

# City of Lincoln Council Management of communal areas policy



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## Document Control

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12.11.25	Marianne Upton	Sept 2023	Review of content & update of wording for regulatory changes. Removal of information that is more procedural.

## Document Approvals

This document requires the following approvals:

<b>Sponsor Approval</b>	<b>Name</b>	<b>Date</b>
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## Introduction

City of Lincoln Council (the council) aims to deliver a comprehensive, high quality communal area and estate programme by making sure that cleaning, day to day repairs, investment and fly tipping removal are carried out quickly, on time and to a high standard.

This policy sets out the approach that the council will take to manage enclosed communal areas and the areas that immediately surround blocks of flats. The policy applies to all tenants and leaseholders of the council and anyone that visits or lives with a tenant or leaseholder. The policy applies to general needs housing properties and independent living properties.

For this policy, communal areas include:

- Communal entrances
- Communal landings
- Communal lounges (independent living only)
- Communal kitchen (independent living only)
- Communal bathroom (independent living only)
- Any shared stairwell, balcony, or access path
- Communal gardens
- Communal parking areas
- Bin stores and chute rooms
- Drying areas
- Any cupboard or storage area or loft that is in a communal area
- Mobility aid storage areas

## Aims and objectives of the policy

The aims and objectives of the policy are:

- To ensure the health and safety of all persons lawfully using communal areas.
- To ensure that all repairs and maintenance, including cleaning, is carried out on communal areas.
- To allow communal areas to be used in the best possible way for the benefit of all tenants, leaseholders, staff, and visitors.
- To explain what measures the council take to monitor or manage communal areas.
- To ensure all communal areas can be used safely where required in the event of an emergency or evacuation.
- To give clear advice to residents to maintain safety across all access routes in the event of an emergency.

## Legal and Regulatory requirements

- Regulatory Reform (Fire Safety) Order 2005
- The Housing Act 2004 (Housing, Health, and Safety Rating System)
- The Housing Act 1985
- The Housing Act 1996
- Building Regulations 2000, 2010
- Health and Safety at Work Act 1974

- Torts (Interference with Goods) 1977
- Local Government (Miscellaneous Provisions) Act 1982
- Anti-Social Behaviour Crime and Policing Act 2014
- Miscellaneous Provisions Act 1994
- Commonhold and Leasehold Reform Act 2002
- Furniture and Furnishings (Fire Safety) Regulations 1988
- Social Housing (Regulation) Act 2023

The Neighbourhood and Community Standard expects the council to work co-operatively with tenants, other landlords and relevant organisations to take all reasonable steps to ensure the safety of shared spaces.

The Safety and Quality Standard expects the council to provide an effective, efficient and timely repairs, maintenance and planned improvements service for the homes and communal areas for which they are responsible

## Responsibilities

### City of Lincoln Council

The council is responsible for the structure, exterior, services and common parts of the property including:

- Drains, gutters, and outside pipes.
- Roof, external walls, doors, and windows
- Installations for supplying water, gas, and electricity.
- Communal aerials.
- Lifts and other communal amenities such as laundries, common rooms, door entry systems (where provided) fire alarms life safety systems, corridors, and waste chutes in high rises.
- Pathways and steps which provide main access to the front and back door of the building.
- Designated internal and external storage facilities.
- Communal doors
- Communal floor coverings
- Access control systems
- Internal and external lighting to the communal parts
- Boundaries and fencing
- Paths and paving
- External drying areas
- Washing line posts

### Tenants and Leaseholders

Residents of buildings with communal areas are responsible for keeping internal/enclosed communal areas and the areas immediately surrounding entrances and exits clear of obstruction and/or items that may cause fire to be accelerated. The council operates a zero-tolerance approach when it comes to enforcing this. This also includes any roof spaces as applicable.

Residents are also responsible for making sure security doors are not left propped open and that their visitors only use their intercom to access the building (not any other residents' number).

## Reporting repairs in communal areas

A request for a repair can be made by the following methods:

- Online at [www.lincoln.gov.uk](http://www.lincoln.gov.uk) (At all times)
- By phoning Customer Services on 01522 873333 during opening hours.
- Emergency repairs, outside of office hours, phone **01522 534747**.

When a repair request is received the council will:

- Complete priority repairs within 24 hours.
- Complete urgent repairs within 3 days.
- Complete all other repair requests within 100 days, in line with the scheduled repairs programme schedule.

## Leaseholders

The council is responsible for the structure of the building and any outbuildings/sheds, communal areas, systems, and installations in leasehold blocks. The leaseholder is responsible for everything within the home, which is for their use and benefit. Rights and responsibilities for individual properties are contained within individual lease agreements.

The Leaseholder service charge for day-to-day repair and maintenance is charged in advance as an estimated amount. An adjustment is made to the service charge account for the following year for any difference between the estimated and actual costs. Council staff will consider these costs when deciding upon the repair required in a communal area.

We cannot charge an individual leaseholder more than £250 for any work unless we have first served a Section 20 Notice. However, the following information provides a general summary of responsibilities relating to repair and maintenance which include:

- The main structure, foundations, roof, guttering, communal drains, external pipe work and windows excluding glass (leaseholders are responsible for windows that they, or a previous leaseholder, have installed in their property).
- Any communal services and any related machinery or installations connected with those services; this would include lifts and lighting in communal areas, door entry systems (including handsets within leasehold properties).
- Communal areas, including external doors, passageways, staircases, halls, landings, and any grounds within the estate such as bin or drying areas, which are jointly used by the tenants.

## Involvement and empowerment

The council will make sure that tenants are given a range of opportunities to influence decisions and be involved in the management of their homes and the areas around them.

The council will work with tenants to continually improve our service in a range of ways including, focus groups, service review groups and tenant inspections, in line with published regulatory standards.

## Items not allowed in communal areas

- Potential ignition sources such as storage of cardboard
- Combustible materials such as garden furniture, artificial plants, plastic ornaments
- Electrical items, including battery operated lights
- Prams, buggies, and bicycles
- Washing lines, wall mounted or strung wall to wall
- Items which may result in escape routes being narrowed such as, items of furniture, ornaments
- Any items on windowsills including plants
- Mobility aids where a designated storage facility does not exist
- Items left within the communal area for disposal
- Storage of personal items within the communal area

Mobility scooters must not be stored in communal areas unless designated storage and charging facilities have been provided.

## Items allowed in communal areas

There are certain items are allowed within the communal area; these are limited to the following:

- Notice boards and signs installed, managed, and maintained by the council
- Pictures/wall art provided by the council

## Communal gardens, paths, parking areas, and other surrounds

Outside areas should also be kept clear of personal items as this is land that is not let or sold with the property. Other items, such as wheelie bins, should be stored in the appropriate bin storage areas or away from the building, in areas that are not likely to cause an obstruction or nuisance to residents.

Council resident car parks are for the use of residents and their visitors only and operate on a first come first served basis. Residents should park responsibly in the parking areas for the benefit of the enjoyment of all residents.

Barbeques, patio heaters or other fires on communal garden areas or balconies are prohibited.

## Smoking in communal areas

Smoking in enclosed communal areas is prohibited by law. When residents are smoking or vaping in external communal areas, they should be respectful to other residents and

maintain reasonable distance between doors and windows to avoid nuisance to other residents.

## Inspections of communal areas and communal area checks

It is part of the role of all council staff to be vigilant regarding the risks relating to any issue of repairs and maintenance within council managed properties.

Communal areas will be inspected regularly by members of the Housing Team to ensure that they are safe and enjoyable environments for people to live. They will be subject to inspections which may involve residents, such as Estate Inspections.

The council's designated officer will also inspect communal areas for the purpose of carrying out Fire Safety Risk Assessments and asbestos management checks. Residents are encouraged to report any repairs that they identify.

## Unauthorised items located in communal areas

If items are found in communal areas and it is considered a breach of this policy and the tenancy agreement, the council will act in accordance with the tenancy and leasehold agreement to remove them.

The council will consider the following before taking any action:

- If the item is of immediate health and safety risk to residents, visitors, and the building
- If the item presents a risk, but is not considered an immediate risk to the Health & Safety of residents, visitors, and the building, but requires remedy to reduce the overall risk
- If ownership can be reasonably determined or if further investigations are required
- The risk posed to the council in removing the item without owner's permission if the item is deemed a risk to life and/or property such as motorbikes and scooters (including mobility scooters)
- Lawnmowers and other gardening equipment containing petrol and other fuels
- Hazardous chemicals, gas containers, flammable liquids, and barbeques

The council will store the item when it is of significant value and whilst enquiries take place to identify the owner. Where the item's owner is identified, costs associated with the removal and storage of the item will be recharged to them.