



Bridgewater Housing Association Policy

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| Policy name | Estate Management |
| Policy category | Housing Services (HS) |
| Policy number | HS05 |
| Date adopted | November 1998 |
| Last review | August 2008 |
| This review | April 2024 |
| Next review | April 2027 |
| Equalities impact assessment required | Yes |
| Links to other documents | HS21 Anti-Social Behaviour Policy HS10 Pets Policy (superceded by this Policy review) |
| Consultation | Yes |

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1.0 INTRODUCTION

- 1.1 The Association is committed to ensuring that Erskine remains a clean, pleasant, and safe place for residents to live. In order to achieve this, the Association requires to have an effective Estate Management Policy in place.
- 1.2 Many different areas of work are performed under 'Estate Management' including (but not limited to):-
- Pets
 - Gardens
 - Common Areas
 - Close Cleaning
 - Bins & Dumping
 - Vehicles & Parking
 - Vandalism/Graffiti
 - Estate Visits & Close Inspections
 - Enforcing tenancy conditions
- 1.3 It is important to remember that the Association cannot undertake estate management in isolation. While we have various responsibilities and obligations under law and in agreement with our customers, tenants also have obligations under the terms of their Tenancy Agreement and owner occupiers under their Deed of Conditions. We also require to work in liaison with other service providers such as Renfrewshire Council's Environmental Services, Community Safety and Roads departments, the Police, Social Work Department, and with our maintenance and landscape maintenance contractors whose work in the area influences our reputation with our customers.
- 1.4 Our approach to estate management therefore has a huge impact on resident satisfaction and on the desirability of Erskine as a place to live or move to.

2.0 LEGAL & REGULATORY CONTEXT

- 2.1 From a tenant/landlord perspective, the foundation to Estate Management lies mainly in the Scottish Secure Tenancy Agreement, which tenants have signed with the Association. The key legislation behind the tenancy agreements is the Housing (Scotland) Act 2001.
- 3.2 This Policy and Bridgewater Housing Association's general approach to dealing with estate management is based on the above legislation, good practice and complies with many of the principles outlined in the Scottish Social Housing Charter:

Charter Outcome 1: Equalities - Social landlords perform all aspects of their housing services so that: every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services.

Charter Outcome 2: Communication - Social landlords manage their businesses so that: tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides.

Charter Outcome 3: Participation - Social landlords manage their businesses so that: tenants and other customers find it easy to participate in and influence their landlord's decisions at a level they feel comfortable with.

Charter Outcome 6: Estate management, anti-social behaviour, neighbour nuisance and tenancy disputes - Social landlords, working in partnership with other agencies, help to ensure that: Tenants and other customers live in well-maintained neighbourhoods where they feel safe.

Charter Outcome 11: Social landlords make sure that: Tenants get the information they need on how to obtain support to remain in their home and ensure suitable support is available, including services provided directly by the landlord and by other organisations.

Charter Outcome 13: Value for money - Social landlords manage all aspects of their businesses so that: tenants, owners and other customers receive services that provide continually improving value for the rent and other charges they pay.

3.0 PREVENTION

3.1 The Association will seek to minimise estate management problems by taking preventative action through tenant consultation and the promotion of our Policy. This will entail:

- i) detailing landlord and tenant responsibilities in relation to estate management in the Tenancy Agreement;
- ii) explaining landlord and tenant responsibilities to prospective tenants during accompanied viewings and to each new tenant at the signing-up interview;
- iii) reminding existing tenants of their obligations and responsibilities through face to face discussions with staff and promoting the policy in newsletters and other publications;
- iv) providing a separate leaflet on the Association's Estate Management Policy;
- vi) undertaking regular inspections of the area by relevant staff and prompt action being taken where problems have arisen.

4.0 ESTATE MANAGEMENT INSPECTIONS

- 4.1 Housing Officers will be responsible for undertaking regular inspections of gardens and common areas to ensure that tenants and owner occupiers abide by maintenance and cleaning arrangements. Records will be kept of inspections.

Housing Officers will aim to check each common area quarterly, to identify cases where gardens have not been maintained; close cleaning arrangements have been neglected; repairs are required to common areas or the outside of buildings; action is required by an external agency such as Environmental Services; and areas where vandalism may have occurred.

- 4.2 Tenant/Resident Led Inspections will be promoted in conjunction with Housing Officers.

5.0 ESTATE MANAGEMENT PROBLEMS

- 5.1 The voluntary co-operation of residents will be pursued in remedying any estate management problems which arise, with court action being pursued only as a last resort. Actions of Specific Implement may be pursued in preference to Repossession Actions as the Association's aim is for tenants to fulfil the obligations of their Tenancy Agreement and not to create homelessness.

- 5.2 Prompt action will be taken through telephone calls, texts, letters, visits or interviews where either a problem has been identified during a visit, or reported by a neighbour or other third party. Progress will also be closely monitored in each case with the Housing Officer maintaining regular inspections until the situation has been resolved.

- 5.3 Housing Officers will liaise with the local Community Police and other third parties in cases where advice and assistance is required.

- 5.4 Housing Services staff will register relevant estate management issues on the Association's housing management IT system. This information will be used to monitor trends or highlight particular problems in an area.

- 5.5 Estate management issues can be reported to staff by telephone, email, letter or by completing a form on the MyBHA portal.

- 5.6 We will set targets for responding to and resolving complaints of antisocial behaviour, including estate management issues, these targets will be published by the Association within our offices, on our website and on a regular basis within our tenant newsletter.

6.0 GARDEN MAINTENANCE

- 6.1 Untidy and poorly maintained gardens can spoil the appearance of an area and be a source of friction between neighbours.
- 6.2 Where a tenancy is let with a garden, the tenant must take reasonable care to keep it from becoming overgrown, untidy or causing a nuisance (unless we have agreed to take care of it). It must also be kept free of litter. (Section 2.11 of our Scottish Secure Tenancy Agreement.) Similarly, owner occupiers are responsible for the upkeep of their own gardens.
- 6.3 Where gardens are not maintained to a satisfactory standard, action will be taken in accordance with 5.1 and 5.2 above.
- 6.4 Gardening services may be provided to sheltered, elderly and disabled tenants (with no local family support) who meet the criteria as part of the Landscape Maintenance Contract.
- 6.5 Where tenants are known to be experiencing financial difficulties, the Association may consider operating a tool hire scheme in conjunction with a community group or community business.

7.0 FENCING

- 7.1 The Association is responsible only for boundary fencing adjacent to footpaths, pavements and roads. This means that the tenant is responsible for the maintenance of garden divisional and boundary fencing, except where the boundary is adjacent to footpaths, pavements and roads.
- 7.2 The Tenancy Agreement states that if the tenant wants to erect a fence or gate, they must get our written permission first. We will not refuse permission unreasonably. Tenants should seek the agreement of their neighbours' prior to submitting alteration to property forms to renew or replace divisional fences. Consent will not normally be withheld so long as the new fencing complies with the relevant building controls which currently permit fences up to 1.8 metres high.

8.0 CLEANING OF CLOSES, STAIRS AND COMMON AREAS

- 8.1 The Association has arrangements in place for close cleaning in its sheltered, amenity flats and extra care developments.

- 8.2 Where tenants live in a general needs block of flats, they are responsible with the other occupiers, for keeping the common parts clean and tidy. This is contained in sections 2.9 2.10 and 2.12 of the SST and refers to the cleaning of common parts within the block and the garden or backcourt. These areas should be cleaned regularly, that is on a weekly basis, or as required.
- 8.2 Where the occupiers in a block cannot agree on the arrangements for doing this or fail to do the work, the Association is entitled to decide on what should be done and when. Where cleaning arrangements are not being adhered to, letters will be issued by the Housing Officer in the first instance and cleaning rotas introduced and monitored if required. Close meetings may also be arranged to encourage discussions with residents.
- 8.3 In severe cases, advice and assistance will be sought from Renfrewshire Council Environmental Services.
- 8.4 Where difficulties persist (for example through age or infirmity) and consultation has taken place with residents, the Association may consider arranging close cleaning and levying a service charge on the residents concerned.

9.0 ABANDONED PROPERTIES

- 9.1 Where a property has been identified as having been abandoned, Housing Officers will follow the Association's procedures in order to repossess it without delay.
- 9.2 Residents will be encouraged to report any properties which are suspected to be abandoned to the Association's staff.

10.0 PETS

- 10.1 The Association requires to adopt a consistent approach to pet ownership and owner responsibilities. This will enable tenants to be clear on their rights and obligations, and assist staff to deal with problems arising from pet owners' failure to adequately control their pets.
- 10.2 Neighbour disputes can arise if pets are not controlled, and the appearance of estates can deteriorate if, for example, dogs are left to roam unsupervised. This in turn can have an adverse affect on the wider community.

10.3 Bridgewater HA's Scottish Secure Tenancy Agreement states the following:-

"You may keep one domestic pet. If you already have a pet and want to keep another, you must ask us and obtain our written permission first. However, if the house you live in has a communal entrance you must always obtain our permission before you take on a pet. If you do keep a pet you must ensure that:

- keeping your pet is not prohibited by the Dangerous Dogs Act 1991, or by any other law,
- you take responsibility for the behaviour of any pets owned by you or anyone living with you,
- you take all reasonable steps to supervise and keep such pets under control,
- you take all reasonable steps to prevent such pets causing nuisance, annoyance or danger to your neighbours. This includes fouling or noise or smell from your domestic pet,
- you take reasonable care to see that such pets do not foul or cause damage to the house, your neighbour's property, anything belonging to us or anything we are responsible for, such as the common parts,
- you clean up any faeces and any other waste left by your pet."

Bridgewater HA will be entitled to make it a requirement that you remove pets if they cause nuisance or damage.

10.4 It is important that

- ◆ Tenants fully understand their responsibilities regarding pets;
- ◆ Tenants fully implement their obligations for their pets;
- ◆ Staff take effective action against any tenant failing to meet their obligations; and
- ◆ Dog owners are aware of the powers available to enforce dog control.

10.5 In some cases it may be necessary for staff to work in conjunction with partner agencies such as the local authority and Police, who may require to exercise their duties and powers in relation to this type of nuisance.

10.6 Under the terms of the Tenancy Agreement, the tenant may keep one domestic pet. However, where the house has a communal entrance, the tenant must always obtain the Association's permission before they take on a pet. Prospective tenants will therefore be asked if they own a pet at the pre-allocation visit.

10.7 Domestic pets allowed by the Association are those bred for domestic captivity and capable of being suitably accommodated within domestic dwellings. A maximum number of two pets per household will be allowed at any one time.

10.9 The Association does not permit any pets to be kept in the garden, backcourt or other common areas, for example pigeons or bees, or in any attic space.

11.0 DRUGS AND SOLVENTS MISUSE

11.1 The Tenancy Agreement (section 3.3) stipulates that the tenant, those living with the tenant and his/her visitors must not use the house, or allow it to be used for illegal or immoral purposes; or use or sell unlawful drugs or sell alcohol.

11.2 The Association will develop procedures for dealing with problems which arise from the misuse of drugs or solvents on Association property, in conjunction with external agencies, such as the Police.

11.3 Staff will liaise with relevant agencies involved in drugs work and will, where appropriate, refer tenants on to such agencies.

12.0 NEIGHBOUR DISPUTES AND ANTI-SOCIAL BEHAVIOUR

12.1 Section 3 of the Tenancy Agreement covers 'Respect for Others' and outlines the tenant's responsibilities. Our approach to dealing with incidents of antisocial behaviour is determined by our statutory and contractual obligations. The Antisocial Behaviour Etc. (Scotland) Act 2004, the Housing (Scotland) Act 2001 and the Housing (Scotland) Act 2014 are the three Acts that determine the main requirements of our policy.

12.2 The Association will take positive and decisive action to deal with cases of anti-social behaviour which prove detrimental to our tenants' rights and the peaceful enjoyment of their homes. Such cases will be dealt with in accordance with the Anti-Social Behaviour Policy.

13.0 VANDALISM

13.1 Under the terms of the Tenancy Agreement (section 3.3) the tenant, those living with the tenant, and the tenant's visitors must not vandalise or damage our property or any part of the common parts of the neighbourhood. Where damage occurs within the home, the Association's view is that the tenant is responsible for reporting such acts to the Police within 24 hours of becoming aware of the damage.

- 13.2 Where instances of vandalism can be corroborated, and the perpetrator is one of the above, the costs of repairs will be charged to the tenant and pursued for payment.

Where the perpetrator is not one of the above, the Association will take firm action to recoup associated repair costs.

- 13.3 Housing Services staff will aim to develop a close working relationship with the local Police, schools, youth groups and any other relevant agencies to minimise vandalism in the area.
- 13.4 Graffiti which is considered to be racist, homophobic or offensive in any way will be dealt with as an emergency under our Repairs Policy.

14.0 VOID PROPERTY MANAGEMENT

- 14.1 In order to minimise opportunities for vandalism and detract from the appearance of the area, void property procedures will be implemented in accordance with the Association's Void Management Policy.

15.0 DISPOSAL OF HOUSEHOLD REFUSE AND LITTER

- 15.1 Housing Services staff will liaise with Renfrewshire Council Environmental Services concerning the collection of household refuse, garden waste and disposal of household goods.
- 15.2 Tenants' responsibilities for the disposal of household rubbish is contained within section 2.14 of the SST. Additional guidance and information will be passed to tenants as required. Advice on recycling will be made available, where appropriate.
- 15.3 Where tenants fail to comply with arrangements for the uplift of refuse and household goods, Housing Officers will deal with the problem in accordance with 5.2 above.
- 15.4 Litter will be regularly uplifted from areas of open space under the Association's Landscape Maintenance Contract.

16.0 VERMIN AND PEST CONTROL IN COMMON AREAS

- 16.1 Where evidence of vermin or pests occurs, the Association will ensure a prompt response by qualified operatives to deal with the problem in accordance with current environmental health guidelines.

17.0 SATELLITE DISHES

- 17.1 Tenants should seek permission from the Association in writing before installing such an aerial.

17.2 The Association will permit tenants to fix their own satellite dish to their home provided that it is installed safely in accordance with planning regulations/building control and without damaging or spoiling the condition or appearance of the property.

17.3 Permission may be refused where a property has undergone external refurbishment and the Association considers that an aerial would damage the property.

18.0 SECURITY

18.1 The Association aims to work in partnership with residents, the Police and other relevant agencies to devise a strategy to achieve safety and security in both its properties and the wider community. The strategy may include security and crime prevention initiatives to combat crime and reduce the fear of crime.

Housing Officers will liaise with the local Crime Prevention Panel over particular issues of concern.

18.2 The Association will provide tenants with general advice on home security and will encourage all tenants to take out home contents insurance.

18.3 The Association may consider providing additional safety measures (such as window locks, letter boxes) for the homes of tenants who are victims of racial, sexual or other forms of harassment. Where tenants have been victims of crime, referrals may be made to the local Crime Prevention Officer on their behalf and lock changes will be arranged as a matter of urgency where break-ins have occurred.

18.4 Staff will liaise with Renfrewshire Council to ensure that street and communal lighting is maintained in good working order.

19.0 PARKING

19.1 Abandoned vehicles, unauthorised and inconsiderate parking and the use of parking areas to undertake vehicle repairs can cause significant estate management problems. Housing Services staff will regularly inspect parking areas to ensure that they are free of litter, access difficulties, unauthorised parking and abandoned/untaxed vehicles. Staff will liaise with the Police and highways authority over the removal of abandoned and untaxed vehicles.

20.0 COMMON CHARGES

20.1 The Association will ensure that owners are charged their share for estate management services provided to common areas. Accounts will list the basis for the charges. Further information is provided on the policy on Factoring.

21.0 MANAGEMENT TRANSFERS

- 21.1 The Association acknowledges that from time to time serious management issues may arise which necessitate a tenant being transferred to another Association property. Such circumstances will be rare and require to be dealt out-with the Allocations Policy. Examples of where a management transfer may be considered could be where a tenant is the victim of serious anti social behaviour and requires to be moved for reasons of safety while the perpetrator is dealt with through our Anti Social Behaviour policy . Other examples may include where a child is at risk because of the proximity of a sex offender.
- 21.2 In circumstances where a transfer on management grounds is considered to be appropriate, the Housing Officer will report the matter to the Head of Housing Services, who in conjunction with the CEO will determine whether such a move is appropriate. Where this is deemed to be the case, the tenant will be granted a transfer as soon as an appropriate property becomes available.

22.0 EQUALITY AND DIVERSITY

- 22.1 The Housing (Scotland) Act 2001 and the Equalities Act 2010 place an overarching duty on Registered Social Landlords to exercise the functions conferred on them by the Act in a manner which encourages equality of opportunity and observes equal opportunity requirements laid down in other legislation and regulations.
- 22.2 The Association's Equality, Diversity and Inclusion Strategy covers a range of issues such as access to housing, disability and age, and has the overarching aim of mainstreaming equality in all that we do. The Estate Management Policy should also reflect the principles of this strategy.

23.0 TENANT PARTICIPATION

- 23.1 The Association is keen to promote, encourage and support the participation of our tenants and other customers in the delivery of our services. Our Customer Engagement Strategy contains an Engagement Plan which details a number of Initiatives and activities developed to promote tenant and resident engagement.
- 23.2 Housing Services will aim to promote the establishment of area based Resident Forums.

24.0 CUSTOMER SATISFACTION

- 24.1 The Association undertakes comprehensive customer satisfaction surveys every three years in order to gain constructive feedback on the services we provide, and to direct future service delivery. Feedback has generally been very positive about the

standard of services provided. The results of surveys will be communicated to customers via the website, social media and newsletters.

- 24.2 In addition, the Association will undertake smaller surveys on specific areas of service delivery to obtain feedback on levels of customer satisfaction. We recognise the importance of giving tenants feedback so that they know how their opinions and contributions have helped shape policy and service delivery.

25 BOARD MEMBERS IN BREACH OF TENANCY

- 25.1 As Board Members may also be tenants of the Association, those tenants should not breach their tenancy conditions. Any Board Member continuing to breach tenancy conditions for 3 months or more without addressing the issue, and are subject to legal action will be referred to the Board to discuss termination of the individuals' board membership or to invite a resignation in accordance with the Association's rules.

26.0 STAFF AND BOARD RESPONSIBILITIES

- 26.1 The Board will have overall responsibility for estate management, with responsibilities for implementing the Policy being delegated to staff.
- 26.2 Personal details of individual tenants who are in breach of their Tenancy Agreement will not be divulged to the Board, and where Board approval is being sought to evict, reports will be provided on a confidential basis.

26.0 COMPLAINTS PROCEDURE

- 26.1 Any customer who feels aggrieved by their treatment under this Policy, or feels that the service provided has fallen short, can raise a formal complaint as part of the Association's Complaints Handling Procedure, which is available on the Association's website or at our office. You also have a right to complain to the Scottish Public Services Ombudsman. The Complaints Handling Procedure details the way in which you can complain and the timescales for responding.

27.0 POLICY REVIEW

- 27.1 This policy will be reviewed every *three* years or as required to assess its effectiveness and to consider any changes required in the light of experience, new guidance, good practice, and legislation.