
Report to Clackmannanshire Council

Date of Meeting: 19th March 2026

Subject: Housing Service – Estate and Open Space Management Policy

Report by: Strategic Director: Place

1.0 Purpose

- 1.1. This report seeks Council approval for the Housing Estate and Open Space Management Policy.

2.0 Recommendations

- 2.1. It is recommended that Council:
- Approve the Housing Estate and Open Space Management Policy (Appendix 1).
 - Note the Service's policy position on requests relating to the management and maintenance of fencing relating to Housing Revenue Account (HRA) properties.
 - Note the Service's approach to the allocation and management of garage plots and lock-ups held within the HRA.

3.0 Background

- 3.1. The latest Tenant Satisfaction and Aspiration Survey (2023), based on feedback from 917 tenants, shows strong levels of satisfaction with the Housing Service's neighbourhood management: 95% of tenants reported being satisfied or very satisfied with how the Service contributes to managing the area they live in. When asked about priorities the Service should focus on, 22.2% identified maintenance of the neighbourhood as their highest priority.
- 3.2. Overall, 94% of respondents were satisfied with the maintenance of common areas such as drying greens and closes, and 95% were satisfied with the upkeep of open spaces. Among those who expressed dissatisfaction, the most common concerns related to the maintenance of communal landscaping, such as grass cutting and tree management, with 42.2% (equivalent to 19 tenants) citing this as a key issue.

- 3.3. Findings from the forthcoming Tenant Satisfaction Survey (2026) will be used to monitor trends in tenant satisfaction and help shape future estate management priorities.
- 3.4. Under the Council's Tenancy Agreement, tenants are responsible for taking care of their property, garden areas and any common parts associated with their property, as well as respecting the rights of neighbours and contributing to the overall upkeep of the wider estate. The Housing Service, in turn, is responsible for maintaining and repairing common parts within housing estates, and for ensuring that communal areas are free from hazards that may compromise health and safety.
- 3.5. Given the broad scope of estate management, the Policy integrates the full range of activities undertaken by the Housing Service. These include programmed maintenance activities delivered through in-house teams or external contractors, routine tasks carried out by Housing Officers and Estate Wardens through regular inspections, and reactive work such as investigations, remedial action and enforcement activity following the identification or reporting of concerns.
- 3.6. The Policy was developed through extensive engagement with internal stakeholders, including Housing Officers, Senior Housing Officers and Team Leaders. It also reflects feedback gathered through the Housing Estate and Open Space Management Policy consultation on Citizens Space, open to tenants and residents between 27 January and 16 February. A total of 150 participants responded to the survey, and a full summary and analysis of responses can be found in Appendix 4. The Clackmannanshire Tenants and Residents Federation (CTRF) was also invited to comment on the draft policy.
- 3.7. During the development of the Policy, the Housing Service undertook a lands review via a cross-service, short-life working group which was established between Housing and Land Services. The group was formed to review and map all land maintained by Land Services as part of their current grass cutting responsibilities. This exercise involved examining just under 2,000 individual pieces of land, covering both HRA and General Fund areas, to ensure that all recorded information was accurate, up to date and aligned with the appropriate maintenance responsibilities.
- 3.8. The Service is near completion of this review, where Legal Services are now assessing a small number of identified areas where there is uncertainty around current ownership. Their work will confirm the correct classification of these sites and ensure that all HRA-owned land is accurately recorded. This will support effective management and maintenance of HRA land and ensure that estate and open space responsibilities continue to be delivered in line with the Housing Service's operational remit.
- 3.9. In developing the Policy, careful consideration was given to The Promise to ensure alignment with its principles. The Policy has been reviewed against the strategic aims within the Council's Keeping the Promise Plan and includes person-centred measures to support tenants and their households to maintain successful tenancies, including meeting responsibilities related to estate and garden maintenance. This approach reflects The Promise by ensuring that the individual needs and backgrounds of care-experienced young people are recognised and supported. The Policy also considers the Council's duties

under the UNCRC as recognised within our Impact Assessment and Child Friendly Summary found within Appendixes 2 and 3.

4.0 Considerations

- 4.1. The Policy provides a clear framework for how the Housing Service will deliver estate and open space management activities to maintain high standards across its housing estates. It seeks to protect and, where possible, enhance the quality, safety and visual appearance of estates and communal spaces.
- 4.2. For the purposes of the Policy, Council housing estates are defined as the external areas located on and around Council housing stock that form part of the HRA and are owned and managed by the Housing Service in its role as a social landlord.
- 4.3. A range of management activities will be employed to ensure cost-effective, efficient upkeep of these areas. This includes programmed maintenance, inspections of communal areas, closes and gardens, and reactive measures such as follow-up investigations, remedial work and enforcement action where necessary.
- 4.4. Where issues arise due to the actions of identified tenants, and where tenants are responsible for estate-related matters, the Housing Service may use a range of enforcement options. These include advice and information, constructive discussions, tenancy warning notices or recharging tenants for works required to restore the estate to an acceptable standard. Legal action, including eviction, will only be considered in exceptional cases where all other options have been exhausted and would be undertaken in line with the Housing Service's Eviction Policy.
- 4.5. Additionally, where assets such as garage sites, lock-ups or landscaped areas are no longer fit for purpose or represent poor value for the HRA, the Service may seek to dispose of these assets and reinvest in line with the Asset Disposal Policy.

5.0 Sustainability Implications

- 5.1. There are no sustainability implications.

6.0 Resource Implications

6.1. Financial Details

- 6.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes

- 6.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes

6.4. Staffing

There are no staffing implications from this report.

7.0 Exempt Reports

7.1. Is this report exempt? Yes (please detail the reasons for exemption below) No

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) Our Priorities

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all

Our families; children and young people will have the best possible start in life

Women and girls will be confident and aspirational, and achieve their full potential

Our communities will be resilient and empowered so that they can thrive and flourish

(2) Council Policies

Complies with relevant Council Policies

8.0 Impact Assessments

8.1 Have you attached the combined equalities impact assessment to ensure compliance with the public sector equality duty and fairer Scotland duty? (All EFSIAs also require to be published on the Council's website)

Yes

8.2 If an impact assessment has not been undertaken you should explain why:

9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

10.0 Appendices

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

Appendix 1. Housing Estate and Open Space Management Policy

Appendix 2. Housing Estate and Open Space Management Policy Child-friendly Summary

Appendix 3. Equality and Fairer Scotland Impact Assessment

Appendix 4. Estate and Open Space Management Policy Consultation Summary and Analysis

11.0 Background Papers

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes (please list the documents below) No

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Clackmannanshire Council
Housing Service
Estate and Open Space Management Policy
March 2026

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1. Introduction

Clackmannanshire Council's Housing Service is committed to ensuring that all areas surrounding Council Housing estates, including communal areas and open spaces, and which are owned by the Housing Service's Housing Revenue Account (HRA), provide an attractive, well-maintained, safe, and secure living environment for tenants and the wider community.

The Housing Estate and Open Space Management Policy establishes a framework through which the Housing Service will deliver its estate and open space management activities to ensure that its housing estates are maintained to the highest possible standard, and that the quality, safety, and visual amenity of open spaces and communal areas are protected and, where possible, improved.

The Housing Service will only manage housing estates and land owned by the Service. Where matters do not occur on Council housing estates, the Housing Service will not deal with the concerns, and may refer the concern to the appropriate Council service or external agency to ensure that it is dealt with effectively.

2. Aims of the Policy

The overarching objective of the Housing Estate and Open Space Management Policy is to provide a comprehensive and responsive estate and open space management service, ensuring that Council housing estates are safe, clean, accessible, and well-maintained for tenants and the wider community.

The specific aims of this policy are to:

- Clearly set out the responsibilities of both the Council and tenants in maintaining housing estates;
- Ensure the cost-effective and efficient management of the environment surrounding Council properties and common areas;
- Support the sustainability of estates and open spaces and ensure that these areas are used to their full potential.
- Identify, consolidate, or dispose of Council assets and open spaces where they are no longer required or do not provide value to the Council or its tenants.
- Ensure tenants' compliance with the conditions of their Tenancy Agreement.
- Work in partnership with internal Council services, external agencies, and community partners to ensure the effective management of Council estates.
- Set out the rules for the letting and management of the Housing Service's garages and lock-ups.

3. Definition Council Housing Estates

Council housing estates may refer to the outdoor areas that fall within the Housing Revenue Account and are owned and managed by Clackmannanshire Council's Housing Service in its capacity as a social housing landlord. These areas are located on and around Council housing stock and include a range of hard and soft landscaping features.

Hard landscaping elements may include paths, parking areas, brick/ block-paved surfaces, play areas and play parks. Soft landscaping features encompass planted areas, shrubs, trees, grassed spaces, and wider open green spaces that form part of the estate.

4. Council's Responsibilities

Clackmannanshire Council is responsible for maintaining tenants' homes in accordance with the terms of the Tenancy Agreement. This includes repairing and maintaining the structure and exterior of the property, as well as all common parts within housing estates. The Council will ensure that any installations provided within the property are kept in good working order and will take steps to remove or prevent hazards within communal areas to safeguard tenants' and residents' health and safety.

5. Tenant's Responsibilities

In line with Clackmannanshire Council's Tenancy Agreement, tenants are responsible for taking reasonable care of their property as well as the surrounding environment. This responsibility extends to gardens (including walls and fences) and any common parts of the block.

Tenants are expected to respect the rights of their neighbours and contribute to the upkeep of the wider estate. Tenants must ensure that common areas such as closes, stairways, backcourts, paths, and bin areas are kept clean and tidy, free from litter and animal waste. Where applicable, tenants must not store personal items within the common parts of the building and must avoid doing anything that may cause inconvenience or pose a danger to anyone using these areas.

In addition, household rubbish must be placed in the allocated collection points, and tenants should take reasonable care to ensure that all waste is properly bagged before disposal.

6. Estate and Open Space Management Activities

Estate and Open Space Management activities refer to the range of actions undertaken by Clackmannanshire Council's Housing Service to ensure that Council housing estates owned by the Housing Revenue Account (HRA) remain attractive, well-maintained, safe, and secure environments for tenants and residents.

Such activities encompass the management of open spaces, landscaped areas and communal grounds within Housing Service-owned estates, as well as the enforcement of tenancy conditions. Specific activities include, but are not limited to:

- Providing advice and information on tenancy matters to support tenants in sustaining their tenancies;
- Enforcing the terms of the Tenancy Agreement, including addressing breaches that affect the condition, safety, or enjoyment of the estates;
- Monitoring, inspecting, and maintaining communal areas, such as closes, stairwells, bin stores, pathways, drying areas, and parking areas, to ensure they are clean, safe, and in good repair;
- Addressing concerns related to tenants' individual as well as communal gardens;

- Management and maintenance of fencing around Council properties;
- Responding to the dumping of rubbish and fly-tipping on Housing Service-owned land;
- Managing garage plots and lock-ups owned by the Housing Service.

The Housing Service will only maintain and manage estates belonging to the Housing Revenue Account (HRA). Estate management issues that arise on non-HRA land will not be investigated or managed by the Housing Service.

Similarly, matters that fall outside the scope of estate management, such as general household waste issues, bin sorting, or concerns relating to other public land, will not be dealt with by the Housing Service. Where such matters arise, tenants and residents will be signposted to the appropriate Council service, agency, or external organisation for support including to STRIVE (Safeguarding through Rapid Intervention), all efforts will be made to ensure that supports are trauma informed and joined up and delivered through Whole Family Support approaches.

In some cases, the distinction between Housing-owned land and non-Housing land may be unclear. Where it is identified that the Housing Service has been maintaining land not belonging to the HRA, or where land previously owned by the HRA has been sold or transferred, the Housing Service will cease all maintenance responsibilities for that land.

6.1. *Programmed Maintenance Activities*

The Housing Service works in partnership with internal Council services and external contractors to deliver certain estate management activities on a programmed basis. Programmed maintenance activities include a range of regular tasks designed to maintain the quality, appearance, and safety of Housing Service-owned land and communal areas, and includes:

6.1.1. *Grounds Maintenance Service*

The Housing Service operates a scheduled programme of grounds maintenance covering the period from April to October each year. The frequency and type of maintenance provided will vary depending on the specific location, condition of the area, and the level of growth during the season.

Grounds maintenance activities include grass cutting and trimming on Housing Service-owned land, weed control, as well as the wider maintenance of landscaped areas to ensure they remain tidy and safe.

6.1.2. *Close Cleaning Service*

In some buildings with shared internal communal areas, the Housing Service offers a close cleaning service to maintain and enhance the condition of these spaces.

Where provided, the close cleaning service is funded through tenants' service charges, as outlined in the Tenancy Agreement.

The Housing Service may seek introduce this service where the majority of residents agree to its implementation and/or where standards within communal areas are unacceptably low.

6.2. *Fencing*

As part of its estate management responsibilities, the Housing Service will work in partnership with the Council's Property Services to maintain, manage, repair, and replace fencing that surrounds Council tenancies and is owned by the Council's Housing Service. All fencing maintenance activities will be delivered in line with the Council's reactive repairs services.

Fencing that is the responsibility of the Housing Service will be maintained to ensure it remains safe and functional.

6.2.1. *Installing and Replacing Fencing*

Where existing fencing requires replacement due to deterioration or poor condition, the Housing Service will replace the fencing using standard materials. Replacement fencing will be installed:

- To the same size, height, and dimensions as the previous fencing;
- In the same position as the original boundary; and
- In accordance with permitted development requirements under Planning Regulations.

However, where the previous fencing was lower than the height permitted by Planning Regulations, the Housing Service may install fencing up to the maximum permitted development height.

If the property boundary is shared with a privately-owned property, the Housing Service will seek agreement from the neighbouring owner before erecting any new fencing of any planned height or specification.

The Housing Service will not normally remove existing fencing unless it poses a health and safety risk or it is damaged beyond reasonable repair.

In addition, the Housing Service is not responsible for installing new fencing where none currently exists. New fencing will only be considered in limited circumstances, such as where:

- Part of the Capital Improvement Programme includes the installation of fencing; or
- Fencing is required to meet a verified medical or health need for the tenant or a member of their household, supported by appropriate evidence from a medical professional. In such cases, installation will be carried out in line with the Council's Property Adaptations Policy.

6.2.2. *Tenant-Installed Fencing*

Tenants may erect their own fencing within the boundary of their property, as long as they have sought written permission from the Housing Service. Tenants must not begin any work until they have got the approval.

Any fencing installed by the tenants must:

- Be constructed using Council-approved materials;
- Be installed on the boundary of the tenant's boundary;
- Not exceed 2 metres in height, or 1 metre where the fence faces a road or extends beyond the front or side elevation of the property. The height requirements include any additional decorative features such as trellis and/or any decorative toppers.

Where a property is listed or within a conservation area, tenants must obtain planning permission from the Planning Service before seeking to erect any fencing.

Following installation, Council Officers may carry out an inspection to ensure compliance with the requirements.

Where fencing has been erected without permission, tenants must seek retrospective permission from the Housing Service. If the fencing does not meet Council requirements, tenants will be required to either bring the fencing up to the required standard or remove the fencing entirely.

If tenants do not take the required action, the Housing Service may remove the fencing on the tenants' behalf and recharge the tenants for the cost of the works.

Tenants who erect fencing are solely responsible for the ongoing maintenance and replacement and repair of that fencing.

Where an outgoing tenant has terminated their tenancy agreement and has previously erected fencing around the property, the Housing Service will assume the responsibility for the ongoing maintenance of the fencing.

7. Estate Inspections

The Tenancy Management Team within the Housing Service will provide estate management services by regularly monitoring, inspecting and recording the condition of Council housing estates, including common closes and garden, and taking the appropriate action to resolve any issues that may arise. Where applicable, the Team will also ensure that programmed maintenance activities delivered on behalf of the Housing Service are completed in line with agreed specifications and service standards.

Estate Wardens and Housing Officers within the Team will undertake regular visits to and inspect the condition of Council estates in order to maintain the quality of Council estates, prevent problems from arising and allow early intervention action to stop issues from escalating. Where necessary, appropriate remedial action will be taken to address and resolve any concerns identified during inspections. In addition to pro-active inspections, the Team will respond promptly to reports from tenants and residents regarding any estate management concerns.

8. Investigations

Where concerns are identified during inspections or reported directly to the Housing Service, the Housing Service will first seek to confirm whether the issue is occurring on land owned by the Housing Service.

If it is established that the concern relates to land not owned by the HRA, the Housing Service will not take responsibility for investigating or resolving the matter. In such cases, the individual or complainant will be signposted to the relevant Council service, agency, or organisation best placed to address their concern.

Where the issue is confirmed to be occurring on Housing Service-owned estates or land, Housing Officers and/or Estate Wardens within the Tenancy Management Team may carry out additional investigation to assess the situation and determine the scope of remedial action required. These investigations help ensure that issues are dealt with promptly, proportionately, and effectively.

Depending on the nature and severity of the concern, Officers may gather evidence to establish the facts of the case and, where appropriate, identify the individual(s) responsible for causing the issue. Officers will aim to engage with residents while on site, speaking with the complainant, neighbouring residents, and any other relevant parties to gain a clear understanding of the circumstances before proceeding with any remedial or enforcement action.

9. Remedial and Enforcement Action

Depending on the nature and severity of the concerns identified, Officers within the Tenancy Management Team will determine the most appropriate remedial and/or enforcement action required.

Where an issue presents a health and safety risk, such as items left in communal areas, the Team will prioritise removing the hazard and making the area safe before undertaking any further remedial action.

Where appropriate, the Housing Service may seek to work in partnership with relevant internal services, partner agencies, and external contractors to ensure timely and effective resolution, including Land Services, Waste Services, Environmental Services and/or Police Scotland.

Where an individual tenant can be identified to cause estate management issues, the Housing Service will aim to use all available remedies to enforce the conditions of the tenancy agreement, support change in the tenant's behaviour and bring the estate back to standard.

Enforcement action may include both non-legal and legal measures. Legal action will only be pursued where all other options have been exhausted. Any enforcement action taken will be proportionate to the concern in question.

For issues arising on mixed tenure estates owned by the Council and other private owners, the Housing Service will seek to work collaboratively with homeowners or private landlords to resolve the matter. Where repairs or works to common parts are required to bring the estate back to standard and do not constitute emergency works, the Housing Service may require to obtain permission from other owners before proceeding with the works.

9.1. Non-Legal Actions

Where an individual perpetrator can be identified as being responsible for estate and open space management issues, the Housing Service will seek to use non-legal actions to remedy the situation, support the tenant to change their behaviour, and restore the estate to an acceptable standard in the first instance.

Non-legal remedies may include:

- Advice and information,
- Tenancy Warning Notice,
- Acceptable Behaviour Agreement, or
- Recharges.

Where non-legal remedies are applied, the Housing Officers will seek to reinspect the property and estate to confirm whether conditions have improved. In severe or persistent cases, the Housing Service may open an enhanced tenancy management case to monitor compliance and ensure the tenant adheres to their Tenancy Agreement.

9.2. *Legal Actions*

Where all viable non-legal remedies have been explored and exhausted, and the individual responsible for the neighbourhood management issue has been identified, the Housing Service may pursue legal action to prevent the problem from continuing. Any decision to take legal action will be proportionate to the severity and persistence of the issue, and will only be considered where:

- The perpetrator has continuously breached the terms of their Tenancy Agreement;
- The perpetrator has repeatedly refused to engage with the Council or participate in offered support;
- All reasonable non-legal measures have been exhausted.

Legal action may include pursuing eviction or interdict as a last resort. For further information to Housing Service's approach to evictions, please refer to Clackmannanshire Council's Eviction Policy.

10. Support to Tenants

The Housing Service is committed to supporting tenants in maintaining their tenancies and taking care of their homes, gardens, and the communal areas they share with other residents. At the start of each tenancy, Housing Officers will aim to establish strong, positive relationships with tenants. Officers will provide advice and assistance on a range of tenancy-related matters and will emphasise the importance of keeping common areas and gardens clean, tidy, and being respectful of neighbours.

Housing Officers will maintain regular contact with tenants and conduct regular home visits to ensure that tenancies are being managed successfully. During these visits, Officers will discuss any concerns, educate tenants on their responsibilities, and support them in resolving issues and changing behaviours where necessary. Where additional support is required, including STRIVE (Safeguarding through Rapid Intervention), Housing Officers will make all efforts to ensure that supports are trauma informed and joined up and delivered through Whole Family Support approaches.

In addition to advice and support, the Housing Service offers additional estate management-related services to Council tenants, including:

10.1. Bulky Waste Collection Uplift

The Council provides a Bulky Item Uplift service free of charge to Council tenants. Tenants are eligible for up to four free uplifts per year, with each uplift covering a maximum of five oversized items that do not fit in a standard wheelie bin. The waste collection service does not include black bag uplifts.

10.2. Garden Aid

In certain circumstances, the Housing Service may carry out garden works such as grass or hedge cutting on behalf of tenants free of charge under the Garden Aid Scheme. Eligible tenants include those who are over 65 years of age or who are disabled, and who are unable to maintain their garden themselves and do not have an able-bodied person living with them who could assist.

Tenants who meet the criteria will be required to complete an application form before being formally considered for and added to the Garden Aid Scheme.

10.3. Tenant Improvement Fund

As part of its yearly budget, the Housing Service allocates funding for the Tenant Improvement Fund. This fund is intended to support community improvements, small-scale works to specific properties and wider initiatives that have the potential to enhance the quality of life and wellbeing of tenants and residents.

The use of the Tenant Improvement Fund is determined through ongoing feedback, engagement, and consultation with tenants and residents to ensure that any proposed improvements reflect local priorities and community needs.

11. Review and Disposal of Housing Assets

The Housing Service will aim to undertake periodic review of the land, open spaces, and estates owned by the HRA. As part of this process, the Service will carry out periodic surveys to assess the condition of its assets, including garage sites, lock-ups, landscaped areas, and other estate-based infrastructure. These reviews aim to ensure that information held on the Housing Service's assets remains accurate, up to date, and that all Service-owned land continues to be fit for purpose, meets operational requirements, and represents best value for the HRA.

From time to time, the Housing Service may identify assets, such as land, garages, or lock-ups, for targeted disposal. Disposal may be considered where:

- The asset no longer meets service requirements;
- There is no identified future use, redevelopment opportunity, or strategic purpose;
- The asset is in poor condition and uneconomical to bring back to standard;
- There is no demonstrable need for, or demand for, the asset.

Where any of the above criteria apply, the Housing Service may seek to dispose of the asset in line with the Housing Service's Asset Disposal Policy.

In undertaking such activity, the Housing Service will also explore reinvestment opportunities or alternative uses for land and open spaces to ensure that resources are used effectively and deliver maximum benefit for tenants, estates, and the wider community. These decisions will aim to align with the Council's Strategic Housing Investment Plan (SHIP) and other relevant plans and strategies.

12. Garage Plots and Lock-Ups

As part of its estate management activities, the Tenancy Management Team is responsible for managing and maintaining garage plots and lock-ups owned by Clackmannanshire Council's Housing Service.

A garage plot refers to a uniform-sized plot of land on which a garage structure may be built, while a lock-up is a purpose-built permanent structure designed for storage.

The Housing Service owns a number of garage plots and lock-ups, which are available for rent to Council tenants and Clackmannanshire residents.

12.1. Applying for Garage Plot/Lock-ups

To be considered for a garage plot or lock-up, applicants must be 16 years of age and over, and live within Clackmannanshire Council area.

Interested individuals must complete an application form. Application forms can be obtained:

- online from the Council's website, or
- by contacting the Tenancy Management Team on 01259 225100.

As part of the application, applicants will be asked to select the areas where they wish to be considered for a garage plot or lock-up.

Once completed, the application should be returned to the Tenancy Management Team by email at hsgtenancymanagementteam@clacks.gov.uk, or by post/in-person to Kilncraigs, Greenside Street, Alloa FK10 1EB.

12.2. Letting a Garage/Lock-up

Upon receipt of an application, the Tenancy Management Team will assess the applicant's eligibility. If the applicant is a Clackmannanshire Council tenant, the Team will check for any rent arrears or tenancy-related debt. Applications may be rejected where arrears exist and have not been resolved.

The Housing Service maintains a waiting list for garage plot and lock-ups, and allocates them on a priority basis. Applications from Council tenants will be given priority, followed by applications from other residents, such as owner-occupiers and private rented sector tenants.

Applications are placed on the waiting list from the date they are received, and all applicants are queued in order of application. When an applicant reaches the top of the list and a garage plot or lock-up becomes available, the Tenancy Management Team will contact the applicant.

The responsible Officer will arrange a viewing of the garage plot or lock-up with the applicant. Following the viewing, if the applicant wishes to proceed, they will be asked to sign a formal let agreement before taking possession.

12.3. Rental Charge

Rent for lock-ups will be charged on a weekly basis over a 52-week period, with 4 rent-free weeks. Rent for garage plots will be charged annually. Individuals are responsible for ensuring that rent is paid on time and rent accounts will be monitored regularly by the Housing Service.

Garage plot and lock-up rents will be reviewed annually together with the yearly rent review for Council Housing. Any changes in rental charge will be communicated to the tenant at least 28 days before the change.

12.4. Rent Arrears

The Housing Service aims to manage rent accounts effectively and will take steps to prevent or minimise arrears. Where arrears occur, the tenant will receive a warning letter followed by a reminder letter requesting payment of the outstanding balance.

If these measures are unsuccessful and the arrears remain unpaid, the Housing Service will notify the tenant that the garage plot/lock-up agreement will be terminated, and the locks will be changed.

12.5. Terminating the Lease Agreement

If the individual no longer requires a garage plot/lock-up and wishes to terminate the lease agreement, they must provide a seven days' written notice to the Tenancy Management Team.

At the end of the notice period, the tenant must sign the tenancy termination form and return all keys to the Housing Office.

Before vacating, tenants must ensure that the garage plot/lock-up is left in an acceptable condition. This includes:

- Leaving the garage plot/lock-up clean and tidy;
- Restoring the garage plot/lock-up to its original condition, and removing any structures erected on the garage plot;
- Removing all personal belongings, and removing any fixture or fittings installed by the individual;
- Locking all doors and returning all keys;
- Providing a forwarding address unless there is a valid reason for not doing so.

Failure to return keys or reinstate the garage plot/lock-up to the original condition may result in recharges.

12.6. Void Inspections

Once a tenancy has been terminated, Estate Wardens within the Tenancy Management Team will carry out a void inspection of the garage plot/ lock-up. The inspection will confirm that the garage plot/lock-up is empty, secure, and meets the required standard for re-letting. Keys will be checked for functionality, and the overall condition of the garage plot/lock-up will be assessed.

If minor repairs are required before the garage plot/lock-up can be re-let, the Housing Service will liaise with the Repairs Team to complete the necessary works.

13. Equal Opportunities and Diversity

Clackmannanshire Council is committed to the elimination of unlawful discrimination, advancing equality of opportunity and fostering good relations between people.

The Council believes that equality of opportunity should be a guiding principle in all of its activities. The Council aims to ensure that its commitment to equality is embedded in all council services and in the organisations that it funds.

In accordance with the Equality Act 2010, the Council is actively working towards the elimination of policies and practices that discriminate unfairly on grounds including age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race including colour, nationality, ethnic or national origin; religion or belief; sex; and sexual orientation.

14. Privacy Statement

Clackmannanshire Council must adhere with its legal obligations under Data Protection Legislation as set out in the Data Protection Act 2018 and UK General Protection Regulation (GDPR).

In order to provide the required and/or requested services, the Council will collect, store and process relevant personal information or data.

Personal information may also be shared with other partner agencies and organisations.

Personal information will be kept securely, as long as required by law and/or by specific service requirements. Once the data is no longer required, it will be securely disposed of. The Council has a Record Retention Schedule which sets out the period of time and reasons for keeping particular records. The Retention Schedule is available on request.

Under the Data Protection Act 2018 and the Freedom of Information (Scotland) Act 2002, individuals have the right to access personal information and data held about them by Clackmannanshire Council as well as the right to access information from records held by the Council.

To submit a Subject Access or Freedom of Information request, please follow [the link](#).

To make a complaint in relation to the Council's handling and processing of personal data and information, please contact the [Information Commissioner's Office](#).

For further information on Clackmannanshire Council's data protection practices, please visit the Council's [Data Protection Statement](#). For the Council's Data Protection Policy, please follow the [link](#). For further information on freedom of information laws, please visit the [Scottish Information Commissioner webpage](#).

15. Complaints

If the tenant is dissatisfied with the provided services and/or the standards of service, please follow the Council's Complaints Procedure. Complaints can be made in person, in writing, by email or online. For further information on the Complaints Procedure and how to make a complaint, please visit the [Council's Complaints Procedure webpage](#).

If the tenant remains dissatisfied with the final decision or the way the complaint has been handled following the Council's Complaints Handling Procedure, they can make a complaint to the Scottish Public Services Ombudsman (SPSO) by completing a [complaints form found online](#) or calling on 0800 377 7330.

For further information on how to make a complaint to SPSO, please visit the [SPSO website](#).

16. Monitoring and Reviewing

The policy will be continuously monitored to ensure that it is performing efficiently against the aims set out in the policy.

The Council will review and evaluate this policy every 3 years to ensure the adherence to the relevant legislation and statutory guidance as well as changes in organisational practices and policies.

For the avoidance of doubt, any future legislative changes affecting this policy will be applied without further procedure.

Estate and Open Space Management Policy

Child-Friendly Version



We want everyone to live in places that feel safe, tidy, and welcoming. This document explains how we look after the outdoor areas around council homes and how you can help keep your neighbourhood a great place to live.

We take care of outdoor areas called estates. Estates are the shared areas around council homes, like paths, grassy spaces, trees, play parks, car parks, and other outdoor places.



We check these areas regularly and look after them by keeping shared spaces clean, safe, and well maintained. Grass is cut in the warmer months, plants and paths are looked after, and shared stairwells in some buildings are cleaned. We work with other teams when extra help is needed.

Everyone who lives in the estate has a role in keeping it nice. You must care for your home and garden, keep shared areas clean, and put rubbish in the right place. Hallways and shared spaces should be kept clear so everyone can move around safely.



If there's a problem, we will look into it. We may visit the area, talk to the people involved, and decide what needs to be done to keep estates safe and tidy. We can also offer extra support if you need it to care for your home and garden such a free bulky rubbish uplifts. We can also help with cutting grass in your garden if you can't manage it yourself.



Clackmannanshire
Council

Comhairle Siorrachd
Chlach Mhanann

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Equality and Fairer Scotland Impact Assessment (EFSIA) **Summary of Assessment**

Title:**Housing Service Estate and Open Space Management Policy****Key findings from this assessment (or reason why an EFSIA is not required):**

The assessment found that the Policy largely strengthens and formalises existing estate and open space management practices, with no evidence of unlawful discrimination arising from its implementation. The greatest relevance relates to older tenants and those with disabilities, who may face challenges in meeting tenancy-related estate responsibilities. The policy's person-centred approach, including support such as Garden Aid and tailored advice from Housing Officers, helps ensure these tenants are not disproportionately impacted. No significant issues were identified in relation to other protected characteristics, and the consultation process confirmed that the proposals are broadly equitable and well-understood by tenants and residents.

Summary of actions taken because of this assessment:

As a result of the assessment, the Policy reinforces the need for flexible, needs-based support, particularly for older or disabled tenants who may experience difficulty maintaining garden or estate areas. Clarity around fencing requests based on medical or safety grounds has been strengthened to ensure decisions remain consistent and sensitive to individual circumstances. The assessment also informed improvements to communication practices, supporting tenants to better understand their responsibilities and the assistance available to them. Overall, these actions ensure the Policy remains person-centred, fair and responsive to tenant needs.

Ongoing actions beyond implementation of the proposal include:

Following implementation, the Housing Service will continue to monitor how the Policy impacts tenants with protected characteristics, ensuring that support is offered where vulnerabilities are identified. Officers will maintain a person-centred approach when addressing estate management issues, working closely with internal teams and partner services to provide consistent and accessible assistance. The Policy and its EFSIA will be reviewed as part of scheduled policy reviews to ensure any emerging impacts are identified and that the Council continues to meet its equality responsibilities.

Lead person(s) for this assessment:

Monika Bicev, Policy Officer (Housing)

Senior officer approval of assessment: Katie Rodie

DATE: February 2026

Equality and Fairer Scotland Impact Assessment (EFSIA)

An Equality and Fairer Scotland Impact Assessment (EFSIA) must be completed in relation to any decisions, activities, policies, strategies or proposals of the Council (referred to as 'proposal' in this document). The first stage of the assessment process will determine the level of impact assessment required.

This form should be completed using the guidance contained in the document: EQUALITY AND FAIRER SCOTLAND IMPACT ASSESSMENT (Final Guidance). Please read the guidance before completing this form.

The aim of this assessment is to allow you to critically assess:

- the impact of the proposal on those with protected characteristics and, where relevant, affected by socio-economic disadvantage (referred to as 'equality groups' in this document);
- whether the Council is meeting its legal requirements in terms of Public Sector Equality Duty and the Fairer Scotland Duty;
- whether any measures need to be put in place to ensure any negative impacts are eliminated or minimised.

The Fairer Scotland Duty requires public authorities to pay 'due regard' to how they can reduce inequalities of outcome caused by socio-economic disadvantage, when making **strategic decisions**. Strategic decisions are key, high-level decisions such as decisions about setting priorities, allocating resources, delivery or implementation and commissioning services and all decisions that go to Council or committee for approval.

Step A – Confirm the details of your proposal

1. Describe the aims, objectives and purpose of the proposal

Clackmannanshire Council Housing Service's Estate and Open Space Management Policy sets out the framework for how the Service will manage, maintain and improve the estate environments surrounding Council homes. Its purpose is to ensure that all Housing Revenue Account (HRA) estates are maintained to a high standard and remain safe, clean and welcoming places for tenants and communities. The policy provides clarity on what constitutes a Council housing estate, the scope of estate and open space management activities, and the responsibilities of both the Council and tenants in maintaining these areas.

The policy sets out the range of activities undertaken by the Housing Service, including the maintenance of communal open spaces, fencing, garage plots and lock-ups. It also outlines the types of support available to tenants, ensuring that residents understand how to report issues and how the Council will respond. By consolidating these areas into a single framework, the policy aims to deliver a consistent and transparent approach across all HRA estates.

The specific aims of the policy are to:

- Clearly set out the responsibilities of both the Council and tenants in maintaining housing estates;
- Ensure the cost-effective and efficient management of the environment surrounding Council properties and common areas;
- Support the sustainability of estates and open spaces and ensure that these areas are used to their full potential.
- Identify, consolidate, or dispose of Council assets and open spaces where they are no longer required or do not provide value to the Council or its tenants

This policy applies only to housing estates owned and managed through the Housing Revenue Account. It does not cover wider Council-owned land or assets outwith the HRA. Where concerns raised by tenants or residents relate to areas that fall outside the Council's housing estate boundaries, the Housing Service will not be responsible for resolving these issues.

2. Why is the proposal required?

The Estate and Open Space Management Policy is required to provide a clear and consistent framework for how the Housing Service manages and maintains its estates and associated open spaces. It defines what constitutes a Council housing estate and sets out the activities the Service undertakes to ensure these areas are safe, clean and well-maintained. This includes programmed work delivered through in-house teams and external contractors, as well as regular inspections by housing officers and estate wardens.

The policy also clarifies how the Housing Service manages fencing requests, and establishes a transparent process for allocating, letting and maintaining garage plots and lock-ups. Overall, it aims to ensure that estate management activities are delivered consistently, effectively and in accordance with tenancy responsibilities.

3. Who is affected by the proposal?

The proposal affects all Clackmannanshire Council tenants living within Council Housing within the HRA, as it relates directly to the management, upkeep and inspection of the environments surrounding their homes. This includes activities linked to communal areas, garden maintenance standards and enforcement of tenancy conditions where required.

In addition, the policy impacts residents across the wider Council area who apply for or hold a garage plot or lock-up, as it governs how these assets are let, allocated and maintained. As a result, both tenants and non-tenant applicants may be affected by the policy's requirements and processes.

4. What other Council policies or activities may be related to this proposal? The EFSIAs for related policies might help you understand potential impacts.

The policy links closely to a number of existing Housing Service policies and strategic documents, including:

- Scottish Secure and Short Scottish Secure Tenancy Agreements
- Antisocial Behaviour Policy and the Council's Antisocial Behaviour Strategy
- Garden Structure Permissions Policy
- Asset Disposal Policy
- Strategic Housing Investment Plan

5. Is the proposal a strategic decision? If so, please complete the steps below in relation to socio-economic disadvantage. If not, please state why it is not a strategic decision:

This proposal is a policy-level decision, not a strategic one. It sets out how the Housing Service will manage and maintain its estates and open spaces, providing operational guidance rather than determining high-level priorities or resource allocation.

While the policy makes reference to the potential review or disposal of assets, such as land, open spaces and garage sites, any such disposals are not strategic decisions in themselves. Instead, they follow the established processes within the Housing Service's Asset Disposal Policy and are informed by wider strategic frameworks, including the Strategic Housing Investment Plan and the Local Housing Strategy.

In this context, the policy functions as an operational mechanism for implementing decisions that originate from strategic planning documents, rather than setting strategic direction in its own right.

Step B – Consider the level of EFSIA required

You should consider the available evidence and data relevant to your proposal. You should gather information in order to:

- *help you to understand the importance of your proposal for those from equality groups,*
- *inform the depth of EFSIA you need to do (this should be proportionate to the potential impact), and*
- *provide justification for the outcome, including where it is agreed an EFSIA is not required.*

6. What information is available about the experience of those with protected characteristics in relation to this proposal? Does the proposal relate to an area where there are already known inequalities? Refer to the guidance for sources of evidence and complete the table below.

Equality Group	Evidence source (e.g. online resources, report, survey, consultation exercise already carried out)	What does the evidence tell you about the experiences of this group in relation to the proposal? NB Lack of evidence may suggest a gap in knowledge/ need for consultation (Step C).
Age	Scottish Census 2022 Tenant Satisfaction and Aspiration Survey 2023	<p>According to the Scottish Census 2022, there were a total 12,652 individuals living social rented sector across Clackmannanshire. 29% of those individuals were aged 0-15, followed by 25% who were aged 50 to 64 and 23% of individuals aged 35 to 49.</p> <p>In terms of household composition, findings from the Tenant Satisfaction and Aspiration Survey 2023 show that 22.4% of households consist of one adult aged 60 and over, 19.2% are single-parent families with at least one child under 16, and 18% are one-adult households under the age of 60.</p> <p>The proposal relates to the general management and maintenance of housing estates and open spaces, including enforcement of tenancy responsibilities and the provision of support where required. While many estate-based activities, particularly the upkeep of individual gardens or boundaries, rest with tenants, older tenants or those experiencing reduced mobility may face challenges in meeting these responsibilities. As such, there is the potential for older or more vulnerable households to be disproportionately affected by enforcement activity if these needs are not recognised.</p> <p>This highlights the importance of ensuring that the policy incorporates a person-centred approach, including awareness of health or mobility limitations, early identification of support needs, and clear communication with tenants, in order to ensure that no group is adversely impacted or unfairly disadvantaged by estate management expectations and responsibilities, as set out in the Scottish Secure Tenancy Agreement.</p>
Disability	Draft HNDA Scottish Census 2022 Tenant Satisfaction and Aspiration Survey The Scottish House Condition Survey 2017-	<p>According to the Scottish Census 2022, 24% of individuals living in Clackmannanshire’s social rented sector report having a long-term illness, disease, or condition, and 10% report having a mental health condition. Household-level data from the Scottish House Condition Survey 2017–2019 shows that long-term sickness or disability is particularly prevalent in the social rented sector, with 58% of households reporting at least one member with a long-term sickness or disability. Further findings from Clackmannanshire Council’s Tenant Satisfaction and Aspiration Survey 2023 indicate that 14.4% of the tenant base identify as being permanently sick or</p>

Equality Group	Evidence source (e.g. online resources, report, survey, consultation exercise already carried out)	What does the evidence tell you about the experiences of this group in relation to the proposal? NB Lack of evidence may suggest a gap in knowledge/ need for consultation (Step C).
	19	<p>disabled.</p> <p>The proposal relates to the general management and maintenance of estates and the enforcement of tenancy responsibilities. While many estate-based activities, such as maintaining individual gardens or property boundaries, rest with tenants, disabled tenants or those with mobility, sensory, mental health or other health-related conditions may face additional challenges in meeting these responsibilities. Without appropriate recognition of these needs, there is a risk that disabled tenants could be disproportionately impacted by estate management expectations or enforcement activity.</p> <p>In addition, the policy’s approach to fencing may be relevant to disabled households. Some tenants request fencing on medical, sensory or safety grounds, e.g. to support neurodivergent household members or individuals with conditions requiring controlled outdoor space. Decisions regarding fencing therefore have the potential to affect disabled tenants, and the policy must ensure that such requests are treated sensitively, consistently and in a person-centred manner.</p> <p>Overall, the evidence highlights the importance of ensuring that the policy considers the needs of disabled tenants, provides appropriate flexibility where required, and avoids any risk of discrimination arising from estate management standards or enforcement processes.</p>
Race	Scottish Census 2022 Tenant Satisfaction and Aspiration Survey	<p>The Council’s Tenant Satisfaction and Aspiration Survey indicates that 96% of tenants identify as being of Scottish ethnicity. Census data further shows that although the wider social rented sector includes 359 individuals from other ethnic groups, the overall population profile remains predominantly White, with only 6.33% identifying as belonging to other ethnic backgrounds.</p> <p>Given this demographic profile, there is no indication that race is likely to be a factor in how tenants experience the proposals set out in the Estate and Open Space Management Policy. The policy focuses on operational estate maintenance, tenancy responsibilities, and the allocation and management of garages and lock-ups – none of which are directly linked to race</p>

Equality Group	Evidence source (e.g. online resources, report, survey, consultation exercise already carried out)	What does the evidence tell you about the experiences of this group in relation to the proposal? NB Lack of evidence may suggest a gap in knowledge/ need for consultation (Step C).
		or cultural background. On this basis, no disproportionate impact relating to race has been identified at this stage.
Sex	Scottish Census 2022 Tenant Satisfaction and Aspiration Survey	<p>According to Clackmannanshire Council’s Tenant Satisfaction and Aspiration Survey, the sex split among Council tenants is broadly even, with 50% male and 49% female. This closely mirrors the wider Clackmannanshire population, where 49% are male and 51% are female.</p> <p>As the policy relates to estate maintenance, inspections, enforcement of tenancy conditions, and the letting of garage plots and lock-ups, there is no evidence to suggest that men or women will be differently or disproportionately affected by the proposals. The activities set out in the policy are not sex-specific and apply equally to all tenants. Accordingly, it is unlikely that sex will be a relevant factor in how individuals experience the proposed policy and is unlikely to result in any direct or indirect discrimination.</p>
Gender Reassignment	Scottish Census 2022 Tenant Satisfaction and Aspiration Survey	<p>The Scottish Census (2022) identifies that 0.44% of people aged 16 and over in Scotland identify as transgender, with Clackmannanshire’s rate slightly lower at 0.35% (151 individuals). Clackmannanshire Council’s Tenant Satisfaction and Aspiration Survey 2023 reported no tenants currently identifying as transgender within Council housing.</p> <p>While there is limited information available on the experiences of this protected characteristic both locally and nationally, it is unlikely that this protected characteristic would be impacted by the proposals set out by the Policy.</p>
Sexual orientation	Scottish Census 2022 Tenant Satisfaction and Aspiration Survey	<p>According to the 2022 Census, 1,343 individuals (3.12%) aged 16 and over in Clackmannanshire identify as LGBT+.</p> <p>While there is limited information available on the experiences of this protected characteristic both locally and nationally, it is unlikely that this protected characteristic would be impacted by</p>

Equality Group	Evidence source (e.g. online resources, report, survey, consultation exercise already carried out)	What does the evidence tell you about the experiences of this group in relation to the proposal? NB Lack of evidence may suggest a gap in knowledge/ need for consultation (Step C).
		the proposals set out by the Policy.
Religion or Belief	Scottish Census 2022 Tenant Satisfaction and Aspiration Survey	According to the 2022 Scottish Census, 58.33% of individuals in Clackmannanshire reported having no religion. In 2022, Clackmannanshire's Social Rented Sector. There is no evidence to suggest that religion or belief would impact how individuals experience the proposals set out in the Estate and Open Space Management Policy.
Pregnancy or maternity	Scottish Census 2022	There is no evidence to indicate that pregnancy or maternity is relevant to the proposals contained within this policy. The Estate and Open Space Management Policy focuses on the management of communal areas, tenant responsibilities, and the allocation and upkeep of garage plots and lock-ups, none of which are directly related to pregnancy or maternity. As such, it is unlikely that this protected characteristic will be directly or indirectly impacted by the proposals made within the Policy.
Marriage or civil partnership (only the first aim of the Duty is relevant to this protected characteristic and only in relation to work matters)	-	Not applicable, not an employment decision.
Socio economic disadvantage (if required)	-	Not applicable, not a strategic decision

Equality Group	Evidence source (e.g. online resources, report, survey, consultation exercise already carried out)	What does the evidence tell you about the experiences of this group in relation to the proposal? NB Lack of evidence may suggest a gap in knowledge/ need for consultation (Step C).

**7. Based on the evidence above, is there relevance to some or all of the equality groups? YES
If yes or unclear, proceed to further steps and complete full EFSIA**

If no, explain why below and then proceed to Step E:

Step C – Stakeholder engagement

This step will help you to address any gaps in evidence identified in Step B. Engagement with people who may be affected by a proposal can help clarify the impact it will have on different equality groups. Sufficient evidence is required for you to show 'due regard' to the likely or actual impact of your proposal on equality groups.

8. Based on the outcome of your assessment of the evidence under Step B, please detail the groups you intend to engage with or any further research that is required in order to allow you to fully assess the impact of the proposal on these groups. If you decide not to engage with stakeholders, please state why not:

To fully assess the potential impacts of the Estate and Open Space Management Policy on tenants and communities, the Housing Service has scheduled a programme of stakeholder engagement activities. An online consultation is taking place from 26 January to 16 February, open to all Clackmannanshire Council tenants and residents. The consultation seeks views on the Housing Service’s current approach to estate and open space management, including the clarity of information provided, awareness of the Service’s available powers, and the effectiveness of current processes for addressing estate-related concerns.

Respondents are also invited to comment on how the Council could better support tenants and residents in managing estate-related responsibilities, as well as any improvements the Service should consider within the draft policy.

In addition, a dedicated stakeholder session is scheduled for 9 February with representatives from the Clackmannanshire Tenants and Residents Federation. This session will provide an opportunity to present the draft policy, gather feedback on its proposals, and discuss potential impacts on tenants and wider communities.

No further engagement is considered necessary at this stage, as the planned consultation activities are expected to provide a broad and representative understanding of tenant and community perspectives.

9. Please detail the outcome of any further engagement, consultation and/or research carried out:

The online consultation generated 150 responses, providing valuable insight into tenants' and residents' views on the Housing Service's approach to estate and open space management. A number of themes emerged from the consultation:

Need for a more proactive approach – respondents highlighted the importance of preventative, rather than reactive, estate management.

Greater transparency and clearer communication. Many participants emphasised the need for clearer information about how the Housing Service responds to estate-related concerns, easier methods of reporting issues, and improved communication between the Service and the public.

Asset review and reinvestment. Respondents supported reviewing land and open spaces that may no longer be fit for purpose, provided that any proposed disposal or reinvestment is transparent and informed by community views.

Protection of green and open spaces. Protecting and enhancing green spaces emerged as a recurring priority, alongside interest in community-focused reinvestment and cautious, community-led redevelopment.

Overall, the consultation provided clear direction on tenant and resident priorities for estate and open space management. Importantly, no additional issues were identified relating to protected characteristics, and no feedback suggested any risk of discrimination towards any equality group.

Step D - Impact on equality groups and steps to address this

10. Consider the impact of the proposal in relation to each protected characteristic under each aim of the general duty:

- Is there potential for discrimination, victimisation, harassment or other unlawful conduct that is prohibited under the Equality Act 2010? How will this be mitigated?
- Is there potential to advance equality of opportunity between people who share a characteristic and those who do not? How can this be achieved?
- Is there potential for developing good relations between people who share a relevant protected characteristic and those who do not? How can this be achieved?

If relevant, consider socio-economic impact.

Age	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination	X			<p>The Housing Service delivers its estate and open space management activities on a programmed, needs-based basis, targeting maintenance to the specific characteristics of individual estates, blocks and property layouts.</p> <p>Where estate management relates to individual tenancy responsibilities, such as garden upkeep or maintaining boundaries, Patch Housing Officers aim to develop strong, supportive relationships with tenants and ensure they understand their tenancy rights and responsibilities. This includes signposting relevant support where needed.</p> <p>The Service already provides age-sensitive assistance through schemes such as Garden Aid, available to eligible tenants aged 65 or over who have no household member able to carry out garden maintenance. This support helps prevent older tenants from being disproportionately impacted by tenancy-related estate management expectations. As such, older individuals are likely to benefit from the</p>

				policy's commitment to person-centred support and early identification of need.
potential for developing good relations	X			The Housing Service aims to foster good relations between tenants by providing clear, consistent information on the supports available and the eligibility criteria for them. The Garden Aid scheme is promoted at tenancy sign-up and through ongoing communications, helping tenants understand why some groups, such as older tenants, may receive additional assistance. By making these processes transparent and accessible across online and face-to-face channels, the policy supports fairness, reduces misunderstanding, and encourages positive relationships across different age groups within Council estates.
potential to advance equality of opportunity	X			The policy promotes equality of opportunity by adopting a person-centred approach to supporting tenants who may face age-related barriers in meeting estate management responsibilities. Where age is identified as a factor contributing to vulnerability or reduced capacity, for example, reduced mobility or difficulty maintaining gardens, the Service will ensure appropriate support is made available. This includes access to Garden Aid and tailored advice from Housing Officers. This approach helps older tenants sustain their tenancies, participate fully in their responsibilities, and maintain safe, well-kept home environments without being disadvantaged due to age-related limitations.

Disability	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination	X			Where estate management responsibilities sit with individual tenants, such as maintaining gardens or keeping external areas

				<p>tidy, Patch Housing Officers will continue to work proactively with tenants to ensure they understand their rights and responsibilities and receive appropriate guidance.</p> <p>The Housing Service adopts a person-centred approach, recognising that tenants with disabilities, long-term health conditions, or mobility limitations may face barriers in meeting certain tenancy obligations.</p> <p>The Service already provides targeted support to mitigate these risks. For example, the Garden Aid scheme is available to eligible tenants, including those with disabilities, who are unable to maintain their gardens and have no household member able to assist. This free service provides basic grass-cutting and garden maintenance, helping prevent disabled tenants from being disproportionately affected by enforcement relating to garden upkeep. As such, disabled tenants who would otherwise struggle with estate-related tasks are likely to benefit from the policy's commitments to flexible support and early engagement.</p>
potential for developing good relations			X	<p>Although the proposals are not expected to have a direct impact on this protected characteristic, the Housing Service is committed to fostering positive relationships between tenants and staff through clear communication and early, constructive engagement. A person-centred approach ensures that tenants' needs are identified, recorded and appropriately addressed, helping disabled tenants feel supported in sustaining their tenancies.</p> <p>By prioritising communication, transparency and tailored assistance, the policy supports good relations between tenants with different needs and helps build trust in the Housing Service's</p>

				processes and expectations.
potential to advance equality of opportunity	X			<p>The policy helps advance equality of opportunity by ensuring that disabled tenants can access the support required to meet tenancy and estate-related responsibilities. Where disability limits an individual's ability to maintain their garden or external areas, the Housing Service will provide assistance such as Garden Aid to help prevent disadvantage and support tenancy sustainment.</p> <p>The policy also outlines the Housing Service's approach to fencing requests. In cases where fencing is required to meet an identified medical, sensory or safety need for a tenant or a member of their household (such as providing a secure area for neurodivergent children or adults with additional support needs), the Service will consider these circumstances when determining whether new fencing may be installed. This ensures that disabled tenants have equal access to safe and suitable home environments.</p> <p>Overall, the policy helps ensure that disabled tenants can enjoy their homes on an equal basis to those who do not share this protected characteristic, supporting independence, wellbeing and long-term tenancy sustainment.</p>

Race	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination			X	The policy focuses on estate and open space management activities, communication practices, and the provision of person-centred support to help tenants meet their responsibilities. These measures apply equally to all tenants, regardless of race or ethnicity, and there is no evidence to suggest that tenants of different racial or ethnic

				backgrounds will be disproportionately affected. Where support is required, it will be provided based on individual need, including taking into account protected characteristics of tenants as and when required.
potential for developing good relations			X	The policy promotes clear communication, transparency, and consistent service standards across all estates. These measures apply equally to all tenants, regardless of race or ethnicity. Given the operational nature of the policy, it is unlikely to directly impact relations between racial groups; however, person-centred support and fair, consistent processes will contribute to positive interactions and equitable treatment for all households.
potential to advance equality of opportunity			X	The policy does not introduce any measures that would disadvantage or benefit tenants on the basis of race. Support is offered according to individual circumstances, and estate management expectations apply consistently across all households. As a result, no differential impact is anticipated, and the policy is not expected to materially affect equality of opportunity between racial groups.

Sex	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination			X	The policy relates to programmed estate maintenance, inspection processes, and tenancy-related responsibilities. These activities apply equally to male and female tenants, and there is no evidence that individuals of a particular sex are more likely to be impacted. Support offered by the Housing Service, such as person-centred advice or garden maintenance assistance, will be based on need, taking into account all protected characteristics, as and when

				required.
potential for developing good relations			X	Because the policy is operational in nature and delivered consistently to all tenants, it is unlikely to directly influence relations between men and women. However, clear communication, consistent enforcement of tenancy conditions, and accessible support for those who require it can help foster trust and positive relationships between all affected groups.
potential to advance equality of opportunity			X	The policy relates to programmed estate maintenance, inspection processes, and tenancy-related responsibilities. These activities apply equally to male and female tenants, and there is no evidence that individuals of a particular sex are more likely to be impacted. Support offered by the Housing Service, such as person-centred advice or garden maintenance assistance, will be based on need, taking into account all protected characteristics, as and when required.

Gender Reassignment	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination			X	Given the very small number of individuals who identify as transgender across Clackmannanshire overall, it is unlikely that the policy will have an impact on this protected group.
potential for developing good relations			X	Given the very small number of individuals who identify as transgender across Clackmannanshire overall, it is unlikely that the policy will have an impact on this protected group.
potential to advance equality of opportunity			X	Given the very small number of individuals who identify as transgender across Clackmannanshire overall, it is unlikely that the

				policy will have an impact on this protected group.
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Sexual Orientation	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination			X	Given the very small number of individuals who identify as LGB+ across Clackmannanshire overall, it is unlikely that the policy will have an impact on this protected group.
potential for developing good relations			X	Given the very small number of individuals who identify as LGB+ across Clackmannanshire overall, it is unlikely that the policy will have an impact on this protected group.
potential to advance equality of opportunity			X	Given the very small number of individuals who identify as LGB+ across Clackmannanshire overall, it is unlikely that the policy will have an impact on this protected group.

Religion or Belief	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination			X	Given that the majority of individuals within Clackmannanshire's social rented sector identify as having no religion, and only a small proportion identify as belonging to other religious groups, it is unlikely that this protected characteristic will be significantly impacted by the proposals within this policy.
potential for developing good relations			X	Given that the majority of individuals within Clackmannanshire's social rented sector identify as having no religion, and only a small

				proportion identify as belonging to other religious groups, it is unlikely that this protected characteristic will be significantly impacted by the proposals within this policy.
potential to advance equality of opportunity			X	Given that the majority of individuals within Clackmannanshire's social rented sector identify as having no religion, and only a small proportion identify as belonging to other religious groups, it is unlikely that this protected characteristic will be significantly impacted by the proposals within this policy.

Pregnancy/maternity	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination			X	The policy focuses on estate maintenance, the management of communal areas, and tenancy-related responsibilities. These activities are not associated with pregnancy or maternity, and there is no evidence to suggest that tenants who are pregnant or have recently given birth will be disproportionately affected. Support will be provided on a case-by-case basis where needed, meaning there is minimal risk of discrimination.
potential for developing good relations			X	Because the policy is operational in nature and delivered consistently to all tenants, it is unlikely to directly influence relations involving this protected characteristic. However, clear communication, consistent enforcement of tenancy conditions, and accessible support for those who require it can help foster trust and positive relationships between all affected groups.
potential to advance equality of opportunity			X	The policy focuses on estate maintenance, the management of communal areas, and tenancy-related responsibilities. These activities are not associated with pregnancy or maternity, and there is

				<p>no evidence to suggest that tenants who are pregnant or have recently given birth will be affected.</p> <p>Support will be provided on a case-by-case basis where needed, taking into account all protected characteristics as and when relevant.</p>
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Marriage/civil partnership	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Positive impacts	Negative impacts	No impact	
risk of discrimination (only the first aim of the Duty is relevant to this protected characteristic and only in relation to work matters)				Not an employment matter, not applicable to this proposal.

Socio-economic disadvantage	Place 'X' in the relevant box(es)			Describe any actions you plan to take, eg. to mitigate any impact, maximise positive impact, or record your justification to not make changes
	Yes	No	No impact	
(If required) Will the proposal reduce inequalities of outcome caused by socio-economic disadvantage?			X	Not a strategic decision, not applicable to this proposal.

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11. Describe how the assessment might affect the proposal or project timeline?

Examples of the items you should consider here include, but are not limited to:

- **Communication plan:** do you need to communicate with people affected by proposal in a specific format (e.g. audio, subtitled video, different languages) or do you need help from other organisations to reach certain groups?
- **Cost:** do you propose any actions because of this assessment which will incur additional cost?
- **Resources:** do the actions you propose require additional or specialist resource to deliver them?
- **Timing:** will you need to build more time into the project plan to undertake research, consult or to complete any actions identified in this assessment?

The assessment is not expected to affect the overall project timeline. The Policy largely formalises existing estate and open space management activities already undertaken by the Housing Service, while identifying opportunities to strengthen current practice and improve consistency in service delivery.

The Equality and Fairer Scotland Impact Assessment ensures that both existing and proposed practices are reviewed to confirm that they do not negatively impact or discriminate against any protected group. It also supports the development of improvements that advance equality of opportunity and embed person-centred approaches into future practice.

12. **Having considered the potential or actual impacts of your proposal, you should now record the outcome of this assessment.** Choose from one of the following:

Please select (X)	Implications for the proposal
X	<p>No major change Your assessment demonstrates that the proposal shows no risk of unlawful discrimination and that you have taken all opportunities to advance equality of opportunity and foster good relations, subject to continuing monitoring and review.</p>
	<p>Adjust the proposal and/or implement mitigations You have identified ways of modifying the proposal to avoid discrimination or to better advance equality of opportunity or foster good relations. In addition, or alternatively, you will introduce measures to mitigate any negative impacts. Adjustments and mitigations should be recorded in the tables under Step D above and summarised in the summary sheet at the front of the document.</p>
	<p>Continue the proposal with adverse impact The proposal will continue despite the potential for adverse impact. Any proposal which results in direct discrimination is likely to be unlawful and should be stopped and advice taken. Any proposal which results in indirect discrimination should be objectively justified and the basis for this set out in the tables under Step D above and summarised in the summary sheet at the front of the document. If objective justification is not possible, the proposal should be stopped whilst advice is taken.</p>
	<p>Stop the proposal The proposal will not be implemented due to adverse effects that are not justified and cannot be mitigated.</p>

Step E - Discuss and review the assessment with decision-makers

- 13. You must discuss the findings of this assessment at each stage with senior decision makers during the lifetime of the proposal and before you finalise the assessment. Record details of these discussions and decisions taken below:**

Step F – Post-implementation actions and monitoring impact

It is important to continue to monitor the impact of your proposal on equality groups to ensure that your actual or likely impacts are those you recorded. This will also highlight any unforeseen impacts.

- 14. Record any post-implementation actions required.**

Following implementation, the Housing Service will take steps to ensure the Policy is clearly visible and accessible to all tenants and residents. This may include promoting awareness of the Council's approach to estate and open space management, clarifying the Housing Service's remit, and ensuring tenants understand their responsibilities in relation to maintaining gardens, communal areas and wider estate environments.

- 15. Note here how you intend to monitor the impact of this proposal on equality groups.**

Officers responsible for administering the Policy will continue to take a person-centred approach when responding to estate management issues, with attention given to tenants who may be affected due to their protected characteristics.

Where vulnerabilities are identified, Officers will ensure appropriate advice, support and signposting are provided, tailored to the individual circumstances of the tenant. The Housing Service will also work closely with other Council teams and partner services involved in delivering estate management functions to ensure relevant needs are recognised and addressed consistently.

16. Note here when the EFSIA will be reviewed as part of the post-implementation review of the proposal:

The EFSIA will be reviewed concurrently with the scheduled review of the Policy.

Step G – Assessment sign off and approval

Lead person(s) for this assessment: Monika Bicev – Policy Officer (Housing)

Signed: Monika Bicev

Date: February 2026

Senior officer approval of assessment: Katie Roddie – Team Leader (Business Improvement)

Signed: Katie Roddie

Date: February 2026

All full EFSIAs must be published on the Council's website as soon as possible after the decision is made to implement the proposal.

Appendix 4. Estate and Open Space Management Policy Consultation Results and Analysis

1. Introduction

An online public consultation on Clackmannanshire Council's Housing Estate and Open Space Management Policy was carried out on Citizens Space between 27 January and 16 February 2026.

The consultation formed part of the wider policy development process and sought to gather the views of residents across Clackmannanshire Council area on the Council Housing Service's current estate management practices and future service improvement requirements.

The consultation was open to all residents in the local authority area, including Council tenants, owner occupiers, private rented sector tenants, and tenants of other social landlords. The survey aimed to capture perceptions of the Housing Service's approach to estate and open space management, understand the issues residents experienced in relation to their local environment, and collect views on improvements to communication standards. The survey also explored tenants' and residents' preferences for the future management of Council-owned garage plots and lock-ups.

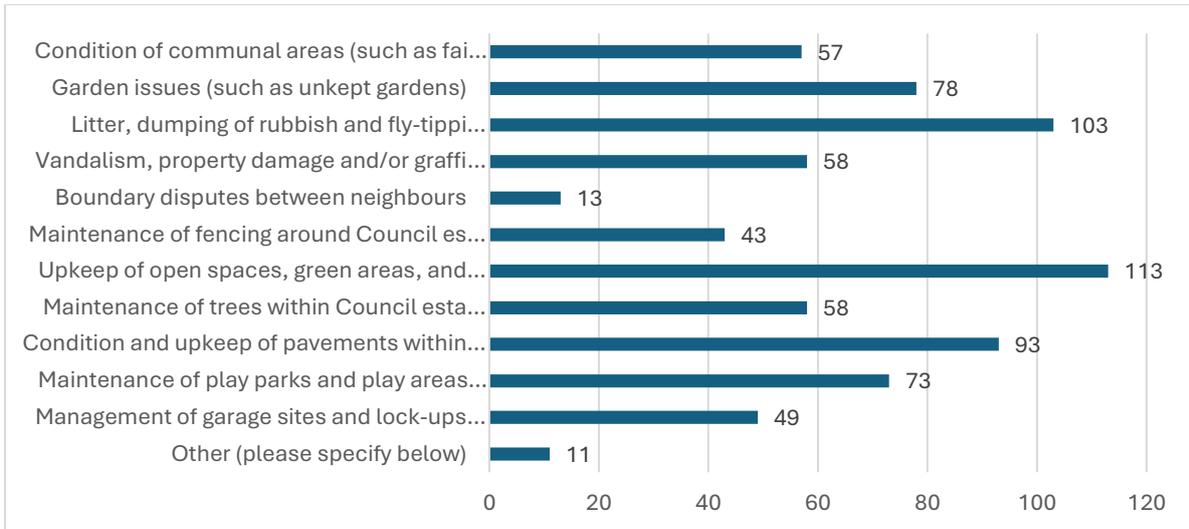
2. Consultation Results

A total of 150 responses were received. Of these, 93 respondents (62%) identified as owner occupiers, 38 (26%) as Council tenants, with the remaining participants representing other tenures. When asked whether they felt informed about what constitutes estate and open space management activities, 131 respondents (88%) stated that they were, with 12% indicating they were not.

3. Key Issues and Concerns Identified

Residents were asked to identify the main estate and open space management issues they had experienced (**Figure 1**). The most frequently reported concerns related to the upkeep of open spaces, green areas and landscaped spaces environments (113 responses; 76% of all participants), closely followed by littering, dumping of waste and fly-tipping (103 responses), condition and maintenance of pavements and footpaths (93 responses) as well as maintenance of play parks and play areas (73 responses).

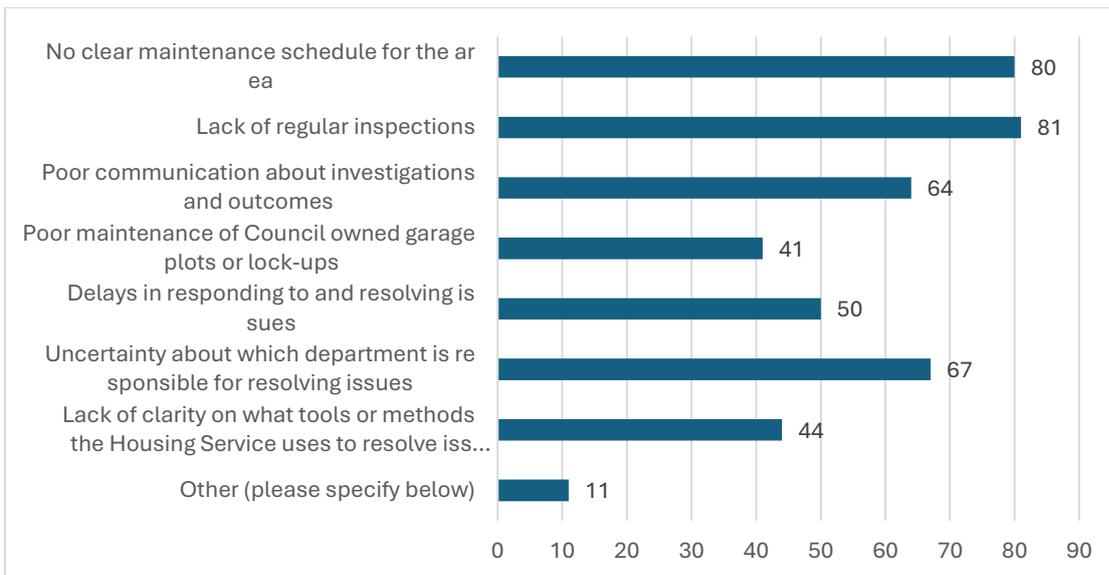
Figure 1. What are the biggest Council housing estate and open space management issues that you experience?



Participants were also asked about perceived concerns in the Housing Service’s current management approach (**Figure 2**). The most significant issues identified were:

- Lack of regular inspections to estates and open space areas (81 respondents; 54%).
- No clear maintenance schedule communicated for specific areas (80 respondents).
- Lack of clarity about which service or department is responsible for resolving estate management issues (67 respondents).
- Poor communication about investigations and outcomes following reports made by residents (64 respondents).

Figure 2. What concerns do you have about how the Housing Service deals with estate and open space issues?



4. Suggested Improvement to Estate and Open Space Management Approach

When asked how the Housing Service could improve the quality of its estate and open space management, respondents highlighted several priority areas for change. Residents expressed strong support for the introduction of a clear and publicly accessible programme of planned maintenance and management activities (115 respondents), followed by a need for more regular inspections to estates and open spaces (100 respondents). A considerable number of participants (99) also supported the principle of recharging individuals responsible for damage.

5. Themes Emerging from Qualitative Feedback

Open-text responses provided further insight into residents' experiences, frustrations, and expectations. Several clear themes emerged, including:

5.1. Need for a Proactive Estate Management Approach

Respondents repeatedly emphasised the importance of a preventative rather than reactive service. There was strong support for routine visual inspection of estates and green spaces as well as post-work inspections to ensure the quality of repairs and maintenance carried out.

5.2. Transparency and Ease of Reporting

A significant number of respondents expressed a desire for greater transparency around how the Council handles estate management concerns. Some noted that the process for reporting issues through the Council website was unclear or difficult to navigate, and requested a simpler reporting mechanism.

5.3. Tenancy Management and Enforcement

A further theme concerned the enforcement of tenancy agreement and the associated tenants' responsibilities. Some respondents felt that tenants should be held more accountable for the upkeep of their homes, gardens and surrounding areas, such as communal areas and communal closes

5.4. Wider Infrastructure and Community Environment Concerns

While many of these responsibilities lie within the Housing Service, residents also raised issues that extend across the wider Council. These included concerns about road conditions, the need for stronger dog control and enforcement, and broader issues linked to environmental management. This indicates that residents view estate management as a cross-service function rather than one limited to housing alone.

6. Views on Reinvestment, Redevelopment and Use of Open Spaces

Residents were presented with a range of potential opportunities for reinvestment or redevelopment in estates and open spaces. In general, respondents showed an appetite for exploring improvement options where areas were seen as under-used or no longer fit-for-purpose.

A total of 89 respondents expressed interest in seeing programmes of community improvement activities. A further 88 respondents supported exploring supported land sales to community groups for projects that could enhance local wellbeing.

By comparison, 37% of respondents (55 individuals) were interested in increased tenant-led initiatives, and 52 individuals supported greater investment in the Housing Service's operational functions, for example, through capital improvement programmes.

Despite this interest, respondents were clear that Council-owned land should not be sold outright to private developers. Many stressed the need for meaningful community engagement when considering the future of any public land. Residents frequently emphasised the importance of protecting green and open spaces, with numerous suggestions that such areas could be repurposed for allotments, orchards, community growing projects, or wildlife and biodiversity areas. These comments reflect an expectation that public spaces should serve long-term community and environmental benefits.

Other suggestions included repurposing vacant or unused land to create parking areas where appropriate, and the installation of electric vehicle charging facilities for the exclusive benefit of Council tenants, with usage charges applied.

Some participants also noted that reinvestment should support the upgrading of children's play parks and ongoing maintenance of these sites. Others stressed that any income from land sales should be ring-fenced for reinvestment in estate maintenance, ensuring long-term upkeep of the areas affected.

7. Communication Preferences and Expectations

Respondents were asked whether the Housing Service should improve its communication about estate and open space management. An overwhelming 95% agreed that communication requires improvement. Many felt that clearer follow-up information about actions taken in response to reported issues would greatly increase confidence in the service.

Residents identified their preferred communication channels as:

- Social media (106 respondents).
- Leaflets delivered to homes (74 respondents).
- The Council website (70 respondents).

Some participants also expressed interest in regular community meetings, updates through Community Councils, and communications delivered via email or text message.

8. Management of Garage Plots and Lock-Ups

The survey explored residents' views on the allocation and management of Housing Service garage plots and lock-ups. Under existing practices, these are allocated on a priority basis, with Council tenants considered first, followed by other local residents. A total of 65% of respondents supported this approach.

When asked about potential alternative prioritisation methods, 70 respondents favoured giving priority to Council tenants living in the immediate area where the garage or lock-up is located, followed by other local residents. In contrast, 62 respondents stated that they would prefer no prioritisation at all.

Respondents were also asked whether there should be a limit on the number of garage plots or lock-ups that can be let to an individual. A clear majority (66%) agreed that allocations should be limited to one per person, while 23% preferred a limit of two.

9. Conclusions

The consultation generated a strong level of engagement from residents across a range of housing tenures. The findings indicate a clear desire for a more proactive, transparent, and coordinated approach to estate and open space management. Residents emphasised the importance of regular inspections, clarity about responsibilities, and stronger communication. The protection and enhancement of green spaces emerged as a recurring priority, alongside interest in community-focused reinvestment activities and cautious support for redevelopment, provided it is undertaken in partnership with local communities.

Feedback on garage plot and lock-up management highlighted broad support for clear allocation criteria and limits that ensure fair and equitable access, particularly for Council tenants.

These insights will inform the development of the Housing Estate and Open Space Management Policy and will aim to support future improvements to service delivery, communication, and resident engagement.