

South Kesteven District Council
Estate Management Policy
2023

DRAFT

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1. Policy Statement

The Council is committed to delivering clean, green and safe estates. The way we manage our estates directly affects the quality of life and environment enjoyed by our residents. The purpose of this policy is to set out our approach to the delivery and management of estate services to internal and external communal areas. Where we refer to an estate within the service this can refer to a block of flats or a collection of bungalows/houses with shared internal and/or external areas.

The standards and policy principles outlined refer to where the Council is the freeholder or service provider for that estate. Where this is the case, the Council commits to working with the relevant parties to agree a set standard of delivery; which will be published to residents, where appropriate.

We are committed to ensuring the estates meet Council's standards, alongside being mindful of the management services required and focusing on keeping service charge costs reasonable and in line with our Rent Setting and Service Charge Policy. Estate management is the responsibility of tenants and the Council. There are several teams within the Council and external companies who are responsible for this and support a common understanding and consistent delivery. There is an agreed Council estate management standard that details specifications of the standards that will be delivered.

We take environmental crime (which is the misuse of communal areas, for example, fly tipping) seriously and will work with relevant agencies in ensuring these are dealt with quickly. Our intention is to minimise negative impact on the environment in delivering our estate management service and this forms a key part of our procurement policy and process. All estate service contracts will be procured in accordance with our procurement policy and in line with the relevant section 20 consultation requirements. We will focus on value for money and be mindful of keeping service charge costs reasonable for our residents.

2. Legal and Regulatory Framework

2.1 Legal requirements are detailed in:

Landlord and Tenant Act 1985

Common and Leasehold Reform Act 2002

Housing Act 1996

Housing and Regeneration Act 2008

2.2 Regulatory Framework:

The Regulator of Social Housing sets out Regulatory Standards (last updated April 2020), which comprise of economic and consumer standards. The regulatory standard applicable to this policy is the 'Neighbourhood and Community Standard'.

Required Outcomes

1. Neighbourhood management

Registered providers shall keep the neighbourhood and communal areas associated with the homes that they own clean and safe. They shall work in partnership with their tenants and other providers and public bodies where it is effective to do so.

2. Local area co-operation

Registered providers shall co-operate with relevant partners to help promote social, environmental and economic wellbeing in the areas where they own properties.

3. Anti-social behaviour

Registered providers shall work in partnership with other agencies to prevent and tackle anti-social behaviour in the neighbourhoods where they own homes.

Specific expectations

1. Neighbourhood Management

Registered providers shall consult with tenants in developing a published policy for maintaining and improving the neighbourhoods associated with their homes. This applies where the registered provider has a responsibility (either exclusively or in part) for the condition of that neighbourhood. The policy shall include any communal areas associated with the registered provider's homes.

2. Local area co-operation

Registered providers, having taken account of their presence and impact within the areas where they own properties, shall:

- a) identify and publish the roles they are able to play within the areas where they have properties.
- b) co-operate with local partnership arrangements and strategic housing functions of local authorities where they are able to assist them in achieving their objectives.

3. Anti-social behaviour

Registered providers shall publish a policy on how they work with relevant partners to prevent and tackle anti-social behaviour (ASB) in areas where they own properties.

In their work to prevent and address ASB, registered providers shall demonstrate:

- (a) that tenants are made aware of their responsibilities and rights in relation to ASB

- (b) strong leadership, commitment and accountability on preventing and tackling ASB that reflects a shared understanding of responsibilities with other local agencies
- (c) a strong focus exists on preventative measures tailored towards the needs of tenants and their families
- (d) prompt, appropriate and decisive action is taken to deal with ASB before it escalates, which focuses on resolving the problem having regard to the full range of tools and legal powers available
- (e) all tenants and residents can easily report ASB, are kept informed about the status of their case where responsibility rests with the organisation and are appropriately signposted where it does not
- (f) provision of support to victims and witnesses

3. Service Objectives

To maintain a high standard that delivers value for money in the upkeep of clean, green and safe estates

- To have estates that the Council and our residents are proud of
- To ensure we have clear standards, that residents know what to expect from the estate management service, including obligations for both the Council and residents
- To ensure our services deliver value for money and we are clear on what we are charging for
- To maintain a regular, visible presence on estates
- To ensure we comply with all Health & Safety requirements
- To encourage residents to take responsibility for their environment/estate

4. Estate Management

Estate management reflects the wider role that the Council has in areas where there are clusters of Council owned properties. In these areas, the Council is more than just a landlord but is also responsible for neighbourhood sustainability and some aspects of the environmental quality in the local area. Estate walkabouts will be undertaken to ensure that issues on the estates are highlighted. Other teams, local stakeholders and key partners may be invited to attend.

5. Communal areas

The Council owns and manages approximately 6000 properties across the district, including sheltered housing schemes. Some of these types of accommodation have communal areas which are maintained by the Council, which includes;

- specific areas linked with blocks of flats or grouped dwellings, both internally and externally
- open space owned by the Council
- internal areas like the communal lounge/ activity space, guest room facility, communal entrance doors, stairs, corridors, lifts, sheds, laundry/drying areas and facilities for refuse disposal
- external areas like bin areas, sheds, drying areas, communal gardens, the footways owned by the Council, grassed or landscaped areas, garage sites and forecourts,
- parking areas, fencing and walls
- lifts

Access to the internal communal areas is usually through a secure door entry system. Visitor access to each flat is via a key or fob. Tenants and leaseholders should not allow access to any visitors for another property or a visitor who cannot provide official identification. Regular occurrence of this may be deemed a breach of tenancy. Maintenance of the communal areas is the responsibility of the Council. The Council is committed to keeping communal areas free from fire and other health and safety hazards.

The Council will ensure they are kept clear of items that can increase the intensity of a fire, increase the risk of a fire starting by the introduction of an ignition source or giving off toxic smoke. It is essential therefore that all tenants and leaseholders make sure that communal areas are kept free from personal effects, plants and tables. Items such as mobility scooters, bikes and pushchairs left in communal areas can cause trip hazards and obstruction to occupants escaping the fire and the Fire Service entering the building to rescue occupants or tackle the fire. No items should be stored in communal areas. Storage cupboards, for example where communal cleaning materials might be stored, will always be kept locked. It is a requirement of the Lincolnshire Fire and Rescue Service to ensure that fire safety regulations are met and fire escape routes are clear. This is essential in maintaining the safety of all other tenants and leaseholders, staff and fire officers. Tenants and leaseholders will be requested to remove any other items in communal areas and in the case of repeated breaches, items may be removed and disposed of.

6. Living in Flats

Tenants and leaseholders in flats will, in many instances, have neighbours to the side, above and below their property, as well as shared access through communal areas. As such, further consideration is required by tenants and leaseholders to reduce nuisance to neighbours. The

majority of apartment blocks are fitted with security doors. Tenants and leaseholders should not prop open security or fire doors, or allow access through them to anyone they do not know or who cannot provide official identification. Tenants and leaseholders are also responsible for the behaviour of their visitors and should ensure appropriate access. Tenants and leaseholders who allow visitors to repeatedly cause nuisance to neighbours by pressing the entry system will be considered to be in breach of their tenancy. Furthermore, tenants and leaseholders are responsible for the behaviour of visitors in the communal areas and in their flats and should ensure that visitors do not use abusive or offensive language, do not litter or graffiti communal areas, do not cause obstruction and keep noise to a minimum. This behaviour will be in breach of the Tenancy Agreement and action may be taken against the tenant(s).

7. Living in Sheltered Housing

Sheltered housing is primarily for older people and offers a shared and secure environment in which to live. Sheltered housing refers to groups of bungalows or flats, with their own kitchen, bathroom and front door with some support by a Sheltered Housing Officer provided on site once a week or as needed. The facilities and the level of support will vary between schemes. Some properties have emergency alarms and pull cord systems. All sheltered blocks have communal areas which may include lounges, guest rooms, communal bathing facilities and gardens. Tenants and leaseholders within sheltered housing will be expected to maintain the comfort and safety of other residents and visitors through appropriate use of communal areas, including:

- Acting in a considerate manner and not using abusive or offensive language.
- Not removing official documentation or information from notice board areas.
- Avoiding putting potentially offensive material within communal areas.
- Not removing items from communal areas without permission from the Council.
- Treating all fixtures and fitting, including communal furniture, with care and respect.
- Ensuring that all visitors behave in an appropriate and considerate manner.
- Ensuring that all events taking place in communal areas are agreed beforehand with the Scheme Co-ordinator and all residents are invited to attend.
- Adhering to the tenancy agreement within the shared communal areas around respect, inclusion, equality and tolerance.
- The considerate and fair use of parking bays.

8. Fire Management

Fire safety equipment includes:

- Emergency lighting
- Fire alarms
- Smoke alarms
- Smoke detectors
- Smoke vents
- Door magnets
- Door closures
- Fire exits

We will manage this equipment through:

- Weekly tests at the sheltered housing schemes
- Monthly tests at blocks of flats (fire safety equipment where appropriate and Health & safety hazards)
- Quarterly more detailed fire safety equipment testing
- Fire risk assessments are conducted for every block every two years by an approved, qualified Fire Risk Assessor

We have a fire action plan in each block of flats and sheltered housing scheme.

It is the responsibility of each tenant and leaseholder to report any fire risks to the Council.

9. CCTV and Security Lighting

The Council may choose to make use of Closed Circuit TV (CCTV) technology to help improve the management and security of tenants, leaseholders and visitors. Use of CCTV will be advertised in all areas where it is in use. Footage from CCTV may be used as evidence in any legal proceedings. Security lighting is not generally fitted to Council accommodation unless the tenant is particularly vulnerable due to age, disability or domestic violence. In these

instances low level security lighting may be installed and maintained in line with the Responsive Repairs Policy.

10. Pest control

Where pest infestations are identified within communal areas, the Council is responsible for organising treatment. If, during investigations, it is found the pest infestation is from a tenant's property, the tenant must organise treatment.

11. Graffiti and Fly Tipping

It is the Council's aim to keep all estates safe and clean. The Council has a zero tolerance stance on graffiti and will do everything in its powers to ensure any offenders are dealt with as quickly possible. Fly tipping is a crime that blights our communities, it is unsightly, can be hazardous and can lead to injuries both to the public and wildlife and is costly to remove. Therefore, all graffiti or the illegal dumping of waste (known as fly tipping) on all estates will be removed as soon as possible. Where graffiti is considered to be racist or offensive, this will be prioritised after being reported. Rubbish that is dumped and considered to be a health and safety hazard will also be removed as a priority after being reported. Legal action can be taken against householders whose waste is tipped (whether they know about it or not), which can lead to a fine or imprisonment for those found guilty of fly tipping.

12. Litter and Dog Fouling Enforcement

The Council will proactively work to raise awareness of not littering or allowing dog fouling on the estates, particularly where complaints are received. Where a person is witnessed by an authorised Council officer committing an offence, the Council may issue a Fixed Penalty Notice.

13. Communal bins

Communal bins are for use by residents only and must be used in accordance with local authority guidelines. Where guidelines are not followed and a resident contravenes this, the Council may recover the costs for any rectification through recharging both individuals and residents of a block. Where non-residents are the cause of the contravention we will deal with this as fly tipping (please see section 5 regarding communal areas).

14. Environmental Improvements

The Council may undertake specific works to an estate, a small area within an estate or a small number of properties, as part of improving the wider environment of the estate or as part of the planned investment programme. These works may be undertaken to facilitate better use of the space, resolve local issues, reduce anti-social behaviour, improve security or facilitate better community integration. Local communities will be encouraged to develop ideas for improvements to their local area working with Council officers, police, the fire service or other local stakeholders. Eligible works can include (but are not limited to);

- security lighting and CCTV
- tree removal
- paving

15. Management of Land owned by the Housing Revenue Account (HRA)

Across the housing estates the Council owns and manages, the Council will keep the land clear from rubbish and waste. These areas should not be used for parking unless they are specifically designated as a car-park and maintained as such. The Council is responsible for maintaining footpaths on Council land, which are not the responsibility of the Highway Authority. Routine visual inspections of footpaths will take place to ensure these are accessible and well maintained. The inspection will look for any;

- graffiti
- fly tipping
- litter
- drug paraphernalia
- overgrown vegetation
- street lighting

The boundary of a property is determined by the Council. This is agreed with the tenant at the time of signing for a tenancy. In the event of any dispute with neighbour's boundaries or an encroachment by a tenant onto adjoining land, the Council's decision around where divisions lie will be final.

16. Grounds Maintenance

We will ensure that the communal land looks clean and tidy, hedges cut back and grass maintained. Our communal land is broken into three key types: Sheltered Schemes; General needs stock; Amenity land (land that is not part of an estate and includes grass verges, and small community grass areas).

We will not maintain private or individual gardens. This will be the responsibility of the resident/owner as detailed in their tenancy/licence agreement (where applicable).

17. Parking

Car parks are designed for resident use only. Visitors to the sheltered housing schemes and generic housing in flats should park on the road.

18. Gritting

This policy applies only to property and land within the ownership and management of Council managed housing stock, estates and land. Therefore, the gritting of adopted public roads and pavements are dealt with separately by Lincolnshire County Council's Highways Department. During times of severe winter weather (icy or snowy conditions) the Council will take reasonable actions to grit or clear snow from the Sheltered Housing Schemes across the district. There is no legal obligation to grit or clear areas due to snow and ice. Whilst there is no clear definition of severe weather, the Council will consider the Met Offices status alerts/classifications, and take into account local variations; (weather conditions can vary widely across the district, with some housing estates being more prone to the impact of such conditions than others). The Council is unable to preventively grit ahead of any forecast severe weather. It is the tenant's responsibility to clear individual paths or drives. There are a small number of grit bins on housing land – these provide grit for both the Council and residents to use themselves (but this depends on available stock and budget). The use of these by residents is at their own risk.

During severe weather, the Council can suspend their normal duties in order to lay grit and clear snow. However, there are insufficient staffing resources to provide this service to every location, so gritting and snow clearance is prioritised and resources allocated to reflect higher priority areas first. Extreme severe weather conditions may prevent staff from accessing locations and so the Council would be unable to take action to clear or grit communal paths. The provision of gritting and snow clearance will only take place during office hours. No service can be provided out of hours, at weekends or during holiday periods (such as Christmas). Even when paths are cleared or gritted this is not a guarantee that the paths are completely safe or slip-proof. Additionally roads and pavements may still be untreated. Tenants and leaseholders are advised to avoid unnecessary travel during such conditions and if travel is essential, to ensure caution is used. Storage capacity for grit is limited and during

prolonged severe weather, stocks may run low or be used up. Reasonable attempts will be made to obtain replacement stocks, but this is dependent upon supply and demand. Additionally, during periods of particularly prolonged severe weather, the Council may be requested to supply grit stocks for other areas of the district which are not Council owned estates and land. In such a period, stocks for housing use may be rationed or not be available.

20. Window Cleaning

The Council will carry out window cleaning of the communal room only of the sheltered housing schemes. Window cleaning of individual flats is the responsibility of the tenant/leaseholder.

21. Trees

The Council will maintain trees that are on Council-owned land. If the tree is within a Conservation Area or has a Tree Preservation Order, only works which may be carried out by the Council, following an assessment by a Council Officer, are those that fall under the category of:

- dead
- dying
- dangerous
- diseased

22. Related Policies, Procedures and Guidelines

This policy should be read in conjunction with the:

- Tenancy Management Policy
- Leasehold Management Policy

23. Review

The policy will be reviewed every 5 years, unless there is a change to legislation or regulations.