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# The Trust

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## Communal Areas (Fire Safety) Policy

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## 1. INTRODUCTION

1. The overall aim of the policy is to ensure that Peaks & Plains Housing Trust meets its obligations as a landlord to all stakeholders. To achieve this we will ensure that our communal areas, both internal and external, are managed effectively and kept free from obstructions or hazards to protect the health and safety of residents and other users of our buildings.

## 2. WHERE THE POLICY APPLIES TO

- 2.1. The policy applies to:
  - Communal areas within properties - passageways, entrance halls and staircases
  - Where there are shared facilities within buildings e.g. bin stores or bin chutes, other storage facilities
  - Where there are shared communal and social facilities e.g. communal lounges, kitchens or laundry facilities and guest rooms
  - Electrical cupboards and plant rooms
  - External areas e.g. shared gardens and through routes
  - The policy also applies to leaseholders where they access shared facilities
- 2.2. The operation of the policy complies with the requirements of the following legislation:
  - Regulatory Reform (Fire Safety) Order 2005
  - Housing Act 2004
  - Equality Act 2010
- 2.3. The policy meets the following strategic priorities:
  - Be a great landlord
    - Provide safe homes that are well maintained to support healthy lives
  - Be a resilient business
    - Ensure full asset compliance
  - Create great places to live
    - Improve the neighbourhoods that we manage

## 3. POLICY PRINCIPLES

### 3.1. Guidelines for Communal Areas

- 3.1.1. Peaks & Plains Housing Trust manages a number of communal areas including internal areas within low rise and high rise blocks, sheltered schemes and communal gardens.
- 3.1.2. Communal areas, even those immediately adjacent to a resident's property, are not an extension of an individual's property and as such residents should not use these areas for their personal effects or have exclusive use particularly where access to communal facilities and areas is required by other residents.

- 3.1.3. **Internal communal areas** such as connecting corridors, landings, stairwells, lobbies, meeting rooms or common rooms must be kept entirely free from obstruction. Even temporary obstructions pose a risk of fire and injury, and can cause inconvenience including loss of access for residents and visitors. Common obstructions in internal communal areas include, but are not limited to, rubbish and items awaiting disposal, furnishings such as mats and flower pots, bicycles, prams, motorised cycles, scooters and mobility scooters. Personal effects such as photo frames and pictures should not be placed in communal areas.
- 3.1.4. External areas, for example, courtyards and garden areas, provide a greater degree of freedom to personalise and allow tenants opportunities to become involved with the community in which they live. Peaks & Plains Housing Trust aim to balance the health and safety management of the buildings it owns with the ability for all residents to access safely external spaces and enjoy communal gardens.
- 3.1.5. If a resident requests permission to make an alteration e.g. place hanging baskets or planters, or furnishings within a communal area, they should contact the Trust by email at [staysafe@peaksplains.org](mailto:staysafe@peaksplains.org) or ring the Trust on 0800 012 1311. Requests for changes will be considered on a case by case basis at the Trust's discretion and residents will receive a written response within 10 days of their request submission from the Fire Safety Team.
- 3.1.6. The Trust will approve requests provided that:
- The alteration is fully risk assessed and does not pose an obstruction or hazard to residents, visitors or emergency services.
  - The alteration is not considered offensive to any person or persons.
- 3.1.7. In the event that this alteration changes from the original request, the Trust reserves the right to withdraw permission for use of the communal area.
- 3.1.8. The Trust will maintain the condition of all furniture and other items it provides for residents use in the communal areas (e.g. furniture in communal lounges) and reserves the right to remove any furniture or other items belonging to residents that may cause an obstruction or fire hazard.
- 3.1.9. The following items and behaviours are not permitted at any time:
- No smoking or vaping is permitted in any of the communal areas of our buildings.
  - Anything which is considered to pose an immediate risk to life e.g. fuels such as petrol, gas canisters/cylinders etc. must not be stored in communal areas and will be removed immediately.
  - The charging of mobility scooters, e-bikes/scooters, batteries or other electrical items in communal areas.
  - Anything which is combustible or poses a fire risk. BBQ's are permissible in communal gardens provided they do not prevent the use of the garden by other residents and are used away from buildings and fences. After use these must be fully extinguished
  - Anything which prevents or significantly limits the use of shared facilities by other residents.

- Anything which obstructs rubbish chute rooms or rubbish collection areas.
- Anything which obstructs stairwells, fire escapes, bin areas and through routes.
- The fastening of anything to flat front doors and door frames including, ornaments is not permitted.
- The placement of additional furniture and personal effects in the communal areas.
- Anything which may be construed as offensive to staff or other residents.

### 3.2. **Potential Enforcement Action**

3.2.1. Peaks & Plains Housing Trust will work with the individuals to find solutions to the problems caused, taking into account individual circumstances including referral to relevant organisations including Occupational Therapists and social services. Where residents persist in this type of behaviour despite reasonable attempts to find alternative solutions, and when verbal and written warnings have been wilfully ignored, Peaks & Plains Housing Trust may be required to take enforcement actions.

3.2.2. These could take the form of:

- Injunctions or tenancy enforcement actions.
- Removal of the item in which case a tort notice will be served on the resident and they will have 28 days to collect the item before Peaks & Plains Housing Trust disposes of it permanently. A tort is something that an individual does or fails to do that harms someone else and for which they can be sued for damages.
- In the cases of persistent offenders, the Trust will consider court action to prevent further occurrences and an application for costs will be made in the event of a successful outcome.

3.2.3. In all cases, where enforcement action is required or earlier when discussions on the issues are being held, the Trust will assess the capacity of the individuals concerned to understand the situation and potential consequences. The Trust reserves the right to recharge the tenant or leaseholder for any of the costs associated with the above actions including any legal or storage costs incurred.

## 4. **ROLES AND RESPONSIBILITIES**

Teams primarily responsible for the implementation of this policy include:

### 4. **Fire Safety Team**

4.1.1. The Fire Safety Team are responsible for carrying out fire risk assessments in each of the schemes that have communal areas. Where housekeeping issues are identified as part of this fire risk assessment they will notify the Estates Team. Tenant complaints or queries relating to removal of items or items stored will be managed by the Fire Safety Team.

### 4. **Estates Team**

4.2.1. The Estates Team carry out weekly and monthly inspections of communal areas and where the standard of housekeeping falls below expected standards they will liaise with residents at the time to see if the issues can be resolved or will serve a 7 day notice for

removal. After 7 days a tort notice will be issued and the goods photographed and removed. If the items are not collected within 28 days then the Trust will dispose of them.

#### **4. Neighbourhood Team**

- 4.3.1. As part of day to day business the Neighbourhood Teams are likely to identify items in communal areas and where the standard of housekeeping falls below expected standards they will liaise with residents at the time to see if the issues can be resolved or will serve a 7 day notice for removal. After 7 days, if the value of the goods is less than £100 then Estates will dispose of the goods. If the value exceeds this amount, a tort notice will be issued and the goods photographed and removed. If the items are not collected within 28 days then then the Trust will dispose of them.

#### **5. DISPOSAL AND RETRIEVAL OF GOODS**

- 5.1. Where residents contact the Trust to request the return of removed items, an administration charge will be made to cover the costs of reinstatement.
- 5.2. Where residents fail to retrieve their items a charge will be made for the removal and disposal of the items.
- 5.3. The charges administered will be based on the costs to the Trust for the removal, storing, disposal and reinstatement of goods and will be reviewed annually to reflect the costs incurred by the Trust.

#### **6. CONSULTATION, MONITORING AND REVIEW**

- 6.1. This policy has been reviewed by AMT and SMT prior to being submitted to EMT for approval. It has also been submitted to the Challenge Group as it is a customer facing policy.
- 6.2. It will be the responsibility of the Fire Safety Manager, Estates Manager and Customer Support & Enforcement Manager to monitor and report back on this policy to the Executive Team.
- 7.3 This policy will be reviewed every 3 years or as and when legislation or guidance changes in line with the Trust's policy framework.

#### **7. ASSOCIATED DOCUMENTS**

- 7.1. The following documents should be read in conjunction with this policy:
- Fire Safety Policy

## POLICY INFORMATION

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|-------------------|---------------------------------|
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