

Management of Communal Areas Policy



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Introduction

The CoLC aims to deliver a continuously improving communal area and estate program by making sure that cleaning, day to day repairs, investment and fly tipping removal are carried out quickly, on time and to a high standard. To ensure that our customers are satisfied, whilst maintaining value for money within the service at all times.

The Management of Communal Areas Policy sets out the approach that CoLC will take to manage enclosed communal areas and the areas that immediately surround blocks of flats. The policy applies to both tenants of the Council and also leaseholders and anyone that visits or lives with a tenant or leaseholder. The policy also applies to tenants in General Housing properties as well as those in Sheltered Accommodation.

For the purpose of the policy, a communal area includes;

- Communal entrances
- Communal landings
- Communal lounges (Sheltered Accommodation only)
- Communal kitchen (Sheltered Accommodation only)
- Communal bathroom (Sheltered Accommodation only)
- Any shared stairwell, balcony or access path
- Communal gardens
- Communal parking areas
- Bin stores
- Drying areas
- Any cupboard area or loft that is located in a communal area

Aims and objectives of the policy

The aims and objectives of the policy are:

- To ensure the health and safety of all persons lawfully using communal areas.
- To ensure that all repairs and maintenance, including cleaning, is carried out on communal areas.
- To allow communal areas to be used in the best possible way for the benefit of all tenants, leaseholders, staff and visitors.
- To explain what measures the Council take to monitor or control communal areas.
- To ensure all communal areas can be used safely where required in the event of an emergency or evacuation

- To give clear advice to residents to maintain safety across all access routes in the event of an emergency.

Within the provision of the Housing Act 1985 (amended) each tenant has a right to repair. This policy identifies which repairs the CoLC are responsible for in line with the maintenance of any communal area, within its housing stock. But also, which repairs tenants are responsible for within the terms and conditions of their tenancy agreement.

Regulatory requirements

Specific Guidance

- Regulatory Reform (Fire Safety) Order 2005
- The Housing Act 2004 (Housing, Health and Safety Rating System)
- The Housing Act 1985
- The Housing Act 1996
- Building Regulations 2000, 2010
- Health and Safety at Work Act 1974
- Torts (Interference with Goods) 1977
- Local Government (Miscellaneous Provisions) Act 1982
- Anti-Social Behaviour Crime and Policing Act 2014
- Miscellaneous Provisions Act 1994
- Commonhold and Leasehold Reform Act 2002
- Furniture and Furnishings (Fire Safety) Regulations 1988

The Home Standards contained in the revised Homes and Communities Agency Regulations, which came into effect on 1 April 2012, lay out the requirements for organisations in terms of repair and maintenance. The regulations state the following:

Responsibilities

City of Lincoln Council

The CoLC is responsible for the structure, exterior, services and common parts of the property including:

- Drains, gutters and outside pipes.
- Roof, external walls, doors and windows
- Installations for supplying water, gas and electricity.

- Communal aerials.
- Lifts and other communal amenities such as laundries, common rooms, door entry systems (where provided) fire alarms life safety systems, corridors and waste chutes in high rises.
- Pathways and steps which provide main access to the front and back door of the building.
- Designated internal and external storage facilities.
- Communal doors
- Communal floor coverings
- Access control systems
- Internal and external lighting to the communal parts
- Boundaries and fencing
- Paths and paving
- External drying areas
- Washing line posts.

Reporting Repairs in Communal areas

A request for a repair can be made by the following methods:

- Online at www.lincoln.gov.uk
- By telephoning Customer Service on **01522 873333**
- Emergency repairs, outside of office hours, telephone **01522 534747**
- In the event of a gas leak (or smell of gas), call the gas emergency line immediately on **0800 111999**. Turn the handle at the meter to the flat (horizontal) position.
- If there is a problem with electricity, turn the mains switch on the consumer unit to the off position. If the tenant has a power cut call Western Power Distribution on **0800 6783 105**.
- If there is a problem with water, turn the main stop tap to the right (clockwise) or turn off the sure stop. If the tenant has no water, then call Anglian Water on **0800 771 881**.

When a repair request is received the CoLC will:

Complete priority repairs within 24hours.

Complete urgent repairs within 3 days.

Complete all other repair requests within 100 days, in line with the scheduled repairs programme schedule.

If the repair request is a priority or urgent repair – CoLC will arrange an appointment with the customer as soon as possible available, which is suitable for the customer.

Leaseholders

Further information about service charges is available in our Leaseholders' Guide which can be found at:

www.lincoln.gov.uk/housing/council-tenants/your-tenancy/leaseholder-rights-and-responsibilities

Details will be contained within individual lease agreements.

Involvement and empowerment

Registered providers shall ensure that tenants are given a wide range of opportunities to influence and be involved in the management of repair and maintenance services such as commissioning and undertaking a range of repair tasks as agreed with landlords, and the sharing of savings made.

The CoLC will work with tenants to continually improve our service in a range of ways including, focus groups, service review groups and tenant inspections, in line with published regulatory standards.

Further information on how tenants can become involved in shaping the way we deliver services is available at www.lincoln.gov.uk/housing/council-tenants/resident-involvement/

Your Responsibilities (Tenants)

The Council will ask residents to keep internal/enclosed communal areas and the areas immediately surrounding entrances and exits clear of obstruction and/or items that may cause fire to be accelerated. The Council will operate a zero-tolerance approach when it comes to enforcing this. There is therefore an expectation that anyone living in Council or leasehold properties will keep communal areas clear. This also includes any roof spaces as applicable.

The list of non-permissible items includes;

- Potential ignition sources such as storage of cardboard
- Combustible materials such as garden furniture, artificial plants, plastic ornaments
- Electrical items, including battery operated lights
- Prams, buggies and bicycles

- Washing lines, wall mounted or strung wall to wall
- Items which may result in escape routes being narrowed such as, items of furniture, ornaments
- Any items on windowsills including plants
- Mobility Scooters, where a designated storage facility does not exist
- Items left within the communal area for disposal
- Storage of personal items within the communal area

Mobility scooters must not be stored in communal areas unless designated storage and charging facilities have been provided.

Permissible Items:

There are certain items or instances where items are permissible within the communal area, these are limited to the following:

- Notice boards installed, managed and maintained by COLC
- Pictures/wall art provided by COLC

Communal gardens, paths, parking areas and other surrounds, balconies?

Outside areas should also be kept clear of personal items as this is land that is not let or sold with the property. Other items, such as wheelie bins, should be stored in the appropriate bin storage areas or away from the building, in areas that are not likely to cause an obstruction or nuisance to residents. Council resident car parks are for the use of residents and their visitors only and operate on a first come first served basis. Residents should park responsibly in the parking areas for the benefit of the enjoyment of all residents. Barbeques, patio heaters or other fires on communal garden areas are prohibited.

Smoking

Smoking in enclosed communal areas is prohibited by law. When residents are smoking or vaping in external communal areas, they should be respectful to other residents and maintain reasonable distance between doors and windows to avoid nuisance to other residents.

Inspections of communal areas and communal area checks

It is part of the role of all employees of the Council to be vigilant regarding the risks relating to any issue of repairs and maintenance within Council managed properties. Communal areas will be inspected regularly by members of the Housing Team to ensure that they are safe and enjoyable environments for people to live. They will be subject to inspections which may involve residents, such as Estate Inspections. The Council's designated officer will also inspect communal areas for the purpose of carrying out Fire Safety Risk Assessments and asbestos management checks. Residents are encouraged to report any repairs that they identify.

Addressing the issue of unauthorised items located in communal areas

If items are found in communal areas and it is considered a contravention of this policy and the tenancy agreement, the Council will take action in accordance with the tenancy and leasehold agreement.

The Council will consider the following before taking any action.

- If the item is of immediate health and safety risk to residents, visitors and the building
- If the item presents a risk, but is not considered an immediate risk to the Health & Safety of residents, visitors and the building, but requires remedy to reduce the overall risk
- If ownership can be reasonably determined or if further investigations are required
- The risk posed to the Council in removing the item without owner's permission if the item is deemed a Risk to Life and/or property such as; Motorbikes and scooters (including mobility scooters)
- Lawnmowers and other gardening equipment containing petrol and other fuels.
- Hazardous chemicals, gas containers, flammable liquids and Barbeques.

The Council will store the item where the item is considered to be of significant value and whilst enquiries take place to identify the item owner.