

HOUSING MANAGEMENT ADVISORY BOARD – 9th NOVEMBER 2022

ITEM 9 QUESTIONS FROM MEMBERS OF THE BOARD

Councillor Draycott

With the number of fires in residential properties especially blocks of flats, from electric bikes, usually by the batteries. Would the Housing Department consider introducing a policy for tenants on this matter to keep them safe?

The Landlord Services Manager will respond:

The tenancy agreement contains robust clauses that can be used to tackle breaches of this nature, specifically:

Section 6.12.3 states:

You must not store anything at your home that is dangerous or may become dangerous or might cause fire, flood or other damage to your home or other properties in the neighbourhood. In particular, you must not:

- *use portable/free-standing oil, paraffin or liquid petroleum gas (LPG) heaters without our prior written permission;*
- *store inflammable materials, liquids or gases in your home or on our property or land other than such as may be reasonably required for normal domestic or medical use, or in a manner that contravenes manufacturer's instructions or advice or legal regulations on use and storage;*
- *store dangerous or offensive substances in communal areas;*
- *alter or tamper with the electricity or gas supply, including door entry, fire alarm or alarm call equipment;*
- *obstruct or block any air vents serving the gas supply to or gas appliances in the home or communal parts;*
- *tamper with any equipment for detecting or putting out fires;*
- *store or hoard excessive amounts of personal possessions or fail to dispose of rubbish inside your home so that your home becomes a risk to your health and that of others, an obstruction that delays or prevents our ability to fulfil our obligations to keep your property in good repair as set out in sections 5.4 and 5.5 above or a fire risk;*

- *do anything or neglect to do something within your home or the communal areas where you live that creates a fire risk or fail to act upon our reasonable advice for you to do something in order to reduce the risk of fire in or around your home or to stop doing something that is creating a fire risk.*

While there is no explicit reference to the storage of electric bicycles and their batteries, this section, particularly through the final bullet point above, will be adequate to tackle any breaches of tenancy caused by the tenant failing to take proper care of an electric bike and its battery.

Section 6.17 of the tenancy agreement deals with the storage of items in communal areas, a partial, relevant extract from which is set out below:

Communal areas

6.17.1 You must not place or store any items in communal areas and communal balconies. You must keep them free from rubbish and obstructions such as bicycles, mopeds, wheelie bins, prams/pushchairs, furniture or wheelchairs including motorised versions. If you break this condition we may charge you for the cost of removing and storing or disposing of the item(s) plus a reasonable administration fee and VAT.

6.17.2 You must keep internal communal areas, including bin stores, entrances, fire exits, lobbies, stairs and landings clear and free from rubbish and obstructions.

6.17.3 You must cooperate with your neighbours in keeping communal areas and communal balconies clean and tidy in between cyclical cleaning service visits, if these are provided.

6.17.4 You must keep external communal areas, passages, landscaped areas and footpaths clear and free from rubbish and obstructions.

Section 6.18.2 (Parking and vehicle repairs) includes the following clause:

You must not:

park any motor vehicle at your home or any communal areas other than a private car, motorbike or other equivalent vehicle;

park caravans, boats, trailers, lorries or any other business vehicles at your home or any communal areas without first obtaining our written permission;
park any vehicle which is uninsured, is not roadworthy or is not displaying a current road fund licence at your home (other than in an integral garage) or on any communal parking areas;

- *park on any forecourt, including block and estate entrances and garage areas, unless designated for this purpose or on any grassed areas or areas marked with yellow lines and/or boxes;*
- *park in a way that might cause an obstruction to other properties, dropped kerbs or disabled accesses;*
- *park in designated turning areas;*
- *park in a way which might obstruct access for emergency vehicles, other vehicles, road users and pedestrians;*
- *park a vehicle within the boundaries of your home (otherwise than in a garage) unless there is a dropped kerb access from the public highway and a hard standing which has been constructed to our specification and satisfaction, and with our written permission;*
- *drive across a grassed area, verge or pavement, without first obtaining written permission from us and from the highway authority;*
- *keep mobility scooters in communal areas such as entrances, passages, landings, stairways and any other internal areas used by tenants;*
- *use communal electricity supplies, other than designated charging points, to charge batteries for mobility scooters, electric cars or any other private electrical device;*
- *keep motorbikes or mopeds inside your home or in communal areas such as entrances, passages, landings, stairways, any other internal areas used by tenants and in any external sheds or stores (except garages) that are physically attached to your home or the block that contains it.*

Again, it is considered that this section will be adequate in dealing with breaches of tenancy of the nature that you raise.

There are a number of existing procedures in existence that support the relevant tenancy agreement clauses, such as the procedure for dealing with items left in internal and external communal areas. This is currently being revised in order that it can be aligned with the new tenancy agreement.

We also have a communal areas fire policy that is currently starting a review process. Any review will be presented at a future meeting of HMAB for members' consideration.

Finally, we carry out rigorous fire risk assessments in all our communal areas. Any action that is identified is communicated to the relevant team for action and our compliance manager monitors the outcome of those identified actions.

In respect of tenants storing their electric bicycles in their home, there is no current legal provision for us as landlord to prevent them from doing so; and it is unlikely that imposing such a restriction would be considered fair and enforceable.

We do, however, recognise that helpful advice and guidance would be useful here and so we will arrange for an article to be put in a forthcoming edition of the tenants' magazine on the correct and safe storage of electric bicycles both in tenants' homes and in communal areas.