

Meeting of the Customer Services Scrutiny Committee on 12th December 2022

Communal Area Management Policy

Report of Victoria Dawson, Assistant Director Housing Management and Enforcement for Housing

Classification	This report is Public
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PURPOSE/SUMMARY OF REPORT

To consider and provide comment on the draft Bolsover District Council Communal Area Management Policy.

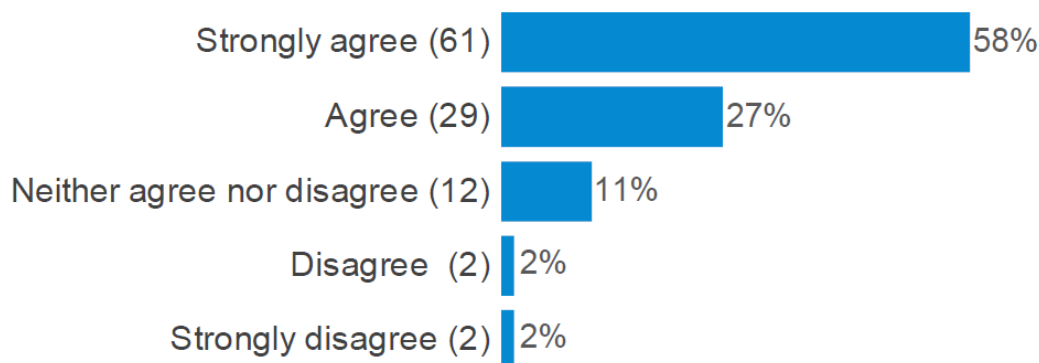
REPORT DETAILS

1. Background

- 1.1 Bolsover District Council has 4,986 properties (at November 2022). Within this stock we have a number of older person's housing schemes, with communal areas. These are Orchard Close, Hides Green, Pattison Street, The Paddocks and Sandhills Lane. This comprises of 177 properties in 58 blocks. In addition we have a number of general needs accommodation with communal areas, this comprises 136 properties in 34 blocks.
- 1.2 In 2021 a number of inspections and fire risk assessments of these blocks were undertaken. This revealed that many communal areas are being used to store personal items which could impede a fire escape as well as a number of items which were flammable in nature.
- 1.3 As a landlord, the Council has a responsibility to ensure all communal areas are accessible and free from hazards so that residents can exit the building safely and as quickly as possible in the event of an emergency.
- 1.4 It was agreed by Council Officers in conjunction with Councillors at the Housing Stock Management Group that we needed to commence a piece of work promoting the need for a clean sterile area.
- 1.5 The Council has always had clauses within its tenancy agreement regarding the use of communal areas but during the period 28th February to 29th April 2022, we undertook an 8 week consultation on a new tenancy agreement. This specifically

included a new stronger clause on this issue at 4.20 “*you must keep the communal areas clean and tidy and free of personal belongings* and 4.21 “*you must keep the communal areas and fire exits free from anything likely to cause an obstacle to anyone, a fire risk and health and safety hazard or structural damage.*”

- 1.6 A specific question was asked within the consultation “*to what extent do you agree or disagree with the clause that communal areas and fire exits must be kept clear of anything like to cause an obstacle to anyone, and that mobility scooters must not be stored or charged in the communal areas?*”



- 1.7 The new Tenancy Agreement took effect from 4th July 2022.

2. Details of Proposal or Information

- 2.1 The policy (Appendix 1) applies to both internal and external communal areas in general purpose blocks of flats, older person’s blocks of flats, and other types of communal areas.
- 2.2 A Communal Area is any area that is not within the confines of the tenant’s property. Such areas include corridors, stairways, landings, lobbies, meter cupboards, external gardens and entrances to the building, garages and parking areas.
- 2.3 This policy supports the Council’s commitment to fire safety within our communal areas. The Council will ensure that all communal areas are inspected on a regular basis by the Tenancy Management Team. Any issues identified during these inspections will be recorded and appropriate enforcement action taken.
- 2.4 Fire Risk Assessments will be carried out by a competent person (normally an external consultant) for communal areas owned by the Council and are reviewed on a periodic basis (5 years for grouped dwellings), or when changes have been made.
- 2.5 If items are found in a communal area that is considered to be of immediate risk, such as items that present risk of explosion or would present a risk or acceleration of fire, immediate removal and removal without notice to the items owner will be considered.

- 2.6 In all other circumstances the Tenancy Management Team will attempt to locate the owner to have the items removed. Where the owner cannot be located, and the item is considered to be of significant value the Council will store the item whilst enquiries take place to identify the owner.
- 2.7 The Policy will allow for a consistent and common approach to the management of communal areas.
- 2.8 A suggested communal area poster is at Appendix 2.
- 2.9 In order to ensure that communal areas are to an agreed standard we are looking to provide compliant floor coverings, including door mats, redecorate internal surfaces, and regular cleaning of areas including windows and doors. This will be then recharged to the tenants and where applicable leaseholders by way of a service charge.
- 2.10 The intention at this time is that this improvement and maintenance would commence in the older persons schemes and accurate financial data be collated to set a fair service charge. This would be a service charge that tenants would be allowed to claim benefit for.
- 2.11 As part of the implementation of the policy we will consult with affected tenants and leaseholders, on the policy as well as the proposed service charges, although any charges would not take effect until April 2024.

3. Reasons for Recommendation

- 3.1 Communal areas need to be well managed, with clear escape routes and free from any obstacles or flammable items. Having a robust policy protects the Council, both when it takes enforcement action and allows tenant and leaseholders to know the standard the Council expects.

4 Alternative Options and Reasons for Rejection

- 4.1 The policy is considered necessary so that members of the public are aware of the Council's position on communal area management and to ensure a fair and consist approach is adopted at all locations.

RECOMMENDATION(S)

1. That scrutiny review and provide comments on the draft Communal Area Management Policy prior to any tenant and leaseholder consultation.

Approved by Cllr Sandra Peake, Portfolio Holder - Housing

IMPLICATIONS:

Finance and Risk: Yes No

Details:

None from this report.

On behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details:

There are no legal implications arising from the report or Policy.

On behalf of the Solicitor to the Council

Environment:

Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment.

Details: This Policy will significantly reduce the risk of fires within the communal areas, as flammable items will not allowed to be stored in communal areas or be removed immediately when discovered.

Staffing: Yes No

Details:

There are no staffing implications arising from the report or Policy.

On behalf of the Head of Paid Service

DECISION INFORMATION

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i>	No

District Wards Significantly Affected	(please state which wards or state All if all wards are affected):
Consultation: Leader / Deputy Leader <input checked="" type="checkbox"/> Executive <input checked="" type="checkbox"/> SLT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Details: Customer Services Scrutiny

Links to Council Ambition: Customers, Economy and Environment.

Customers – Providing excellent services

Supports Targets CUS.08 - Maintain high levels of tenant satisfaction with council housing and associated services

DOCUMENT INFORMATION

Appendix No	Title
1	Communal Area Management Policy
2	Suggested Communal Area Poster

Background Papers

(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive you must provide copies of the background papers).

None