

CLEAR COMMUNAL AREAS POLICY

November 2025

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1 Introduction

This policy applies to Haringey Council tenants, leaseholders and visitors in the communal areas of our council housing.

For the purposes of this policy communal areas are defined as the internal areas of our council housing. This could include the following: landings, corridors, hallways, stairwells communal open balconies and shared facilities.

The purpose of this policy is to provide guidance (including enforcement) on how Haringey Council manages the common areas of its council housing. We recognise that many tenants wish to personalise communal areas to make them more homely and welcoming.

As such we take a 'managed use' approach to the use of communal areas as opposed to a 'zero tolerance' approach.

The likelihood of a fire or other health and safety incident occurring in a communal area is strongly influenced by resident and visitor activities. The storage of items within the communal areas can increase the risk of fire spread and restrict access to emergency services or for those who may be escaping the building.

Smoking is not permitted in any communal areas in any property type.

When we use the terms 'we', 'our', and 'us' in this policy we mean Haringey Council.

2 Aim of the policy

The aim of this policy is to support the effective management of the communal areas of our council housing for the safety of tenants, leaseholders and other users of our premises.

This policy sets out how we will:

- Minimise, remove or mitigate against health and safety risks (including fire risk) for our tenants, leaseholders, visitors, colleagues and emergency services.
- Limit the items permitted to be stored in communal areas to reduce health and safety risks (including fire risks).
- Confirm our legal powers of having a permanent TORT notice in place to identify, remove and dispose of any items stored in communal areas deemed to represent a fire risk or any other health & safety risk without our prior written permission.
- Communicate with our tenants and leaseholders on the need to keep communal areas clear.
- Work with tenants and leaseholders to ensure the provision of sufficient storage options where required.

3 Roles and responsibilities

The Council's responsibilities

As the landlord, we have a legal duty to ensure that all means of escape and fire routes are kept clear at all times.

It is therefore important that communal areas are kept free from any obstruction or fire risk.

These areas include the following: landings, corridors, hallways, stairwells and shared facilities.

We are responsible for providing fire safety information including in our communal areas and escape routes and ensuring that the communal areas are kept clear.

Tenant responsibilities

Tenants must accept responsibility for their goods in accordance with their Tenancy Agreement, Lease or Licence Agreement.

Tenant responsibilities include:

- Keeping the communal areas clear and free from obstruction
- Following any relevant Health & Safety Advice provided by us
- Not interfering with equipment or cause any obstruction within the communal areas and/or escape routes
- Report any repairs or potential hazards in communal areas. Tenants can report repairs to us online by using 'My account' on our website and by phone.

4 Our legal powers

We have two following legal powers available to us to support us in keeping the communal areas of our council housing clear:

- 1) A "Permanent" TORT notice pursuant to the Torts (Interference with Goods) Act 1977 is in force for the communal areas of our council housing and is how this policy will be enforced.

A TORT notice is on permanent display at the entrance of all the communal areas of our council housing. This provides us with legal powers covering the communal areas of our housing which designates these as clear areas allowing us as the Landlord in appropriate circumstances to:

- remove unapproved items immediately,
- dispose of removed items immediately without storing them,

- 2) The other power we can use is under Section 41 of the Local Government (Miscellaneous Provisions) Act 1982. This includes powers to refuse to provide compensation for the material loss of any items.

5 Managed Approach

We adopt a 'managed approach' to items stored in the communal areas of our council housing and limit the types of items that are allowed to reduce health and safety risks (including fire risks).

In practice, this means our expectation is that communal areas are kept clear.

Each application to store an item in communal areas will be assessed individually.

All items must not obstruct fire exits and emergency routes or add to the fire risk of the building.

6 Applications to store items in communal areas (in exceptional circumstances)

Tenants and leaseholders must seek and receive written permission from us before storing an item in the communal areas of our council housing.

In some buildings we will designate specific identified areas that are suitable for the storage of bicycles only.

Tenants and leaseholders can apply by contacting our Fire Safety team and we will aim to respond within 10 working days.

Tenants and leaseholders may have the right to appeal against our decision to refuse them permission to store items in a communal area.

Where we approve an application for a bicycle to be stored in a communal area, this is at our discretion and will be kept under review and may be revoked at any time subject to safety and/or changes in regulation or policy

7 Alternative storage options

We will consider the storage needs of our tenants and leaseholders including in relation to accessibility. Where additional storage is required, we will consider any request to put in place alternative storage options subject to safety and space with no guarantee of approval.

Additional storage provision and options that may need to be considered and provided include the following:

- Secure bicycle, motorbike and moped parking areas
- Secure pram-sheds
- Secure parking and charging areas for mobility scooters
- Storage areas for miscellaneous items including tenants and leaseholders work equipment or children's toys.

The provision of safe storage areas will be subject to both funding and the ability to site a facility safely. In addition, although every effort will be made to provide facilities, where this is not possible it will not prevent the implementation of the clear zone or the removal

of non-permissible items.

8 Communication

We will regularly communicate with all tenants and leaseholders to inform tenants and leaseholders of the need to keep communal areas clear.

The principles of the Clear Communal Areas Policy will be regularly communicated to tenants and leaseholders which will include:

- Notices in the Communal Areas of our council housing
- Updates in Homes zone
- Updates via Rent/Leaseholder correspondence
- Regular communications will be ongoing to promote the safety message including enforcement to all tenants and leaseholders.

9 Recharges

In line with the Tenancy Agreement, Lease or Licence Agreement, where a reasonable request for removal of items from the communal areas has not been followed, tenants and leaseholders must pay the reasonable recovery and storage costs and the reasonable removal and disposal costs.

We recognise that there will be a proportionate level of recharge based on the item(s).

10 Resident co-production and engagement

When did you discuss development of this policy with residents?

At meetings of the Resident Voice Board in July and November 2024.

What did they tell you?

The importance of providing clear, consistent communication to inform tenants and leaseholders of the need to keep communal areas clear. They also told us of the need to clarify how the policy links to the Council's fire safety policy including fire safety approach and reasons for not storing items in the communal areas.

It was questioned how the clear communal areas policy would be enforced. There was also support expressed for the policy's managed approach instead of having a zero-tolerance approach.

How has what residents told us informed development of this policy?

The policy includes section 8 on communication added in response to resident engagement. This outlines the policy approach and methods the Council will use to inform tenants and leaseholders of the need to keep the communal areas of our council housing clear e.g. displaying notices in the Communal Areas of our council housing.

Section 4 confirms that having a permanent tort notice in place is the main way the clear communal areas policy will be enforced.

11 Equalities

The Council has a Public Sector Equality Duty (PSED) under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act.
- Advance equality of opportunity between people who share protected characteristics and people who do not.
- Foster good relations between people who share those characteristics and people who do not.

The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex, and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

This policy makes no changes to operational practices. They are being updated to reflect the insourcing of the council housing function. There are no known equality issues with current provision, and it is not anticipated that there will be disproportionate impacts on any protected characteristics, disadvantaged communities or vulnerable residents.

12 Reviewing the policy

We will review this policy every three years unless earlier events or legislation require an earlier update to this policy.

13 Legislation and guidance

As the landlord, we will ensure that we act in accordance with best practice and statutory requirements as follows:

- Building Regulations 2010
- Building Safety Act 2022
- Fire Safety (England) Regulations 2022
- Housing Act 2004
- Local Government (Miscellaneous Provisions) Act 1982
- The Regulatory Reform (Fire safety) Order 2005
- TORT (Interference of Goods) Act 1977

14 Links to other policies

[Council feedback policy](#)

[Electrical safety policy](#)

[Fire and Structural Safety Policy](#)

[Gas & Heating Safety Policy](#)

[Vulnerable tenants and leaseholders policy](#)

