

Committee	Dated:
Housing Management & Almshouses Sub-Committee	16/04/2018
Subject: Disposal of Personal Property Policy	Public
Report of: Andrew Carter, Director of Community & Children's Services	For Decision
Report author: Liam Gillespie, Acting Head of Estates	

Summary

This report is presented to outline the purpose of the Disposal of Personal Property Policy.

This Policy has been developed to provide a clear statement of the Housing & Neighbourhood team's approach to dealing with items of personal property found on, or left on, the estates under their management.

The Policy aims to ensure residents are treated fairly, while helping the City perform its estate management duties effectively.

Recommendation(s)

Members are asked to:

- Approve the Disposal of Personal Property Policy for use by the Housing & Neighbourhoods team

Main Report

Background

1. This Policy has been written to provide a clear statement of our approach to dealing with the storage and disposal of items of personal property found on, or left on, our housing estates. The Policy covers personal property found in communal areas, void properties and areas under the City's sole control.
2. The law in this area is governed by the Local Government (Miscellaneous Provisions) Act, 1982 ("the 1982 Act"). This Policy explains how we will meet the requirements laid out in the 1982 Act, as well as our approach to the storage and disposal of items taken into the City's possession.

Current Position

3. The City's estate-based housing staff are frequently required to handle personal property which has been left in communal areas without authorisation, or which has been left in residential properties, sheds or garages after they have been repossessed.
4. The removal of items of personal property from communal areas often becomes necessary as part of the City's routine estate management functions. For instance, officers may be required to remove bikes stored on landings, property left in abandoned premises, or items such as plants kept in communal areas in contravention of the City's Fire Safety Protocol. In some cases, the property will clearly be of no value and will be disposed of, though in some cases the items in question may be valuable.
5. Practice varies across our estates in terms of the handling of items once they are removed, as well as the duration of storage. While most instances of property being removed are resolved without problems, some disputes have arisen between the City and residents whose property has been removed to storage and subsequently disposed of.
6. The 1982 Act sets out very clearly what is required of local authorities when handling personal property found on the authority's premises. It covers scenarios where the owner of the property is known, as well as those where the owner is not known or cannot be contacted.
7. This Policy will act as a clear statement of the way in which we will handle and store items removed from communal areas, or which come into our possession in other ways. One aim of the Policy is to reduce the likelihood of disputes arising out of the performance of our estate management functions. Another aim is to ensure that cases are handled consistently and fairly across all our estates.

Corporate & Strategic Implications

Implications

8. The implementation of this policy will reduce the risk of disputes arising from the removal and disposal of personal belongings by estate staff. Complaints and disputes, including legal cases, have occurred in relation to the disposal of personal property from our estates, though these have been infrequent. Learning from these complaints and disputes has been incorporated into the Policy.

Conclusion

9. The Disposal of Personal Property Policy will provide a clear policy statement on how officers in the Housing Service will handle personal property found on our estates, or left there without authorisation.

10. It will also standardise the approach taken across all our estates and ensure that officers are able to implement various other estate management policies effectively, such as those relating to fire safety in communal areas. It will ensure that cases are handled consistently and is intended to reduce the likelihood of disputes arising out of situations where property is removed and eventually disposed of.

Appendices

- Appendix 1 – Disposal of Personal Property Policy
- Appendix 2 – The Equality Analysis for this Policy

Liam Gillespie

Acting Head of Estates

T: 020 7332 3308

E: liam.gillespie@cityoflondon.gov.uk