

WEST LANCASHIRE BOROUGH COUNCIL
GARAGE ALLOCATIONS & MANAGEMENT POLICY



November 2022

1. Introduction

The Garage Allocations Policy outlines West Lancashire Borough Councils approach to the allocation and management of the garages it owns.

The Councils Housing Service manages approximately 1500 garages, located across the borough.

This policy sets out the Council's general approach to the management of garages including

- General use
- Allocation and Lettings
- Succession rights
- Rent and charges
- Terminating of agreements
- Insurance
- Disposals

2. Objectives

This policy will set out a transparent process for the allocation of garages managed by the Council which will be carried out in a reasonable and fair manner following the criteria set out in this policy. The policy also aims to ensure the garage stock is maintained effectively through day to day management ensuring optimisation of letting and income while having in place an effective asset review approach.

The Policy aims to:

- Provide an easy to understand fair and transparent garage allocations system
- To optimise income generation by ensuring all garages are let within a timely manner as far as possible.
- Support the management of parking issues within neighbourhoods by endeavouring to provide an alternative parking solution
- Ensure that the garage stock is effectively managed

3. Scope of the Policy

This Policy applies to all applications for Council owned garage stock (where the garage structure is owned and maintained by the Council and a weekly rent is charged)

The Council also owns some garage sites (where the garage structure is owned and maintained by the tenant and a yearly ground rent is charged). These will be covered separately in the Section 15 of this policy.

This policy does not apply to homes with garages where the garage forms part of the property lettings agreement (usually where the garage is within the curtilage of the property). These will continue to be let as part of the accommodation and not as a separate rental.

4. Garage Allocations:

Anyone aged 18 and over who lives or works in West Lancashire can apply for a garage.

Any applicant who is in rent arrears or has other housing related debts will not be eligible for a garage.

Applicants can:

- express an interest in any garage in the Borough.
- apply for up to 3 Garage Locations on their application. As there are sometimes several different garage blocks within a street, the street as a whole will usually equate to the Garage Location.

Priority will be given those applicants who live in the area where the garage is located.

When allocating a garage, priority for letting garages will be in the following order:

Priority 1: Local Residents (within 0.5km radius of the garage site)

Priority 2: Applicants who live outside a 0.5km radius of the garage site who are applying for first garage

Priority 3: Those applicants who already have a garage (regardless of where they live)

Within the priority groups, applicants will be ranked by their date of application, with the applicant who has been waiting longest being offered a garage first.

When allocating a garage, the Lettings Team will identify the applicant who has been waiting the longest in Priority Group 1. Where there are no suitable applicants in Priority Group 1, applicants in Priority Group 2 will then be considered in order of their date of application.

Applicants will be contacted by email, telephone or letter to advise of an offer. Applicants will normally be required to decide on an offer within 2 days of being notified. If the applicant with the highest priority does not respond or refuses the offer, the garage will be reallocated to the next person on the waiting list.

The Council aims to allocate all its garages. There may be exceptions where a garage may remain empty, included but not limited to refurbishment, development requirements, or because they are beyond economic repair

5. Exceptional circumstances

The Council accepts that there may be circumstances that warrant exceptions to the normal garage allocation criteria. The Tenancy Services Manager is authorised to assess individual cases and where appropriate and reasonable to do so may make an offer outside the normal allocations policy. Such cases may include but are not limited to:

- Decants from existing garages either due to redevelopment
- Decants from an existing garage due to repair/condition of garage
- Where an applicant has exceptional need for a particular garage for example due to a disability

6. Tenancy

On accepting the offer of a garage tenancy, the applicant must attend the Customer Service Point to sign a garage tenancy agreement which details the obligations of holding a garage tenancy.

Applicants who accept an offer of a garage will normally be expected to sign for the tenancy within 2 days. If they fail to do so the offer will be withdrawn, and the garage reallocated.

The Council will not issue joint tenancies to a garage agreement.

7. Succession & Assignment

On the death of a tenant the garage tenancy will end. However, the tenancy may be offered to a surviving member of the tenant's family who lived with them at the time of their death. Proof of residency for e.g. utility bill, bank statement etc, will be required before re-letting the garage. Any rent arrears outstanding on the garage tenancy will pass to the successor, who will be required to clear the debt or make an agreement to repay the debt over an agreed period of time.

Requests for a mutual exchange will be considered on a case by case basis.

8. Use of the garage

Garage tenants can use the garage for the storage of taxed and roadworthy private motor vehicles. Garages can also be used for storage purposes e.g. tools and garden equipment.

Garage tenants will not be permitted to:

- Operate a business from their garage.
- Store any noxious or flammable material at the garage other than fuel in the tank of a motor vehicle
- Run the engine of the motor vehicle while it is in the garage unless entering or leaving the garage
- Use, or permit others to use the garage for any act that may cause any nuisance, discomfort or annoyance to neighbouring residents, tenants or users of other garages
- Use, or permit others to use the garage for illegal or immoral purposes.
- Assign or sub-let the garage or any part of it to another person(s) or organisation(s)
- Make any additions or structural alterations to the garage
- Paint the garage door without written permission from the Council.
- Display or permit others to display on the garage any advertisement, notice or name-plate
- Store or keep any animals birds or livestock

9. Rents

Garages are let on a weekly basis at a rent that will be reviewed annually and published accordingly. The rent may be varied by giving the tenant of a garage four week's written notice or more before any changes take place. Tenants who rent both a home and a garage from the Council will not be charged VAT. However, VAT will be applied to rent charges for all non-Council tenants.

Garage arrears will be dealt with in line with the Income Recovery Policy.

10. Termination

We will not normally end a garage tenancy without the tenant's agreement unless there is a breach of tenancy conditions for e.g. non payment of rent, the tenant is deceased and there is no succession, or the garage/site is required to meet the Council's strategic aims or for the efficient management of the Council's housing stock. The Council can end the tenancy by serving one week's notice to quit on the tenant.

A tenant holding a garage tenancy may terminate their tenancy with one week's written notice ending on a Sunday. This can be done by contacting the Council's Customer Services Team.

When a garage tenancy is terminated, all rent should be paid up to date, any items removed, and the garage left in a clean and tidy condition. Keys are to be returned by 10am on the Monday following the tenancy end date. If the keys are not returned or they have been lost, we will recharge the tenant for the replacement of any locks, keys and associated expenses of the same.

The outgoing tenant will be liable for the rent and for any cost incurred by the Council for clearance of items, including belongings and rubbish, which remain in the garage after termination of the notice period.

11. Insurance

The Council will insure the structure of the garage, but the tenant will be responsible for insuring their own vehicle and personal possessions together with any items stored in the garage. It is the tenant's responsibility to ensure the garage is secure and report any defects to the Council.

All items in a garage are kept at the owners risk. The Council will not accept liability for any loss or damage to vehicles or items in the garage.

12. Garage Management

A review of garages and garage sites will be carried out on a regular basis to ensure they continue to be viable assets. This review will consider alternative uses for the garages and garage sites ensuring any legislation and health and safety requirements are adhered to.

13. Demolition/Disposals

Demolition of garage blocks may be considered where the site is part of a redevelopment scheme, the block requires extensive and costly repairs and/or the majority are empty with no demand.

In these situations, the Council will take all reasonable steps to relocate existing tenants to another garage nearby.

Where the Council receives a request to purchase a garage, consideration will be given to whether:

- the prospective purchaser is the current tenant of the garage
- the garage is in the prospective purchaser's garden
- the garage forms part of a block of garages
- there is a waiting list for garages in the area

It should be noted that the Council will not normally sell garages which are part of a block of garages.

14. Repair and Maintenance

Repairs to garages can be requested in the same way as a repair to a home and timescales will vary dependant on the actual job required.

Tenants are responsible for regularly lubricating all mechanical parts of the garage doors, i.e., locks, hinges, springs etc.

Tenants are required to give employees or contractors working for the Council reasonable access in order to carry out repairs to the garage or neighbouring properties.

Where tenant is unable to use a garage for an extended period of time whilst major repairs are being carried, the Council will where possible allow the temporary use of a suitable neighbouring garage if one is empty. Requests for a refund of rent for the period the garage is under repair will be considered on a case by case basis.

15. Garage Sites

Garage sites are rented pieces of land owned by the Council where a tenant can place their own garage structure which is owned and maintained by the tenant.

The construction of any building on the site must be in accordance with appropriate planning permissions and building regulation approval.

The garage can only be used to accommodate a private motor vehicle and/or bicycle and for no other purpose. Under no circumstances will the Council permit the garage to be used in connection with the running of a business or storage of commercial vehicles.

16. Garage Site Allocation

There are a number of garage sites throughout the Borough. Anyone aged 18 and over who lives or works in West Lancashire can apply for a garage site. Garage sites will be allocated using the principles outlined in Section 4 Those wishing to rent a site can express an interest by emailing neighbourhoods@westlancs.gov.uk or telephoning 01695 577177.

17. Garage Site Charges

A yearly ground rent is charged for each garage site. Council tenants will not be charged VAT. However, VAT will be applied for all non - Council tenants.