

Garage Enforcement Policy

Stevenage Borough Council

2025

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Approved by	
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1. Purpose

- 1.1 This policy outlines how Garage debts are identified and managed by the Council.
- 1.2 The aim of this policy is to capture the process for pursuing unpaid debts by current and former garage licence holders.
- 1.3 This is a new policy and supports the Garage Management Services Policy 2025.

2. Scope

- 2.1 The Garage Manager is responsible for administering this policy with the support from Garage Project Officer and Garage Technical Support Officers. Those that will be impacted by this policy are current Garage Licence Holders and former Garage Licence Holders.
- 2.2 This policy is specific to the operation of Garage Services, held within Stevenage Direct Services.

3. Legal Framework

- 3.1 This policy is associated with the Local Government (Miscellaneous Provisions) Act 1982.

This policy sets out how Stevenage Borough Council will comply with the requirements of the following:

- 3.2 In line with the Garage Lettings Standards and the Council has agreed to provide a garage licence holder a garage that is fit for purpose as stated within the Lettings Standard documents. It is therefore expected that the garage licence holder will adhere to the garage terms and conditions from the start of their licence held with Stevenage Borough Council.

4. Equalities

- 4.1 Under the Equality Act (2010) the Council has a legal duty to fulfil the requirements of the Public Sector Equality Duty (PSED). Through this duty and in the application of this policy, the council will carry out its functions in a way that:
 - a. Removes discrimination, harassment, victimisation and any other conduct that is unlawful under the Equality Act (2010)
 - b. Promotes equal opportunities between people who have a protected characteristic(s) and those who don't.

- c. Encourages good relations between people who have a protected characteristic(s) and those who don't.

Further information on the Council's fulfilment of the Equality Act (2010) is set out in the Equality, Diversity and Inclusion (EDI) Policy (2022) and Reasonable Adjustment Policy (2024).

5. Data Protection

- 5.1 The Council regards respect for the privacy of individuals and the lawful and careful treatment of personal information as very important to delivery of services.
- 5.2 The Council will ensure that it treats personal information lawfully and proportionately as set out in the General Data Protection Regulation (GDPR) and Data Protection Act (2018). For further information on the Councils approach to handling information please see [Data Protection Act \(stevenage.gov.uk\)](https://www.stevenage.gov.uk/data-protection-act)

6. Policy

Garage Licence holders.

- 6.1 Garage Licence holders will be allocated a unique payment reference number, to accompany their garage rent account, at the start of their licence. This will remain the same throughout the duration of their licence.
- 6.2 The weekly garage rent will be charged to the garage account every Monday.
- 6.3 The Council will accept a payment arrangement if the required rent cannot be paid in full, at the Garage Managers discretion. If the customer defaults on the agreed arrangement another payment plan would be not permitted, and the balance must be paid in full.
- 6.4 The garage accounts will be monitored on a weekly basis through an escalation policy and if left unpaid will follow these steps:
 - Week 1: The Council will issue an arrears letter notifying the customer their account is behind payment by 1 week's garage rent.
 - Week 2: The Council will issue an arrears letter notifying the customer their account is behind payment by 2 week's garage rent.
 - Week4: A Notice to Quit (NCTQ) will be issued terminating the customers licence with the Council. The garage keys will be requested back to the Council within a 2-week period.

A notice is valid for a period of 12 months from date of issue except in the event that the arrears are paid in full. Enforcement can be taken if part payment is received.

Week 6: A repossession warning will be issued to the licence holder.

Week 7: Repossession of the garage is arranged, and the garage licence holder is notified.

Week 8: Repossession action is carried out by the Council and the garage door locks are replaced.

6.5 Should it prove necessary for the Council to repossess the garage due to nonpayment of garage rent the following will apply:

Option 1: The garage licence is ended, and a payment plan is set up between the licence holder and the Council.

Option 2: The garage licence holder pays in full the Garage rent arrears and cost of the gain entry and entry lock within one calendar month from the point of repossession. The new garage keys are re-issued to the garage licence holder. Should it prove necessary to re-repeat the repossession action at any point in the future the garage licence holder will not be permitted to continue with the garage licence.

Option 3: At the Council's discretion a family/friend can apply to take over the existing licence from the current, subject to passing the financial credit check which forms part of the standard application process.

The previous former licence holder will still be liable for the existing garage arrears and lock change however the successful family/friend will start a new licence with the Council with a clear account. This person would take over liability for the garage and weekly rent. The Council cannot be involved with any agreement made between the new licence holder and the former licence holder.

6.6 Following repossession of the garage the Council will inform the garage licence, in writing given them one calendar month, as stated within the Local Government (Miscellaneous Provisions) Act 1982.

6.7 Should the licence holder continue to withhold payment or fail to engage with the Council to arrange collection of their belongings from within the garage, within the above timescale, the Council is entitled to clear and dispose of the contents.

6.8 The Council will add the recharges of the gain entry and lock change (upon repossession of the garage) and the cost of the garage clearance.

6.9 The Council will write to the "Former licence holder" with their final bill and expect full payment to be made.

Former garage licence holders with a debt

6.10 The garage licence holder is responsible for any debt, once their garage licence has ended with the Council. This may include any charges for works carried out which are not limited to a gain entry and lock change and removal of rubbish from the garage.

- 6.11 Recovery of any debt on closed accounts will be pursued by the Council with a view to enforce by way of legal action if necessary.
- 6.12 Once an account is ended the Council will contact the former licence holder regarding any balances due within 28 days of their licence ending.
- 6.13 It is expected the debt will be paid in full by the garage licence holder.
- 6.14 Contact will be made across a 4-week period by the Council to the former licence holder.
- 6.15 A manageable payment arrangement can be agreed with the Council should the debtor not be able to make full payment to settle the debt. Such arrangements will be documented and confirmed either in writing or email to the debtor.
- 6.16 Failure to pay the required amounts will result in legal action being taken by the Council, against the former garage licence, for recovery purposes.

Breach of licence conditions

- 6.17 Recovery of the garage may be taken if a breach of licence is evidenced.
- 6.18 SBC will adopt a "2 strike" warning approach to a breach of any of garage terms and condition.
- 6.18 A 1st letter will be issued from the Council to the garage licence holder to identify and acknowledge the breach, with instructions for the next steps the licence holder must abide by.
- 6.20 A 2nd letter will be issued from the Council to garage licence holder referencing a NCTQ will be issued should the breach continue.
- 6.21 Once a Notice to Quit (NCTQ) has been issued, repossession of the garage will follow, if the garage licence holder does not return the garage keys back to the Council.
- 6.22 A licence holder will not be granted a second garage, nor transfer, if their current garage account is in arrears. An account must be clear before a request can be submitted.
- 6.23 The Council will not accept a garage bid for a new garage if the applicant owes a balance on a closed or former account. This must be paid in full before a request for a garage will be considered.

Accidental Damage to Council garage

- 6.24 Any accidental damage caused to a Council garage should be reported immediately.
- 6.25 The Council will seek to recover any costs relating to repairs carried out after accidental damaged to a Garage.
- 6.26 An invoice of works undertaken, with be issued to the Garage licence holder, with an expectation that the full amount will be paid in full within 28 days of issue.

- 6.27 A manageable payment arrangement may be agreed with the Council should the licence holder be unable to pay the debt in full with **in** one payment.

7. Consultation

- 7.1 This policy supports the contents of the Garage Terms and Conditions of licence for both Storage of a vehicle and domestic storage, produced in conjunction with the Council Legal service.

8. Monitoring and Review

- 8.1 This policy will be reviewed by the relevant Business Unit's Head of Service or Service Manager every 2 years (see page 1 for details of Business Unit) or earlier if there is a change in legislation. Where more than 10% of the policy content is changed the Assistant Director and appropriate Portfolio Holder will be required to decide if the policy needs to be formally reconsidered by the Cabinet or appropriate decision-making body.
- 8.2 Where there is a request for the content of the policy to be reviewed in response to a complaint, the relevant Business Unit's Assistant Director will be notified. If the Assistant Director agrees that a review of policy is required, this will be discussed with the appropriate Portfolio Holder. The Head of Service or Service Manager will be responsible for implementing a subsequent policy review.

9. References and Resources

Garage Lettings Standards - www.stevenage.gov.uk/garages/garage-management-services-policy

Garage Terms and Conditions for Storage/ Vehicle - www.stevenage.gov.uk/garages/apply-for-a-garage

Garage Management Services Policy - www.stevenage.gov.uk/garages/garage-management-services-policy

10. Abbreviations and Definitions

SBC	Stevenage Brough Council
NCTQ	Notice to Quit

11. Appendices

Not required

12. Version History

Date	Outlined Amendments	Author
October 2025	Policy Written	Rebecca Millett