

Housing Services

Removal of Safety Hazards Policy

Department	Housing Services
Responsible Person	Director of Housing
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1. Introduction

- 1.1 As a landlord the Council have a legal duty to ensure that all communal areas in its properties are kept clear and free from hazards. This means that items are not left in communal areas where they may become a tripping hazard or restrict access for others.
- 1.2 Items left in communal areas could cause fires or accelerate the spread of fire. Also, those same items could become an obstruction to others when attempting to evacuate the building in an emergency.
- 1.3 Similarly, as a responsible landlord the Council must ensure that all external doors to properties in flatted accommodation not only meet fire safety specification standards but that they remain effective in containing and slowing the spread of fire while at the same time allowing a quick exit for those evacuating the property and a quick entry for any emergency services needing to access the property.
- 1.4 This policy explains the Council's approach to dealing with items left in communal areas and any changes or additions made to external doors, such as fitting metal security gates.

2. Fire Safety Priority Rating

- 2.1 Both items left in communal areas and metal security gates are hazards. When the Council become aware of such hazards, they will apply a systematic risk assessment to each case, so that they may determine the level of risk that each hazard may have in terms of the likelihood of them starting or accelerating the spread of fire and the consequences they would have, should one occur.
- 2.2 The Council use a four-tiered category system to rate hazards, with priority 1 being the most hazardous and/or concerning and priority 4 being the least.
- 2.3 The priority level determines the number of days' notice the Council gives a tenant, so that they may address the problem and rectify it themselves, before the Council take action.

2.4 In some cases where the Council have had to address the hazard, as a responsible landlord, they may have incurred costs that would not have been necessary had the tenant addressed the hazard themselves. If this happens, the Council will recharge the tenant for these costs.

2.5 The following are examples of some hazards, their priority rating and the amount of notice the Council would either give to a tenant to address themselves, or equally, the amount of time the Council, as the landlord, would take to address the hazard ourselves. The examples given are by no means a definitive list and the Council reserves the right to set a higher priority level in some cases if they think there are other factors which increase the risk.

Key of Priorities		Examples
Priority 1	24 hours Response Critical action required/potential hazard to life	Highly flammable materials such as petrol cans, motorbikes, gas and oxygen cylinders or a high risk of tripping hazards or exposed electrical wires.
Priority 2	3 Day Response Action required to prevent becoming critical	Medium level of breach of compartmentation, combustible items, damaged fire doors, items blocking fire escape routes, blocked bin chute hoppers or missing/stolen dry riser's valves
Priority 3	7 Day Response Tolerable risk that can be managed prior to action needed	Items stored in the communal area partially blocking escape routes, minor breach of compartmentation, some fire doors not fully closing, block entrance and exit doors not secure or blocked bin chute hoppers.
Priority 4	20 Day Response Observation, recommendation or action	Metal security gate on front door, missing signage, loose cables and cable conduits, poor cleaning, some fire doors and door closers need to be adjusted, or a minor number of items stored in the communal areas but not blocking escape routes and do not constitute a slip or trip hazard.

3. Items left in communal areas

- 3.1 There are several ways the Council may become aware of items left in communal areas. The Council may come across them during some of their many routine visits to blocks or properties, such as fire and safety inspections, block inspections, tenancy update visits, settling-in visits, gas and electrical safety inspections, caretaker cleaning and maintenance duties, as well as one of the many ad hoc visits the Council makes to support its tenants. In addition, the Council may be made aware of hazards which are reported by other neighbours or visits to the block.
- 3.2 Items left in communal areas do not always have to be things that are left out occasionally, such as bikes and prams. It can also apply to other items such as pot plants, shoe stands or decorative features which, though well intended, would be a hazard to others attempting to exit the building in an emergency.
- 3.3 The Council takes a zero-tolerance approach to any items being left in the communal areas of its council blocks, applicable to low-rise, medium and high-rise blocks as well as to its sheltered accommodation. This also extends to storing and charging mobility scooters in communal areas.
- 3.4 Items that are considered to be household rubbish, such as refuse sacks, dismantled furniture and items showing signs of wear and tear with no obvious monetary value, will be removed by the Council's caretaking service. If the Council can identify the household responsible for leaving such items in the communal area, the Council will still take action against them.

4. Removal of Priority 1 items left in communal areas

- 4.1 Due to the risk that a priority 1 rated hazard could potentially pose, all such items will be removed within 24 hours. If the items can immediately and obviously be linked to an individual tenant or property within the block, then that household will be approached and given an opportunity to remove the items there and then. If the items cannot be removed immediately by the owner, the Council will take photographs of the items in situ to confirm their

risk and condition, before removing them to a safe and secure location where they will be stored until collected or disposed of.

- 4.2 Where the owner of the items cannot be identified the Council will place a section 41 notice on the wall near to where the property was removed. The section 41 notice explains the Council's rights to remove lost or uncollected property found on the premises or buildings that the Council, as a landlord, either own or manage. The Council will also leave information regarding how long they will store the items for before they dispose of them, along with contact information for arranging their collection.
- 4.3 Similarly, where the owner of the items is identified, the Council will deliver a section 41 notice to their property, along with a letter detailing how they can arrange collection.
- 4.4 Tenants or leaseholders will be required to pay a fee, which cover the Council's removal and storage costs, upon collection, and before the Council release the items back to them.
- 4.5 After the date for collection has expired the Council will safely and responsibly dispose of the items, and the previous owners will not be entitled to any compensation or loss.

5. Removal of items for all priorities other than Priority 1

- 5.1 Where the owner of the items can be identified the Council will visit the property and discuss their removal with the owner. The Council will also issue a Section 41 notice detailing when the items need to be removed by them before the Council remove them and how long they will be stored for before the Council dispose of them. The Council will also attach a copy of the Section 41 to the items.
- 5.2 Where the owner cannot be identified, the Council will simply attach a copy of the section 41 to the items.
- 5.3 If by the expiry date of the notice, the items have not been removed, then the Council will arrange their collection and safe storage.

- 5.4 If the items are collected from the Council, the tenants or leaseholder will be required to pay a fee, which cover the Council's removal and storage costs, upon collection, and before the Council release the items back to them.
- 5.5 After the date for collection has expired the Council will safely and responsibly dispose of the items, and the previous owners will not be entitled to any compensation or loss.

6. Removal of Metal Security Gates

- 6.1 Where the Council find metal security gates fitted over external doors to properties, they will issue a letter to the property explaining that the gate poses a significant risk to life by either impeding an escape route or by impeding access, during an emergency, by them being in situ. The letter will explain when they have to remove the gate by.
- 6.2 The Council will send out a final warning letter that acts as a formal notice that they have 24 hours to remove the gate or the Council will begin action to get it removed.
- 6.3 Any costs the Council incur in arranging the removal of the gate, will be recharged to either the tenant or leaseholder.

7. Non-compliant front doors

- 7.1 Where doors are found not to comply with the correct fire safety specifications, they will pose a risk to other households within the block. As such the Council will take action against the leaseholder to rectify any issues, including changing the door, as they will be in breach of the terms and conditions of their lease.
- 7.2 The Council will seek timescales for when the replacement door will be installed and proof that it meets the required specification and evidence that it was installed by a qualified installer.
- 7.3 Any costs incurred during this process may be recharged to the leaseholder.

8. Equality Impact

- 8.1 Applying this policy consistently and sensitively will ensure that all tenants and their household members in Council owned homes who have protected characteristics and/or are deemed vulnerable for other reasons receive services that are based on a recognition of their vulnerability. The Council will make all appropriate adjustments to the services they receive in order to mitigate any potential negative impacts on them and to ensure they receive fair and equal treatment from the Council as their landlord.