

City of Lincoln Council Access Policy



Let's deliver
quality
housing

November 2025

Document Control

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November 2025	Marianne Upton	0	New policy
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Document Approvals

This document requires the following approvals:

Sponsor Approval	Name	Date
Executive	Cllr Donald Nannestad	
CMT	Daren Turner	

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Purpose

The purpose of this policy is to set out how City of Lincoln Council (the council) will use a range of options that are available to meet our health and safety obligations, the standards set by the Regulator of Social Housing and protect tenants in circumstances where there is difficulty accessing the property.

Policy objectives

- To undertake a program of planned inspections, servicing and testing to ensure the safety of tenants, staff and visitors.
- To take all reasonable measures to meet our Health and Safety obligations, including gaining access to complete periodic inspections.

Why it is important

The policy applies to all forms of inspection, testing and servicing carried out by the council in its housing stock.

These inspections, tests and servicing are carried out because we want to:

- Make sure that any equipment or installations are safe
- Comply with all Legislation, Regulations and Approved Codes of Practice and Guidance Notes issued by the Health & Safety Executive (HSE)
- Take steps, as far as is reasonably practical, to prevent the breakdown, malfunction or total failure of installations or equipment
- Be clear on our inspection, servicing and testing requirements

What we do

We will:

- carry out periodic inspections, servicing and testing in line with the cyclical inspection and testing schedule.
- carry out competitive tenders from suitably qualified persons who can demonstrate that they have the relevant registration or competence to undertake the work.
- only use competent and trained staff for inspections
- provide tenants with:
 - at least 7 days' notice that access is needed to carry out a check in their property
 - an appointment date and time that is mutually convenient

Access to property

The council is required to perform certain repairs and maintenance to its properties. We will require access in line with the Tenancy Agreement, after giving notice, to carry out necessary repairs, safety checks or inspections. If access is not granted, we may take legal action to enter the property and recharge the tenant for any costs incurred (as set out in the Rechargeable Repairs Policy).

In cases of emergency such as gas, water or sewage leaks or where buildings are unsafe, we can enter without giving written notice and recharge the tenant for any costs incurred. This will only be considered where there is clear evidence of immediate danger to people or property, and the service cannot be isolated externally or by third party organisations such as UK Power Networks, National Gas Emergency Service or Anglian Water or by the emergency services.

In deciding whether legal action, or what type of legal action is appropriate, the council will carry out appropriate checks on whether there are any vulnerabilities or support needs in the household that need to be taken into consideration.

Legal routes available for no access:

- If the property appears abandoned a Notice to Quit will be served to take possession of the property
- Where the property appears or is known to be occupied an injunction will be sought to gain access to the property. Once this has been granted an appointment will be made and the property attended. If the tenants refuse access at this point, there are three legal options available:
 - serve a Notice of Seeking Possession and apply to the court for possession due to breach of tenancy
 - apply to the court using the injunction for committal due to contempt of court
- Consider use of powers under the Environmental Protection Act 1990 to force access

Relevant legislation

- Health and Safety Regulations and Legislation
- The Defective Premises Act 1972
- Regulator for Social Housing's (RSH) Regulatory Standards (specifically the Home Standard)
- Building Regulations that apply to all new builds and refurbishments where there is significant material alterations to the fabric of the building.
- The Building Safety Act 2022
- Fire Safety (England) Regulations 2022