimum, Specialist Provision should look to address the needs of:</p> <ul style="list-style-type: none"> • Older people; • People with a physical disability; • People with a mental health condition; • People with a learning disability; • Young people – e.g. students; • People leaving supported accommodation – e.g. offenders, looked after children; • People needing supported accommodation – e.g. People fleeing domestic abuse/at risk families, homeless; • Ethnic minorities – e.g. migrants, asylum seekers, refugees, Gypsy/Travellers; <p>Show current need for specialist provision (accommodation & services) and the predicted requirement over the next 5 years. How is need currently being met and what more is planned to meet future need?</p>	<p>Strengths – This was a good comprehensive summary of the issues and it covered all the points being asked</p> <p>Area for consideration – The LHS could expand on the detail of how new build could be used to help meet targets for example wheelchair units or sheltered accommodation. Additional text added to the final LHS address this point.</p>

<p>Specialist Provision & Independent Living</p> <ul style="list-style-type: none"> • Clearly show what action is required to ensure independent living is supported. • Set out strategy for supporting the integration of health, social care and housing, to allow people to remain in their own homes, through provision of care/support packages, aids/adaptations, providing clear links to other relevant strategies as appropriate. • Clearly show the services that are provided across all tenures, in relation to care/support services, handy person services/care & repair and the use of Telecare and Telehealth. • Show how planning will help deliver future specialist provision with clear links to the Integration of Health and Social Care agenda and the Housing Contribution Statement. • Provide an indication of the current and future need for residential/care homes spaces when independent living is no longer a viable option. • Provide information on how the better use of adaptations and adapted properties are helping to address need and keep people in their own homes. • Provide evidence on local initiatives (including adaptations) that supports the prevention agenda and allows people to 	<p>Strengths – This was a good comprehensive summary of the issues and it covered all the points being asked. A number of actions have been described, including a comprehensive review of sheltered housing, adopting a more proactive, preventative approach to adaptations, community health, day activities, befriending services and housing health checks.</p> <p>The important role housing plays in Health and Social Care has been identified. The connections between the LHS and Housing Contribution Statement and a shared evidence base have been detailed.</p> <p>Two housing representatives are involved in the IJB’s Strategic Planning Group. Adaptations have been identified as playing a key role in enabling people to live independently.</p> <p>Care and Repair offers help and advice on housing improvements, repairs and maintenance and adaptations.</p> <p>The East Lothian Service for Integrated Care for the Elderly (ELSIE) helps to avoid hospital admissions and supports the return to home of patients. ELSIE includes the ‘Hospital to Home Service’ to support patients’ care needs and the ‘Hospital at Home’ service which seeks to avoid unnecessary hospital admissions and reduce delayed discharge.</p> <p>A TEC service redesign is currently underway to ensure TEC is embedded at all key points in the integrated care pathway, encouraging a shift to care supported by technology.</p> <p>No figures have been included but current levels of specialist provision, for older people, is not adequate to meet need. Projected need, however, has been detailed together with planned new care home and sheltered housing for the next five years.</p> <p>Area for consideration – While the Strategy describes the need to future proof housing and to be built to a standard to accommodate wheelchair users, it is unclear what this will entail. The lack of clarity makes it unclear if this means that</p>
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<p>leave hospital and return home as early as possible.</p>	<p>all new build housing will be wheelchair accessible or if it will be capable of being adapted to accommodate wheelchair users. Some more detail within the LHS on what use will be made of existing adaptations/adapted properties would be helpful. Additional text added in the final LHS to address this point. Overall, the Strategy recognises the challenges going forward but more detail would have been helpful.</p>
<p>Gypsy/Travellers</p> <ul style="list-style-type: none"> • Provide an assessment of the current level of site/pitch provision and show if the current provision is adequate. • Provide an assessment of whether current sites/pitches are of an acceptable standard and of the right type. 	<p>Strengths –This was a good comprehensive summary of the issues and it covered all the points being asked.</p> <p>Area for consideration – The LHS recognises that the site provided by the Council on behalf of both East Lothian Council and Midlothian Council must meet Scottish Government Guidance on minimum standards by June 2018. The Council may wish to reference the Scottish Housing Charter outcome 16: Gypsy/Travellers. This outcome states that local councils with responsibility for managing sites for Gypsy/Travellers should manage the sites so that:</p> <ul style="list-style-type: none"> • sites are well maintained and managed, and meet the minimum site standards set in Scottish Government guidance. This outcome includes actions landlords take to ensure that: <p>their sites meet the Scottish Government guidance on minimum standards for Gypsy/Traveller sites, and those living on such sites have occupancy agreements that reflect the rights and responsibilities set out in guidance. All the standards and outcomes in the Charter apply to Gypsy/Travellers. The Scottish Housing Regulator will report and publish information on the minimum standards. The Scottish Social Housing Charter Outcome 16 has been referenced in the final LHS.</p> <p>ELC may also find it helpful to highlight that SG funded Planning Aid Scotland (PAS) to carry out a project on planning and the Gypsy/Travellers community. Part of this project PAS produced guides on the planning system and the Gypsy/Traveller community for councillors, community councils, and Gypsy/Travellers. These guides are available online at:</p>

	<p>http://www.pas.org.uk/news/recognition-of-unique-gypsytraveller-culture/ This has been referenced in the final LHS, with a website link provided also.</p>
<p>Travelling Showpeople</p> <ul style="list-style-type: none"> • LHS to identified current and future need for appropriate sites, as set out in the Development Plan. 	<p>Strengths – This was a good comprehensive summary of the issues and it covered all the points being asked</p> <p>Area for consideration – Whilst our own research shows that winter sites for the Showpeople community tend to be clustered around west Central Scotland, the Council may wish to liaise with the Showmen’s Guild, who represents the interests of Showmen in Scotland, to check the position.</p> <p>East Lothian Council has contacted the Showmen’s Guild and received a response from them with regard to housing need in East Lothian. This is reflected in the LHS.</p>
<p>Private Rented Sector</p> <ul style="list-style-type: none"> • Explain extent and location of the sector and any current issues. • Set out strategy for addressing issues regarding supply and quality. • Show the powers/products that are being used to help households and landlords. • Are outcomes and actions robust and sufficient to tackle the issues identified? 	<p>Strengths – A good explanation of the extent and location of the sector and current issues</p> <p>Area for consideration – This section may benefit from:</p> <ul style="list-style-type: none"> • Information about recent changes to legislation - The draft LHS included appropriate information about recent changes to legislation, although this was dispersed throughout the document. Information on the private residential tenancy; code of practice for letting agents; support with dispute resolution via the first tier tribunal and rent pressure zones, has also been brought together in one place and in doing so, has re-emphasised legislative change. • Information about HMOs Information added to final LHS • More information about regulation and enforcement and support for PRS tenants (e.g. inspection, statutory repairs, factoring standards, letting agent regulation, lack of maintenance in mixed tenure blocks – Information added to final LHS <p>More detail on these points is provided here:</p>

Strategy for addressing issues on supply and quality:

With regards to supply, the LHS focusses on improving affordability and a possible action is to apply to ministers to designate a Rent Pressure Zone. This would require a range of evidence to be made available to Ministers to consider such a request and the Council should carefully consider how they would ensure such evidence on the sector could be collected. East Lothian Council has carefully considered how we will approach the collation of evidence for rent pressure zones in conjunction with other local authorities across the wider SESplan area. A Members' Library Report will be formally lodged by end June 2018, setting out the requirements for an application to Ministers in respect of rent pressure zones and the specifics in relation to evidence collation / analysis. The Report will recommend consideration each year (as part of the annual LHS review) of the availability of evidence.

Quality within the sector is a key issue identified in the draft LHS. It would benefit from a more detailed input on the key actions that will be taken to address this. For example, it sets out that information and advice will be provided on BTS properties – how do the council intend to engage with such landlords who are often difficult to track down or unwilling to engage? East Lothian Council pro-actively seeks out unregistered private landlords by checking local adverts; Council Tax applications / amendments; benefit applications / amendments; environmental health reports and anti-social behaviour reports. Unregistered landlords are contacted twice as required by law and a Rent Penalty Notice served to stop rental income and Penalty Charge served. East Lothian Council regularly reminds landlords of their responsibilities under the repairing standard, although where appropriate makes use of third party reporting powers. This is set out in the final LHS.

It sets out that enforcement action will be taken 'as a last resort'. Given the wide range of enforcement action that is available to the council, we would not expect this to be a last resort – use of powers such as Third Party Reporting, Rent Penalty Notices, Work Notices etc. should all be seen as effective tools to ensure

compliance and help drive up standards. It may be that the council mean reporting such non-compliance to the Fiscal would be a 'last resort' – if so, the LHS could be clear in such regard.

While there are a wide range of powers available to East Lothian Council, enforcement action is viewed as a last resort, when all other supportive methods of engagement are considered to have failed. The use of enforcement action i.e. Third Party Reporting, Rent Penalty Notices and Work Notices are however, all seen as positive and effective tools to ensure compliance and help drive up standards and this is emphasised in the LHS, alongside examples of how the above are used are in East Lothian.

Powers/products used:

As above, there are a range of powers at the councils disposal to help tackle the key issues it has highlighted. It briefly mentions that Landlord Registration is working well in East Lothian – the draft would benefit from more information on this i.e. what sort of proactive enforcement is undertaken? How does the council deal with unregistered landlords, have they made use of Third Party Reporting Powers? etc. While there are a wide range of powers available to East Lothian Council, enforcement action is viewed as a last resort, when all other supportive methods of engagement are considered to have failed. The final LHS sets out how the Council deals with unregistered landlords and use of enforcement action i.e. Third Party Reporting, Rent Penalty Notices and Work Notices, with examples provided of how the above are used are in East Lothian.

Outcomes/actions sufficient to tackle issues:

The key actions detailed in the draft are to: consider applying for an RPZ; to increase knowledge and data on the sector and its issues; and improve knowledge amongst private sector home owners on BTS and energy efficiency. Given that Ministers expect local authorities to be taking tougher, targeted enforcement action – using the range of existing powers they have - we would expect to see this stronger in the draft. It may well be that there is a lot of work going on within the council and therefore it would be good to reflect this here.

While Ministers expect local authorities to be taking tougher, targeted enforcement action and in accordance with this there are a wide range of powers available to East Lothian Council, enforcement action is viewed as a last resort, when all other supportive methods of engagement are considered to have failed. The use of enforcement action i.e. Third Party Reporting, Rent Penalty Notices and Work Notices are however, all seen as positive and effective tools to ensure compliance and help drive up standards and this is emphasised in the LHS, alongside examples of how the above are used are in East Lothian.

There are 46,672 residential dwellings in East Lothian, 5,300 (11.3%) of these are privately rented. The sector grew between 2002 and 2016 but fewer properties registered via landlord registration in 2016/17 indicating a slowdown in the sector. Most lets are provided by landlords who own one or two properties. Demand for one bedroom homes outstrips supply. Low income households not able to buy and unable to access social housing turn to private lets as a semi-permanent option. 17.4% of private rents fail the Repairing Standard and 5.4% are Below Tolerable Standard. There appears to be a discrepancy on page 94 directly above Table 9.2 - the information in the table indicates that the figure in brackets should be 5.4%. [Discrepancy addressed in final LHS](#). It is recognised there are issues of poor condition and low levels of energy efficiency in the PRS but the Council have difficulty getting private landlords to recognise their responsibilities in this regard.

Currently information, advice and practical assistance is provided to landlords under the Scheme of Assistance (SoA), through a partnership with Landlord Accreditation Scotland (LAS) and through the Council Landlord Forum. Actions proposed in the LHS to improve knowledge of stock condition in the Private sector (including the PSR) should be afforded some priority - [This is considered to be a key priority \(in relation to HEEPS ABS; SEEP; reducing fuel poverty etc.\) and building on what is recognised to be a comprehensive private sector stock condition survey \(2012\), a key action in the LHS is to 'improve knowledge and understanding of stock condition in the private sector, with a focus on town centres and rural areas' by December 2020.](#) and the Council should take any opportunity to highlight to

	<p>private landlords their responsibilities under the Repairing Standard. The Council should also make use of third party reporting powers where appropriate. The LHS states that the Council does regularly remind landlords of their responsibilities under the Repairing Standard and also sets out the Council’s use of third party reporting powers where appropriate.</p>
<p>Fuel Poverty & Climate Change</p> <ul style="list-style-type: none"> • Demonstrate clear understanding of national fuel poverty priorities and targets and links between fuel poverty, energy efficiency and climate change. • Show how housing contributes to climate change through house condition, stock characteristics, levels of energy efficiency and set out any improvements needed. <p>Demonstrate a clear understanding of fuel poverty locally by:</p> <ul style="list-style-type: none"> • defining the extent, location and nature of fuel poverty; • explaining the contributing factors that influence levels of fuel poverty; • highlight the root causes of fuel poverty and if appropriate, how these differ from national trends; • Show how all available resources will be used to achieve the maximum contribution for tackling fuel poverty and reducing greenhouse gas emissions; and maximise uptake in the numbers of householders and property owners benefitting from eligible fuel poverty and energy efficiency programmes; 	<p>Strengths – This section demonstrates a clear understanding of fuel poverty and climate change and notes that Scottish Government will introduce a new Fuel Poverty Strategy and Warm Homes Bill in 2018. These will include a revised fuel poverty definition and new targets which will need to be reflected in future LHS updates.</p> <p>Area for consideration – The section provided a lot of detail on what the issues are but not so much detail on how ELC will address it. The final LHS includes additional information with regard to how East Lothian Council and partners will seek to address fuel poverty.</p> <p>It would have been beneficial to state what HES is and how it partners with the Council to provide telephone advice and assistance. The document does not say whether or not ELC or HES provides face to face advice or advocacy. The final LHS states what HES is and how it partners with the Council to provide advice and assistance. Information is provided in relation to the provision of face to face advice and advocacy via the Changeworks Energy Efficiency Advice Service.</p> <p>The document then goes on to describe some of the resources available but does not detail what funding is attached to these for future investment or what areas of ELC that it is targeting for its area based schemes and what partnerships this involves. The same applies to SEEP funding. Milestones and indicators are not included in the draft at this stage. The areas of East Lothian targeted for area based schemes are set out in the final LHS in some detail and it is noted that funding has been applied for through HEEPS ABS / SEEP for 2018/19. Funding applied for in respect of future investment is set out, alongside ECO funding and contributions from private owners. Milestones and indicators are included in the final LHS action plan.</p>

<ul style="list-style-type: none"> • Show what will be done to accelerate the rate of improvement in owner-occupied and PRS, whilst maintaining rates of improvement in the social sector; • Show details of programmes/actions required to meet fuel poverty and climate change targets and set robust local fuel poverty outcomes and targets with indicators to measure progress, making particular reference to the Home Energy Efficiency Programme Scotland: Area Based Schemes (HEEPS:ABS), what the funding will be used for and what it is hoped will be achieved; • Show the implications for housing from any plans for major energy infrastructure, such as district heating; • Show understanding of how climate change may affect the housing stock. Identify threats and opportunities, the vulnerability of different groups to climate risks, and set out and prioritise what needs to be done to manage climate risks; • Show how tackling fuel poverty assists in addressing local issues with BTS housing. 	<p>Actions to accelerate the improvements in the Private Sector are set out in the main body of the document including the proposal to update existing knowledge and understanding of PRS stock condition through small scale surveys, targeting town centre and rural areas although targets are not specific. Targets are not specific as yet, although once existing knowledge has been updated, this will clarify priorities and enable targets to be set.</p> <p>Details of improvements to Social Rented dwellings are detailed and the importance of maintaining rates of improvement in these properties is detailed with EESSH detailed in the priority outcomes and targets.</p> <p>BTS housing is detailed within the document but the contribution of HEEPS schemes in addressing could be identified in the LHS. The contribution of HEEPS schemes in addressing BTS housing is acknowledged in the final LHS.</p>
<p>House Condition - Private Sector</p> <ul style="list-style-type: none"> • BTS Strategy – evidence the extent of BTS housing (numbers, location and type); plans in place to inform and update strategy; how BTS housing will be addressed and repair work enforced in the private sector. 	<p>Strengths – The document provides details about the extent of BTS and how it will be addressed, the HRA policy and scheme of assistance.</p> <p>Area for consideration – if possible an estimate of future funding available may be useful. Unfortunately this is not possible, until a full review of the Scheme of Assistance has been completed. The findings / recommendations of the review will inform internal restructuring within East Lothian Council, including revised arrangements for delivery of the Scheme of Assistance.</p>

<ul style="list-style-type: none">• Housing Renewal Area Policy - how will areas be identified and what action will be considered.• Scheme of Assistance - how will the scheme be used to address substandard private housing and implement the BTS strategy. <p>Social Rented Sector (SHQS)</p> <ul style="list-style-type: none">• Show extent to which the 2015 target has been achieved.• Set out proposals for dealing with and funding any non-exempt stock which has not achieved SHQS.• Set out proposals for reviewing exemptions and abeyance (SHQS Guidance). <p>Energy Efficiency Standard</p> <ul style="list-style-type: none">• Detail the measures intended to achieve the required ratings.• Demonstrate how the measures will be funded.• Show progress being made towards the 2020 milestone.	<p>It is stated that 54.7% of the private sector housing fails the SHQS. Is this correct as SHQS does not apply to private sector housing. (page 91)? This figure is correct and refers to SHQS if applicable to private sector housing. The figure has been removed, to avoid any confusion.</p> <p>Page 94 shows the % of council stock meeting SHQS but does not mention RSL stock. Again with regard to EESSH, it does not mention RSL stock. RSL stock is included in the final LHS document in respect of SHQS and EESSH. It could describe in more detail how non-exempt stock will be funded. It does not state how exemptions or abeyances will be tackled other than through the Council's asset strategy. The LHS sets out a key priority action to prepare a new Council Housing Asset Strategy and this will set out an agreed approach to exemptions and abeyances.</p> <p>The majority of houses in East Lothian are owner occupied, 30,649 homes accounting for 65.1% of all dwellings. 2.1% of these fall Below Tolerable Standard (BTS) and the most common reason for failure is lack of appropriate thermal insulation. 39.7% of all households living in BTS housing are low income households.</p> <p>The highest rates of BTS housing are in rural East areas and are higher in the PRS sector, pre-1919 housing and detached houses. In the owner occupied sector 483 dwellings (1.6%) fall BTS and 2,337 (7.8%) are in need of extensive repairs. The Council's private sector housing officer works with the Public Health and Environmental Protection team to help prevent and reduce BTS housing. Enforcement is only used as a last resort.</p> <p>A major issue appears to be lack of owners own awareness relating to repairs and maintenance and it is recognised a culture change is required.</p> <p>The Council indicate a review of how the Scheme of Assistance (SoA) is delivered is a priority to help tackle this issue.</p> <p>The Council should take any opportunity to highlight to private owners their responsibilities with regard to repairs and maintenance and to ensure they do not fall BTS. The Council should also take enforcement action where necessary to</p>
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	<p>meet with the statutory duty placed on local authorities to address BTS housing. East Lothian Council regularly reminds landlords of their responsibilities under the repairing standard and this is set out in the final LHS. The use of enforcement action i.e. Third Party Reporting, Rent Penalty Notices and Work Notices are all seen as positive and effective tools to ensure compliance and help drive up standards and this is emphasised in the LHS, alongside examples of how the above are used are in East Lothian. East Lothian Council pro-actively seeks out unregistered private landlords by checking local adverts; Council Tax applications / amendments; benefit applications / amendments; environmental health reports and anti-social behaviour reports. Unregistered landlords are contacted twice as required by law and a Rent Penalty Notice served to stop rental income and Penalty Charge served.</p> <p>The Council has identified areas with highest rates of extensive disrepair as Haddington, Prestonpans and Tranent town centres and the rural East areas. It provides information and advice in these areas via the Private sector housing officer and public health and environment protection team. The Council's recognition that the HRA policy requires to be updated as a priority should be acted on and included as a key priority in the final LHS. Both the draft LHS and final LHS include a key priority action to 'Review Policy on Housing Renewal Areas'</p> <p>The Scheme of Assistance (SoA) is currently delivered on a reactive rather than a proactive manner. It provided owners with information, advice and practical assistance and provides grants for disabled adaptations where required (69 in 2016/17). The priority attached to a review of how the SoA is delivered in the Council area is welcome.</p> <p>The social rented stock in East Lothian amounts to 11,000 homes (24% of all dwellings) 8,649 are local authority owned and 2,215 owned by housing associations.</p> <p>At 2016/17, 96% of the Council's housing stock met SHQS. A key focus of the Council's Housing Asset Strategy to bring non-exempt stock up to standard is welcomed.</p>
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	<p>Significant investment has increased the percentage of the Council stock meeting EESSH from 37% in 2015/16 to 58% in 2016/17. Steps have been taken to identify further work required to meet EESSH by 2020.</p> <p>The draft LHS does not appear to include information on condition of housing association stock located in the Council area. This should be included in the final LHS, particularly in relation to compliance with SHQS and EESSH. Additional wording has been added to address this.</p>
<p>Action Plan -</p> <ul style="list-style-type: none"> • Outcomes • Actions • Baselines • Targets • Named Responsible Persons • Target dates (by) • Milestones • Indicators/Measures 	<p>Strengths – The LHS provides a detailed action plan.</p> <p>Area for consideration – The milestones and indicators require to be completed. This is especially important for those actions with a target date way into the future, i.e. 2023. Milestones and indicators have all been completed for the final LHS.</p>
<p>General Observations</p>	<p>Peer reviewers enjoyed reading the East Lothian’s LHS and thought it was a comprehensive document. They thought that the areas around the context, homelessness and social care were very good and gave specific information about different client groups. ELC might want to consider the layout of the document as a feeling that it jumped about a bit in the private sector and energy efficiency sections. Reviewers understand that this was to follow the Scottish Government checklist, but it made it more difficult to read. ELC might want to consider bringing all the private sector parts together and all the energy efficiency parts together and then have a separate section on local authority stock.</p> <p>Considerable thought has been given to revising the layout of the document, however each chapter of the document aligns with one of six priority outcomes, which have been arrived at through significant consultation and engagement with a wide range of stakeholders and community groups, with consultation structured around / influenced by the Scottish Government checklist. For this reason, it was considered appropriate to keep the current layout as per the draft LHS. However,</p>

	notwithstanding this, text has been changed / emphasised where appropriate to make the document easier to read, particularly around energy efficiency and how this relates to private sector stock, social housing, fuel poverty and climate change.
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