



Housing Operational Communal Policy

COVERAGE

This policy applies to Cannock Chase Council

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1. Introduction

As a landlord, Cannock Chase District Council (CCDC) 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. This will also allow the emergency services easy access to the property or person in need of assistance.

This policy sets out how the Council aims to ensure that internal and external communal areas are managed effectively, kept free from obstructions and safe for other tenants and users of the building.

This policy applies to both internal and external communal areas in general purpose blocks of flats, older person's blocks of flats, other types of communal areas, for example, shared footpaths for shared access and designated parking areas. 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, Walkways (open or closed), external stairs and entrances to the building, garages and parking areas.

This policy provides a framework for how communal areas will be managed and what is expected from residents. A zero-tolerance approach will be operated when it comes to enforcing this policy.

2. Aims

The aims of the policy are:

- To ensure the health and safety of tenants, leaseholders, staff and visitors when in a communal area
- To give clear advice to residents to minimise the risks of items causing an obstruction to access routes in the event of an emergency.
- To give clear advice to residents to mitigate the risk of fire.
- To allow communal areas to be used in the best possible way for the benefit of all tenants, leaseholders, staff, and visitors.
- To ensure that communal areas can be safely evacuated in the event of an emergency
- To advise tenants and leaseholders how the Council will manage and respond to concerns of fire safety in communal areas.
- The Council meets its statutory obligations.

3. Scope

The policy applies to both tenants of the Council and leaseholders, plus anyone that visits or lives with a tenant or leaseholder or sublet tenants to leaseholders. Tenants

include those in general housing properties as well as those living in Independent Living Schemes.

Officers of the Council and contractors assigned by the Council should also have due regard to the policy.

3.1 Legal Framework

The policy will have due regard to local policies and procedures as well as national legislation, which include the following, but the list is not exhaustive.

Legislation/ Guidance.

- Fire Safety Act 2021
- Housing Act 2004
- Landlord and Tenant Act 1985
- Regulatory Reform (Fire Safety) Order 2005
- Health and Safety at Work Act 1974
- Torts (Interference with Goods) 1977
- Building Regulations 2010
- Commonhold and Leasehold Reform Act 2002
- Anti-Social Behaviour Crime and Policing Act 2014

Local policy, procedures and guidance.

- Tenancy Agreement
- Tenancy Services Environmental Health and Safety Procedures
- Adaptations and Disability working Facilities Policy
- Mobility Scooter Policy
- Anti-Social Behaviour Policy and Procedures
- Welcome Pack
- Love your Block.
- National Fire safety in purpose-built blocks of flats guidance
- Caretaker's inspection form
- Communal cleaning agreement

4. Principles

CCDC is committed to delivering an excellent service, ensuring that Council tenants and their household, as far as possible, continue to live safely and independently whilst ensuring well-being and quality of life.

The policy will help to fulfil the corporate priorities by;

- Promoting equality and diversity and supporting vulnerable and disadvantaged people
- Providing good quality Council housing where people choose to live
- Improving health and well-being

5. Policy Detail

5.1 Communal Areas in Council Housing

Communal areas are those parts of a house, block of flats, street or estate which tenants have a right to use in common with other tenants or leaseholders or areas that can only be accessed by contractors or staff and for which a landlord is responsible.

These include:

- Health & Safety Inspections of communal hallways
- the roof and cleaning of gutters on a block of flats
- shared stairways, walkways, lifts, doors, windows, balconies and access paths
- all doors between a domestic premises and common parts
- gardens or yards, where each property doesn't have its "own" garden or yard
- designated parking areas

5.2 Obstructions and Belongings in Communal Areas

Communal areas should not be used for additional storage, therefore it is the tenant's/leaseholder's responsibility to keep communal areas clear. This also includes any roof spaces as applicable. No personal possessions or unwanted goods should be within communal areas or escape routes.

The following items are examples of items not permitted in communal areas: (this is not an exhaustive list)

- Flammable liquids or gases, for example: patio heaters or barbecues, paints or solvent based materials, gas heaters or pressurised cylinders, motorcycles/mopeds, petrol driven gardening equipment
- Mobility scooters, wheelchairs, walking frames.
- Any recycling, waste or wheelie bins
- Clothes, shoes, boots, wellingtons etc.
- Any electrical equipment
- Any exercise equipment, for example exercise bike, cross trainer, weights etc.
- Clothes drying equipment
- Gardening equipment
- Festive decorations, Christmas trees etc.
- Prams or buggies
- Bicycles
- Children's toys
- Any items of furniture, for example chairs, tables, storage units, mattresses etc.
- Curtains, net curtains, blinds on communal windows
- Pictures, posters or other flammable wall coverings
- Door mats, carpets, rugs or runners
- Plant pots and plants, artificial flowers

- Any other items identified as a fire hazard or an obstruction to an escape route

Any flammable items, or those which present fire risk should be stored in a garden building 3 meters from the property. Where these are found within the communal area this should be reported to the Council immediately, these are, but not limited to;

- Motorcycles
- Scooters / e-bikes /e- skateboards
- gas BBQ's
- petrol lawnmowers
- anything with an engine that uses petrol or diesel, requires an electrical charge, cans of fuel etc.

Any electrical cupboards, meter cupboards and gas cupboards that are in communal areas are to be sterile environments. Due to the potential risk of fire, cupboards must not be used for storage.

To mitigate the risk of fire, mobility scooters must not be positioned in communal areas or stored near habitable properties, see the Council's Mobility Scooter Policy for further information.

In flats and properties with shared facilities, communal doors should not be jammed open.

5.3 Communal gardens, paths and parking areas

Outside areas should be kept clear of personal items and waste as this is land that is not let or sold with the property.

Wheelie bins should be stored in the appropriate bin storage areas or in areas that are not likely to cause an obstruction or nuisance to residents.

Residents should park responsibly in designated parking areas, motor vehicles, trailers, should not be left on grass verges, communal grassed areas, gardens or any Council land used for amenity purposes. The parking of vehicles must not in any way obstruct access to another property, service road, or prevent access for emergency vehicles.

Tenants/leaseholders and their visitors are not permitted to smoke/vape within the internal communal areas. However, residents and their visitors can smoke/vape within an external communal area providing that this does not cause a nuisance or annoyance to other residents and is away from the building. Cigarette ends must be disposed of appropriately and must not be discarded in the external communal area.

5.4 Alterations

Tenants should be aware that changes they make to their home can impact on the fire safety of the block that they live in. Tenants should not;

- Tamper with or remove door closers on fire doors within their property
- Tamper with, cover or remove smoke detectors, carbon monoxide detectors or heat detectors within their property
- Replace existing electrical fittings (light fittings, sockets etc.) without seeking prior permission from the Council.
- Make changes to their flat entrance door or door frame, as this could reduce the integrity and fire performance of the door.
- Permission should be sought from the council before making any changes to their home

Where a tenant has made changes to their property that could impact on the fire safety of their property or the block they live in, the Council will seek to take legal actions or recharge the tenant for any remedial works required to restore the property's fire integrity.

5.5 Inspections

As part of 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 Services Team. Any issues identified during these inspections will be recorded and appropriate enforcement action taken. Regular caretaking inspections will be undertaken and cleaning of the internal communal areas & communal windows inside and out.

Fire Risk Assessments will be carried out by a competent person (normally an external consultant) for communal areas owned by the Council and will be reviewed on a periodic basis or when changes have been made.

5.6 Enforcement

Under the terms of the Council's Tenancy Agreement tenants must keep the communal areas clean, tidy and free from personal belongings. In addition, the communal areas and fire exits must be free from any obstacles or things which amount to a fire risk, or health and safety hazard.

Under the terms of the Council's Leases', leaseholders can use the communal areas provided that such use shall be only for the purpose of quiet enjoyment therein (but not for the purpose of playing games or any other purpose likely to cause offence or constitute a nuisance to other owners lessees or occupiers of the building) and subject to and in conformity with any reasonable regulations which may be imposed from time to time by the Council.

If items are found in a communal area that are 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.

In all other circumstances the Tenancy Services Team will attempt to locate the owner to have the items removed. Where the owner cannot be located, and the item is of significant value the Council will store the item whilst enquiries take place to identify the owner. The owner will then have one calendar month to re-claim the item, proof of ownership must be provided and any costs for the removal and storage must be paid prior to the item being returned. If the item is not re-claimed after one calendar month it will be disposed of accordingly.

Enforcement action may be considered to address a persistent or serious breach of tenancy.

5.7 Reporting Procedure

This policy provides a framework for how communal areas will be managed and what is expected from residents. A zero-tolerance approach will be operated when it comes to enforcing this policy.

To report obstructions or serious hazards located in communal areas, in the first instance contact the Council by;

- Telephone: 01543 462621 or;
- email: EMTeam@cannockchasedc.gov.uk

6. Prevention

Wherever possible the Council will aim to prevent fire safety issues by educating residents from the beginning of their tenancy and ensuring that information, support and advice is readily available on site and in communication with Tenants.

Where a property sits within a communal block, the Tenancy Services Team will advise new residents about the Communal Area Policy and explain to the residents their responsibilities in adhering to the policy and terms of the tenancy agreement.

7. Responsibility for Implementation

The Policy will be implemented by the Council's Housing Teams working in partnership with other Council departments, for example:

- Property Services- Compliance Inspection, Cyclical works, component parts updates and FRA
- Maintenance Team- Voids, maintenance and repairs of building

- Tenancy Services - Monthly inspection of blocks, on-site management of schemes, half yearly site inspection and enforcement of tenancy agreements
- Environmental Health Team- critical friend on compliance issues

8. Review and monitoring

We aim to review the policy every 5 years or if there is a substantial change in social welfare policy or legislation.

For monitoring purposes, the Council includes Income Management within its key performance reporting data and monitor the number of evictions and arrears figures with quarterly reports to Leadership team.

9. Equality Impact Assessment

We will ensure that the service is delivered in a fair and accessible way to all our customers regardless of; age, gender, race, ethnicity, religion or sexual orientation, and due regard will be given to the Council's Public Sector Equality Duty.