



# Installing Laminate

*(and other fixed permanent flooring)*

## What you need to know...



# Information for Perth & Kinross Council Tenants

Perth & Kinross Council have responded to concerns and produced a policy called “*Policy on Laminate Flooring or any other type of fixed permanent flooring*” a summary of which is covered in this leaflet. If you wish to read the full document visit [www.pkc.gov.uk](http://www.pkc.gov.uk) or speak to your local Area Housing Office who can also take your application.

## Your Rights and the Law

### Common Law of Nuisance

The law recognises that you have the right to the free and absolute use of your property but only if that does not upset or annoy your neighbours. There must be a fair balance between you.

### The Environmental Protection Act

It is possible that noise generated by laminated flooring could be classed as a statutory nuisance because of the effect on a neighbour below.

### The Human Rights Act 1988

Article 8 of the above Act guarantees the right to respect for private and family life however there is currently no legal reason preventing a local authority from refusing this type of permission through the tenancy agreement.

### Anti-Social Behaviour Etc (Scotland) Act 2004

The local authority can serve a warning notice if noise exceeds a permitted level and it is possible that laminated flooring could cause noise above this level.



# Your Responsibilities

- *You must obtain permission before laying this type of flooring.*
- *Permission is not normally given to tenants of upper floor flats but if you are applying for medical reasons you must supply medical evidence before permission will be given.*
- *Work must be carried out by competent tradesmen to the satisfaction of Perth & Kinross Council if you do get permission to go ahead.*
- *When the work is completed advise the Area Maintenance Inspector through your local area housing office. They will inspect the work.*
- *When the work is completed you must advise the Area Maintenance Inspector through your local area housing office who will inspect the work.*
- *You are asked to avoid wearing outdoor shoes on hard floor surfaces and to use rugs wherever possible. The fitting of felt pads under chairs and tables is also recommended.*
- *You will undertake to make good any damage to the property and to free and relieve the Council of all responsibility for injury to anyone which may be done or arise through the granting of this application.*
- *If access is required under the floor for maintenance purposes it will be your responsibility to arrange for fixed flooring to be uplifted or removed to allow access, and to arrange for it to be replaced.*
- *If you have been given permission and there are complaints about noise then permission may be withdrawn and you will be asked to remove or change the flooring to resolve the problem. If you do not do so the Council may take steps to remove it by legal means.*
- *If alterations are made without first asking for permission the Council are entitled to remove the flooring either during your tenancy or when you leave and you will be charged for the cost of this work.*
- *The right to compensation does not apply to the laying of laminate flooring.*
- *If your tenancy ends you must either leave the flooring intact and in good condition or reinstate the property back to its original condition.*
- ***If you are taking over a tenancy where the previous tenant fitted the flooring, prior to moving in you will be asked if you wish to keep the flooring and if so you will be asked to confirm in writing and you will be bound by the same conditions as the tenant who laid the flooring.***

## Guidelines for Laying Flooring

- *Flooring should be clipped together not glued.*
- *The floor surface should be a floating layer so there are no nails or fixings passing through the underlay surface.*
- *Do not butt the floor up to hard walls, skirting boards or protruding pipes. A small gap should be left around the floor surface.*
- *Underlay must be fitted and the current recommendation is to use Duralay 3mm only. If you use an inferior product you may be asked to uplift the flooring and fit the specified underlay.*

## Appeals Procedure

If permission is refused and you wish to appeal against the decision there are two stages to go through.

**The first stage** is to appeal in writing to the Neighbourhood Services Manager, Housing & Community Care, Perth & Kinross Council, Pullar House, 35 Kinnoull Street, PERTH PH1 5GD. You will receive a written response within 15 working days of the date the appeal is received.

**The second stage** if you are not satisfied with the response from the Neighbourhood Services Manager is to contact the Head of Housing Operations who will investigate the decision you have been given and reply within 15 working days of receiving the appeal. You will again be sent a written response.

There is no further right of appeal. Perth & Kinross Council operate a Corporate Complaints Procedure and forms may be obtained at any Area Housing Office.

You also have the right to refer your case to the Local Government Ombudsman if you are dissatisfied with the outcome of your appeal:

Scottish Public Services Ombudsman  
4 Melville Street, EDINBURGH EH3 7NS  
Tel 0870 011 5379  
Email [enquiries@scottishombudsman.org.uk](mailto:enquiries@scottishombudsman.org.uk)  
Website [scottishombudsman.org.uk](http://scottishombudsman.org.uk)

If you or someone you know would like a copy of this document in another language or format, (on occasion, only a summary of the document will be provided in translation), this can be arranged by contacting Performance & Quality on 01738 476894.

*Pictures by Ian Potter Photography*



Council Text Phone  
Number 01738 442573

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