

Housing Act 1985 Section 105 consultation report	Ashdowne Court, N17
Date	November 2021

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 February 2021, the Council launched a Section 105 consultation based on proposals for a new housing development on Ashdowne 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 15 pram sheds from Ashdowne Court.
 - Remove 18 parking bays off Spencer Road and reconfigure the parking bays off Tilson Road.
 - Reconfiguration of the green space to the rear of Ashdowne Court.
- 2.2 The Council is proposing to make the changes listed in 2.1 to provide four new homes to be let at council rents. The proposals also includes plans to relocate waste and recycling facilities at the site.
- 2.3 Given secure tenants will be losing amenities (2.1) a Housing Act 1985 Section 105 consultation was required.
- 2.4 The Council consulted 44 households. In addition to consulting with secure tenants as required by law, the above figure also includes resident and non-resident leaseholders. The Council consults leaseholders as part of Section 105 consultations as a matter of good practice.

2.5 The tenure of the households consulted is outlined below:

Scheme	Secure Tenants	Leaseholders
Ashdown Court	27	17

2.6 The consultation period lasted from 19 February 2021 until 21 March 2021. Information provided included:

- A consultation pack posted to consultees included an outline of the impact of the proposed developments on their affected amenities and a selection of site location plans, indicative plans and associated images. Also included with the pack was 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 property.
- The information and materials detailed above were placed on the Council’s website.
- Two online engagement sessions were held for consultees on:
 - Thursday 11 March 2021 at 1pm
 - Wednesday 17 March 2021 at 6pm
- Recordings of these meetings were available on the Council’s website immediately after the close of each event. These recordings are available until a decision is taken to proceed with construction or the scheme is withdrawn from the programme.

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
44	11	9	2

3.2 To understand use of the parking bays, pram sheds and green space consultees were asked:

- Do you use the pram sheds?

- If you answered yes, how often do you use it?
- Do you use the parking bays?
- If you answered yes, how often do you use it?
- Do you use the green space?
- If you answered yes, how often do you use it?

3.3 Responses from consultees are outlined below. Please note that some respondents left parts of the question sections blank.

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 the pram sheds	Answered they used it for “Friends/Family/Carers” when asked to describe their use of the pram sheds
11 (9/2)	5 (4/1)	5 (4/1)	1 (1/0)

(Secure tenants/leaseholders)

Number of overall responses to the consultation	Answered “yes” when asked if they used the parking bays	Answered “Daily” when asked to describe their use of the parking bays	Answered they used it for “Friends/Family/Carers” when asked to describe their use of the parking bays
11 (9/2)	7 (6/1)	3 (3/0)	4 (3/1)

(Secure tenants/leaseholders)

Number of overall responses to the consultation	Answered “yes” when asked if they used the green space	Answered “Daily” when asked to describe their use of the green space	Answered they used it for “Friends/Family/Carers” when asked to describe their use of the green space
11 (9/2)	7 (5/2)	1 (1/0)	6 (4/2)

(Secure tenants/leaseholders)

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

- What impact would the 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 the listed amenities proposed for Ashdowne 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.

Consultation comment	Consideration and response
<p>Parking issues in the surrounding area</p> <p>Concerns were raised about the removal of the parking bay amenity as part of these proposals, specifically that this would:</p> <ul style="list-style-type: none">• Exacerbate the current lack of parking provision in the local area, especially with the site being in close proximity to a football stadium.• Negatively impact on residents with mobility and health issues who depend on the parking bays for their own vehicle.• Impact on resident safety, particularly those who would feel safer parking in bays outside their homes, as opposed to walking from their cars parked on the surrounding roads.	<p>The Council understands that the availability of parking bays is an important issue for residents, especially those with mobility issues or caring responsibilities. To address these concerns:</p> <ul style="list-style-type: none">• Following feedback from residents, the Council has reviewed its proposals and intends to reduce the maximum number of parking bays it will remove from 18 to 15, meaning that 13 parking bays will remain available for residents to use should the development proceed. This is in part being achieved by a reduction in the number of homes planned for the site, with the Council now proposing 3 homes rather than 4 homes.• The Council will be carrying out further parking surveys to assess the traffic implications of its proposals and ensure appropriate mitigations, where possible.

<p>Impact on resident’s storage facilities from the removal of pram sheds</p> <p>Respondents raised concerns about the removal of the pram shed amenity as part of these proposals. Specifically, that this would:</p> <ul style="list-style-type: none"> • Leave no safe space for residents to store their belongings and bicycles which are currently housed by many residents in the pram sheds. • Limit their ability to procure replacement storage space as there is currently a long Homes for Haringey waiting list for pram sheds in the borough. 	<p>The Council understands the need for residents to have access to storage space. To address these concerns:</p> <ul style="list-style-type: none"> • The Council will undertake further assessments of the storage needs of residents following feedback from the Section 105 consultation and will be liaising with Homes for Haringey to retain storage space where possible. • As outlined in the proposals contained in the Section 105 consultation, bicycle storage facilities are included in designs and will be available for existing Ashdowne Court residents to use.
<p>Impact on green space</p> <p>Respondents raised concerns that the changes to the green space amenity would:</p> <ul style="list-style-type: none"> • Result in the loss of valuable green space used by the community. • The proposed reconfiguration appeared to result in a small amount of green space left for residents to use. • Queries were raised about whether the space will be private or accessed by the public. 	<p>Sustainability and the provision of green space for residents is an important consideration for the Council on all its home building projects. Following feedback from residents during the Section 105 consultation, the Council will ensure that:</p> <ul style="list-style-type: none"> • Additional landscaping proposals are considered, as this project is developed, including the provision of additional tree planting and green surfacing. As outlined in the Section 105 consultation, the Council will ensure that the current green space is improved, not removed, and that these improvements will be for the benefit of all residents around Ashdowne Court. • The proposed new green space is intended for use by all Ashdowne Court residents. There are no proposals for privately accessed green space on this scheme.

3.6 Additional comments were received regarding the potential impact of the development which are outside the remit of this consultation. These included:

- Queries around the impact on residents of the new location and size of the refuse and recycling facilities.
- Request for adequate lighting and footpaths in the area.
- Concerns of disruption and loss of connection with television satellites and aerials, as they are positioned on the side of the existing homes on Ashdown Court.

These comments will be considered as proposals for this site are further developed. The Council has undertaken a community engagement exercise with residents in the autumn of 2021 in which these issues were explored in more depth.

3.7 Across both online engagement events, no 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 15 pram sheds, 18 parking bays and reconfigure the green space. 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 removal of parking bays and pram sheds may be considered a negative for disabled residents, older residents, and residents with young children who are more reliant on parking bays near their homes, who require additional storage or use the green space for play and exercise. The Council is planning to reconfigure the green space at Ashdowne Court. 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.

5. Assessment

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

5.2 It is acknowledged that the removal of the parking bays and pram sheds could have an impact on residents. Residents also raised questions about the proposed changes to the use of the green space, although the Council's proposals are to improve rather than remove this current space. As a result, the Council will:

- Reduce the maximum number of parking bays will removed under these proposals from 18 to 15 (13 parking bays overall will remain available to residents).
- Conduct further parking surveys on the impact of the proposals on parking provision in the area.
- Provide new bicycle storage facilities for residents, as outlined in the proposals detailed in the Section 105 consultation.
- Work with Homes for Haringey to examine the storage needs of residents at Ashdown Court.
- Ensure green spaces are improved at the site, with provision of new landscaping and enhanced green space for all residents at Ashdowne Court.

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 changes to the amenity spaces under these proposals are reasonable and fair.
- Proposals should proceed as outlined in 2.1.