

The Moray Council
Community Services Department

Estate Management Policy

1. Scope of the Policy

1.1 This policy encompasses estate management activity and is specific to land and property that is owned by the Housing Service. Estate management refers to the effective management of the environment around our properties and any common areas, to ensure that the neighbourhood is an attractive, well-maintained and safe and secure place to live.

1.2 Estate management therefore incorporates activities such as (but not exclusively):

- Care taking;
- Common area maintenance;
- Close cleaning;
- Grounds maintenance;
- Litter waste collection;
- Removal of abandoned cars;
- Removal of graffiti;
- Management of garages, sheds and other estate buildings;
- Environmental audits;
- Estate visits;
- Dog mess;
- Stray dogs;
- Infestations;
- Permissions;
- General aesthetics; and
- Health and safety issues.

- 1.3 This policy recognises the increasing multi-tenure of many estates and therefore services to tenants cannot be delivered in isolation from the wider community. Increasingly the Housing Service seeks to focus on neighbourhood management in a wider sense.
- 1.4 The Council will ensure that no individual is discriminated against on grounds of sex or marital status, on racial grounds, or on grounds of disability, age, sexual orientation, language or social origin, or other personal attributes, including beliefs, or opinions, such as religious beliefs or political opinions. The Council will ensure the promotion of equal opportunities by publishing information and documentation in different languages and other formats such as large print, tape and Braille as required.

2. Local Housing Strategy/Corporate Development Plan/ Service Improvement Plan

- 2.1 The Estate Management Policy will assist the Council to meet the aims and priorities detailed in the Housing Improvement Plan, the Corporate Development Plan and Service Delivery Plan. The Estate Management Policy will assist the Council to fulfil strategic objective 9 within the Local Housing Strategy. "To create and sustain neighbourhoods that are safe, social mixed and supportive".
- 2.2 The Council will ensure that the Estate Management Policy complies with the aims of community planning by adopting a multi agency approach. This policy will promote sustainable development and will maximise the potential of individuals, facilities and organisations and will ensure that all sections of the community are safe and feel safe.

3. Objectives and Principles of the Policy

3.1 The overall aim of the Moray Council's Estate Management Policy is to provide a service to tenants and owners, which enables them to have quiet enjoyment of their homes in a safe and secure environment that they can take pride in.

3.2 The specific objectives of the Estate Management Policy are:

- To develop a pro-active approach to the management of our properties, estates and neighbourhoods;
- To manage the environment around our properties and common areas effectively;
- To ensure that all residents are aware of their respective responsibilities;
- To set appropriate estate management standards to measure performance delivery and residents satisfaction.

3.3 The principles underpinning the Estate Management Policy are: -

- The Council will ensure that the Estate Management Policy complies with and reflects the legal framework and good practice;
- The Council will work in an inclusive way to enable the implementation of this policy. This will include involving tenants' groups, owner/occupiers, private tenants, commercial owners/tenants, other Council services such as Environmental Health Department, Roads and Education, the Police and other statutory and voluntary agencies; and
- The Council will implement detailed procedures and agreed practices uniformly across the service and will ensure staff are given the necessary training to deliver estate management services;

4. Legal Framework

4.1 The Moray Council will ensure that the Estate Management Policy complies with current legislation, promotes good practice and ensures that all residents clearly understand their respective responsibilities.

4.2 In formulating this policy the Council recognises that all residents have rights under the [Human Rights Act 1998](#). Every effort will be made to ensure that, in carrying out this policy, these rights will not be breached. The policy also recognises that as well as rights there are also responsibilities and that tenants as well as the Council have an obligation to abide by the conditions of the tenancy agreement.

5. Service Standards

5.1 Caretaking

5.1.1 The Council will provide a Caretaking Service for each Housing Management Area and the service will be targeted to areas identified as requiring caretaking input.

5.1.2 The Caretaking Service will include:

- regular inspections of common areas, including stairways, external pathways, garden areas, amenity areas etc;
- monitoring the condition of Council owned gardens and estates;
- cleaning of communal lighting;
- dealing with complaints relating to common areas;
- dealing with complaints relating to non-housing issues by contacting the appropriate agency/department;
- monitoring response to complaints; and
- liaising with appropriate staff and agencies to share information and implement the Estate Management Policy.

5.1.3 The Caretaking Service will manage priority areas, which are identified by the Area Housing Officers in consultation with the tenants. Priority areas are specific areas that show an accumulation of problems, for example, litter, abandoned cars or disturbances. Staff in the Caretaking Service will work pro-actively with area housing teams, community wardens, the police and other Council services in order to prevent problems escalating and to enable them to be managed and resolved.

- 5.1.4 Each member of the Caretaking Service will be provided with a detailed Time Management Plan. This will identify the area to be managed and will specify the frequency of inspections to be undertaken. Identified "priority areas" will be reviewed every six months in order to assess any change in the prioritisation given to specific issues, these priorities will be agreed with the Area Housing Manager. Time Management Plans will be amended in accordance with changing priorities and priority areas.
- 5.1.5 The member of the Caretaking Service will complete minor repairs to Council properties which are identified, for example, the fixing of a lock on a gate. All other repairs identified will be processed in accordance with the Moray Council's Response Repairs Policy.
- 5.1.6 Area Housing Managers will be responsible for the monitoring the Caretaking Service. This will include:
- joint walkabouts with the Area Housing Officer and the member of the Caretaking Service and, where appropriate, with Elected Members and Community Wardens; and
 - the completion of monthly performance indicators, returned to the Area Housing Manager

5.2 Common Areas

- 5.2.1 Responsibilities for common areas are set out in the Tenancy Agreement between the Council and its tenants. The responsibility of owners for common areas is set out in their title deeds.
- 5.2.2 Common areas include, entrance doorways, stairs, bin stores, drying areas, pathways and parking. The Council will ensure that facilities are conveniently located; regularly inspected, maintained, kept clean, safe and secure; promptly repaired; kept free of graffiti, litter and unwanted items and are adequately serviced and lit. Where recurrent problems arise, for

example, repeated vandalism, dog fouling or fly tipping, Area Housing teams will work in partnership with Community Wardens, the police and relevant agencies to enable the problems to be resolved.

5.2.3 The Council will ensure that repairs to door entry systems, lighting, fencing, removal of graffiti etc are completed in accordance with identified timescales. For example, a faulty communal stair light is categorised as an emergency repair. Therefore, the Housing Service will respond to the repair within two hours of the repair being reported.

5.3 Close Cleaning

5.3.1 The Council will ensure that residents keep communal access closes clean and tidy. Residents are required to regularly clean, wash and tidy common stairs, windows, banisters and any bin chute accesses. Owners are normally bound to share in the maintenance costs of communal areas such as stairs and accesses.

5.3.2 In the event that residents cannot agree on the arrangements for maintaining communal access closes, or if the work is not completed, the Council will decide, after consultation with residents, who will be responsible for specific actions.

5.3.3 Where residents do not comply with rotas, enforcement action will be taken in accordance with terms of the Scottish Secure Tenancy Agreement, for tenants, and Title Deed Conditions for owners. This may include recharging tenants and owners for the cost of cleaning.

5.4 Grounds Maintenance

Individual Gardens of Tenanted Properties

5.4.1 The Council will ensure that tenants maintain their gardens in accordance with their Tenancy Agreement. If gardens are not maintained to a reasonable standard, the Council will in the first instance establish if there is a reason for this. The Council will advise the tenant of the action required to remedy the situation within 14 days. The Council will reinspect the garden and if there is no improvement, the Council will contact the tenant again and advise that unless there is improvement, the Council will make arrangements for a contractor to complete the necessary work and the tenant will be recharged.

5.4.2 The Council will ensure that all staff are alert to those tenants who require assistance in maintaining their garden. The Council will ensure that the grass cutting scheme for tenants is publicised and the scheme operated in accordance with equality requirements.

5.4.3 Owners Gardens

Owners are fully responsible for their own gardens. If an owner neglects to maintain their garden to the point that it is causing a nuisance, the Council's Environmental Health Section will be notified and may take statutory steps to abate the nuisance if necessary.

5.4.4 Communal Garden Areas

The Council will ensure that tenants and owners maintain communal garden areas in accordance with their Tenancy Agreements and Title Deeds. In the event that tenants and owners with communal gardens cannot make arrangements to maintain their garden, or fail to complete the work, the Council will decide, after consultation with tenants and owners, who will be responsible for specific actions. If the situation is not rectified,

the Council may make arrangements for a contractor to complete the necessary work and tenants and owners will be recharged.

5.4.5 Disposal of Land

The Council will consider the disposal of land. When deciding whether to dispose of land, the Council will take into account the overall impact of its disposal on individual estates.

5.5 Household Refuse Disposal and Litter

5.5.1 The Council will ensure that appropriate and well-sited facilities are provided for refuse disposal and recycling.

5.5.2 The Council will maintain communal bin stores where these have been provided.

5.5.3 Tenants will be advised at the start of their tenancy of arrangements and appropriate days for the uplift of refuse and recyclable material.

5.5.4 All residents are responsible for ensuring that their refuse and recyclable material is disposed of safely, tidily and securely wrapped in the containers provided by the Council.

5.5.5 The Council will provide residents with information on the disposal of large household items and items which may be regarded as hazardous.

5.6 Visual Appearance

5.6.1 The Council will seek to improve and sustain the visual appearance of estates and aims to remove graffiti within 7 days from the date reported and offensive graffiti within 24 hours of being reported.

- 5.6.2 The Council will ensure that through inter-departmental working, the visual appearance of estates is maintained. For example, when repairs to street signs are reported to the Housing Service, the repair notification will be forwarded to Property Services for completion.
- 5.6.3 The Council will plant and maintain appropriate seasonal shrubbery and will discourage dog fouling.
- 5.6.4 The Council will endeavour to remove fly tipping from property in its ownership, within 7 working days. Action taken to remove any hazardous waste will be more immediate. The Housing Service will work together with Community Wardens, the police and Environmental Services to detect problems as they arise, share information and resolve problems.
- 5.7 Miscellaneous
- 5.7.1 The Council aims to ensure all properties in its ownership are free of vermin, pest and insect infestation.
- 5.7.2 The tenant has a responsibility to report all infestation of a property to the Housing Service, who will advise on how it should be dealt with.
- 5.7.3 Where infestation can be directly attributed to a tenant's living conditions or habits the Housing Service will advise the tenant on how best to rectify the situation and ensure it does not re-occur. The Housing Service will also advise the tenant that he/she is responsible for remedial work, and the tenant should contact the Environmental Health Section for treatment to be carried out. The Housing Service will further advise the tenant that there will be a charge for pest control treatment.

- 5.7.4 When a tenant reports external infestation, such as wasp nests, to the Council, the Housing Service will ask the Environmental Health Section to remove the infestation.
- 5.7.5 The Council will take action where tenants fail to properly control pets in terms of Section 2.5 of their Tenancy Agreement.
- 5.7.6 The Housing Service will contact the Environmental Health Section and will advise where reports have been received regarding stray dogs.
- 5.7.7 In the event that dogs' owners allow their dogs to foul any public open space, this will be reported to the Community Wardens for investigation.
- 5.8 Removal of Abandoned Cars
- 5.8.1 The Council has a statutory duty under the [Removal & Disposal of Vehicles Regulations 1986](#) made under the [Refuse Disposal \(Amenity\) Act 1978](#) to remove vehicles abandoned in the open air. For example, tenants must ensure that vehicles in their ownership and no longer in use are disposed of through an approved contractor.
- 5.8.2 The Housing Service will use "best endeavours" to investigate ownership of the vehicle and if found will request that the owner remove the vehicle.
- 5.8.3 In instances where the owner is not found, the matter will be referred to the Environmental Health Section in order to arrange removal in accordance with the [Refuse Disposal \(Amenity\) Act 1978](#).
- 5.9 Vehicle Parking and Management of Garages
- 5.9.1 The Council will ensure that all residents are aware of their respective responsibilities for vehicle parking and garages.

5.9.2 The parking of lorries is not permitted within residential designated areas without first obtaining the written consent of the Council.

5.9.3 The parking of a vehicle, caravan, trailer, or other property belonging to the tenant or anyone living with them or anyone visiting them is not permitted on any land or road owned by the Housing Service unless:

- That land has been designated for parking or storage (this includes driveways and hard standing areas in the curtilage of the property);
- That written permission has been given by the Council;
- It is a public road; and
- That the vehicle does not cause a nuisance or annoyance to neighbours.

5.9.4 Any tenant wishing to build a garage or construct a driveway must in the first instance, apply in writing to the Council. The Council will not unreasonably refuse permission. All residents will be responsible for obtaining any necessary permissions, such as planning permission or a building warrant which might be required for any development.

5.9.5 Timber garages that are owned by the Moray Council will be maintained until they reach a standard that is considered to be below tolerable. In such circumstances, the Council will remove the garage and tenants may apply for permission to construct a garage in accordance with 5.9.4.

5.10 Environmental Audits

5.10.1 Area Housing Officers will undertake six-monthly Estate Environmental Audits, which ensure that each street will be walked around and an Action Plan drawn up to deal with any issues that arise.

5.10.2 The Council will invite tenant representatives from tenant's forums to attend the visits. The Council will ensure that residents' comments and observations are respected.

5.10.3 The Council will ensure that respect of an individual's privacy is maintained when Estate Environmental Audits are completed.

6. Inter Agency Working

6.1 The increasing multi-tenure of estates means that services to tenants cannot be delivered in isolation from the wider community. Therefore, the Council will develop good working relationships with other agencies in order to deliver the Estate Management Policy. The Housing Service will liaise with other agencies and departments, such as Grampian Police, Environmental Services, Roads Department, Planning, Community Safety and Registered Social Landlords in respect of other environmental issues. For example, street lighting, discarded refuse and furniture, condition of common and play areas, vandalism, abandoned vehicles, vermin and pest control.

6.2 The Council will establish working practices with other stakeholders and will ensure that effective communication will be achieved between staff, local tenant organisations and owners.

6.3 The Council will provide information on inter-agency working and practices to Community Groups.

7. Performance Monitoring

7.1 The Council will set performance standards in relation to its Estate Management Policy and will monitor its achievement of these standards.

7.2 In order to comply with its service commitments, the Council will monitor the following:

- level of tenant satisfaction with the environment in their estate (identified by the Tenants' Survey carried out periodically);
- number of estate management related complaints each year, by reason;
- annual expenditure on repairs and maintenance arising from criminal damage by area; and
- number of and the cost of reviews and inspections of estate management services carried out.

7.3 The performance indicators detailed in paragraphs 7.2 will be reported to the Housing Sub Committee.

8. Policy review

8.1 The Estate Management Policy will be reviewed in 2011