

Cheshire West & Chester Council

# Council Housing

## Communal Areas Policy

Issue date: November 2025

Review date: November 2028



Cheshire West  
and Chester

## 1. Management Information

Approval Date:	November 2025
Next Review Date:	November 2028
Policy Owner:	Janet Lawton, Head of Housing Delivery
Responsible Service Area:	Council Landlord Service
Responsible Director:	Director of Economy and Housing

## 2. Introduction

The Council has a legal duty under the Building Safety Act 2022 to ensure all reasonable precautions are taken, to keep premises under its control, safe and free from hazards. It is therefore important to ensure that there are no obstructions in communal areas that could:

- Contribute to the spread of fire
- Create accidental fires by their combustible nature
- Prevent or reduce tenants, leaseholders, staff and contractors' ability to escape in the event of fire
- Produce smoke
- Hinder or prevent Emergency Services in rescue duties
- Injure people by causing trips, slips and falls

## 3. Aim of Policy

This policy outlines the approach the Council will taken when managing the communal areas, with a focus upon the following key aims:

- Ensure the health and safety of tenants, leaseholders, staff, and visitors when in a communal area.
- Give clear advice to tenants/leaseholders to minimise the risks of items causing an obstruction to access routes in the event of an emergency.
- Give clear advice to tenants/leaseholders to mitigate the risk of fire, trips, slips and falls.
- Allow communal areas to be used safely for the benefit of all tenants, leaseholders, staff, contractors and visitors.
- Ensure that communal areas can be safely evacuated in the event of an emergency.
- Advise tenants and leaseholders how the Council as a landlord will manage and respond to concerns of health and fire safety in communal areas.
- Ensure the Council as a landlord meets its statutory obligations.

## 4. Strategic context

This policy helps the Council to meet the following national and national strategic aims.

## Social Housing Regulations Act 2023 – Consumer Standards

- Quality and Safety Standard
- Transparency, Influence and Accountability Standard
- Neighbourhood and Community Standard
- Tenancy Standard

[CWAC Borough Plan 2024 – 2028](#) - sets out how the Council will work with all its residents to build a stronger future where the Council and residents all play their part in creating thriving, caring and sustainable communities.

The Borough Plan has six missions as follows:

- Starting well - The best start for the borough`s children and young people, with improved opportunity, a healthier start, greater resilience in families and the best possible support and care when it is needed.
- Tackling hardship and poverty - More people feel more financially secure as the causes and impact of hardship and poverty are addressed by working alongside residents.
- Resilient people living their best lives - Local people are enabled to flourish, be healthy, happy and independent for longer in supportive communities.
- Opportunity in a fair local economy - Local people and businesses contribute to and benefit from a strong and fair local economy.
- Neighbourhood pride - Residents live in well maintained, connected and safe places with good and affordable homes.
- Greener communities - Individuals, public services and businesses take action to move to tackle the climate emergency, achieve net zero, protect the natural environment and adapt to the impact of climate change.

[Together with Tenants Charter | Cheshire West and Chester Council Council-housing-asset-management-strategy-final Tenant Engagement Strategy 2025-30](#)

### **5. Definition and legislation**

When referring to a communal area, the Council defines a communal area as an area that is not within the confines of the tenants/leaseholders' home. For example - corridors, balconies, stairways, landings, lobbies, meter cupboards, external gardens, bin stores, entrances to buildings, garages, and parking areas.

### **6. How the policy will be delivered**

This Policy applies to all internal and external common parts of blocks of flats to ensure they are kept free of obstructions or hazards to protect the health and safety of tenants, leaseholders and other users of the buildings.

## **Scope of the Policy**

The Policy applies to all tenants, leaseholders, employees, contractors, and anyone else using the internal and external communal areas of the Councils residential premises. The following areas are included:

- Internal communal corridors, for example porches, entrance halls, landings, staircases
- Internal shared facilities, for example bin stores, bin chutes, meter cupboards, laundries
- Internal social facilities, for example communal lounges, kitchens, guest rooms
- External areas, for example communal gardens, through routes and shared balconies.

Examples of obstructions and hazards include, but are not limited to:

- Rubbish and other items such as furniture awaiting disposal
- Furnishings such as mats, pictures on walls, and flowerpots
- Bicycles, electric bicycles and scooters, wheelchairs, prams
- Hardware such as tools, paint, garden equipment etc.
- Personal effects such as storage boxes / containers, toys etc.

This Policy applies to all internal and external common parts of blocks of flats to ensure they are kept free of obstructions or hazards to protect the health and safety of tenants, leaseholders and other users of the buildings.

## **Zero Tolerance approach**

Due to the nature of the buildings, and that tenants/leaseholders' health and safety is of paramount importance to both the Council, a clear common areas approach will be taken, often referred to as a zero tolerance approach.

This approach means that tenants/leaseholders and their visitors are not permitted to use these areas to store or dispose of their belongings or rubbish. These areas should be always kept clear and sterile i.e. free of combustible materials, ignition sources and obstructions. Smoking is not permitted within internal communal areas / shared facilities.

## **Aims of a Zero Tolerance approach**

- To comply with the legal requirements set out in the Building Safety Act 2022
- To reduce unnecessary risks and comply with the Councils landlord duties under primary legislation including fire safety laws and the Housing Act 2004.
- For tenants/leaseholders to enjoy a safe, clean and tidy environment
- To ensure tenants/leaseholders are kept safe and the Council effectively manage and address tenants'/leaseholders' concerns regarding health and fire safety
- To ensure compliance with fire authorities preferred practice of managing communal areas

- To ensure we meet our regulatory responsibilities
- To reduce the risk of accidental fires in common parts whilst ensuring there is clarity in the enforcement of a clear common area approach
- To aid a hazard free escape route
- To ensure there is clarity as to roles and responsibilities
- To reduce the risk of arson by reducing possible sources of fuel
- To take all reasonable and practical steps to reduce the risk of trips, slips and falls.

### **Objectives of a Zero Tolerance approach**

- To have a well-defined approach to keeping communal areas free from combustible materials.
- To ensure there is no ambiguity regarding what is allowed and therefore tenants/leaseholders know exactly what's expected.
- For tenants/leaseholders to be aware of their responsibilities and the Councils approach to ensure communal areas are kept clear.
- That goods left in communal areas are removed promptly, following the necessary notice procedures.

### **Storage Cupboards Located Within Communal Areas and Stairwells**

Tenants/leaseholders are not permitted to store any items in any cupboards, including service and meter cupboards located within the internal communal areas.

### **Exceptions to a Zero Tolerance approach**

#### **Disability**

This may include where a tenant/leaseholder has a cognitive disability such as dementia, which means they need to store a specific item in the communal corridor adjacent to their home to act as a memory aide. Where this is the case, the requirement will be documented following a person-centred fire risk assessment and agreed via the permissions process.

#### **Electric Bicycles, Electric Scooters and Similar Devices**

In recent years, the use of devices that are powered by batteries has increased in popularity but unfortunately so has the number of fires they have caused.

The Council do not intend for use of electric bicycles, electric scooters or other devices to be prohibited. Where individuals use such devices and they are stored and charged entirely within the confines of their own home, with no adverse impacts on the fabric of the building, it will be at the tenants/leaseholders own risk. Where this applies, the Council advise tenants/leaseholders to ensure that the device does not restrict access to the property in any way, where appropriate seeking advice and assistance from the local Fire Authority on personalised escape route planning.

However, the Council as the landlord will not permit the storage and charging of electric bicycles, electric scooters or similar devices in any of the communal parts of its buildings (unless a facility specifically designed for these purposes has been provided or a safe location has been identified as suitable by the Council and permission has been provided with a risk assessment in place).

Where the Council becomes aware that electric bicycles, scooters or similar devices are stored or being charged in communal areas or that their use is causing damage to the property, it will in the first instance seek to engage with the owner to find solutions such as an alternative location.

If an alternative location for electric bicycles, scooters or similar devices has not been identified by the tenant/leaseholder, the Council will work with the individual to explore solutions, considering their needs, which may include referrals to relevant organisations including Occupational Therapists and Social Care.

The Council will not be obliged to provide alternative accommodation to tenants in these circumstances, although it may consider this at its discretion and on a case-by-case basis.

### **Children's Games and Toys in External Communal Areas**

We do not allow equipment such as trampolines (caged or uncaged), swings, climbing frames, large paddling pools, inflatables within the communal areas.

### **CCTV Cameras and Lights**

The installation of CCTV cameras and external lights on council buildings is not permitted, as it may infringe upon the privacy of other tenants/leaseholders and could result in complaints. Smart doorbells may be allowed, but written permission must be obtained before installation. Any concerns about safety and security must be reported to the Housing Officer, who will be able to offer advice, guidance, and appropriate support.

### **Internal Social Facilities (Joseph Groome Towers Block 3 Communal Lounge)**

Some premises, have communal social facilities such as lounges and kitchens. Where this is the case, all furniture and furnishings will be provided or approved by the Council and will be risk assessed to ensure that these items do not pose a health and safety risk. Tenants/leaseholders' belongings must not be stored or left in these areas.

On occasion, tenants/leaseholders may be given permission to store a specific item or install decorations / items relating to religious festivals in shared social facilities. All items must be risk assessed, and requests formally agreed by the Council. Permission will not be given to place decorations such as wreaths on individual flat doors.

## **Potential Enforcement Action**

Tenants/leaseholders storing items in communal parts of the building without permission granted will be contacted by the Council, either verbally or in writing, requesting these items to be removed.

If this fails to bring about the necessary changes, the Council will endeavour to maintain direct contact with the tenant/leaseholder and in addition will send a warning letter. If the tenant/leaseholder does not comply with the request to remove items and find alternative arrangements, the Council will take the following action:

- Removal of the item within a specified time as detailed within the TORT notice. (A TORT notice is a legal document that notifies the owner of objects abandoned on private land or property. It is issued under the TORTS (Interference with Goods) Act 1977) will be served on the tenant/leaseholder, and they will have one month to collect the item before the Council disposes of it permanently
- Tenancy enforcement action and/ or legal action if the situation recurs which could ultimately lead to possession proceedings and eviction.

Should the Council take any of the above actions, it reserves the right to recharge the tenant/leaseholder for:

- Cost of removal, storage and disposal (if required) of items
- All legal and administrative costs of the enforcement actions.
- The Council may also pursue recharges where it can be proved that those items in its properties have caused damage to the building or any fixtures supplied by the Council.

The Council reserves the right to immediately remove and dispose of any items that have been identified as detrimental to the health and safety of all residents living in the building.

## **Removal of Items**

The items will be stored for a period of one calendar month, during which time the owner may pay a fee to have their belongings released. Any items unclaimed at the end of the one-month period will be disposed of.

Where a tenant/leaseholder repeatedly leaves their belongings within the communal area, legal action may be considered.

## **Permissions Process**

The Council will operate a permissions process, whereby tenants/leaseholder can request to store their belongings in either the internal shared social facilities or external areas of a building in which they live. This process does not apply to internal communal areas, such as landings, stairwells or internal shared facilities, such as meter cupboards.

The items requested must not pose an obstruction or hazard to tenants/leaseholders or others occupying the building. Requests will be considered on a case-by-case basis and will be reviewed by a manager responsible for the relevant building. The Council reserves the right to decline or withdraw permission at any time. Any decision will be confirmed in writing.

### **Responsibilities under this Policy**

All staff who in the course of their role have reason to visit properties with internal or external communal areas, will have day-to-day responsibility for delivering this policy and the associated procedure.

If staff become aware that there are problems with the effective operation of this Policy or the associated procedures, they should report this to the Policy Owner. This feedback will be incorporated into the policy and procedural review process.

The Senior Leadership Team and Head of Service will have the responsibility to ensure that this policy is adhered to and that there is monthly performance reporting of all key activities, e.g. weekly communal inspections undertaken as part of the cleaning contract, Fire Risk Assessments (FRAs) due and undertaken and FRA actions (maintenance and management). The contents of the monthly performance report will also form part of the Board Report provided to the Council Housing Management Board for its quarterly meetings.

The Compliance Manager and Fire Safety Lead will review all Fire Risk Assessment actions to ensure they are properly assigned, managed and actioned.

### **7. Equality and reasonable adjustment statement**

We value diversity and work to create an inclusive environment for customers and staff, where everyone has access to the same opportunities. We welcome our responsibility to comply with equalities legislation and regulatory requirements that relate to equity, diversity and inclusion and aim to do more. Through our activities we aim to remove systemic barriers to equal opportunities and eliminate all forms of discrimination, harassment, and victimisation within our organisation.

We are committed to providing excellent customer services, which are fair, equitable and inclusive. As such, we will endeavour to understand and make any reasonable adjustments required for customers in line with our Reasonable Adjustment Statement and the Equality Act 2010. Any reasonable adjustment provided will be recorded and kept under active review.

### **8. Related Documents**

- Communal Area Management Procedure
- Communal Area Management Risk Assessment

## 9. Equality Analysis

Results of EA / Actions taken forward to mitigate any potential negative impacts	<p>Inform that this policy can be provided in alternative formats.</p> <p>Inform about the ongoing equality and diversity training for staff in the delivery of this policy.</p>
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See appendix 1 for full Equality and Diversity Impact Assessment.

## 10. Consultation and Business Intelligence

The policy was created in consultation with the Council's tenants leaseholders and staff.

## 11. Monitoring and review

The Council Housing Management Board has responsibility for the monitoring and review of this policy. This policy will be reviewed every three years starting from the date it is approached and adopted.

Delivery of this policy will be monitored and if staff become aware that there are problems with effective operation of the policy or the associated procedures, policy owners will be informed. This feedback will be incorporated into the policy review process.

## 12. Approval and Review History

The approval route for all policies and procedures is via the Cabinet Member for Homes and Planning who has delegated powers for policy approval from the Council's Executive Cabinet.

Date	Version	Approved by
26/06/2025	V1	Cabinet Member for Homes and Planning

## 13. Document Revision History

Date amended	Version	Key Changes
	1	Original version



## Appendix 1 – Equality and Diversity Impact Assessment

<b>Area of activity or change</b>	<b>Communal Areas Policy</b>
<b>IMDF Approval</b>	<b>Allan Batty, Senior Housing Policy Officer</b>

<b>STAGE ONE - SCOPING</b>	<b>Outlines the decision that is being made any why</b>
<b>STAGE TWO - RESEARCH</b>	<b>Outlines the collaboration and research that will inform this decision</b>
<b>STAGE THREE - FINDINGS AND NEXT STEPS</b>	<b>Considers how learnings from research and engagement are being embedded, the potential impact of the decision on different people and how these can best be managed.</b>

<b>STAGE ONE – SCOPING</b>	
<b>Consider points such as:</b> <ul style="list-style-type: none"> <li>Where has the proposed activity or change come from and why is it needed?</li> <li>Why is it important to the Council?</li> <li>How will this affect the tenant / customer journey or colleague experience?</li> </ul>	<b>What activity or change is being proposed and why?</b> <ul style="list-style-type: none"> <li>Review new policy to ensure it meets the requirements of staff, the Council and its tenants and leaseholders</li> <li>Review new policy to ensure that it complies with best practice guidance including Housing Ombudsman</li> <li>Consult with tenants and leaseholders</li> </ul>
	<b>What benefits are you trying to achieve?</b> <ul style="list-style-type: none"> <li>Policy to consider all requirements</li> <li>Policy to be clear about being developed by best practice guidance</li> <li>Policy to be informative, to be clear and in plain English</li> <li>Meet the needs of staff, tenants and leaseholders</li> </ul>
<b>STAGE TWO – RESEARCH</b>	
<b>Consider points such as:</b> <ul style="list-style-type: none"> <li>What groups or individuals will you approach to discuss this?</li> <li>How will you ensure that these people are diverse and representative? (See Equity and Diversity table in stage three)</li> <li>Is there any data you can look at to support you?</li> </ul>	<b>Who will help develop your thinking so that different experiences and perspectives are included?</b> <ul style="list-style-type: none"> <li>Consultation with tenants and leaseholders using closed facebook page.</li> <li>Undertake an equality impact assessment to identify any positive and/or negative impacts on protected characteristics.</li> </ul>
	<b>What research will you do to inform your understanding?</b> <ul style="list-style-type: none"> <li>Review all relevant requirements, including good practice</li> </ul>

<b>STAGE THREE – FINDINGS AND NEXT STEPS</b>	
<b>Consider points such as:</b> <ul style="list-style-type: none"> <li>• What have people told you are some of the key issues?</li> <li>• What good practice is happening in other organisations?</li> <li>• What changes are you planning to make because of the things you've found out?</li> </ul>	<b>What have you learnt from your research and engagement?</b> <ul style="list-style-type: none"> <li>• Consultation with tenants and leaseholders informed on minor changes to the policy which is recorded in the final document.</li> </ul>
	<b>How will you embed what you've learnt into your activity or change?</b> <ul style="list-style-type: none"> <li>• Make relevant minor changes to the policy</li> <li>• Inform within the document that this can be provided in alternative formats.</li> <li>• Inform about the ongoing equality and diversity training being provided to staff in the delivery of this policy.</li> </ul>

<b>Equity and Diversity</b> - Not everyone has the same access to opportunities or services, and the things that make us different – such as the characteristics listed below – can affect our experiences and outcomes. Therefore, it is important to consider how different people could be impacted by any activity or change we want to bring about.	
<b>How could the proposed activity or change affect people with these characteristics (positively or negatively)?</b>	
<b>Age</b> (Younger or older people)	
<b>Caring responsibilities</b> (Parents and those looking after an older or disabled person)	
<b>Digital inclusion</b> (People without access to digital platforms or devices)	
<b>Educational attainment</b> (People who have experienced barriers to formal education)	
<b>Ethnicity, race and nationality</b> (Including migrants, refugees and asylum seekers)	
<b>Financial inclusion</b> (People experiencing financial barriers or challenges)	
<b>Marriage / civil partnership</b> (Legal union between different-sex or same-sex couples)	
<b>Mental health</b> (People with a mental disability or ill-health)	
<b>Neurodiversity</b> (Such as people with ADHD, Autism, Dyslexia, Dyspraxia)	
<b>Physical health</b> (People with a physical disability or ill-health)	
<b>Pregnancy and maternity</b> (Someone who is pregnant or has recently given birth)	
<b>Religion, faith or belief</b> (All religions and faiths, including people with no religion)	
<b>Sex</b> (Men and women)	
<b>Gender identity</b> (Including trans and non-binary people)	
<b>Sexual orientation</b> (Such as Lesbian, Gay and Bisexual people)	
<b>Any other characteristic</b>	

**Managing positive and negative effects**

**Consider points such as:**

- Do you need to escalate any issues or seek legal advice?
- Can you see any opportunities to promote or celebrate positive outcomes?
- How will you build monitoring into the implementation of your activity or change and who will you report to?

**If potential negative effects have been identified, how will any harm be reduced or avoided?**

**If potential positive effects have been identified, how can we ensure these are realised?**

**How and when will the impacts of your activity or change be monitored moving forward?**