

Garage Lettings Policy



Sandwell
Metropolitan Borough Council

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Purpose	<i>The aim of this policy is to ensure to Sandwell Metropolitan Borough Council's garages are allocated fairly and efficiently and that the garages remain occupied and contribute to the maximising of the income available to the Council.</i>		

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1. Purpose

- 1.1 The purpose of this garage policy is to set out how Sandwell Metropolitan Borough Council will allocate garages that we manage.
- 1.2 The aims of the policy are to ensure that the Council takes a consistent approach to allocating garages to applicants, provides clear information on the terms of renting a garage and maximises rental income from garages.

2. Scope

- 2.1 Sandwell Metropolitan Borough Council has garage stock across the Borough.
- 2.2 This policy applies to the application and allocation of Council owned garages in Sandwell and relates to members of the public who are considering renting a garage from the Council.

3. What are Garages to Sandwell Council?

- 3.1 Garages are Council-owned units provided by Sandwell Metropolitan Borough Council to support effective parking management and reduce congestion on roads and housing estates arising from increased vehicle ownership.
- 3.2 Garages are primarily intended for the storage of motor vehicles and may also be used as a cost-effective storage facility for households, subject to the terms and conditions of the garage licence agreement.
- 3.3 Garages are let separately from residential dwellings under a licence agreement and do not form part of a dwelling. They are managed in accordance with this policy and the associated terms and conditions.

4. Policy Statement

Residents are encouraged to rent garages as it helps free up congestion on roads and prevent access problems on estates due to an increase of vehicle ownership. Garages can also be utilised as cost effective storage locations for households who may require the space.

4.1 Eligibility

- Anyone who aged 18 or over can apply for a garage.
- Any current or former tenant of Sandwell Metropolitan Borough Council with rent arrears will not be allocated a garage.

4.2 Allocation of garages

- All vacant garages that are available to let will be advertised online
- Customers can check online to see the availability of units in their preferred location.
- Customers will be able to submit their expression of interest online
- Garages will be let on a first come, first served basis.
- If an applicant chooses to accept an offer, they will sign a garage letting agreement which details the terms and conditions under which the garage letting will be held.
- In exceptional circumstances, Officers may make a direct offer of a garage. This will be done in accordance with Section 6.4 of the Reasonable Adjustments Policy.

4.3 Use of garage

- Vehicles must be taxed or have a Statutory Off-Road Notification (SORN)
- We will allow the storage of other items, which will be at the risk of the user.
- The garage user will be liable for any damage to items stored, caused by damp or water for example.
- The following items must not be stored in a garage:

- **Petrol or other fuels (liquid, gas or solid fuels - unless in the tank or engine of a vehicle)**
- **Corrosive substances**
- **Portable gas cylinders**
- **Other flammable substances**
- Garages must not be used for any purposes which constitutes 'business', within the meaning of the Landlord and Tenant Act 1954 Part II
- Garages must not be used for illegal or immoral activities.
- Garages with power or electrical outlets are not to be modified, added to or new lighting or power installations made in anyway.
- No adaptations to the floor, wall or roof structure is permitted in anyway.
- The garage user is responsible for ensuring that the garage is kept secure at all times.
- The Council retain the right to enter and inspect the garage to ensure that the tenant is complying with the terms of the lease agreement. The Council will give at least twenty-four hours' notice of the visit. However, in an emergency, the council has the right to force entry and carry out any emergency repairs.
- No exchanges or transfers of garages between tenants will take place with Sandwell Metropolitan Borough Council's prior approval. No assignment or sub-letting will be permitted.

4.4 **Rent**

- Rent is charged weekly and is payable by Direct Debit, telephone, standing order or online.
- The rent may be varied, usually once per year in April and the legal occupier will be given at least one months' written notice of the change to the weekly charge. The Council will automatically amend the Direct Debit as appropriate.
- Customers who are not tenants, occupants or leaseholders of Sandwell Council properties have to pay VAT, which is

currently 20%. If you are liable to pay VAT on your garage, you will receive an annual invoice.

4.5 Insurance

- Sandwell Metropolitan Borough Council have insured the structure of the garage against loss and damage.
- Users who store items in garage units do so at their own risk. It is recommended that appropriate insurance is obtained to cover any potential damage to, or loss of, vehicles or other property stored within the garage. Please note that garage contents may not be covered under standard home insurance policies, and users should check their individual policy details to confirm coverage.

4.6 Termination

- Either party may end the rental by giving 7 days written notice.
- The legal occupier must give the Council vacant possession and leave the garage in a clean and tidy state.
- The Council will not normally seek to end a garage licence unless there has been a breach. However, should it need to do so and due to the garage not being a dwelling, the legal agreement has no security of tenure, and the agreement can be ended by giving one weeks written notice to quit to the legal occupier.
- If notice to quit is served for any breach of the agreement, Sandwell Metropolitan Borough Council will change the locks at the end of the notice period and arrange for the clearance of any items remaining in line with our Garage Management procedure. Where possible, any disposal will be with the customer's agreement. If SMBC have to change the locks and dispose of any items, a recharge will be made for this.

5. Development of Policy

5.1 This policy has been developed following consultation with staff involved in the garage management process and the Tenants and Leaseholders Scrutiny Group.

6. Related Documents

6.1 This policy was developed in conjunction with the Council's:

- Internal Tenancy and Estate Management procedures.
- Internal Garage Management procedure.
- Garage Application form.
- Garage letting agreement.

7. Legal Framework

7.1 The policy has been developed with regard to the following legislative and regulatory frameworks:

- Equality Act 2010
- General Data Protection Regulation and Data Protection Act 2018
- Landlord and Tenant Act 1954 Part II
- Control of Substances Hazardous to Health Regulations 1999
- Torts (Interference with Goods) Act 1977
- VAT Act 1994
- Financial Services Authority Guidance Documents

8. Equality and Diversity

8.1 Sandwell Metropolitan Borough Council is committed to ensuring that its policy and procedures in the letting of garages are non-discriminatory and that all customers are able to access the service. This commitment also extends to the needs of the groups protected by the Equality Act 2010.

8.2 Under the Equality Act 2010 and in particular section 149 of the Public Sector Equality Duty, local authorities are required to give due regard to eliminate discrimination, advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not in their exercise of a public function.

The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Council will ensure that this policy complies with the current equality legislation and with the relevant statutory codes and guidance.

8.3 This policy has been subject to an equality audit and this will be regularly reviewed.

8.4 **Reasonable Adjustments**

We are committed to ensuring that disabled people are not disadvantaged in accessing all our services and we carry out Equality Impact Assessments to ensure this does not happen.

There is no prescribed list of reasonable adjustments; the adjustment will depend on the individual's needs. We will discuss the requirements with the person concerned and seek to reach agreement on what may be reasonable in the circumstances. We will not make assumptions about whether a disabled person requires any reasonable adjustments or about what those adjustments should be.

Customers can request that we make reasonable adjustments in the following ways:

- in person
- in writing for example by email, by post, text
- by telephone
- by a family member when we have been given permission to do so; and or

- a member of staff may suggest for one to be made, when they are aware it will support the customer needs.

We will treat all conversations with sensitivity, confidentiality and on a case-by-case basis. We will listen to a customer’s needs and make every effort to meet requests for adjustments when it’s reasonable to do so. Where we are unable to meet a request, we will explain why.

In the majority of cases we will be able to agree and deliver the required reasonable adjustment with a minimum of delay.

For more information, please refer to Sandwell’s Reasonable Adjustments Policy.

<https://www.sandwell.gov.uk/downloads/download/154/reasonable-adjustments-policy>

9. Monitoring and Review

- 9.1 We will review this policy annually, or sooner if there are any changes to legislative, regulatory, best practice or operational issues.

10. Policy Document Version Control

Version	Date	Description	Updated By	Approved By
1.0	April 2026	Policy launch		
2.0				