

Item



## **ZERO TOLERANCE POLICY – STORAGE IN COMMUNAL AREAS**

**To:**

Councillor Richard Johnson, Executive Councillor for Housing  
Housing Scrutiny Committee 27/09/2018

**Report by:**

Sandra Farmer, Housing Services Manager  
Tel: 01223 - 458312 Email: [sandra.farmer@cambridge.gov.uk](mailto:sandra.farmer@cambridge.gov.uk)

**Wards affected:**

Abbey, Arbury, Castle, Cherry Hinton, Coleridge, East Chesterton, King's Hedges, Market, Newnham, Petersfield, Queen Edith's, Romsey, Trumpington, West Chesterton

### **Key Decision**

#### **1. Executive Summary**

- 1.1 This report sets out the policy on how Cambridge City Council manages communal areas in all our flat blocks, with particular reference to ensuring fire risks are minimised and making sure all our residents are safe.
- 1.2 The purpose of the policy is to ensure a clear, consistent approach to prevent the storage of any items in the communal areas to reduce risks, increase fire safety and improve the overall appearance of the internal communal areas of Cambridge City Council's owned flats.
- 1.3 The policy has been written following a review of fire safety in our blocks as a result of the Grenfell Tower fire. It supports our 'Fire Safety in Flats' leaflet (Appendix 1) which has been issued to new tenants and all

leaseholders; and which was drawn up in collaboration with Fire Safety experts and Cambridgeshire Fire and Rescue Services.

1.4 The overall aims of this policy are:

- To ensure the safety of residents living in the Council's blocks of flats and their visitors;
- To reduce un-necessary risks and comply with our duties under primary legislation including fire safety laws and the Housing Act 2004; and
- To ensure the Council meets its statutory and regulatory responsibilities.

1.5 For the purpose of this policy, a communal area is defined as those parts of a block of flats including: communal hallways/walkways, shared staircases, balconies, bin and storage areas, access paths, communal gardens and drying areas.

1.6 Lease conditions already reflect the Zero Tolerance Policy and Tenancy Conditions should be amended to reflect the change.

## **2. Recommendations**

The Executive Councillor is recommended to:

- 2.1 To replace the existing 'Policy on Storage on Housing Owned Communal Areas' - Appendix 2.
- 2.2 To approve a Zero Tolerance Policy to be applied to all flat blocks in Cambridge where Cambridge City Council is the freeholder of the building – Appendix 3.
- 2.3 To support officers of the council in enforcing the policy and ensuring fire safety procedures are implemented.
- 2.4 To amend Tenancy Conditions as required reflecting the Zero Tolerance Policy.

## **3. Background**

- 3.1. The safety of residents living in flats with communal areas is of the utmost importance to Cambridge City Council. Residents using internal areas to keep belongings can present serious hazards, particularly in the event of fire. Items left within internal communal areas can also have a detrimental effect on the overall appearance of the internal communal areas.

- 3.2 A 'Zero Tolerance Policy' is one where residents are not permitted to use the common parts to store or dispose of any belongings rubbish or personal items. It ensures these areas are free from combustible materials and obstructions.
- 3.3 Where a resident stores items in the communal areas in breach of the Zero Tolerance Policy, they will be given timescales to remove them in accordance with our procedures. The Council will use a range of powers to enforce the policy and the onus is on residents to keep the communal areas clear.
- 3.4 It will not be feasible to remove and store all item/s found in communal areas. Those items deemed of low value or perishable will be disposed of if not removed within a reasonable time, indicated by the notice attached to the item. A recent assessment found over 700 issues of housekeeping raised including bikes, curtains, plants etc.
- 3.5 The Council reserves the right to re-charge either the individual resident or all residents of the block the reasonable costs of removing and disposing of items where appropriate.
- 3.6 Communal areas do not belong to any resident, either tenant or leaseholder, including the area immediately outside the front door; and residents do not have a right to store or leave anything in the communal area of the building.
- 3.7 Communal areas must be kept clear and free from obstruction at all times. Fire doors to escape routes must not be held open.
- 3.8 The Council reserves the right to remove any item left in a communal area including, but not exclusively: pushchairs, prams or buggies, rubbish bags, wheeled bins, lockers and cabinets, washing machines, tumble dryers and other goods awaiting disposal, unwanted bedding and mattresses, children's toys and play equipment, shopping trolleys, loose carpets and door mats, plant pots, unwanted mail or newspapers.
- 3.9 Bicycles, mopeds and motorbikes must not be stored in communal areas as they could hamper evacuation in the event of a fire – unless specific storage has been provided by the council. Servicing or cleaning of these items should not take place in the communal areas.
- 3.10 Mobility scooters should be kept inside the residents' home - unless specific storage has been approved by the council.
- 3.11 Bin store doors should be kept closed and large items of household waste such as bulky furniture must not be left in the bin store.

- 3.12 Individual wheelie bins should not be left in communal areas or under staircases. Where provided, wheelie bins should be stored away from the building.
- 3.13 Electrical meter cupboards must not be used for storage and must be kept locked shut.
- 3.14 Storage cupboards in communal areas should be kept locked shut and should not be used for the storage of flammable items.

## **4. Implications**

### **(a) Financial Implications**

In enforcing the policy the Council will utilise existing resources and as such will exercise discretion to ensure any action taken is reasonable, proportional and value-for-money. Reasonable notice will be given to residents of any potential recharges, except in cases of emergency where action must be taken swiftly to prevent unacceptable danger.

### **(b) Staffing Implications**

There are no staffing implications.

Senior Managers within Housing Services will monitor the effectiveness of the policy and keep the policy under review as a result of any future legislative changes.

### **(c) Equality and Poverty Implications**

The Council recognises that this policy will affect a range of residents. Section 20 of the Equalities Act 2010 deals with the duty to make 'reasonable adjustments'. In implementing this policy, consideration will be given to the needs of residents with disabilities, for example those with mobility aids that cannot be stored in their flat. However, it cannot be considered a reasonable adjustment to allow a resident to keep mobility aids in communal areas if these present a risk to other residents. In such cases, the Council will endeavor to accommodate these needs, for example assessing the feasibility and cost of providing additional storage for mobility aids. The Council can also support residents to secure suitable alternative accommodation if their current home does not meet their needs.

### **(d) Environmental Implications**

Not applicable.

### **(e) Procurement Implications**

None.

#### **(f) Community Safety Implications**

The policy benefits both residents and the wider community.

### **5. Consultation and communication considerations**

Council officers and Fire Safety experts have been consulted on the proposed policy. Resident representatives have also been consulted and comments incorporated in the final report.

#### 6. Background papers

- a) Health and Safety at Work Act 1974
- b) Building Regulations 2010.
- c) Regulatory Reform (Fire Safety) Order 2005.
- d) Housing Act 2004.

### **7. Appendices**

- (a) Fire Safety in Flats
- (b) Policy on Storage on Housing Owned Communal Areas

### **8. Inspection of papers**

If you have a query on the report please contact Carol Amos, Home Ownership Manager, tel: 01223 - 457834, email: [carol.amos@cambridge.gov.uk](mailto:carol.amos@cambridge.gov.uk).