

**HOMES POLICY DEVELOPMENT GROUP
17 MARCH 2020**

HOUSING SERVICE CAR PARK 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 Car Park 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.

Budget and Policy Framework: The situation relating to car parking is complicated. The Housing Service owns some car parks and others are the responsibility of the General Fund. In addition, permit parking arrangements have been introduced on some, but not all, estates.

The Neighbourhood Team manages car parking on housing estates and there is a staffing budget within the HRA to ensure that this is adequately resourced. The Neighbourhood team is currently working on a project to document all the different arrangements which exist with regard to each car park on the Housing estate, together with the rights of those who have exercised their right to buy. This policy has been in use for several years and serves to ensure consistency of approach. The review is timely because it allows for reference to virtual permits, which are now issued by Streetscene instead of paper permits.

The provision of permit parking does yield a small income but this is negligible when compared to the resources required to manage car parking issues, which may sometimes be very emotive and therefore very time consuming for Officers.

Legal Implications: The tenancy agreement defines the Council's relationship with tenants and sets out the rights and responsibilities of both parties. There is a section within the standard agreement which sets out the position with regard to vehicles and parking. Other residents may park on our estates and this can be more difficult to manage especially if the Council does not have a legal relationship with those people.

Risk Assessment: Car parking issues can be highly emotive and it is important to ensure that these are managed fairly in a consistent manner to avoid giving cause for complaint that one resident has been treated more or less favourably than any other.

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.

The use of a 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 an 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 car park 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 car parks and other parking issues 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 Council's standard tenancy agreement contains a section which relates to the tenant's obligations relating to vehicles and parking. Any enforcement action initiated in response to a breach of relevant tenancy conditions will be taken in accordance with the provisions of the Housing Act 1985.
- 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 With regard to vehicle repairs, the wording has been amended to ensure that it reflects the provisions of the tenancy agreement. The tenancy agreement states that tenants must not carry out major repairs to vehicles at their homes. 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.
- 2.2 In addition, an amendment has been made to ensure that it is clear that residents must not block access to dropped kerbs.
- 2.3 Section 7 of the draft policy has been updated to take account of the new arrangements relating to parking permits whereby those who have a permit are issued with a virtual permit. The requirement for the permit holder to update their vehicle details as and when necessary has been clearly stated. Responsibility for this lies with the permit holder and the policy clearly states this to avoid any confusion.
- 2.5 The policy has been amended in section 8 and this explains that the Housing Service will make any necessary enquires to find out who owns a vehicle which appears to be abandoned.
- 2.4 A new section has been added to the policy to clarify the responsibility of the Housing Service with regard to the management of any parking issues arising in areas where the Council's Off-Street Parking Places Order applies.
- 2.5 The section relating to equality and diversity has been amended to reflect what is included in other Housing Service policies.
- 2.6 The Housing Service posted an invitation to tenants on social media asking them if they wanted to be involved in the review of the car park 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 234920 and 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: