

## **Bolsover District Council**

### **Meeting of the Executive on 31<sup>st</sup> July 2023**

#### **Communal Area Management Policy for Council Owned Residential Properties**

#### **Report of the Portfolio Holder for Housing**

<b>Classification</b>	This report is Public
<b>Report By</b>	Victoria Dawson Assistant Director Housing Management and Enforcement
<b>Contact Officer</b>	As Above

#### **PURPOSE/SUMMARY OF REPORT**

For Executive Members to approve and adopt the proposed Bolsover District Council Communal Area Management Policy for Council owned residential properties.

---

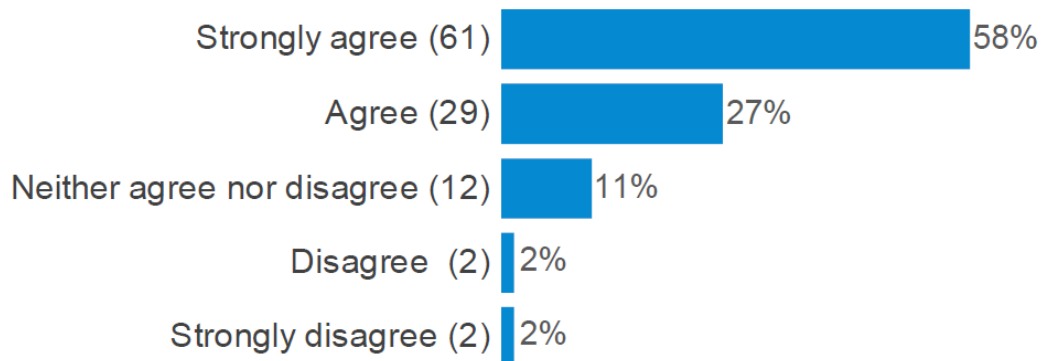
#### **REPORT DETAILS**

##### **1. Background**

- 1.1 Bolsover District Council has 4,999 Council properties (at June 2023). Within this stock the Council has a number of older persons housing schemes with communal areas. These are Orchard Close, Hides Green, Pattison Street, The Paddocks and Sandhills Lane in Bolsover, and Pattison Street in Shuttlewood. This comprises of 177 properties in 58 blocks. In addition, the Council has a number of general needs accommodation with communal areas. This comprises 136 properties in 34 blocks.
- 1.2 In 2021 inspections and fire risk assessments of these blocks were undertaken. This revealed that many communal areas were being used to store personal items which could impede a fire escape as well as several 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 a piece of work would be commenced 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 28<sup>th</sup> February to 29<sup>th</sup> April 2022, an

8-week consultation was undertaken 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 likely 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 4<sup>th</sup> 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 persons block 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 The Housing Management Team will undertake quarterly inspections of the communal areas. If items are found in a communal area that are 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 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 communal area poster has been sent to all tenants and leaseholders with communal areas and these are being placed in all communal areas. A copy of this 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 then be 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. This is being explored further and should this be progressed, we will consult with affected tenants and leaseholders on the proposed service charges, although any charges would not take effect until April 2024.
- 2.11 The draft Policy has been presented to the Tenant Participation and Member Development Group and changes have been made as a result of this feedback. The Policy has also been presented to Customer Services Scrutiny who were in support of the Policy.

### **3. Reasons for Recommendation**

- 3.1 Communal areas need to be well managed, with clear escape routes that are free from any obstacles or flammable items. Having a robust policy, increases resident safety, 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 consistent approach is adopted at all locations.

---

## **RECOMMENDATION(S)**

To approve and adopt the proposed Bolsover District Council Communal Area Management Policy.

Approved by Councillor Sandra Peake, Portfolio Holder for  
Housing

**IMPLICATIONS:**

**Finance and Risk:**            Yes             No

**Details:** There are no additional financial implications arising 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:**                            Yes             No

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

**Details:** Not applicable to this report.

**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**

<p><b>Is the decision a Key Decision?</b> 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:</p> <p><b>Revenue - £75,000</b> <input type="checkbox"/> <b>Capital - £150,000</b> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	No
<p><b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)</p>	No

<p><b>District Wards Significantly Affected</b></p>	None
<p><b>Consultation:</b> <b>Leader / Deputy Leader</b> <input type="checkbox"/> <b>Executive</b> <input checked="" type="checkbox"/> <b>SLT</b> <input type="checkbox"/> <b>Relevant Service Manager</b> <input type="checkbox"/> <b>Members</b> <input type="checkbox"/> <b>Public</b> <input type="checkbox"/> <b>Other</b> <input type="checkbox"/></p>	Yes  Details: Tenant Participation and Member Development Group  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	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