



Homes for Haringey

Aerials and Satellite Dish Policy

Introduction

Due to the vast and increasing choice of TV channels available through satellite TV, there has been a marked increase in the number of satellite dishes that have been erected without proper and appropriate permissions from Homes for Haringey (HfH) or Haringey Council.

Increasingly these are causing problems, particularly when capital works are being carried out to property exterior. Residents may refuse to take dishes down to allow works to go ahead or re-erect dishes undermining the work that has been carried out. Without clear guidance staff have been unsure of what action to take.

Many residents now have higher expectations by way of home entertainment. Satellite TV provides a wider range of viewing options and gives access to minority interests including foreign language channels. In addition specialist channels have bought sole rights to some sporting events and films.

The current situation is that:

- Dishes are being fitted to external walls and onto flat roofs, damaging the fabric of the building.
- Where we need to carry out major works to the structure of a building satellite dishes can get in the way of scaffolding. This creates difficulties for contractors.
- The plethora of satellite dishes particularly on blocks of flats is unsightly.
- Unsupervised and unchecked installation of satellite dishes gives rise to health and safety concerns.

This policy seeks to address these difficulties.

Landlord Consent

Our policy as stated in the tenancy conditions is that:

- Tenants must get our permission in writing before... putting up any structure on the areas outside of the property, such as sheds, fences or satellite dishes.
- We will not refuse permission unless there is good reason. We may give permission under certain conditions. If you do not keep to the conditions, we will withdraw the permission.
- You may also need planning and building regulation approval before you carry out improvements or alterations to your home. You will need to apply for this separately.

Leaseholders are subject to similar conditions.

Legislation, planning permission and listed building consent

The need to obtain planning permission for satellite dishes is considered in the Town and Country Planning (General Permitted Development) Order 1995. The tenant or leaseholder must apply for planning permission to install a dish in a large block of flats or buildings over 15m (roughly 5 storeys) if:

1. The total number of dishes is more than two.
2. The dish exceeds 130cm in diameter
3. The block is in a conservation area, national park or area of outstanding beauty.

In smaller buildings such as houses, or small blocks of flats or for a flat in commercial premises, planning permission will be needed if:

4. There is more than one dish on the building or in the garden
5. The dish is greater than 90cm diameter.
6. The dish is to be sited on a chimney stack and is more than 45cm in diameter.
7. This dish is to be sited on the roof, and it protrudes above the highest point of the roof.

Residents would also require listed building consent if they live in a listed building. If the property is listed, residents will need to apply to the planning department for listed building consent. This is separate from normal planning permission.

Policy Change

This policy deals with residents requests to install a satellite dish or aerial but uses the term satellite dish throughout.

It seeks to enable HfH to deal with:

- Request from residents for permission to erect a dish
- Residents who have erected a dish without permission
- Situations where dishes need to be removed, for example, due to health and safety concerns, structural damage or in order for the authority to carry out maintenance or capital works.

Residents applying to install a new satellite dish

The statutory requirement on the Council is to ensure that all residents with communal aerial systems can receive digital signals when analogue broadcasts are switched off in 2012.

The Council has approved the installation of an upgrade to existing communal aerial systems. The system installed in each block will be dependent on the outcome of resident consultation, but either of the options being presented will give access to the most commonly used satellite channels.

The upgrade will give residents access to a number of new services.

At the 9 wire basic standard:

- Freeview and DAB radio

At the fully integrated standard (Digital IRS):

- Freeview and DAB radio
- Sky and Sky Plus
- Hotbird
- Turksat.

Where Digital IRS is being installed therefore, there should be no need for any resident to install a separate satellite dish except in the following circumstances:

- The resident requires access to a specialist or foreign language channel that cannot be accessed via one of the services listed above
- The resident requires multi-room facility (only one TV point per property will be installed as part of the upgrade work, although residents may negotiate for the installation additional points and separately pay for these).

It is proposed that:

- The resident (leaseholder, freeholder or tenant) must make a written application to request the erection of a satellite dish on Council owned property using the **form SAT 1**.
- **Landlord's permission will only be granted if :**
 - a) The property does not have any form of communal aerial system
 - b) The property does not have access to cable TV networks
 - c) The resident has obtained relevant planning permission and listed building consent if required.
 - d) The resident will comply with HfH direction with regards to the installation and location of the dish

- e) A member of an approved accredited trade organisation such as the Confederation of Aerial Industries Limited (CAI) or a similar body undertakes the installation
- f) The resident will indemnify HfH/ the Council in respect of any loss, damage or third party claims arising as a result of the installation
- g) The resident undertakes to dismantle and re-fix at their own expense, any satellite dish, cabling etc the Council/ HfH requires to be removed to undertaken maintenance or improvement works, or for health and safety reasons.
- h) On vacation of the property the resident accepts full responsibility for removal of any satellite dish. Failure to remove a dish will result in the expense for removal being recharged.

Retrospective permission

Residents (leaseholder, freeholder or tenant) can apply for retrospective permission by completing the **form SAT 1**.

In such cases permission will be granted subject to all the conditions applying to the installation of a new satellite dish except the need for installation by a member of an approved accredited body.

If there are concerns about the location of the dish then the resident may be asked to re-site the dish at their own expense.

Establishing ownership of unclaimed dishes

If the owner of the dish is unknown then all of the residents in the block (unless some can be eliminated) will be advised that retrospective permission needs to be obtained. This letter also advises that if the owner does not come forward then Homes for Haringey will make arrangements for the dish to be removed and disposed of - **form SAT 2**

Removal of Dishes

Where permission has not been granted but a dish is erected regardless, a letter will be sent to the resident – **form SAT 3**

Where a dish has been erected but we require its removal either on health and safety grounds or to carry out maintenance work a version of **form SAT 4** will be sent.

Enforcement

HfH will strive to enforce the conditions relevant to the installation of satellite dishes in the following ways:

1. **Injunction:** HfH will normally apply for an injunction against all residents (tenants and leaseholders) to enforce the relevant condition to remove unauthorised satellite dishes or where residents refuse to remove them to allow necessary building and maintenance works.

2. **Immediate removal:** In urgent circumstances dishes may be removed without an injunction.
3. **Possession Proceedings:** A notice seeking possession may be served on any tenant in breach of their tenancy conditions. This may be an effective enforcement tool where there are also other breaches of tenancy such as rent arrears, but this action will not be taken if the unauthorised satellite dish would be the only reason for proceedings.

The cost of any action will also be recovered.