

Document Name:	Keeping Communal Areas Safe Policy
Policy Date:	December 2024
Approved by:	Housing Leadership Team and Portfolio Holder for Housing
Review Date:	December 2027
Policy Author:	Housing Policy and Regulation Officer

Our Vision

Our Housing Service vision is that all homes in East Suffolk are safe, suitable, and sustainable, in communities where residents are proud to live.

This vision supports the Sustainable Housing theme in the Council's Corporate Strategy: Our Direction 2028.

Equality and Diversity Statement

East Suffolk Council is intent on ensuring people or communities do not face discrimination or social exclusion due to any of the following protected characteristics: age; disability; sex; marriage & civil partnership; race; religion or belief; sexual orientation; gender reassignment; pregnancy & maternity.

This document complies with the Council's equality & diversity policy.

Keeping Communal Areas Safe Policy

1. Purpose of the Policy

- 1.1. This policy sets out East Suffolk Council's (ESC) approach to keeping communal areas safe. You should also consult your tenancy agreement/licence/lease for further information on your rights and responsibilities, ask our advice, or seek independent help.
- 1.2. Our Tenancy and Leasehold Agreements state that communal areas may not be used for additional storage. There is an expectation that anyone living in our properties is required to keep communal areas clear:
 - *You must only use the entrance hall, stairs and lifts and landings for entering or leaving your property and not for storage or any other purpose.*
(ESC Tenancy Agreement section 5.4)
- 1.3. Items in communal areas present a danger to tenants, leaseholders, staff, visitors, and the emergency services. In the event of an emergency, items in communal areas may prevent emergency services from accessing our properties and can cause hindrance should an evacuation become necessary.

2. Introduction

- 2.1. ESC is committed to ensuring that all communal areas in our housing blocks and estates are well-kept, meet all regulatory requirements and are safe for use.
- 2.2. This policy assumes ESC has adopted a zero-tolerance to obstructions and hazards in our communal areas in the interests of safety.
- 2.3. This policy outlines the actions and measures ESC will take to ensure communal areas are free from obstruction or hazards to protect the health and safety of our tenants, leaseholders, visitors, employees, and contractors.
- 2.4. This policy outlines the measures ESC will take to ensure communal areas are free from impedance, to allow access by emergency services in the event of an urgent situation.

3. Scope of Policy

- 3.1. This policy applies to both ESC General Needs Accommodation, ESC Retired Living Schemes and Temporary Accommodation owned by ESC.

3.2. The policy applies to the following persons:

- Tenants of East Suffolk Council
- Leaseholders
- Leaseholder Tenants
- Housing Association Tenants in ESC Blocks and Estates
- Anyone who visits or lives with any of the above

3.3. ESC defines communal areas as parts of a housing estate or block that are shared. These are areas that tenants have the right to use in common with other tenants, and which we, as a landlord and freeholder are responsible, these include but are not limited to:

- Communal entrances
- Communal landings
- Communal lounges (retired living only)
- Communal kitchen (retired living only)
- Any shared stairwell, balcony or access path
- Communal gardens
- Lifts
- Communal parking areas
- Bin stores
- Drying areas
- Any cupboard area or loft located in a communal area

3.4. Examples of items we ask to be removed from communal areas are, but not limited to:

- Prams and pushchairs
- Mobility scooters
- Bicycles and electric bikes
- Motorcycles, scooters and e-scooters
- Trampolines, slides and swings
- Barbecues and wood stoves
- Plant pots, planters and hanging baskets
- Cardboard, plastic and wood
- DIY material
- Door mats and shoe racks
- Sheds, storage containers, lockups
- Items of furniture

4. Policy Details

- 4.1. We will work with our tenants and leaseholders to keep our communal areas safe. We will provide signage in our communal areas with details of our Keeping Communal Areas Safe Policy. This will include fire safety advice, and details on how to report concerns to us.
- 4.2. We will ensure communal areas are a sterile environment and will not permit the storage of items in any part of the communal area, including stairwells, corridors, landings and beneath stairs.
- 4.3. We will ensure communal gardens and green spaces are kept clear of items that may cause injury, hazard, or constitute a fire risk, and those that may cause a nuisance to other residents by their use.
- 4.4. We understand that children may be attracted to items that may constitute a danger and we will remove these items as a priority.
- 4.5. We will take a proactive approach to keep areas safe and will take enforcement action against persons where necessary.

5. Keeping Communal Areas Safe:

- 5.1. We will remove items without warning when they present an immediate danger to life, or where their presence may restrict or hinder access, especially in the event of an emergency or evacuation. **(See Appendix 1: Urgent Removal Procedure).**
- 5.2. Where items are stored in a communal area and do not present an immediate risk or hindrance, we will issue a warning (Miscellaneous Provisions Notice) prior to removal **(See Appendix 2: Non-Urgent Removal Procedure).**
- 5.3. Where the removal of an item may cause hindrance or burden to the owner, for example wheelchair, pushchair or mobility scooter, we will attempt to identify the owner/s prior to taking any action, unless the presence of the item constitutes an immediate risk **(See Appendix 3: Sensitive Removal Procedure)**
- 5.4. Items of a perishable nature, or those that we deem to hold no value will be removed and subject to disposal.
- 5.5. Items that we deem to be of value will be removed and kept in storage for 6 months.

- 5.6. Items which have not been collected within the 6-month storage period will be subject to disposal. [\(See Appendix 4: Removal & Storage of items in a communal area Procedure\)](#).
- 5.7. We will take a sustainable approach to the disposal of items. Items of value or which may be of use may be donated to local charities and organisations or used by the council in the process of our lettings and allocations schemes.
- 5.8. In line with our Recharge Policy, a charge will be issued for any item removed from a communal area where the owner can be identified, or where we receive contact from the owner requesting a collection and/or return.

6. Legal Requirements

- 6.1. The operation of the Policy complies with the relevant legislation regarding the provision of health and safety and accessibility.
- 6.2. The legislation and regulations listed below will be taken into consideration when implementing this policy:
- Local Government (Miscellaneous Provisions) Act 1982
 - The Building Regulations 2000 Approved Document B (Fire Safety)
 - Regulatory Reform (Fire Safety) Order 2005
 - Fire Safety (England) Regulations 2022
 - Housing Act 2004
 - Housing Health and Safety Rating System
 - Equality Act 2010
 - Anti-Social Behaviour, Crime and Policing Act 2014
- 6.3. Any items in communal areas have the potential to be a health and safety hazard and/or pose a serious fire risk. The Regulatory Reform (Fire Safety) Order 2005 replaces previous fire safety legislation and requires Landlords to assess the risk of fire within all its properties and take adequate precautions to reduce the risk.
- 6.4. The Housing Act 2004 places a duty on landlords to carry out thorough risk assessments, including fire risk assessments. Please refer to the ESC Fire Safety Strategy.
- 6.5. The Local Government (Miscellaneous Provisions) Act, 1982 section 41 gives Local Authorities the power to dispose of goods found on their premises, or deposited with them, when certain conditions are met. Where possible, a notice must be served on the owner or depositor. The legislation covers cases where the whereabouts of the owner are known and

notice can be served on them, as well as situations where it is not possible to serve notice on the owner, or the owner is not known.

6.6. The application of this Policy ensures compliance with the outcomes of the Regulatory Framework for Social Housing as adopted by the Regulator for Social Housing as outlined below:

- When acting as landlords, registered providers must take all reasonable steps to ensure the health and safety of tenants in their homes and associated communal area. (Safety & Quality Standard: Required Outcome: Health and Safety).
- Registered providers must work co-operatively with tenants, other landlords and relevant organisations to take all reasonable steps to ensure the safety of shared spaces. (Neighbourhood & Community Standard: Required Outcome: Safety of Shared Spaces).

7. Roles and Responsibilities

7.1. The Strategic Lead for Housing Services and the Strategic Lead for Regulatory Compliance are responsible for ensuring that this policy is adhered to.

7.2. The Housing Health and Safety Board will have oversight of this policy in respect of Fire Risk Assessments when actions are identified as a result of inspections.

7.3. The Estates and Inspections Team will carry out inspections on communal areas. During each inspection they will identify and organise the removal of items in communal areas in accordance with our Removal Procedures (See Appendices 1-4)

7.4. Caretaking and council operatives will be responsible for identifying and alerting their managers to any items they come across whilst out on the Estates to ensure that action is taken to either remove or store such items as per our Removal Procedures (See Appendices 1-4).

7.5. Residents have a responsibility to keep communal areas clear and ensure they store goods/belongings inside their homes as per the terms of their tenancies or leases, and that they adhere to fire safety advice detailed in this policy. In addition, to support the safety of all residents in their blocks, residents are encouraged to report any fire risk concerns in communal areas to East Suffolk Council.

8. Related Documents

- 8.1. East Suffolk Council Tenancy Agreement
- 8.2. East Suffolk Council Leasehold Agreement
- 8.3. East Suffolk Council Recharge Policy (In Draft Form currently)
- 8.4. East Suffolk Council Fire Safety Strategy
- 8.5. East Suffolk Council Mobility Scooter Policy

9. Policy Review

- 9.1. The Strategic Lead for Housing Services and the Strategic Lead for Regulatory Compliance will be responsible for ensuring the implementation of this policy.
- 9.2. We will review this policy every 3 years, or sooner if there are any changes to legislative, regulatory, best practice or operational issues.
- 9.3. Next review due: December 2027

10. Version Control

Version:	Date:	Author:	Rationale:
1.0	December 2024	Housing Policy and Regulation Officer	New Policy