


Alterations & improvements to your home



**Types of work
which require
your landlord's
consent**



Contents

Landlord's Consent	3
Types of work which require consent	3
Applying for consent	4
Granting consent	4
Conditions	5
Appeals	5
Starting the work	6
What if anything goes wrong during the work?	6
What happens when the work is completed?	6
Laminate and hardwood flooring	7
Electrical work	7
Common requests and conditions	8-9

Landlord's Consent

As a tenant, you need to have Landlord's Consent for certain types of alterations and improvements to your home and garden area.

This is a legal requirement, as set out in the Housing (Scotland) Act 2001.

Types of work Landlord's Consent is required for include:

- Alterations, improvements or enlargements to the house, fittings or fixtures;
- Adding new fittings or fixtures, both internally and externally;
- Installing a garage, driveway, shed, pigeon loft, fence, greenhouse, wall, decking or any other external structure;
- Decorating the outside of the house;
- Laying any form of flooring other than a carpet or linoleum.

Applying for consent

If you are considering any alterations, contact our Property Maintenance team in the first instance to discuss your proposal. You can contact them through the Repairs Contact Centre on **01875 824311** or email **permissions@eastlothian.gov.uk** detailing what you wish to do.

Once you have decided you want to proceed, you should apply to the council using a ***Landlord's Consent Request Form*** from your Area Housing Office, or through the Repairs Contact Centre.

Granting consent

When reviewing your request we consider:

- Any risks that the proposed works may present to the property;
- The impact that the proposed works will have on your neighbours and their property;
- Any cost implications for the council.

We will inform you of the outcome as soon as possible. We will not refuse Landlord's Consent unreasonably, but may place conditions on our consent.

Conditions

We will always give you clear advice on any conditions so you understand why they are needed and how they will affect your plans. Some examples include:

- **Standards of work**

In some cases (e.g. electrical work) an approved registered contractor must carry out any electrical work and provide an electrical certificate.

- **Responsibility for maintenance**

In some cases you will remain responsible for maintaining an installation once it is fitted.

- **Ownership**

In some cases, an installation will become the property of East Lothian Council, and should be left intact if you ever end your tenancy.

We have listed the most common requests in the table on pages 8–9, together with the likely conditions that we would attach.

Further details on the conditions placed on hard floor coverings and electrical work are listed on page 7.

Appeals

If you do not agree with our decision to refuse consent or apply conditions to it, you can appeal in writing to the Property Maintenance Service Manager, Macmerry Industrial Estate, Penston House EH33 1EX or email permissions@eastlothian.gov.uk

If your appeal is unsuccessful, you have a right to apply to the courts. You should contact a legal representative for further advice on how to do this.

When can I start the work?

You can only commence any work once you have received written consent to do so. In some cases you will also need additional approval from the Council's Building Control, Planning, and/or Transportation departments.

It is your responsibility to check if you need these consents and to apply for them if you do.

What if anything goes wrong during the work?

You are solely responsible for any damages or injuries caused by works carried out by you or your contractor. You must inform us immediately if any damage occurs to other parts of the property.

What happens when the work is completed?

A Permissions Completion Form must be completed and returned to us. This form will be included with our response to your request. In most cases, we arrange to inspect the completed work to make sure that it has been carried out to satisfactory standards, and that it meets any conditions that were placed on the consent.

Laminate and hardwood flooring

Laminate and hardwood floor coverings can result in more impact noise travelling into the floor, such as footsteps, chair scrapes or dropped items.

For this reason, if you live above ground floor level in a flat, four-in-a-block or any other property where another household lives below yours, we will require that it is laid on suitable underlay. This underlay will need to be approved by us before starting any works.

Once fitted you should also take precautions to minimise noise transmission. For example:

- Avoid wearing outdoor shoes
- Use rugs
- Fit felt pads under chairs and tables

If the floor coverings result in ongoing noise issues, we may ask that the flooring is removed. If, in future, any of our tradespersons need underfloor access to carry out a repair, you will be responsible for removing and replacing the flooring without any compensation or assistance from the council.

Electrical work

Because electrical work presents specific safety risks, an approved contractor must carry out such work. An approved contractor must be registered with an appropriate trade organisation such as the **National Inspection Council for Electrical Installation Contracting** (NICEIC), **Scotland's Electrical Trade Association** (SELECT) or the **Electrical Contractors Association** (ECA). On completion of the work, we must see a completion certificate, which the approved contractor will provide. All electrical work must be carried out in accordance with the most current safety regulations, manufacturers installation instructions, relevant British Standard Codes of Practice and Building Standards (Scotland) Regulations. As with all requests for consent, you should check with East Lothian Council's Building Control who can advise whether a Building Warrant is required for the work.

Common requests and conditions

Alteration/ improvement	Council owns on completion	Maintenance commences after 1 year	Removal at termination
Bathroom	Yes	Yes	No
Boundary wall	Yes	Yes	No
Burglar alarm	No	No	Yes
Coal cellar wall removal	N/A	N/A	N/A
Driveway	Yes	Yes	No
Cat flap	No	No	Yes
External doors	Yes	No	No
External lighting	No	No	Yes
Fencing	Yes	Yes	No
Hard floor coverings	No	No	Yes
Satellite dish	No	No	May be left if safe and in working order
External structure such as: garage, wall, driveway, shed, fence, greenhouse, decking, pigeon loft	No	No	May be left if safe and in working order
TV aerial	No	No	May be left if safe and working

Electrical permission required	Transportation approval required	Planning Permission/ Building Warrant required	Notes
If shower, fan, heated towel rail to be installed	No	No	
No	If higher than 1m and less than 20m from any roadway	If higher than 2m or if in a Conservation Area	
Yes	No	No	
No	No	Building Warrant may be required	
No	Yes	Planning Permission may be required	
No	No	No	Door must be replaced on leaving. Not permitted on communal stairwells.
No	No	If Conservation Area Planning Permission may be required	Fire resistant in communal stairwells
Yes	No	No	
No	If higher than 1m and less than 20m from any roadway	If Conservation Area Planning Permission may be required	
No	No	No	Suitable underlay in upper-floor flats
No	No	If Conservation Area Planning Permission may be required	
If sockets/ lighting etc to be installed	No	If Conservation Area Planning Permission may be required	Size restrictions apply
No	No	No	

Notes



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 827199

To make a comment, suggestion or complaint about a council service, download a feedback form online at www.eastlothian.gov.uk or pick one up at your local office.

Get in touch

Call 01620 827827

East Lothian Council
Property Maintenance
Penston House
Macmerry EH33 1EX

