

**HOMES POLICY DEVELOPMENT GROUP
17 MARCH 2020**

HOUSING SERVICE GARAGE MANAGEMENT POLICY

Cabinet Member(s): Councillor Simon Clist, Cabinet Member for Housing
Responsible Officer: Mrs Claire Fry, Group Manager for Housing Services

Reason for Report: The Housing Service Garage Management Policy requires review by virtue of time bar

RECOMMENDATION:

- 1. That the Homes Policy Development Group (PDG) agrees to the proposed changes set out in the tracked policy**
- 2. That the PDG recommends to Cabinet that the Policy be adopted as amended**

Financial Implications: The Housing Revenue Account (HRA) is ring fenced and subject to specific financial controls. The Housing Service is funded through the HRA and therefore maintaining the revenue stream is a key priority. Income arising from the rental of garages is accounted for within the HRA.

Budget and Policy Framework: The HRA contains a budget for garage income and there is also provision for repairs and maintenance. Some garages are not fit for purpose and others are located on sites where there is no demand for the amenity. For this reason there is an ongoing reviewing of these assets.

The Neighbourhood Team manages garages and there is a staffing budget within the HRA to ensure that this is adequately resourced

Legal Implications: Those individuals who rent garages and garage ground rent plots from the Housing Service are obliged to sign a tenancy agreement which sets out the relationship between both parties and their respective obligations.

Risk Assessment: The garages and garage ground rent plots located on the Housing estate are a valuable asset and it is important that they are managed well to maximise the income which can be derived from it.

Equality Impact Assessment: The Tenant Involvement and Empowerment Standard contains a specific expectation that registered providers of social housing such as the Council shall demonstrate how they respond to tenant's needs in the way they provide services and communicate with tenants. The Housing Service requests diversity data from tenants to enable compliance to be monitored and makes a note of any communication needs relating to residents living in other housing tenures if they notify Officers about this.

Reference to relevant policy helps to ensure that service delivery is consistent and fair.

Officers will undertake home visits if someone is unable to come into the office to discuss any issue.

Relationship to Corporate Plan: The Housing estate must be managed efficiently and effectively and the new Corporate Plan also includes themes relating to community and environment which are relevant to this policy.

Impact on Climate Change: The Housing Service has actively invested in energy efficiency; extensive use of solar PV and air source heat pumps already exists. The ongoing circa £170M 30 year maintenance programme has a significant focus on ensuring energy efficiency. Where sustainable options are available they are utilised; however, it is acknowledged that where there is a significant cost differential that plays heavily in the choices made.

We recognise that the provision of sustainable communities is important. As part of our commitment to meeting the provisions of the Tenant Involvement and Empowerment Standard within the Regulatory Framework for Social Housing, the Council offers a menu of involvement, which provides opportunities for tenants to get involved in service delivery. Tenants scrutinise the work of the Service and are also involved in the development of our newsletter which is published periodically. We use this and social media to promote sustainability and therefore publish information relating to a variety of topics including fuel efficiency, recycling and healthy living.

Officers sometimes have to respond to emergencies such as those associated those arising from serious incidents of anti-social behaviour. In such cases, safeguarding concerns will take priority in order to minimise risk and it is accepted that the ability to manage such issues effectively may have an environmental impact which would not occur if work can be planned in advance and managed in a more co-ordinated way.

1.0 Introduction

- 1.1 The Council is committed to improving the Housing Service and having an effective garage management policy enables staff to refer to this for guidance on the best course of action under the circumstances. Reference to the policy should ensure that all cases are treated consistently although the policy does offer some discretion to enable reasonable adjustments to be made where necessary.
- 1.2 This policy identifies the approach of the Housing Service to managing garages and garage ground rent plots on our estates.
- 1.3 The existing policy has been in use since it was adopted in 2011. Following a review, a number of amendments have been suggested. These changes have been included on the policy document contained within Appendix 1 and are shown as tracked changes for ease of reference. The tracked changes have affected the formatting of the document. Once the final draft has been agreed, it will be retyped and properly formatted.
- 1.4 The Housing Service uses rental agreements when letting garages and garage ground rent plots which define the contractual relationship between

each party.

- 1.5 It has been suggested that the next review of the policy should take place in ten years, unless changes in legislation require an earlier review, and this amendment has been suggested as a tracked change in the updated draft of the policy.

2.0 **Changes to the Draft Policy**

- 2.1 Currently, the Housing Service differentiates between those people who rent a home from the Council and non-tenants, with regard to the rental of garages. Council tenants are charged less if they rent a garage. The draft policy has been amended to facilitate any future changes to this policy if a decision was made to align the two rental charges.
- 2.2 The clause relating to vehicle maintenance has been amended to bring it into line with the relevant clause within the Council's standard tenancy agreement relating to homes in management and the revised draft car park management agreement. The tenancy agreement states that tenants must not carry out major repairs to vehicles. It states that tenants are allowed to carry out general maintenance and repairs such as topping up windscreen washer fluid, oil or water, changing tyres, putting in a new sound system or changing windscreen wipers and so on. However, this is conditional on them not causing a nuisance. The garage management agreement also states that tenants are expected to take precautions to minimise the possibility of an outbreak of fire, and that materials are disposed of correctly.
- 2.3 A further amendment makes those who rent garage ground rent plots from the Council responsible for disposing of them before the tenancy ends. It new clause also makes it clear that Housing Service will recharge the former tenant if any structure requires removing and the resulting debris requires disposal. This is particularly important because many existing structures on garage ground rent plots were made of materials containing asbestos.
- 2.4 Reference to rent free weeks has been removed to take account of any changes to rent debit frequency. The relevant clause has been amended to state that garage rent is due weekly as specified in the tenancy agreement.
- 2.5 It is not uncommon for the Housing Service to find belongings in a garage or on a garage ground rent plot once the tenancy has ended. In such circumstances, a charge will be raised until such time as the articles are removed. This reflects the fact that the garage or garage ground rent plot cannot be re-let until such time as the items have been removed. The draft policy has been amended because the charge made can no longer be described as rent.
- 2.6 The section relating to equality and diversity has been amended to reflect what is included in other Housing Service policies.
- 2.7 The Housing Service posted an invitation to tenants on social media asking them if they wanted to be involved in the review of the garage management policy on 30 December 2019. The post noted that a focus group was planned

but also explained that tenants also had the option to request involvement by email discussion in the policy review. Unfortunately, no volunteers came forward.

3.0 **RECOMMENDATION**

3.1 Members are asked to consider the content and the proposed changes; and to agree a recommendation relating to the adoption of the revised policy to the Cabinet. In the meantime, the policy will be reviewed and revised to reflect any legislative requirements and/or other guidance or good practice.

Contact for more Information: Mrs Claire Fry, Group Manager for Housing Services, tel: 01884 234290, email: cfry@middevon.gov.uk

Circulation of the Report: Councillor Simon Clist, Cabinet Member for Housing, [yes/no – name of Cabinet Member], Cabinet, Leadership Team seen and approved [yes/no]

List of Background Papers: