

1 Introduction

- 1.1 Wiltshire Council (the Council) owns several garages that are situated on housing estates, principally for use by Council tenants and leaseholders. The Council needs to ensure that the garages are let and managed in a way that maximises value for both tenants, other residents, and the Council.
- 1.2 The Council is responsible for ensuring that garages are kept in a good state of repair, including the roof, main walls, timbers, doors, and windows.

2 Aims of the Policy

- 2.1 Our aims are to:
 - a. Provide a fair, transparent, and consistent approach to the allocation of garages that are managed by the Housing Department.
 - b. Ensure that there is a clear process of letting garages.
 - c. Ensure that garage rent is collected in a timely and efficient manner.
 - d. Maximise rental income from garages and minimise debt.
 - e. Enable the Council and garage tenants to comply with the terms of the Garage Tenancy Agreement.
 - f. Facilitate the effective and efficient use and maintenance of Council owned garages and land.

3 Criteria for allocating garages

- 3.1 The following criteria, in their respective priority order, will be applied when letting garages:
 - a. Garages will be let to Council tenants, leaseholders and private residents who are aged 18 and over.
 - b. The applicant or a member of their household will be a car owner, has a valid driving licence, valid insurance, and MOT.
 - c. No more than one garage per household will usually be allocated, unless there is a lack of demand for rented garages in the particular area.
 - d. Garages will generally be let to people, in the area that they live and based on the length of time they have been on the Garage Waiting List for the area of their choice, i.e., in the order of the date of their registration on the Waiting List.
 - e. The Council reserves the right to let garages to people who don't live within the vicinity of the area where there is low demand or there are other relevant circumstances.
 - f. The Council may consider relevant factors when allocating garages, such as the disability of a permanent member of a resident's household.

- g. The person who has entered into the tenancy agreement with the Council will be responsible for paying the rent, even if they are not the car-owner.
- h. Anyone who owes the Council any debt, including Council Tax and rent arrears, will not be eligible for renting a garage until the arrears are cleared. In exceptional circumstances, where the individual is keeping to the terms agreed to clear the arrears, may be offered a garage, at the Council's discretion.
- i. Anyone with a history of persistent debt may be ineligible for renting a garage.
- j. Anyone who has been found to have damaged Council property or been found to have perpetrated serious anti-social behaviour will not normally be offered a garage without evidence of change of behaviour.
- k. Anyone who has been found to have used a garage for criminal, immoral or illegal purposes, will be not be eligible for renting garages for a minimum of three years from the time of their conviction.

4 Tenancy obligations

4.1 The Tenant's obligations are to:

- a. Pay the rent each week, in advance, by Direct Debit. Wiltshire Council does not accept cash or other forms of payment unless there are exceptional circumstances.
- b. Be responsible for the contents of the garage and ensure that it is locked when not in use.
- c. Be responsible for any damage done to the garage or adjoining properties, caused by the tenant, a member of their household or their visitors.
- d. Use the garage for motor car, motorcycle, bicycles and transport motors storage and storage of goods.
- e. Ensure that the garage is always closed and secure.
- f. Insure the contents of the garage.
- g. Notify the Council of any repairs that are required.
- h. Allow the Council or its agents to inspect and complete repairs that are the Council's responsibility.
- i. Provide access to the Council to carry out or inspect adjoining garages or other Council properties or land.
- j. Keep all gullies, gutters, wastes and drains (if any) clean.
- k. Take necessary steps to prevent the dropping of oil onto the concrete floor of the Garage or any forecourt in front of the Garage.
- l. Keep the Garage in good repair.
- m. Lubricate, on a regular basis, the moving parts of the Garage door.
- n. Give at least one week's written notice to end the tenancy and provide the Council a forwarding address. The notice will usually expire on a Monday.
- o. Pay all rent due prior to the ending of the notice period.
- p. Remove all belongings by the end of the notice period.
- q. Leave the garage in a neat, tidy, and lettable condition. Any items left will be removed and disposed of without any obligations to the tenant. The Council will recharge the tenant any costs incurred in bringing the garage to a lettable condition.

- r. Return the keys to the Council's before the expiry of the notice. If not, the Council will charge another week's rent unless the garage is let within the same month.

4.2 The tenant **must not**:

- a. Assign or sub-let the garage to anyone else.
- b. Use the garage for running a business, including the business of repairing vehicles.
- c. Store any noxious or flammable material in the garage other than fuel in the tank of the vehicle.
- d. Store any materials or goods that can cause a hazard to residents living or working nearby.
- e. Must not leave items such as mobility scooters on charge overnight.
- f. Do anything or permit others to do anything that causes or is likely to cause a nuisance, danger, annoyance, or disturbance to anyone occupying, living, visiting, or working in the local area or the Council.
- g. Make any additions or alterations to the structure of the Garage, including fitting a water or electric supply, display, or permit others to display on the garage any advertisement, notice or name plate other than the number of the Garage of a specification approved by the Council.
- h. Park any motor vehicle or otherwise obstruct access to any adjoining garages or land.

5 Administrative arrangements for letting and ending garage tenancies

5.1 Although the Council offers a range of payment options for housing rent and other payment, the principle method of payment for garage rent is by Direct Debit because the sums involved are usually small and hence more expensive to administer otherwise. However, the Council will take into consideration exceptional circumstances and arrangements made with existing tenants.

5.2 The council will set up a waiting list for garages, broken down by geography.

5.3 Prospective garage tenants will complete an application form. They are responsible for letting the Council know of changes in their circumstances, if they leave the locality or no longer wish to remain on the garage waiting list.

5.4 The Council will contact people on the waiting list every two years to check whether they wish to remain on the waiting list. Applicants will be contacted at the address provided on the application form unless the tenant has informed the Council otherwise. Those who do not reply will be removed from the list and informed so. Those who are removed from the list in this way will have to reapply and placed on the waiting list based on a new application.

5.5 The Council has the right to check the applicant's details and seek relevant evidence as necessary, before granting a tenancy.

5.6 Tenancies will not start until:

- a. There is proof of the tenant's current address.
- b. A Direct Debit mandate has been completed unless there are exceptional circumstances such as the tenant not having a bank account.

5.7 Tenancies will start on a Monday and end on a Sunday.

5.8 The Council will carry out external decorations to the garages at reasonable intervals.

5.9 The Council will give one week's written notice to terminate a garage tenancy.

5.10 The Council will clear any items left by the previous tenant, without any obligation to the owner of the items and recharge costs of doing so to the previous tenant.

6 Dealing with garage arrears

6.1 The Council will deal with garage arrears as described in a separate policy and procedures that cover a range of debt, including housing rent, garage rent, service charges and other costs.

6.2 In general, the Council will pursue garage rent arrears as soon as they arise. If warning letters are ignored or repayment agreements not kept to, we will look to terminate the tenancy and repossess the garage. We may seek to recover any outstanding monies through a county court judgement.

6.3 If we take possession of the garage, we will recharge the tenant the costs of changing the lock and securing the garage which may involve removing and disposing of any items which have been left behind.

6.4 Sometimes the writing off unrecoverable debts is the most cost-effective way of managing arrears. Any write off amounts recoverable from Council tenants or leaseholders will be in accordance with a separate Debt Write Off policy.

7 Reporting and Monitoring

7.1 Arrears and debt recovery performance across all payment types is reported to the management team monthly and to the Housing Board each quarter. The Housing Assurance Panel will review the operational aspects of this policy from time to time.

7.2 The Council's Housing Assurance Panel will review the operation of this policy annually.

8 Review

8.1 This Garage Letting Policy was approved by the Director of Assets and Commercial Development on 12 January 2022.

8.2 This policy will be formally reviewed at least every two years or more frequently if required.

