

Housing Act (1985) Section 105 consultation report	Arundel Court, N17 (Northumberland Park ward)
Date	May 2024

1. Introduction

- 1.1 Under the Housing Act 1985 Section 105, Haringey Council (the Council) has a legal obligation to consult its secure tenants on matters of housing management such as changes to the management, maintenance, improvement, or demolition of houses let by them or changes in the provision of services or amenities.
- 1.2 In May 2021, the Council launched a Section 105 consultation based on proposals for a new housing development on Arundel Court which would result in changes to the amenities of secure tenants in the area.
- 1.3 This report:
 - Outlines the proposals put forward by the Council and the impact on the amenities for secure tenants in the area.
 - Provides an overview of the consultation process conducted by the Council in accordance with its legal obligations under the Housing Act 1985 Section 105.
 - Summarises the results and outcome of the consultation.

2. Proposals

- 2.1 In the proposals outlined to residents during the Section 105 consultation, the Council stated its intention to make the following alterations to the amenities in the area:
 - Remove 65 estate pram sheds.
 - Remove 22 parking bays.
 - Reconfigure and enhance of communal and existing private green spaces, including provision of a play area.
 - Relocate waste and recycling facilities at the site.
- 2.2 The location of the proposed amenity changes are outlined in the consultation materials issued to residents, which can be found online [here](#): in particular page 3 of these public documents presents maps of the proposed changes.
- 2.3 The Council is proposing to use the land to build 18 new council homes. New landscaping for existing communal green spaces as well as an enhancement of the estate play space area. The project will result in the relocation of the refuse and recycling facilities. New cycle storage for both new and existing residents.
- 2.4 Given secure tenants may have changes made to their recognised amenities as outlined in 2.1, a Housing Act 1985 Section 105 consultation was required.

2.5 The Council consulted 69 households. In addition to consulting with secure tenants as required by the legislation (see 1.1), the consultation audience also includes resident leaseholders and non-resident leaseholders. The Council consults leaseholders as part of the Section 105 process as a matter of good practice.

2.6 The tenure of the households consulted is outlined below:

Scheme	Secure Tenants	Leaseholders
Arundel Court	42	27

2.7 The consultation period lasted from 17 May 2021 until 20 June 2021. Information provided included:

- A consultation pack posted to consultees included an outline of the impact of the proposals on their recognised amenities in a [brochure](#) and a selection of site location plans and associated images. The pack also contained a consultation questionnaire, an equality and diversity questionnaire, a form to request the materials in different formats and languages, and a stamped addressed envelope was provided so consultees could respond by post. Contact details, including a phone number, were provided so consultees could request further information. Non-resident leaseholders received a notification of the consultation at both their home address and the address of their leasehold property within the consultation area.
- The information and materials detailed above were also placed on the Council’s website.
- Two online engagement sessions were held for consultees on:
 - Friday 28 May 2021 at 1pm
 - Monday 7 June 2021 at 6pm
- Recordings of the online meetings were available on the Council’s website immediately after the close of each event for 120 days. Please note that this consultation took place when COVID-19 restrictions were in place: in accordance with the guidance at the time, all events were hold online.

3. Consultation response

3.1 A breakdown of the consultation responses by tenure is outlined below:

Overall consultation audience	Number of responses	Number of secure tenant responses	Number of leaseholder responses
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69	13	7	6

3.2 To understand use of the 65 pram sheds consultees were asked:

- Do you use the pram sheds?
- If you answered yes, how often do you use them?
- Do you use the parking bays?
- If you answered yes, how often do you use them?

3.3 Responses from consultees are outlined below. Please note that respondents in some cases did not fill in all of the questionnaire or ticked more than one response.

Number of overall responses to the consultation	Answered "Yes" when asked if they used the pram sheds	Answered "Daily" when asked to describe their use of pram sheds	Answered "Weekly" when asked to describe their use of pram sheds	Answered they used it "Occasionally" when asked to describe their use of the pram sheds	Answered "When friends, family or carer is visiting" when asked to describe their use of the pram sheds
13 (7/6)	11 (6/5)	9 (4/5)	0 (0/0)	1 (1/0)	0 (0/0)

(Secure tenants/leaseholders)

Number of overall responses to the consultation	Answered "Yes" when asked if they used the parking bays	Answered "Daily" when asked how often they use the parking bays	Answered "Weekly" when asked how often they use the parking bays	Answered "Occasionally" when asked how often they use the parking bays	Answered they used it "When, friends/family/ carer is visiting" when asked to describe their use of the parking bays
13 (7/6)	10 (5/5)	8 (5/3)	0 (0/0)	0 (0/0)	1 (0/1)

(Secure tenants/leaseholders)

3.4 To judge the impact of the proposed changes on secure tenants and leaseholders, consultees were asked:

- What impact would proposals to remove and change the listed amenities have on you?
- If the proposal to remove and change the listed amenities goes ahead, do you have any suggestions for alternative provision?
- Do you have any other comments around the removal and change of amenities proposed for Arundel Court?

3.5 The answers to these questions are summarised in the below table, including the Council's response. Please note:

- This is a summary of the relevant comments submitted in relation to the terms of the Section 105 consultation.
- This is not a record of every comment received. Individual comments on the same topic have been noted as one entry in the table.

Parking stress and proposals for parking amenity improvements

Around two-thirds of residents who stated they used the parking bays submitted both concerns and suggestions for improving the proposals in relation to the provision of parking amenities in the area:

Concern

- All respondents who submitted comments on this topic stated or alluded to a current lack of parking provision on Arundel Court and Lansdowne Road more widely, and felt that this situation would be exacerbated by the proposed changes to the amenities (i.e. removal of the parking bays) in the area.

Suggestions for improving the proposals.

- Two respondents suggested the introduction of allocated parking bays per home as part of these proposals.
- All other respondents on this topic stated or indicated that the proposals should be reconsidered to reduce the loss of parking amenity.

The Council understands that the availability of parking spaces and traffic related issues are an important priority for residents, especially those with mobility challenges or caring responsibilities.

To address these concerns:

- Following feedback from residents, the Council has reviewed the proposals for this site and intends to reduce the maximum number of parking bays it will remove from 22 to 15, meaning that at least 18 parking bays will remain available for residents to use should the development proceed. Two of the spaces will be accessible parking bays for blue badge

holders.

- The Council has carried out further parking surveys to ensure the impact of parking and traffic in the local area was fully considered in terms of the reconfiguration of existing parking spaces and the number of parking bays available to homes in the area. The parking stress survey of the area confirmed that there is sufficient on-street parking to accommodate a new development. These surveys will be included and published in any future planning application.
- The Council did look into the suggestion about allocated parking bays for residents: however, Haringey Council does not allocate parking spaces specifically to tenants or residents as a matter of policy.

Impact on resident storage facilities

Nine of the eleven respondents on this topic raised concerns about the removal of the pram shed amenity, specifically that it would:

- Reduce the amount of storage space available to residents, including those living on the top floors of the blocks.
- Two leaseholder respondents stated that when they purchased their homes, the pram shed amenity was specified in their deeds as being a benefit of the home, and that any removal should result in financial compensation being owed.

The Council understands the need for residents to have access to appropriate storage space. To address these concerns:

- The Council will undertake a further assessment of the storage needs of residents following feedback from the Section 105 consultation and will consider retaining storage space where possible. The final proposals for the pram sheds will be outlined in a future planning application.
- As outlined in the Section 105 consultation proposals, the Council will be providing new bike storage facilities for existing residents to store their bikes rather than in the pram sheds. This will provide additional storage capacity for the area.

In addition:

- The Council does not believe that guaranteed storage was part of the deeds of sale. The Council will advise residents, should a planning application be granted, to contact the Council directly with these details so any compensation can be considered.
- An assessment by the Council does show that most of the pram sheds are not currently in use and many are in a dilapidated condition: this does suggest that the pram sheds are not used by a large number of residents in the area.

3.6 Across both online engagement events, six attendees joined the sessions.

4. Equality and Diversity

4.1 Under the public sector equality duty outlined in the Equality Act 2010, the council must have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Equality Act 2010.
- Advance equality of opportunity between people who share a relevant protected characteristic and people who do not.
- Foster good relations between people who share a relevant protected characteristic and people who do not.

4.2 The public sector equality duty applies to the following protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In relation to the protected characteristic of marriage and civil partnership, the Council only needs to comply with the first aim of the duty.

4.3 The report outlines proposals to build new homes and remove parking spaces and pram sheds at Arundel Court, Lansdowne Road. The Council has undertaken a consultation on these proposals with residents who may be affected. The results of the consultation and an assessment of the potential impact were assessed in an Equality Impact Assessment (EqIA) for this project.

4.4 There is potential for both positive and negative impacts of these proposals. Provision of new homes may be considered a positive for people who need a council home.

The provision of new homes will also benefit disabled tenants living in unsuitable homes and disabled tenants who are homeless.

The building of new council homes is likely to have a positive impact on LGBTQ+ residents who are disproportionately represented on the housing register.

4.5 There is potential for both positive and negative impacts of these proposals. Provision of new homes may be considered a positive for people who need a council home. The existing estate car parks are being reconfigured with 11 parking bays reinstated, and with the provision for two additional accessible parking bays which may be considered positive for disabled residents and their families. The removal of pram sheds may be considered a negative for parents and young families who use it to store their prams. Reconfiguration and enhancement of the communal and private green spaces, including play areas may be considered positive for residents to enjoy, exercise on or for children to play within the vicinity of their homes. As noted in the EqIA, the Council monitors feedback and consultation responses to assess the likelihood of these potential negative impacts and mitigates where reasonable and proportionate.

4.6 As noted in the EqIA, the Council monitors feedback and consultation responses to assess the likelihood of these potential negative impacts and mitigate where reasonable and proportionate.

5. Assessment

5.1 The responses received during the Section 105 consultation have been considered by the Council. Responses to comments from respondents have been answered in 3.5.

5.2 The removal of the pram sheds and the reconfiguration of the parking bays may negatively impact on some residents; however, the delivery of new council homes would be an overall benefit to the wider community as indicated in section 4. As a result, the Council will:

- Undertake a further assessment of the storage needs of residents following feedback from the Section 105 consultation.
- Following feedback from residents, the Council has reviewed the proposals for this site and intends to reduce the maximum number of parking bays it will remove from 22 to 15, meaning that at least 18 parking bays will remain available for residents to use should the development proceed.
- The Council will undertake a further assessment of the storage needs of residents following feedback from the Section 105 consultation and will be liaising with Housing Management to retain storage space where possible.
- The Council will be providing new bike storage facilities for existing residents to store their bikes rather than in the pram sheds, as outlined in the proposals detailed in the Section 105 consultation.
- Residents will be advised, should a planning application be granted, to seek independent legal advice to assess the deeds to their home purchase as raised by two respondents to this consultation. The Council does not believe that guaranteed storage was part of the deeds of sale.

6. Recommendations

6.1 Based on responses received from the consultation, the Council recommends that:

- The mitigations outlined in 3.5 and 5.3 in response to the feedback from residents regarding the loss of amenity spaces under these proposals are reasonable and fair.
- The Council's commitments outlined in 5.2 should be implemented.
- Proposals should proceed as outlined in 2.1.