

Lock ups and garages policy

*We will provide this policy on request at no cost,
in large print, in Braille, on tape or in another
non-written format.*

We can produce information on request in large print, Braille, tape and on disk. It is also available in other languages. If you need information in any of these formats please contact us on Freephone 0800 479 7979.

如果你向我們提出要求，我們可以為你提供本資訊的其他語言的版本，或者是盲文或磁帶。如果你需要本資訊的任何一種這些版式的版本，請聯繫我們，電話號碼是 0800 479 7979。

Si vous nous le demandez, nous pouvons vous remettre ces informations en d'autres langues, en braille ou sur cassette. Si vous souhaitez que ces informations vous soient fournies sous l'un de ces formats, contactez-nous en composant le 0800 479 7979.

چنانچه مایل باشید می‌توانید این مطالب را به فارسی یا زبان‌های دیگر و همچنین بریل و یا بر روی نوار کاست دریافت دارید. در صورت نیاز خواهشمندیم با شماره تلفن 0800 479 7979 با ما تماس بگیرید.

ਜੇ ਤੁਸੀਂ ਸਾਨੂੰ ਬੇਨਤੀ ਕਰੋ ਤਾਂ ਅਸੀਂ ਤੁਹਾਨੂੰ ਇਹ ਜਾਣਕਾਰੀ ਹੋਰ ਭਾਸ਼ਾਵਾਂ, ਬ੍ਰੇਲ (ਨੋੜਹੀਣਾਂ ਲਈ ਭਾਸ਼ਾ) ਵਿੱਚ, ਜਾਂ ਟੇਪ ਉੱਪਰ ਦੇ ਸਕਦੇ ਹਾਂ। ਜੇ ਤੁਹਾਨੂੰ ਇਨ੍ਹਾਂ ਵਿੱਚੋਂ ਕਿਸੇ ਰੂਪ ਵਿੱਚ ਚਾਹੀਦੀ ਹੋਵੇ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਸਾਡੇ ਨਾਲ 0800 479 7979 ਨੰਬਰ ਤੇ ਸੰਪਰਕ ਕਰੋ।

Na Pana/Pani życzenie możemy zapewnić te informacje w innych językach, alfabetem Braille'a lub na kasecie. Jeśli chciał(a)by Pan(i) uzyskać te informacje w którejś z tych form, prosimy skontaktować się z nami pod numerem telefonu 0800 479 7979.

Haddii aad na weydiisato waxaanu warbixintan kugu siin karaa iyadoo ku qoran luuqad kale, farta ay dadka indhaha la' akhriyaan ama cajalad ku duuban. Haddii aad jeclaan lahayd in warbixintan lagugu siiyo mid ka mid ah qaababkaas, fadlan nagala soo xidhiidh telefoonka 0800 479 7979.

По вашей просьбе данная информация может быть предоставлена на других языках, шрифтом Брайля или в аудиозаписи. Если вам требуется информация в одном из этих форматов, позвоните нам по номеру 0800 479 7979.

Approval body	<i>WHS Board</i>
Date of approval	<i>25 May 2022</i>
Review Year	<i>2025</i>
Customer engagement required	<i>No</i>
Trade union engagement required	<i>No</i>
Equality Impact Assessment	<i>No</i>

Contents

Section 1 Introduction	Page 4
Section 2 Principles, aims and objectives	Page 4
Section 3 Equal opportunities statement	Page 4
Section 4 Legal and regulatory framework	Page 5
Section 5 Lock-up policy	Page 5
Section 6 Erecting a garage	Page 9
Section 7 Dropped kerbs: application for footway crossing	Page 9
Section 8 Policy reviews / consultation	Page 10
Section 9 Customer service	Page 10

Introduction

Wheatley Homes South (“WHS”) is a registered social landlord in Scotland and part of the Wheatley Group. We own and manage around 10,200 homes for social rent across Dumfries & Galloway.

This policy outlines our approach to the letting of lock-ups and garages. The Managing Director of WHS is responsible for the implementation of this policy.

WHS will ensure that staff and WHS Board responsibilities are clearly communicated. The WHS Board are responsible for agreeing policy and evaluating performance. Staff members will have overall responsibility for coordinating and monitoring the policy.

Principles, aims and objectives

This policy has been designed to ensure the efficient and equitable letting of lock-ups, making best use of the available stock. Sections 6 and 7 provide separate advice for applicants who want to erect a garage and/or create a footway crossing (or dropped kerb).

The policy sets out the measures we will use to prevent or recover arrears fairly and to avoid, wherever possible, action to recover possession of the lock-up from the tenant. It also sets out procedures for recovering abandoned lock-ups.

Equal opportunities statement

WHS is committed to providing fair and equal treatment for all its stakeholders including tenants and will not discriminate against any on the grounds of race, ethnic or national origin, language, religion, belief, age, gender, sex, sexual orientation, marital status, family circumstances, employment status, physical ability and mental health.

WHS recognises its pro-active role in valuing and promoting diversity, fairness, social justice and equality of opportunity by adopting and promoting fair policies and procedures. We carry out equality impact assessments to ensure that our policies and procedures meet the needs of equalities groups and take appropriate action to address inequalities likely to result or resulting from the implementation of the policy and procedures.

In the case of the Lock-up and garages policy, WHS allows any resident over the age of 17 to apply for a lock-up. Local residents who have a disability and are ‘blue badge’ holders have priority on the waiting list and are also eligible for discounted rents. This assists the mobility of this equalities group.

Legal and regulatory framework

The policy complies with the relevant statutory and regulatory requirements. The following legislation is relevant to this policy:

- Sheriff Courts (Scotland) Act 1907 Section 38 governs the removing of property let to tenants for less than a year and requires 28 days' notice to be given prior to the removal
- Bankruptcy Scotland Act 2016
- Debtors (Scotland) Act 1987
- Debt Arrangement and Attachment (Scotland) Act 2002
- The Debt Arrangement Scheme (Scotland) Regulations 2011 as amended
- The Protected Trust Deeds (Scotland) Regulations 2013
- Data Protection Act 2018
- Equality Act 2010

Applying for a Lock-up

WHS has a number of lock-ups which are available for let to residents aged 17 or over who own a car, motorbike, moped, motor-scooter or small van. Each applicant may apply and should provide:

- A copy of the vehicle registration document
- A copy of the vehicle insurance document
- One further proof of their principal address, and
- One proof of identification.

Where a discounted rent is requested for a disability, evidence will require to be provided (e.g. a blue badge).

Application forms can be obtained from our website or via our Customer First Centre by calling 0800 479 79 79.

Letting a lock-up

We maintain a waiting list for lock-ups which we manage. Lock-ups shall be let to applicants in order of priority as follows:

- Disabled applicants (or where a member of their household is disabled) irrespective of tenure who live on the estate where the lock-up is situated
- WHS tenants who live in the immediate area in which the lock-up is situated
- Lowther Factored homeowners who live in the immediate area in which the lock-up is situated

- Other WHS tenants who live in the local area
- Other residents who live in the local area.

Where there is a surplus of lock-ups, we may allow applications from residents who wish to use the lock-up for other purposes, such as storing furniture or items being collected for charity. However, the lock-ups may not be used for commercial or business purposes or for storing dangerous material.

Letting a garage site

WHS has a number of garage sites which are available to let to residents.

The garage site is leased to residents for purposes of erecting a garage structure to store a vehicle within.

We maintain a waiting list for garage sites which we manage. Garage sites shall be let to applicants in order of priority as follows:

- Disabled applicants (or where a member of their household is disabled) irrespective of tenure who live on the estate where the lock-up is situated
- WHS tenants who live in the immediate area in which the lock-up is situated
- Lowther Factored homeowners who live in the immediate area in which the lock-up is situated
- Other WHS tenants who live in the local area
- Other residents who live in the local area.

Letting to WHS staff

A tenancy of a lock-up may only be granted to an employee, former employee, who meets the lettings criteria. The Managing Director must approve any proposed let to any staff member, having satisfied themselves the process has been open, transparent and in keeping with the criteria set out in this policy. The applicant should not be involved in the letting procedure and applicants should declare an interest if their application is under discussion. The Managing Director shall authorise the let only where it is satisfied that the correct procedures have been observed in every respect.

Tenancy agreement and conditions of use

Applicants who are allocated a lock-up shall sign a WHS Lock-up Tenancy Agreement.

Conditions of use:

- The lock-up shall be used only for storing a motor vehicle or bicycle (unless specific permission has been granted for use for other purposes)

- The lock-up shall not be used to store dangerous, volatile or flammable substances or liquids such as petrol, diesel or bottled gas
- The lock-up shall not be used for illegal or immoral purposes, such as stolen goods
- The lock-up shall not be used for any business or commercial purpose or to store any items in connection with a business
- The tenant shall not do anything, or allow anything to be done, in the lock-up or vicinity which could reasonably cause nuisance or annoyance to other people, or which amounts to harassment of other people
- The tenant shall not make any structural alterations to the lock-up without the written consent of WHS or its agents
- Officers or other persons authorised by WHS shall be entitled to enter the lock-up at all reasonable times for the purpose of inspecting it and for executing any works
- Lock-up tenants must advise WHS if they change address to ensure that we are able to advise of annual rent increases
- The garage erected by the resident is maintained in a reasonable condition and does not fall into disrepair
- The garage is taken off site at the point of termination. The garage site will only be terminated once the site is cleared of any structures erected on the site

Only where there is a surplus of lockups, will we allow applications from residents who wish to use the lock-up for other purposes, such as storing furniture or items being collected for charity. However, the lockups may not be used for commercial or business purposes or for storing dangerous material.

Rents

Tenants shall pay rent monthly in advance for the lock-up. We use the following criteria for determining the rents payable by each applicant:

- WHS tenants pay the weekly rent but not VAT
- Non- WHS tenants pay the weekly rent plus VAT
- Disabled WHS tenants pay a discounted weekly charge and no VAT
- Non- WHS tenants who are disabled pay a discounted weekly charge and VAT charge.

WHS will increase the rents for garages annually at the same rate as the annual increase in rents.

Table 1 shows the rents that customers will pay in 2022/23.

Table 1 Weekly lock-up rents 2022/23

Customer	Net weekly rent charge
WHS tenant	£8.67
WHS tenant with disability relief	£5.03
Non-WHS tenant	£10.40
Non-WHS tenant with disability relief	£6.03

Rent arrears

We will manage lock-up accounts effectively and seek to prevent or minimise arrears on tenants' accounts. Where arrears accrue on an account, we will issue standard letters to the tenant as follows:

- Lock-up rent arrears letter informing the tenant how much they owe in arrears and why they must make an arrangement to repay them
- Lock-up final reminder letter where the tenant has not reduced their arrears or failed to maintain an arrangement.

Where these measures have not succeeded a notice to Quit and Remove will be served giving the tenant 28 days notice. When the notice period expires, we will notify the tenant that we have arranged for the locks to be changed and will recover possession of the lock-up. If there remains a dispute with the tenant, an action for recovery of possession will be raised.

Ending the tenancy

The tenancy can be ended in any one of the following ways:

- By the tenant giving 28 days' written notice
- By written mutual agreement by the tenant and WHS
- By the tenant abandoning the lock-up, or
- By WHS serving a notice to Quit and Remove

Before moving out tenants must:

- Leave the lock-up in a clean and tidy condition
- Remove all belongings
- Lock all doors and hand in keys to their Housing Officer
- Remove any fixtures and fittings installed without permission
- Reinstate to the original and putting right any damage caused
- Pay all payments due
- Give a forwarding address unless there is good reason for not doing so

- On garage sites, the structure removed and site must be cleared. The site will only be terminated when the site is cleared by the outgoing customer.

Void inspections

We shall carry out a pre-termination inspection and inform the tenant about any action required to end the tenancy satisfactorily. If no pre-termination inspection has been done, the target for a void inspection is within five working days after keys have been returned.

The purpose of the inspection is to:

- Ensure the lock-up is cleared
- Assess arrangements for securing the lock up if required.
- Assess repairs in accordance with re-let standard
- Assess rechargeable repairs
- Arrange clearance including re-charge arrangements.

Abandonment

We will endeavour to contact tenants who have failed to give 28 day's notice or otherwise appear to have abandoned their lock-up. If we are unable to contact the tenant and are satisfied the tenant has abandoned the lock-up, we shall repossess the garage and make an inventory and arrangements for storing any motor vehicles or other goods of value left in the lock-up.

Succession

Succession rights do not apply to lock-ups. Where a WHS tenant who also rents a lock-up dies, the tenancy of the lock-up shall end and revert to us for re-letting. However where there is a joint tenancy, the surviving tenant may continue to rent the garage if they wish. If not the tenancy shall end.

Erecting a garage

WHS tenants who wish to erect a garage within the boundaries of their property must apply to us in writing for permission to do so. Ordinarily planning permission is not required for a garage where the dwelling is a detached, semi-detached or terraced house but must comply with the Local Authorities rules on house extensions/alterations. Under planning rules a garage will not be permitted in flatted accommodation, including four-in-a-block properties.

Dropped kerbs: application for footway crossing

WHS tenants who wish to construct a run-in or drive at their property must apply to us for permission. If granted, the tenant must also apply to the Local Authority for permission for a footway crossing.

Policy reviews

WHS will review this policy on a three-year cycle. More regular reviews will be considered where, for example, there is a need to respond to new legislation/policy guidance. Reviews will consider legislative, performance standard and good practice changes.

This policy will be published on the WHS website and is also available on request. Customers may also request a copy in other formats and translated to another language.

Customer service

Confidentiality

All information given by customers in relation to this policy will be treated as strictly confidential and will not be discussed with third parties without their permission.

Complaints Policy

Our aim is to get it right first time. However, WHS has a complaints procedure which customers may use where they are dissatisfied with this policy or its operation. The complaints procedure is available in our Group Complaints policy.