

	Policy	Leasing Of Garages
	Policy category	Housing Management HS07
	Date adopted	17 May 2023
	This review	

1.

INTRODUCTION

The Leadership Team have reviewed the above policy. Where appropriate recommended feedback from staff and other stakeholders have been taken in to account.

Purpose of Policy	The purpose of this Policy is to set out the guidelines for the efficient leasing of garages in order to maximise their use; minimise the period of time they are void; and limit the length of time that applicants are on the garage list.
Significant Problems	There are no significant problems
Financial Implications	There are no financial implications
Equality & Diversity Implications	The policy ensures clear guidance for staff when dealing with the leasing of garages and the consistent and fair application of the policy.
GDPR Compliance	The policy is compliant with GDPR requirements.
Customer Feedback	N/A
Recommended Changes	The policy was last reviewed in 2018, there are no significant changes to the policy. A Change at Section 6 Delegated Authority is an update to role title from Housing Assistant to Customer Services Assistant and added Appendix 1 EIA

2. RECOMMENDATION

Members of the Sub Committee are requested to approve the change to the above policy.

1. INTRODUCTION

The Association owns and maintains 500 garages — 499 were transferred to the Association along with the housing stock in April 1998 and one was purchased by the Association subsequent to the stock transfer.

The purpose of this Policy is to set out the guidelines for the efficient leasing of garages in order to maximise their use; minimise the period of time they are void; and limit the length of time that applicants are on the garage list.

2. LEGAL FRAMEWORK/GUIDANCE

Under the former Sale and Purchase Agreement with Scottish Homes/Scottish Government, applications from tenants had priority over those from owner occupiers.

There is no guidance on the leasing of garages and consequently the Association is free to set its own policy, to suit local circumstances.

3. THE SCOTTISH SOCIAL HOUSING CHARTER

The Scottish Social Housing Charter sets out the standards and outcomes that all social landlords should aim to achieve for their tenants and other customers when performing their housing activities.

The relevant standards and outcomes for the Allocation of Garages Policy are:

Outcome 13: Value for money tenants, owners and other customers receive services that provide continually improving value for the rent and other charges they pay.

4. USE OF GARAGES

Historically, Bridgewater's garages were used for garaging private motor cars and for no other reason. However, flexibility has required to be exercised in circumstances where:

- There is low or no demand in specific streets/areas
- Garages are found to be too small to garage larger cars.

In order to maximise the lettability of our garages, the Association will permit

garages to be used for domestic storage purposes. The storage of any inflammable or other dangerous materials will be strictly prohibited.

The Garage Lease will prohibit the garage being used for illegal purposes. This includes, but is not limited to, dealing in controlled drugs; dealing in stolen goods; illegal betting and illegal gambling.

5. LETTING OF GARAGES

Demand for garages varies from area to area. The Association will maintain an 'open' waiting list, but may close the list from time to time where demand exceeds supply. Lists will be maintained for each of the management areas in Bargarran, North Barr and Park Mains. Applications will be held on a date of application order.

As a large percentage of garages (around 85%) are currently let to owner occupiers, and the Association's first priority is to its tenants, applications from tenants will be considered before applications from other customers.

Traditionally garages had only been let to tenants and owner occupiers living in the Association's management areas. However, in areas of low or no demand, garages may be let to customers living out with these areas. Garages may be let to businesses or organisations where a benefit to the community can be derived.

Applicants who suffer from a disability and have severe mobility problems are likely to be given priority.

6. DELEGATED AUTHORITY TO STAFF

The Customer Services Assistant has overall responsibility for the effective and efficient management of the garage allocation process.

7. SUB-LETTING AND ASSIGNATIONS

Garage tenants will not be permitted to sub-let or assign the garage to another party.

8. DEATH OF THE GARAGE TENANT

In the event of the death of a garage tenant, the garage may continue to be used by the former tenant's partner, or someone else within their household, so long as he/she still has ownership of the car or requires the property for domestic storage purposes.

9. MULTIPLE APPLICATIONS

Generally only one application per household will be accepted, in fairness to applicants who do not have garages.

Multiple applications may, however, be accepted in areas of low or no demand.

10. TRANSFER APPLICANTS

Where an existing garage tenant wishes to apply for a transfer, the date of application will be logged as the date that the transfer request is actually made.

Transfer applicants with more than one garage, will not, however, have priority over first time applicants.

11. MUTUAL EXCHANGES

The Association will permit garage tenants to exchange garages where it can be proven that such an exchange will benefit both parties.

12. MOVES OUT WITH THE AREA

Where a garage tenant ends his/her tenancy or sells his/her house, and moves out with the Association's boundary within Erskine, he/she may be required to end the garage lease at the date of the termination of tenancy or house sale.

The garage lease may be permitted to continue where there is low or no demand for the area/street and the former tenant has a demonstrable need to retain the garage.

13. ARREARS & OTHER DEBTS

Recovery of garage arrears will be pursued in accordance with Housing Services Procedure Note 7.

Garage applicants who have debts with the Association - for example, through rent arrears, rechargeable repairs, or unpaid common charges accounts — will have their applications suspended until such times as the debts have been paid in full.

14. RENT REVIEW

Garage rents will be reviewed on an annual basis and increases will be implemented on 29th March each year. Garage rent increases are not subject to the same rent setting criteria as houses and consequently will not replicate the rent increases. Increases will generally follow the rate of inflation plus 1%.

15. VAT

Garage tenants, who are not tenants of the Association, will be charged VAT at the applicable rate and in accordance with the Association's VAT registered status.

16. REVIEW OF THE WAITING LIST

The Garage Waiting List will be reviewed every 2 years.

17. PERFORMANCE MONITORING

The Scrutiny Sub Committee will receive quarterly reports on garage re-let activity, with specific reference to turnover and arrears.

18. CONSULTATION

As a result of the tenant participation provisions in the Housing (Scotland) Act 2001, we are statutorily obliged to consult with tenants on changes to our housing management policies, which will significantly affect them, if implemented. This includes changes to our Allocation of Garages Policy.

The Scottish Social Housing Charter requires social landlords to manage their businesses so that:

- Tenants and other customers find it easy to participate in and influence their landlord's decisions at a level they feel comfortable with.

We have compiled an action plan for consulting with tenants, other customers and community groups and will include a sample in any significant review of this policy.

19. EQUALITY AND DIVERSITY

The Housing (Scotland) Act 2001, 2010 and 2014 and the Equalities Act 2010 place an overarching duty on Registered Social Landlords to exercise the functions conferred on them by the Act in a manner which encourages equality of opportunity, and observes equal opportunity requirements laid down in other legislation and regulations.

The Association's strategy is to ensure that our Equality and Diversity Policy is applied fully, fairly and consistently across the Association, as an integral part of business planning processes and the services we provide. It recognises that all people are different and aims to ensure that we treat each individual with dignity and respect. To achieve the aims of our overall strategy we will take action to address discrimination experienced by particular groups, as well as action to promote and achieve diversity in employment, governance and service delivery. The Equality Impact Assessment is detailed at Appendix 1.

20. GENERAL DATA PROTECTION REGULATIONS

The Association will treat customers' personal data in line with our obligations under the current data protection regulations and our own Privacy Policy. Information regarding how customers' data will be used and the basis for processing their data is provided in the Association's GDPR fair processing notice.

21. MONITORING AND REVIEW

This policy will be subject to regular review and will be reviewed at least every three years.

Appendix 1

Equality Impact Assessment

Question	Response
1. Name of policy/service activity/event being assessed	Leasing Of Garages
2. Summary of aims and objectives of the policy/service activity/event	The purpose of this Policy is to set out the guidelines for the efficient leasing of garages in order to maximise their use; minimise the period of time they are void; and limit the length of time that applicants are on the garage list.
3. What involvement and consultation has been done in relation to this policy? (e.g. with relevant groups and stakeholders)	Policy issued to all staff members for feedback and input.
4. Who is affected by the policy/service activity/event?	Bridgewater staff members and customers.
5. What are the arrangements for monitoring and reviewing the actual impact of the policy/service/activity/event?	This policy will be reviewed every 3 years and amended if necessitated by any events.

Protected Characteristic Group	Is there a potential for positive or negative impact?	Please explain and give examples of any evidence/data used	Action to address negative impact (e.g. adjustment to the policy)
Disability	Yes, positive.	This policy specifically states that no one will be unlawfully discriminated against because of any protected characteristics.	
Gender reassignment	As above.	As above.	
Marriage or civil partnership	As above.	As above.	
Pregnancy and maternity	As above.	As above.	
Race	As above.	As above.	
Religion or belief	As above.	As above.	
Sexual orientation	As above.	As above.	

Sex (gender)	As above.	As above.	
Age	As above.	As above.	

Evaluation:

Question	Explanation / justification	
Is it possible the proposed policy or activity or change in policy or activity could discriminate or unfairly disadvantage people?	Unlikely as the policy is closely aligned with the Association's Equality and Diversity Policy. However, if a customer reported any form of discrimination, the incident would be investigated and if necessary the policy would be reviewed and amended.	
Final Decision:	Tick the relevant box	Include any explanation / justification required
No barriers identified, therefore activity will proceed .	✓	
You can decide to stop the policy or practice at some point because the data shows bias towards one or more groups		
You can adapt or change the policy in a way which you think will eliminate the bias		
Barriers and impact identified, however having considered all available options carefully, there appear to be no other proportionate ways to achieve the aim of the policy or practice (e.g. in extreme cases or where positive action is taken). Therefore you are going to proceed with caution with this policy or practice knowing that it may favour some people less than others, providing justification for this decision.		

Completed by:	Ruth Brogan
Will this EIA be published? Yes/Not required:	Yes
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