

## Garage Allocations Policy Consultation (Housing, Maggie Ward)

### Synopsis of report:

The Council has a stock of lock up garage which are let on weekly paid licences. Originally let with Council tenancies they are now in lower demand and are let to applicants on a waiting list. An Allocation Policy is required to ensure that appropriate preference is given to local residents.

### Recommendation(s):

Members approve a consultation exercise on the adoption of a Council Garage Allocation Policy (Appendix A).

## 1. Context and background of report

- 1.1 The Council owns and manages 1214 lock up garages which were built as part of the social housing stock. Initially garages were let as part of the residential tenancy but as most of them are not adjacent to the property but in blocks and had a separate charge many tenants declined to take the garages leading to them being available to the wider community.

## 2. Report

- 2.1 Council owned garages can be rented by non-Council tenants, the income for garages was transferred to the General Fund in 2012 when less than 50% of garages were let to Council tenants (many properties having been sold under the Right to Buy with the owner retaining the garage but not on a residential tenancy). Most Council garages are not large enough to accommodate modern vehicles and the cost cannot be covered by benefits unless the garage is physically integral to the property, so with a current rent of £16.50 per week they are not affordable for most tenants who are in receipt of HB or Universal credit.
- 2.2 In order to ensure that preference is still given to Council tenants or people occupying the homes for which they were originally built a Garage Allocation Policy is required. The priority scheme within the draft policy at Appendix A has been in operation for at least 20 years but a formal policy has not been approved by Committee within this time.
- 2.3 As the number of vehicles within each home has increased and parking is a challenge on many of our estates it is important to ensure that any local resident requiring a garage for their car is prioritised
- 2.4 Council garages will be allocated with the following priorities:
- **Priority 1-** Council tenants in the properties for which the garages were initially built with a disability or age requiring a garage in close proximity
  - **Priority 2-** Council tenants in the properties for which the garages were initially built
  - **Priority 3-** Non-Council Tenants within the local area

- **Priority 4-** Other applicants

2.5 The terms and condition of the Garage License include:

1. A garage must only be used for the garaging of a taxed, insured and roadworthy domestic vehicle.
2. Garages are not suitable for storage of any other items and must not be used for any criminal or illegal purpose.
3. Garages should not be let for the purpose of a business that will interfere with local residents.
4. No vehicle repairs or antisocial activities may be carried out within the garage area.
5. Garages cannot be sub-let
6. The Council will not be held liable in respect of loss of or damage to any property brought onto any garage premises.
7. Garage rent is payable in advance.
8. If an applicant has an outstanding debt to the Council their application will be deferred and no offers will be made until they have cleared the whole outstanding debt. This includes debts which have been passed to a collection agency due to non-payment.
9. If rent is not paid the garage will be repossessed and a charge will be made for the lock change and clearance of any items.
10. The Council's preferred method of payment is Direct Debit

### 3. **Policy framework implications**

3.1 The garage Strategy 2022 – 2024 identifies two key objectives for the garage portfolio, this policy will ensure that if the garage estate decreases HRA tenants and local residents will retain priority for allocation of available units.

1. Optimising Income and Efficiencies – by ensuring the existing stock is delivering the greatest revenue return to the authority
2. New Council owned homes – as some sites will be identified for residential development

### 4. **Resource implications**

4.1 This policy enables the garages to be let to all applicants, maintaining the income stream but with preference for local residents.

### 5. **Legal implications**

5.1 Under the provisions of section 12 Housing Act 1985 a Housing Authority has the power to provide and maintain in connection with housing accommodation provided by them other buildings or land which, in the opinion of the Secretary of State, will serve a beneficial purpose in connection with the requirements of the persons for whom the housing accommodation is provided. The provision of garages would fall within these powers.

5.2 The adoption of a policy to govern the letting of garages provides clarity and certainty over the manner in which an asset is dealt with. Any such policy will have

to comply with the general principles of public law, regarding its reasonableness, and its operation.

**6. Equality implications**

- 6.1 Preference will be given to local residents ensuring that elderly, disabled or vulnerable people will be prioritised for a garage near to their property. As the garages are on a weekly agreement, if a garage is required for a local resident an occupant with a lower priority under the policy will be requested to relocate within a reasonable timescale.

**7. Environmental/Sustainability/Biodiversity implications**

- 7.1 This policy ensures that preference will be given to local residents reducing the level of street parking.

**8. Timetable for Implementation**

- 8.1 If approved an 8 week consultation will be carried out with a final draft policy to be brought back to this committee.

(To resolve)

**Background Papers**

None