

PERTH AND KINROSS COUNCIL

Housing and Health Committee

29 October 2014

Garage sites and lock ups Review – Progress Report

Executive Director (Housing and Community Care)

PURPOSE OF REPORT

The purpose of this report is to update members on the Garage Sites' and Lock Ups' Review and seek approval on a draft policy for the allocation and management of garage sites and lock ups.

1. BACKGROUND / MAIN ISSUES

- 1.1 The Council has 1,161 lock up units and 619 garage site plots. In 2013 23% of lock-ups were void, particularly in North Muirton in Perth which had the highest percentage of void lock-ups (121, or 38% of the total available in that area). The largest proportion of garage sites is in the Letham area of Perth.
- 1.2 In addition, there were a number of issues around garage sites and lock ups, including inappropriate use of the garage structure, non-payment of rent, non-adherence to the tenancy agreement and health and safety concerns. The lack of investment in the sites over the years had resulted in a significant deterioration in the condition of many. This has resulted in a negative impact on the community with an overall appearance of gradual decline and neglect of the sites.
- 1.3 The need to review and revise the number of these sites and plots was acknowledged and in August 2013 Housing and Health Committee agreed a report proposing a review of garage and lock sites (Ref 13/380) which would be conducted in three phases:
 - **Phase 1:** North Muirton (lock-ups), Kinross (lock-ups), Letham (garage sites)
 - **Phase 2:** Letham (lock-ups) Hillyland (lock-ups) Blairgowrie/Rattray/Alyth (lock-ups)
 - **Phase 3:** All other lock-up and garage site locations
- 1.4 In May 2014 the Housing and Health Committee noted progress on the review (Ref 14/227) and requested a further progress report be submitted to a future meeting.

2 PROGRESS SINCE MAY 2014

2.1 The project team has been progressing work across four main areas:

- Communication and engagement
- Alternative use of agree sites
- Contractual arrangements and work (including planned maintenance)
- Policies and procedures

2.2 An update is provided below on each of these areas.

2.1 Communication and Engagement

2.1.1 Phase 1 of the project includes North Muirton lock ups, Kinross lock-ups and Letham garage sites.

2.2.2 All existing tenants who will be affected in Phase 1, either due to full or partial demolition of their site, have been notified and individual discussions taken place with them about providing an alternative site or to end their tenancy.

2.2.3 Wider Community engagement, including with elected members, has also been undertaken in relation to decommissioned sites through postal and face-to-face surveys. This approach has been successful, with an overall response rate of 60% (608 of 1,019). Of those responding 85% agreed with the preferred option identified through the option appraisal process. The table below summarises the finding for each area and the overall results are attached at Appendix 1. Feedback was given to residents at a public event held in each area.

Area	% in agreement	Response Highlights
Letham	82%	<ul style="list-style-type: none">• Major community concerns about the lack of parking generally• Frustration with the difficulty parking on football match days• The need for finished surfaces to reduce damage and prevent vandalism• Street lighting to enhance community safety
North Muirton	89%	<ul style="list-style-type: none">• Major community concerns about the lack of parking generally• Frustration with some business employees using limited parking available• The need for marked bays• Some unattended green space could be converted to parking and enhance the area
Kinross	71%	<ul style="list-style-type: none">• Concerns about community safety in Montgomery Road• Need for more parking in the area for residents

2.2 Alternative Use Sites

Housing

- 2.2.1 Following further analysis, unfortunately only a few sites are likely to be suitable for new housing. One possibility is Hawarden Terrace (Perth) garage site. The Environment Service has been commissioned to undertake a feasibility study of and surrounding land at Westbank for a potential housing development. If this is viable, further work will be done to obtain indicative costs for a potential project in future years. It has become apparent that a mainline gas pipe runs beneath this site although its exact whereabouts are not yet established.
- 2.2.2 Further housing feasibility studies at Kirk Wynd, Abernethy, Nimmo Avenue, Perth and Cairns Crescent, Perth have also been instigated.

Other uses

- 2.2.3 Lock-ups at Rannoch Road, Perth and Provost Road, Blairgowrie have now been accelerated into Phase 1 of the project due to the poor condition of the lock ups and the negative environmental and health and safety impact.

2.3 Contractual and Works

- 2.3.1 At the May 2014 Housing and Health Committee the Executive Director (Housing and Community Care) was instructed to provide detailed information on the cost of demolition and maintenance. This information for Phase 1 is provided in the table below. Maintenance costs will be reported at a future meeting once known.

Demolition costs for Phase 1 Lock Ups	
North Muirton	£236,000
Kinross	£44,000
Total for Lock Ups	£280,000
Site Clearance for Phase 1 Garage Sites	
Letham	£76,500
Overall Demolition and Site Clearance Costs	£356,500

- 2.3.2 The project team is progressing all activities relating to the contractual and work elements. Hardies have been appointed as the Construction Design and Management Consultant and work has begun on the procurement process to appoint appropriate contractors for each area of work. It is estimated that work should begin around February or March 2015.
- 2.3.3 A proposed 5 year cyclical maintenance programme is being developed for the upkeep of retained sites. It is hoped this work could be delivered by a Community Social Enterprise Employability Training Initiative and members of

the project team are working on a proposal for this. This group includes a number of voluntary agencies who currently work with homeless people and who have been creating similar types of employment opportunities. The members of the group are researching areas of national good practice to learn about critical success factors of social enterprises who deliver similar type businesses. It is envisaged that the Social Enterprise Initiative would undertake the non-structural elements of the planned maintenance programme, such as painting, groundwork, clearing downpipes and guttering, with the more complex works identified being undertaken by an appointed contractor.

- 2.3.4 A report will be submitted to Housing and Community Care Senior Management Team in December 2014 which will include an outline business plan demonstrating the sustainability of the potential Social Enterprise.
- 2.3.5 The 5 year draft cyclical maintenance programme will also be available by December 2014 with indicative costs associated with activities.

2.4 Policies and Procedures

- 2.4.1 A new Garage Site and Lock-Up Policy has been drafted and a group of representatives from the project team and Area Housing Team is continuing to implement changes to the processes and responsibilities associated with the day-to-day management of the sites.
- 2.4.2 Revised Tenancy Agreements for both garage sites and lock-ups have been drafted with advice from Legal Services and are now consistent with each other. These will be rolled out to new and existing tenants between now and 31 March 2015. Copies are attached at Appendix 2.
- 2.4.3 As previously agreed by committee, the new garage site rents will be £96.00 per year, implemented from April 2015. An additional clause has been added in the Garage Site tenancy agreement stating that action will be taken if tenants fall in to arrears. We have revised our business processes to ensure effective arrears management by amending the Garage Site rent charging from a quarterly to a weekly arrangement.

3. PROPOSALS

- 3.1 There is no current approved policy for the allocation and management of garage sites and lock-ups and therefore this has been a key area of work for the project team. The proposed policy is attached at Appendix 3 and has been designed to ensure the efficient and equitable letting of garage site and lock-ups by making best use of our available stock. It also sets out the conditions of use, how rents and arrears will be managed, as well as abandonments and the ending of tenancies.
- 3.2 The key aims of the new policy are to have:
 - Transparent allocation process
 - Rents collected on time and in an efficient manner
 - Garage sites and lock ups maintained to a high standard
 - Take up of garage sites and lock-ups encouraged
 - Compliance with tenancy agreements

4. CONCLUSION AND RECOMMENDATIONS

- 4.1 This report gives an update on progress since May 2014 on the review of garage sites and lock-ups. It summarises the work on individual and community engagement and consultation, as well as with contractual work and work to develop a new policy for allocating and managing this provision.
- 4.2 The Housing and Health Committee is asked to:
- (i) Note the current position on the review of garage sites and lock ups
 - (ii) Note the outcome of the wider community consultation for Phase 1 decommissioned sites
 - (iii) Approve the consultation draft policy on garage sites and lock ups, including how these are allocated and managed
 - (iv) Request the Executive Director (Housing and Community Care) to submit a further report to a future Housing and Health Committee on progress, including on the development of the social enterprise

Author(s)

Name	Designation	Contact Details
Clare Mailer	Senior Service Manager-Housing	cmailer@pkc.gov.uk 01738 475431

Approved

Name	Designation	Date
John Walker	Executive Director, Housing and Community Care	17 October 2014

If you or someone you know would like a copy of this document in another language or format, (on occasion, only a summary of the document will be provided in translation), this can be arranged by contacting the Customer Service Centre on 01738 475000.

You can also send us a text message on 07824 498145.

All Council Services can offer a telephone translation facility.

1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

Strategic Implications	Yes / None
Community Plan / Single Outcome Agreement	Yes
Corporate Plan	Yes
Resource Implications	
Financial	None
Workforce	None
Asset Management (land, property, IST)	Yes
Assessments	
Equality Impact Assessment	Yes
Strategic Environmental Assessment	No
Sustainability (community, economic, environmental)	No
Legal and Governance	Yes
Risk	Yes
Consultation	
Internal	Yes
External	Yes
Communication	
Communications Plan	Yes

1. Strategic Implications

Community Plan / Single Outcome Agreement

- 1.1 The Community Plan and Single Outcome Agreement 2013-2023 sets out five objectives. This report relates to the following:

- Promoting a prosperous, inclusive and sustainable economy
- Creating a safe and sustainable place for future generations

Corporate Plan

- 1.2 The proposals relate to the Council's Corporate Plan Objectives as above.

2. Resource Implications

Financial

- 2.1 The cost of progressing with Phase 1 of the project will be met by the HRA capital budget for Garage sites and lock ups approved by Housing and Health Committee on 29 January 2014.

Asset Management

- 2.2 The consultation results will be used to inform this.

3. Assessments

Equality Impact Assessment

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties
- 3.2 This has been considered when drafting the Garage Site and Lock Ups Policy.

Strategic Environmental Assessment

- 3.3 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences on its proposals.

Option 2 no further action is required as it does not qualify as a PPS as defined by the Act and is therefore exempt.

Sustainability

- 3.4 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. In terms of the Climate Change Act, the Council has a general duty to demonstrate its commitment to sustainability and the community, environmental and economic impacts of its actions.

Legal and Governance

- 3.5 The Head of Legal Services has been consulted on this report

Risk

- 3.6 A risk profile has been developed and is managed through the Project Team

4. Consultation

Internal

- 4.1 The Heads of Legal and Finance have been consulted on this report.

External

- 4.2 1,019 local residents living near proposed decommissioned site received survey letters about potential uses. Door to door surveys were also undertaken followed by public meetings in the three areas to provide feedback on the consultation results.
- 4.3 The new Garage Site and Lock-Up Policy was sent to a sample of 10% of renters for comment and a presentation was given to the Tenant Participation Forum in August 2014. The policy has also been sent to Tenant and Resident Association members.

- 4.4 The Tenant Committee Report Panel was consulted on this report. The noted that it was a very clear report and good to see feedback from the consultation. The Panel recorded 'well done to those who were involved in this'.

5. Communication

- 5.1 Information relating to garage sites and lock ups will be made available to tenants of the sites and anyone who is currently on the waiting list for a lock-up or plot. The method of communication includes updates on the web site, community events, articles in 'On the House' and leaflets. The Tenant Liaison Officer dedicated to the project continues to have contact with tenants who are directly affected by the project.

2. BACKGROUND PAPERS

None

3. APPENDICES

Appendix 1 - Survey Results

Appendix 2 - Garage Site and Lock-ups Policy

Garage and Lock up Review

1. Summary of Phase 1 Wider Community Consultation Results

Overall No of responses	608
% return of 1,019 surveys	60%
No of people agreeing with the preferred option	512 (85%)
No of people disagreeing with the preferred option	92 (15%)

2. Letham Results Overall

No of responses	270
No of people agreeing with the preferred option	222 (82%)
No of people disagreeing with the preferred option	48 (17%)

Response highlights:

- Major community concerns about the lack of parking generally
- Frustration expressed about difficulty of parking due to football fans on St Johnstone match days
- The need for finished surfaces (Tarmac) to reduce damage from loose stones and to prevent vandalism
- Street lighting required to enhance community safety

3. North Muirton

No of responses in total	281
No of people agreeing with the preferred option	250 (89%)
No of people disagreeing with the preferred option	31 (11%)

Response highlights:

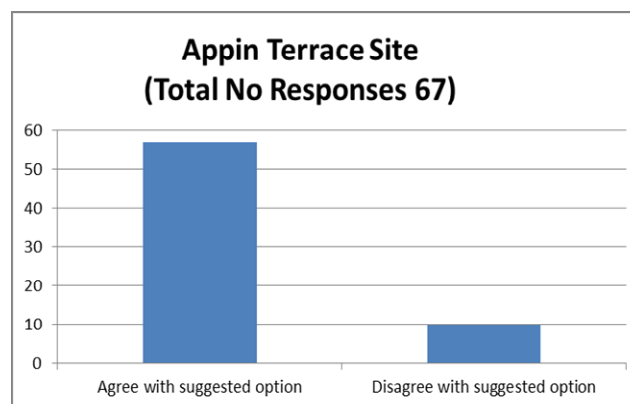
- Major community concerns about the lack of parking generally
- Frustration about business employees using the limited parking available
- The need for marked bays to help manage appropriate parking
- Some unattended green spaces could also be used for parking and enhance the area

4. Kinross

No of responses	49
No of people agreeing with the preferred option	35 (71%)
No of people disagreeing with the preferred option	14(29%)

Response highlights:

- Concerns about community safety in Montgomery Road
- The need for more parking in the area for residents



Some comments received:

‘Only if to get cars off the street that should be parking in Perth College car park’

‘We have difficulty driving up and down "Appin" because of parked cars on the road’

‘Very good idea and why not use grass area at Struan Road for same as there has been several cars damaged on road.’

‘Numbered parking bays for residents only’

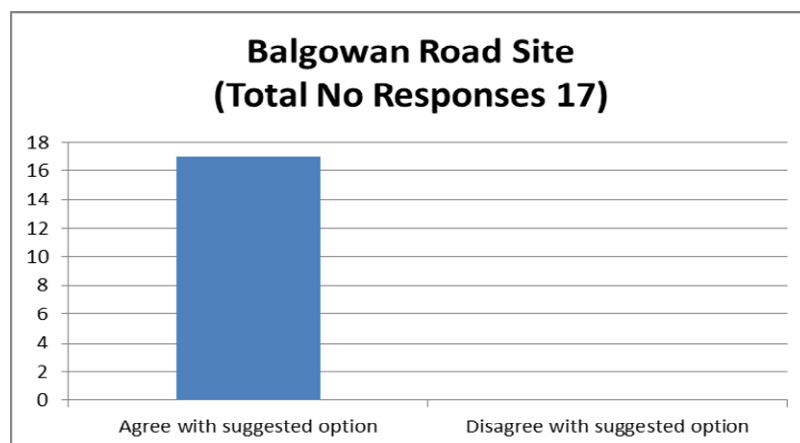
‘Off street parking would be at risk of being over-run with students so some sort of resident only permit’

Other ideas for the site:

‘Recycle Centre - especially for glass bottles’

‘Widen the road to remove blind bend onto Struan Road’

‘Possibly local glass and clothing recycling area for non-vehicle owners especially as this facility is not yet provided by refuse collection.’



Some comments received:

'Car parking, if it is for residents only. We will have big problems with football supporters'

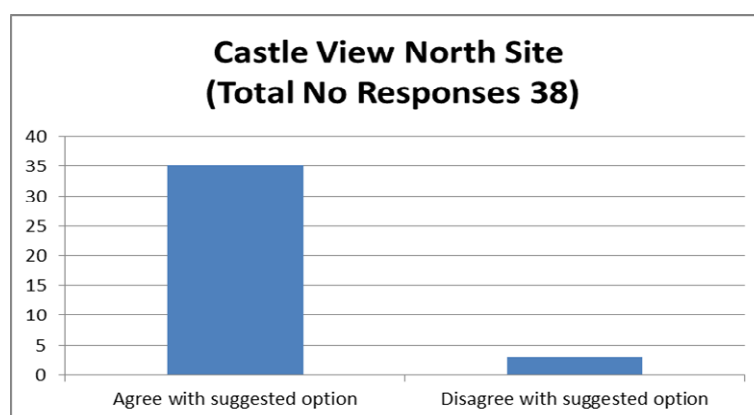
'It would need to be marked parking bays. Additional lighting would be good and security cameras if possible'

'For residents only and marked bays would be good'

'Only if there was no overnight parking for caravans allowed. Also we need access to our back garden.'

Other ideas for the site:

'A play park would be lovely as there are lots of kids in this area'.



Some comments received:

'For immediate local community i.e. Castle View and Newhouse Road, not appropriate for users of new football astro turf. Allocated parking feasible? Numbered for house number?'

'I think off street parking would be ideal as a blue badge holder I am unable to walk far. Parking at the rear of my house would be good.'

'I think a car park is a great idea, but might only work if yellow lines are put up both sides of Castle View, people with cars like stepping out of the cars and into their house, no walking. The top of Castle View turns to the right to a blind corner when cars are parked on it. '

'I believe off street parking is the best use, however it would be necessary for these spaces to be allocated to houses as it is apparent that many of the vehicles on Castle View are taxis, minibuses.'

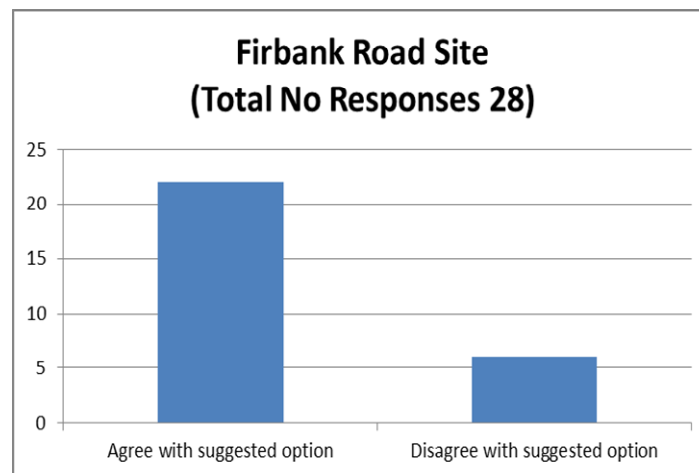
'Personal parking permits'

Other ideas for the site:

'Ground level only housing'

'It would also be useful for bin spaces / stores to be included and these all to be collected from the rear.'

'Recycling storage of bins'



Some comments received:

'Off street parking would help as not enough spaces in our street (Cargill Place). We frequently have to park our car on Burghmuir Road, which is also busy.'

'Provided the ground is sealed/flattened/tarmac and with pedestrian access e.g. pavement and speed reducing measures.'

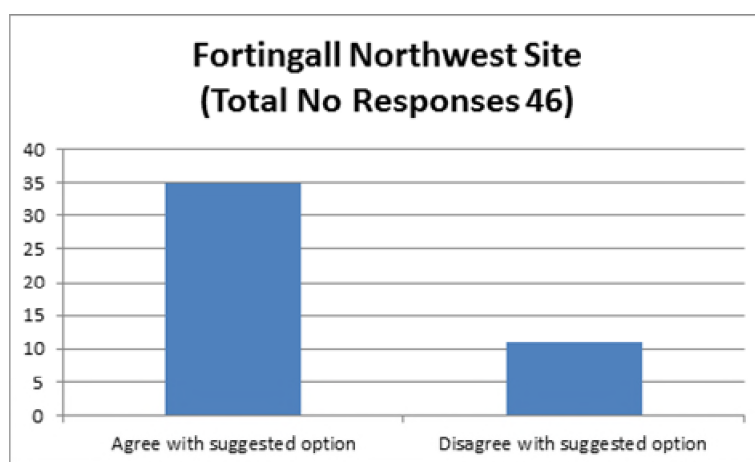
'It would be good if the residents of Cargill Place were given car parking space if this was to go ahead.'

'As long as no through road and no street lights and stones. Tarmac surface'

Other ideas for the site:

'It could be a recycling plant area for easy use of access for older people and people without cars. The remainder of this site could be used for off street parking.'

'And/or landscape it for the local community to enjoy the walkthrough with trees, plants etc.'



Some comments received:

'Half car park, half play park for kids'

'Residential car parking only'

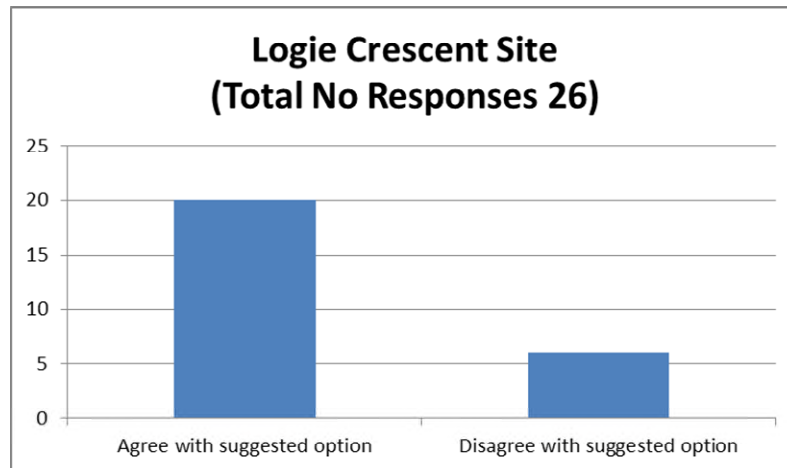
'As long as the residents still have vehicle access to back of houses. Many people need vehicle access to back of their properties from this area of Fortingall Place and give the difficulties with passing buses in Strathtay Road, having to reverse often long distances due to parked cars, extra parking would probably be beneficial to all as long as safety and security is well addressed in the planning.'

'If done properly and kept clean. I am a house owner, my deeds tell me I have access to my house back and front. Car parking is a good idea as long as I get the parking area at my gate. What about the other end of Fortingall Place NW its run down and it's just as big, maybe longer.'

Other ideas for the site:

'It would be a good use for the land but a better option is a park for the kids in the area not having kids myself but the amount of children that play there and on nearby roads is scary. I'd rather my car on a road than a child'

'There is ample off street car parking already available for local community. This road is quiet, I would not want any more traffic from other areas i.e. MacDiarmid Park football matches overusing this area. What about a community garden or children's play park, this would benefit my community'



Some comments received:

'Off street parking is the best option as there is only about 5 spaces between Newhouse court and the crossing.'

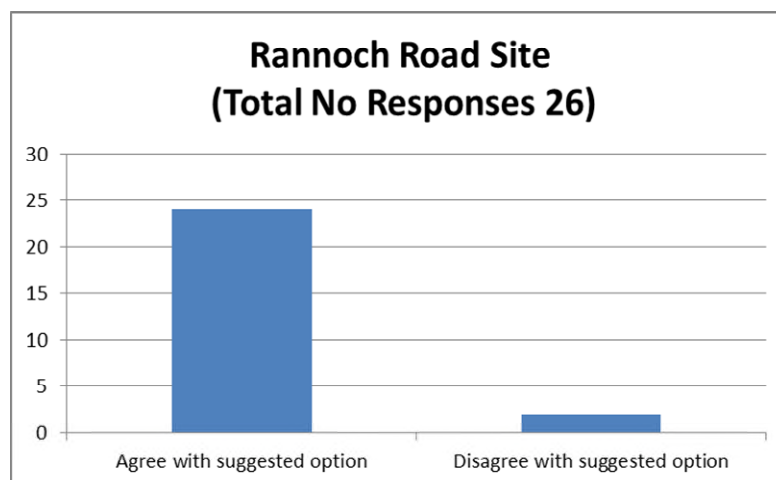
'Resident car parking'

'Car Parking'

Other ideas for the site:

'Allotments'

'Playpark for the children'



Some comments received:

'Parking badly needed'

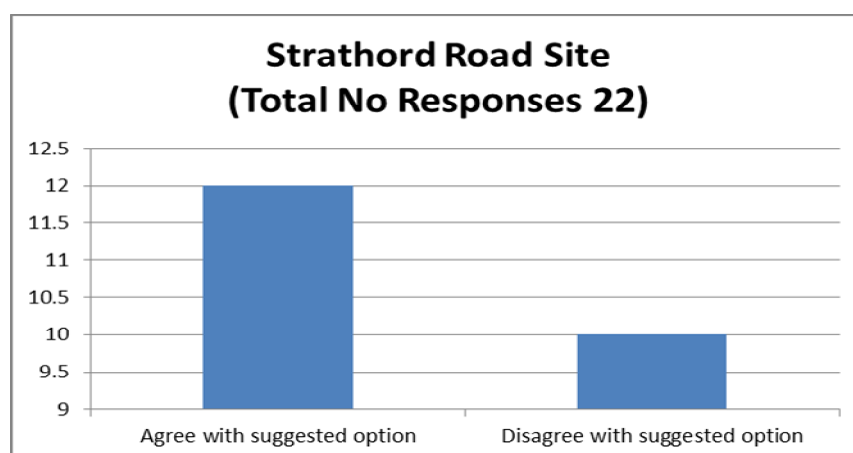
'New lock-ups or parking'

'More car parking'

'Car parking, as long as the bin men don't obstruct'

Other ideas for the site:

'A play park for our kids? I know it'd be good to be able to keep an eye on them playing closer to home. More play equipment and park needed in Letham'



Some comments received:

'Need parking but not safe for cars. Walkway for elderly and youngsters going to school'

'I would be afraid to park my car there. The site isn't overlooked - there have been fires. It would be more of a cost to the council - there would be no access for cars'

'More car parking'

'We need more car parking but it could be difficult in the winter'

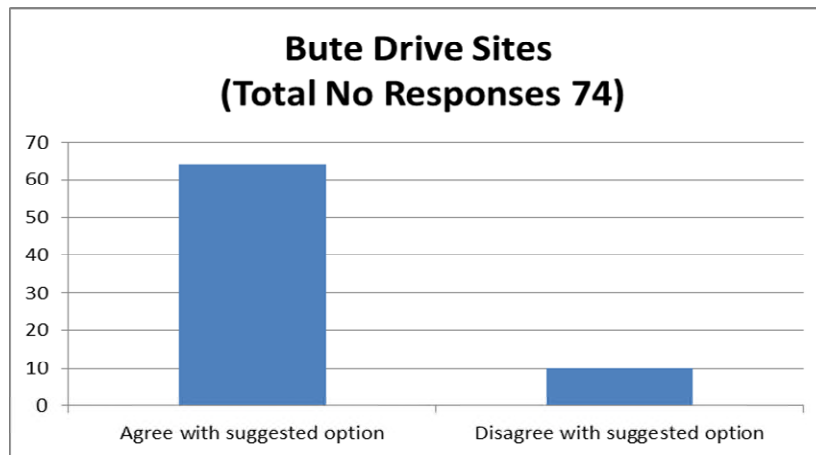
'Garages should stay; people had for years & will have to get rid of their cars.'

Other ideas for the site:

'Allotments'

'Play park for children'

'There is a nice garden patch up there - it would be good to keep and develop on this'



Some comments received:

‘Just for extra parking would be best, not enough parking at the moment. Garages not large enough to take a lot of the makes/models of cars now.’

‘There should be spaces for each household. My neighbours are obsessed with the spaces and they think belong to them and no one else.’

‘There is no doubt a need for off street parking but I can see problems with this area as mothers and young children walk through the car park to reach the path leading up to school and nursery. I see this as a danger which can only get worse when lock-ups go’

‘Designated lined parking. Very concerned about exiting the lock up site at a pedestrian crossing. Also cyclists coming from the Inch cut over the lock up site without looking - an accident waiting to happen.’

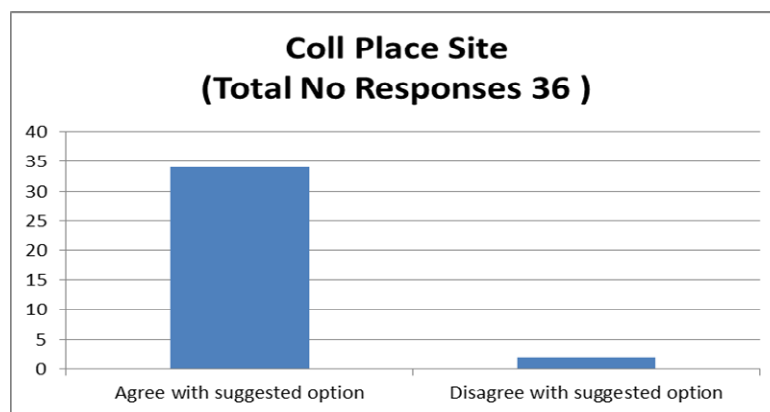
‘Lock ups are an eyesore.’

‘Parking bays for residential parking only.’

Other ideas for the sites:

‘Why make exceptions for 19 - 22 unless disabled parking.’

‘Rented lock up for over 30 years, would like to buy.’



Some comments received:

'The lock-ups are an eye sore (get them down). We need more parking spaces in Coll Place. Sometimes we have to park outwith.'

'Off street car parking would be the best use for this land. With the garages gone it would more than double the amount of space for parking. Suggestion - possible numbered bays for each property.'

'This is a good idea as parking a bit of a problem.'

'Need more spaces for cars.'

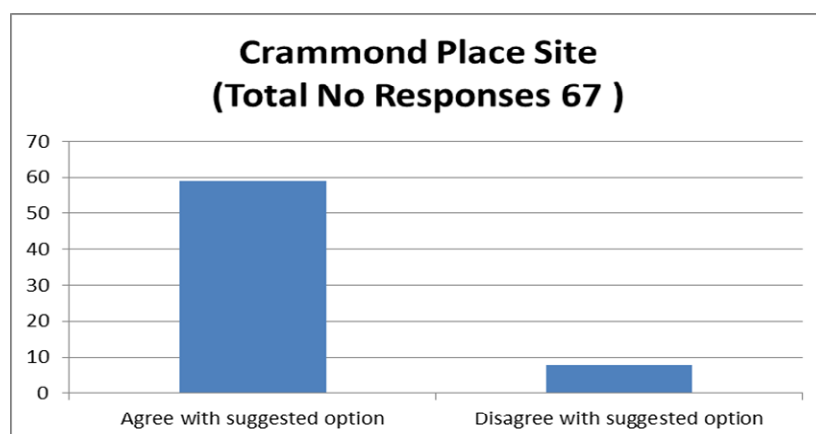
'Rather have my lock up.'

Other ideas for the sites:

'Car garage workers will just continue to park their cars if turned into car parking. Would prefer if this was turned into a green area right along.'

'If possible, building one person accommodation.'

'It would be a good idea if we could request a parking space at our back door (for a small fee) or to extend our back garden a little.'



Some comments received:

'I do believe of road parking would be very helpful also lock ups are too small for size of cars now.'

'We need more car-park space in the street.'

'Parking is definitely the best option - there is a serious lack of parking in the street. The garages are an eyesore and are not generally being used for their intended purpose anyway.'

'Ensure that former lock-up areas are marked with lined parking bays.'

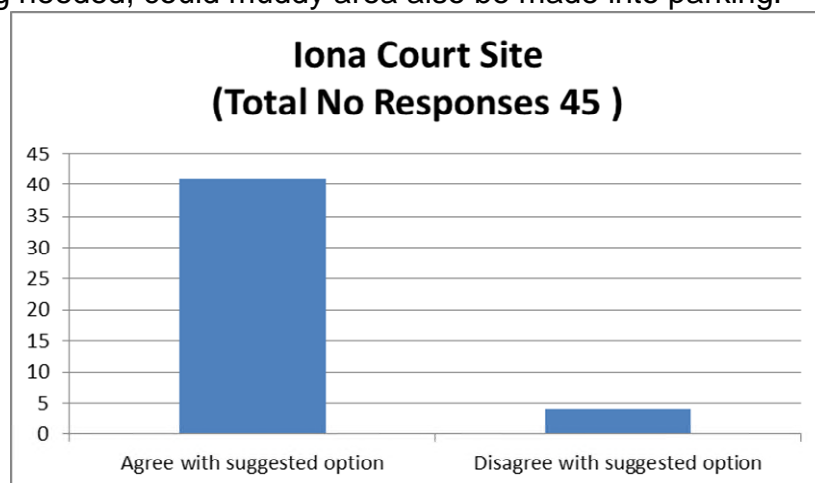
'Marked bays and possibly extend parking area by taking away shrub and pebbled area.'

Other ideas for the sites:

'Some garages or smaller style lock-ups would be good for motor cycle storage. Perhaps an area of North Muirton would be created for such a purpose with key entry to an enclosed compound would be excellent.'

'It would be nice to have part of it grassed. There are a lot of children who play about this area and only 2 small grassed areas (that are not front gardens) to play, maybe a tree planted. Parking definitely, not enough spaces around here. I assume the concrete bases to the garages will be removed.'

'More parking needed, could muddy area also be made into parking.'



Some comments received:

'I don't think there could possibly be any better use than for parking. Iona Court has 69 houses but parking does nowhere near cater for that amount of cars. At busy times of year you don't want to take your car out for the fear of not getting back in - that should not be the case. On top of that we also have workers from the garages on the motor mile parking here, which is most unfair. It should be residents only parking.'

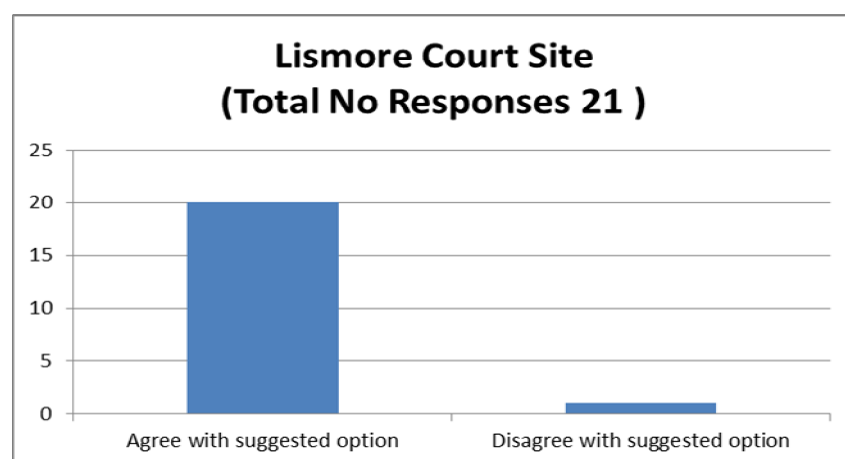
'More parking.'

‘No other ideas just disappointed they are taking the garages away.’

Other ideas for the sites:

‘Large recycling bins instead of individual wheelie bins.’

‘Car parking bays for residential disabled drivers would be very useful. The creation of more off street parking is a good idea. However something must be done to stop the motor mile using our streets as a parking lot for the employees and company cars.’



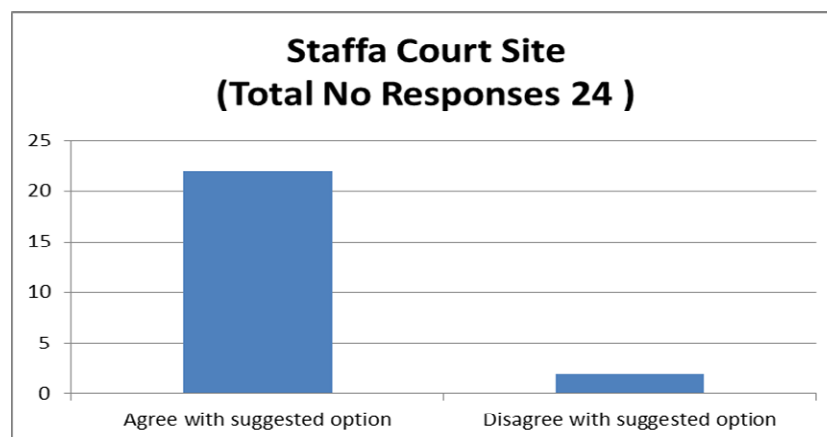
Some comments received:

‘Allocated car parking for residents, any space left for visitors. If necessary parking permits used to alleviate parking congestions caused by motor mile. Consider yellow lines on Argyll Road to help drivers view when exiting Lismore Court.’

‘I think more parking is required, however my concern is that it will be used by employees of the motor mile. This is the problem now when I return from work at 17:30 hours I cannot get a space. I have to park a fair bit away. In my opinion bays with house numbers would be a good option, or resident parking notice so that the people who live here can get a space. It has also been reported that one or two garages is full of diesel which is a concern for residents - no action has been taken to sort this issue out.’

‘We would vote yes if the removal of the garages would help the residents of Lismore Court. Our worry is if you knock down the garages it would be more room for Peter Vardy/Arnold Clark workers to park. There are so many of them in our car park now, I sometimes have to park on Argyll Road, if we are getting dedicated spaces for our houses, yes if it's a free-for-all with the garage workers, leave them as they are – don't have ‘Residents only.’

Other ideas for the sites:



Some comments received:

'Exclusive parking for tenants and residents only.'

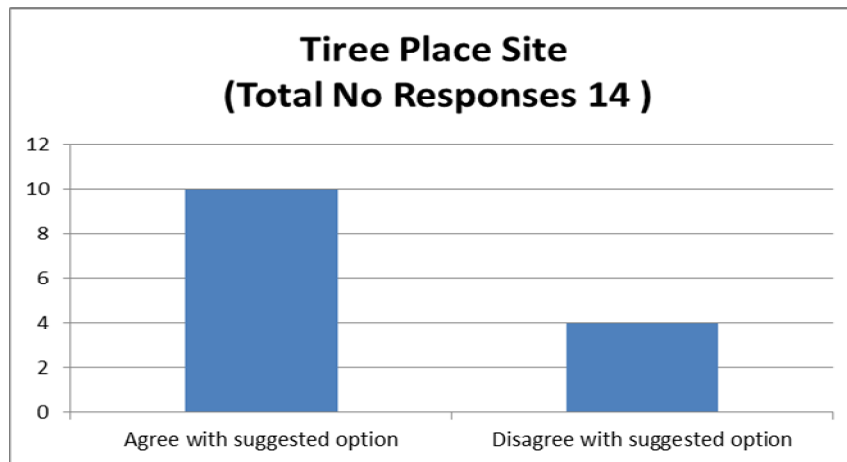
'I suggest the erection of a sign "Residents Parking Only" to discourage employees from neighbouring business's parking. Also the removal or cut back of the tree and shrubs at the bottom of Staffa Court for security reasons and the entering and exiting on to Jura Street.'

'I would also like specific bays for resident houses, or white line marks to stop wide parking that another car would use.'

'If residential parking only, not for motor mile employees.'

Other ideas for the sites:

'I feel any additional funds could however be better used to redesign the play park in North Muirton as there is very little for the children in the area. Additional parking in this area may only encourage parking from employees of the motor mile, which seems a constant battle - it may be more cost effective to make residents only signs which seem to only be present in some streets in North Muirton, although I have selected yes parking the streets seems ample had it not been due to the motor mile staff.'



Some comments received:

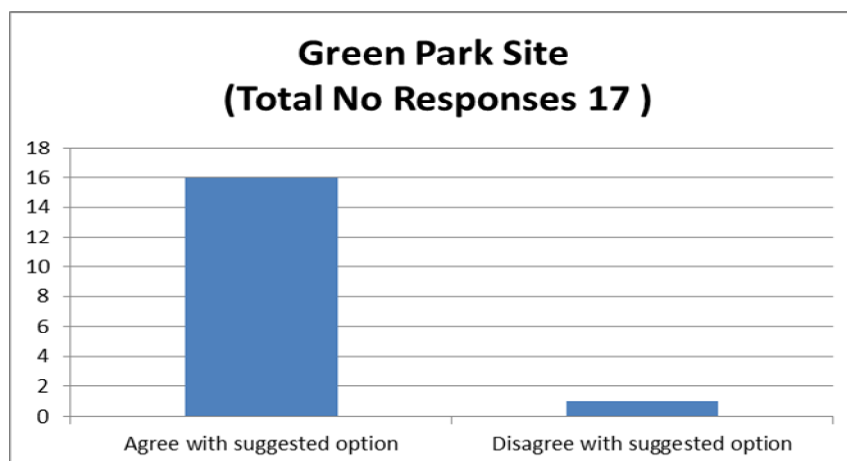
‘Only if residential parking, not for motor mile employees.’

‘More car parking for residents only.’

‘Marked bays for residents.’

Other ideas for the sites:

‘Leave the garages as they are. If made for off street parking it would be used by garages employees who already use North Muirton, what would happen to the various levels of concrete base if removed? Tiree Place is a wide area enough for resident parking in the present economic climate monies could be used for more important things, and what would be the cost of removal? I would only accept removal if replaced with a garden / plant area, to give a cosmetic look’



Some comments received:

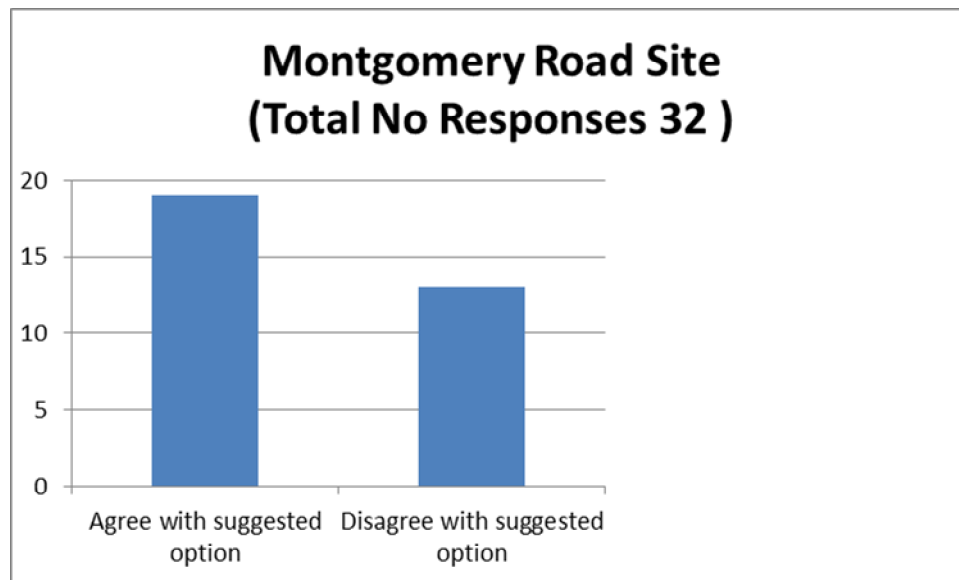
‘Residents parking only.’

‘When garages get knocked down use it for Green Park residents only for car.’
parking

‘Marked bays for residents only.’

Other ideas for the sites:

‘A green park.’



Some comments received:

‘Concerned as it would be a large open space & kids would gather.’

‘Not safe for cars.’

‘This use will improve street access and particularly for the bus..

‘Residents parking only.’

Other ideas for the sites:

‘Council houses which is badly needed in the community.’

‘I think the land would be better used for Council houses, as there are only private houses built in Kinross.’

Perth and Kinross Council

Garage Sites and Lock-up Policy

Contents	Page
Introduction	3
Principles, aims and objectives	3
Equal opportunities statement	3
Legal framework	4
What is a lock-up and garage site?	4
Applying for a Garage Site and Lock-up	4
Letting a Garage Site or Lock-up	5
Tenancy agreement and conditions of use	5
Rents	6
Arrears	7
Ending the tenancy	8
Void inspections	8
Abandonment	9
Succession	9
Mutual Exchange	9
Policy reviews/consultation	9
Customer service/complaints	10
Performance Monitoring	10
Publicity	11

Introduction

Perth and Kinross Council owns and manages garage sites and lock ups in various locations. This policy sets out our approach to allocating and managing garage sites and lock ups. It should be read in conjunction with the Neighbourhood Services Strategy, Current and Former Arrears Policy, Rechargeable Repairs Policy and Rents and Service Charging Policy.

Principles, aims and objectives

This policy has been designed to ensure the efficient and equitable letting of garage sites and lock ups by making best use of our available stock. It sets out the measures we will use to prevent or recover arrears fairly and to avoid, wherever possible, action to recover possession of garage sites and lock ups from the tenant. It also sets out procedures for recovering abandoned garage sites and lock ups.

The aims of this policy are to:

- Set out a transparent process for the allocation of garage sites and lock-ups
- Ensure that rents are collected in a timely and efficient manner
- Ensure that garage sites and lock-ups are maintained to a high standard
- Encourage the take-up of garage sites and lock ups
- Ensure that tenants comply with the terms and conditions of the tenancy agreements for garage sites and lock-ups

Equal opportunities statement

Perth and Kinross Council is committed to providing fair and equal treatment for all its stakeholders and will not discriminate against any of the grounds of race, colour, ethnic or national origin, language, religion, belief, age, gender, sex, sexual orientation, marital status, family circumstances, employment status, physical ability and mental health. We will endeavour to achieve fair outcomes for all.

This policy complies with the Council's Equal Opportunities Policy. We recognise our active role in valuing and promoting diversity, fairness, social justice and equality of opportunity by adopting and promoting fair policies and procedures. We carry out equality impact assessments to ensure that our policies and procedures meet the needs of equalities groups and take appropriate action to address inequalities likely to result or resulting from the implementation of the policy and procedures.

Under this policy we allow any Perth and Kinross resident aged over 17 years to apply for a garage site or lock-up. We will give residents who are disabled (have a disability) and have a 'blue badge' priority on our waiting lists.

Legal framework

This policy complies with the following legislation:

- Sheriff Courts (Scotland) Act 1907 Section 38 governs the removal of property let to tenants for less than a year and requires 28 days notice to be given before its removal
- Debt Arrangement (Scotland) Regulations 2003
- Data Protection Act 1998
- Disability Discrimination Act 1995; Race Relations Act 1976, as amended
- The Sex Discrimination Act 1975

What is a garage site and a lock-up?

A **garage site** is a plot comprising a uniform sized hard surface plinth upon which a garage may be built/ erected. There are usually a number of individual plots on each garage site.

Lock-ups and garages built on sites are designed for parking a motor vehicle and can also provide suitable storage for ordinary domestic, household and garden items.

A **lock-up** is a purpose built permanent garage structure. Lock-ups are generally built in terraced blocks and concentrated on single sites.

Applying for a garage site or lock-up

We have a number of garage sites and lock-ups in various locations across Perth and Kinross that are available to let.

Each applicant aged 17 years or over who is resident in Perth and Kinross should provide:

- A copy of their vehicle registration document
- One additional proof of their address
- One proof of their identification

Disabled applicants shall provide proof of their eligibility (e.g. a blue badge).

Tenants and residents can apply for more than one garage site or lock up subject to availability.

Letting a garage site or lock-up

Area Housing Offices maintain waiting lists for the garage sites and lock-ups in their area. We will allocate garage sites and lock-ups to applicants in order of priority as follows:

- Disabled applicants (or where a member of the household is disabled) from any form of tenure who live in the area in which the garage site or lock up is situated

- Council tenants who live in the area in which the garage site or lock up is situated
- Other residents (owner occupiers, private renters) who live in the area
- Council tenants and other residents who live elsewhere

The date of application will determine the applicant's position on the waiting list within each category.

We will carry out an annual review of our waiting lists.

Tenancy agreement and conditions of use

1) Lock-ups

Each applicant who is allocated a lock-up shall sign the Lock-up Tenancy Agreement thereby agreeing to the following **conditions of use**:

- The lock-up shall be used for storing a motor vehicle and/or normal household goods and/or garden furniture and equipment;
- The lock-up shall not be used to store dangerous, volatile or flammable liquids such as petrol, diesel or bottled gas, other than petrol mower fuel which must be stored in legal container as specified in the tenancy agreement.;
- The lock-up shall not be used for illegal or immoral purposes, such as storing stolen goods;
- The lock-up shall not be used for any business or commercial purpose or to store any items in connection with a business;
- The tenant shall not do anything, or allow anything to be done, in the lock-up or vicinity which could reasonably cause nuisance or annoyance to other people, or which amounts to harassment of other people;
- The tenant shall not make any structural alterations to the lock-up;
- Council officers shall be entitled to enter the lock-up at all reasonable times to inspect it and carry out any works considered necessary;
- The tenant shall inform the Council if they change address.

2) Garage sites

Each applicant who is allocated a garage site shall sign the Garage Site Tenancy Agreement and, in addition to the conditions of use which are the same as for a lock-up, shall also agree to erect a garage which meets the Council's standard specification which is annexed to the lease agreement.

Rents

Garage site and lock up tenants shall pay rent weekly in advance. We will send an invoice to garage site tenants every quarter.

Council tenants who rent a lock-up won't have to pay VAT. Other residents will have to pay VAT.

VAT is not charged on garage site rents.

We will increase the rents for garage sites and lock-ups every April in accordance with our Rent and Service Charge Policy. Table 1 shows the rents our tenants will pay in 2014/15:

Table 1 – Weekly rents for lock-ups and garages

Description	Lock Up	Garage Site
Council Tenant	£8.01	£0.52 to £1.75
Other Resident	£9.61 (including VAT)	£0.52 to £1.75

Arrears

The Council will manage garage site and lock up accounts efficiently and effectively and try to prevent or minimise arrears. If a tenant's account falls into arrears, we will invoke Clause 11 their tenancy agreement which says that arrears will constitute grounds for recovery of the tenancy. In the event that arrears arise and are not cleared, we will progress 'notices to quit', raise court action where necessary and seek the legal expenses of these from the tenant.

Ending the tenancy

The tenancy may be ended in any one of the following ways:

- By the tenant, giving 28 days' notice
- By written mutual agreement by the tenant and ourselves
- By the tenant's death
- By abandonment of the garage site or lock up
- By a court order authorising us to recover possession

Before moving out of a lock-up, the tenant must:

- Leave it clean and tidy
- Remove its contents
- Lock the door and handing the keys to the Area Office;
- Remove any unauthorised fixtures and fittings
- Reinststate to the original and put right any damage caused
- Pay any outstanding sums due

- Give a forwarding address

For a garage site, the tenant must clear the garage of its contents and dismantle and remove the structure completely.

Void inspections

The Council's Property Inspectors will carry out a pre-termination inspection and inform the tenant what they need to do to end the tenancy satisfactorily. If no pre-termination inspection has been done, the inspector will carry out an inspection of an empty lock-up one working day following the keys being returned or the lock-up repossessed. If any costs for either clearing contents or repairs caused by negligence arise, we will recover these from the tenant.

The purpose of the inspection is to:

- Make sure the lock-up has been cleared and is unoccupied
- Make arrangements to secure the lock-up if needed
- Assess any repairs required
- Assess any rechargeable repairs
- Arrange to clear the lock-up where needed and inform the Area Office of the recharge

The Council's property inspectors will also check to ensure that a garage has been removed from a garage site at the end of the tenancy and arrange for its removal and raise a recharge where appropriate.

Abandonment

Council staff will try to contact tenants who have failed to give 28 days' notice or otherwise appear to have abandoned their garage site or lock up. If we are unable to contact the tenant and are satisfied they have abandoned the garage site or lock-up, we will repossess it, make an inventory and store any motor vehicle or other goods of value. We will dispose of any goods which do not cover the cost of clearing the garage site or lock-up without delay.

Succession, Assignment and Sub-letting

Succession, assignment and sub-letting rights do not apply to garage sites and lock-ups. If the tenant dies, the tenancy shall end and we will re-let the garage site or lock-up. However, where there is a joint tenancy, the surviving tenant may continue to rent the garage site or lock-up if he/she wants to do so. If not, the tenancy will end.

Mutual Exchange

Tenants of lock-ups can apply to carry out a mutual exchange with another lock up tenant.

Policy reviews/consultation

This policy will be reviewed, initially after a year and, thereafter, every three years or sooner where this is required. Reviews will cover performance standards and good practice.

This policy has been developed in consultation with tenants, registered tenant organisations and other service users, taking account of their comments and contributions. We will regularly consult our tenants and other services and agencies in order to continually develop good practice in our management of garage sites and lock-ups.

The policy will be published on the Council's website and make it available in other formats and languages on request.

Customer Service/ Complaints

The Council will make sure that we provide a high quality customer focused service with an emphasis on 'getting it right first time'. However, customers may use the Council's complaints procedure where they are dissatisfied with this policy, its application or any other issue about garage sites and lock-ups. Details of the complaints procedure are detailed in the Council's 'Complaints Procedure' leaflet that is available from any Council office or the website:

<http://www.pkc.gov.uk/articles/5731/Complaints>

Complaints will be used to monitor and improve the service.

Information given by our customers (in relation to this policy) will be treated confidentially and will not be discussed with third parties without their permission. We comply with the Data Protection Act 1998 on this.

Performance Monitoring

There are no statutory performance indicators for garage sites and lock-ups, but through the Neighbourhood Services Performance Management Framework we will monitor the following areas and take action as appropriate:

- Void re-let times
- Void Rent Loss
- Difficult-to-let garage sites and lock-ups
- Arrears

- Abandonments and lost contacts
- Waiting list demand

Publicity

Information on garage sites and lock-ups will be published on the Perth and Kinross Council website and advertise vacancies where there is low demand.

