

1. Policy statement

- 1.1 The council recognises that tenants want to enjoy the benefits of digital satellite television. However, the council may refuse permission to install a satellite dish in certain circumstances. For example, due to health and safety reasons, or where installation would cause damage to the fabric and structure of a building. In addition, planning authorities set out restrictions on the installation of dishes.
- 1.2 In addition to obtaining the council's permission to install a satellite dish, the tenant must also obtain the relevant planning permission to install a dish. The planning guidance covers the positioning of satellite dishes and the size of dishes permitted etc.
- 1.3 The policy will be implemented from 2 June 2014.

2. Scope and definitions

- 2.1 This policy applies to the installation of external satellite dishes designed to receive television and radio broadcasts.

3. Aims

- 3.1 The aim of the policy is to outline:
 - the circumstances in which the council will grant permission to tenants to install a satellite dish
 - planning permission requirements
 - the conditions on which the council will grant permission
 - equality and human rights issues, and
 - removal of satellite dishes

4. Permission from the council

- 4.1 Council tenants must seek permission in writing from their local Neighbourhood Housing Office prior to installing a satellite dish, as set out in the Tenancy Agreement.

Section 2.42 Tenancy Agreement states:

You must not make improvements, additions or structural alterations to the property without getting the Council's written permission first. See section 3.3 for details of a tenant's right to make improvements. We will not refuse permission unless there is a good reason.

You must not make any installations which may be unsafe or dangerous to anyone. This might include deep ponds or earth removal.

If you make an improvement, additions or structural alteration to the property without getting our written permission first we can tell you to return the property to how it was before or to do works to a satisfactory standard or to do works to make the property safe. If you do not, the Council will do the work and charge you for it.

You must not make any improvements, additions or structural alterations to communal areas (such as stairs, lifts, landings, walkways, entrance halls, drying areas, bin stores, paved areas, shared gardens or parking areas).

- 4.2 Each application will be considered on its own merits, but the council will not normally give permission to install a satellite dish in high rise blocks. This is because of the danger of the dish or mounting becoming loose and damage being caused to the structure of the building by the installation. In addition, there are alternatives in multi storey flats which have digital satellite reception via a communal aerial system. [Please see Appendix 1 for a sample detail request letter and Appendix 2 for sample permission letter].

5. Planning Permission

- 5.1 Where permission is granted in principle by the council, the installation must also be completed in accordance with Planning Permission - refer to Planning Portal for further detail:
<http://www.planningportal.gov.uk/permission/commonprojects/antenna/>.
Note that 'antenna' refers to satellite dishes.
- 5.2 In summary, permitted development regulations state (current as of April 2014): * check the Planning Portal webpage for updates *
- 5.3 Planning permission is not required **on houses and buildings up to 15m high**, provided:

- there will be no more than two antennas on the property overall. (These may be on the front or back of the building, on the roof, attached to the chimney, or in the garden);
- if you are installing a single antenna, it is not more than 100 centimetres in any linear dimension (not including any projecting feed element, reinforcing rim, mounting and brackets);
- if you are installing two antennas, one is not more than 100 centimetres in any linear dimension, and the other is not more than 60 centimetres in any linear dimension (not including any projecting feed element, reinforcing rim, mounting and brackets);
- the cubic capacity of each individual antenna is not more than 35 litres;
- an antenna fitted onto a chimney stack is not more than 60 centimetres in any linear dimension; and
- an antenna mounted on the roof only sticks out above the roof when there is a chimney-stack. In this case, the antenna should not stick out more than 60 centimetres above the highest part of the roof, or above the highest part of the chimney stack, whichever is lower.

- 5.4 For buildings **15 metres high or more** planning permission is not required to install a dish or other antenna on your property, provided:
- there will be no more than four antennas on the building overall;
 - the size of any antenna is not more than 130 centimetres in any linear dimension (not including any projecting feed element, reinforcing rim, mounting and brackets);
 - the cubic capacity of each individual antenna is not more than 35 litres;
 - an antenna fitted onto a chimney stack is not more than 60 centimetres in any linear dimension; and
 - an antenna mounted on the roof does not stick out above the roof more than 300 centimetres above the highest part of the roof.
- 5.5 The council will request details of the proposed fixing arrangements, for example, the satellite dish must not be fixed to any chimney stacks, roof coverings, barge boards and eaves, i.e. fascias, soffits and rainwater goods.
- 5.6 Some property types have specific installation requirements. For example, properties built of non-traditional construction and/or with a cladding finish fixed to the external walls. Examples include Cornish Units, Reemas, Woolaways, Sweedale Timber Frame, BISFs and Laings Easiforms. The cladding finishes can comprise of traditional vertical tiling, timber or UPVC boarding, coloroc tiling and stenni panels. Due to the special nature of these constructions, tenants will be asked to supply details of the proposed fixing arrangements with your application.
- 5.7 In all cases, the dish must be erected by a competent contractor and securely fixed. Should any damage to the structure result from the initial fixing or appear subsequently, the tenant will be liable for making good. Failure to carry out the necessary remedial works will result in the Council undertaking the work for and recharging the tenant for the cost.

6. Tenant's obligations where permission is granted

Applicants should ensure that they have adequate Public Liability cover for any damage caused to persons and property by the installation. This may be included in the tenant's household contents policy but if this is not the case, the tenant should have a separate policy giving Public Liability cover.

7. Equality and Human rights issues

- 7.1 In making a decision to grant permission, the council will consider the reasons for the request which relate to Articles 9 and 10 of the European Convention on Human Rights, for example, a disabled tenant may only be able to engage in his or her particular religious community if they can receive transmissions of specific religious services held overseas which are exclusively available by satellite.
- 7.2 However, simply wanting to have access to more channels for entertainment is unlikely to be a breach of a tenant's human rights in itself.
- 7.3 Consideration will be given to alternative ways of accessing television stations, for example, accessing via the internet or through digital channels.
- 7.4 Permission will also be refused if installation would breach planning law or if installing a dish is dangerous. This would outweigh the human rights issue.

8. Removal of dishes - Revoking permission

- 8.1 The council may revoke permission where it is necessary to remove a satellite dish temporarily, in order to allow the Council to carry out works including repairs, improvements or decorations, the tenant will be responsible for the costs associated with the removal and refixing of the dish.
- 8.2 The council may revoke permission if the satellite dish causes interference to other residents' televisions, radios, etc and this fault cannot be corrected. In this case the Council reserves the right to insist that the equipment is dismantled. Satellite dishes should not be erected on the front elevation of a property unless it is technically necessary to do so.
- 8.3 The council may also revoke permission in other circumstances where this is reasonable, for example, if there is a change in planning legislation or guidance, or if the dish becomes unsafe.

9. Removal of dishes - when the tenancy ends

- 9.1 When a tenant leaves the property, they are responsible for arranging and paying for the safe removal of the dish.
- 9.2 If a satellite dish is left in situ after a tenant leaves the property, the dish will be removed by the council as part of the void process. The outgoing tenant will be recharged for the costs of removing the dish and making good the external structure.

10. Satellite dishes installed without permission

- 10.1 Legal action will be taken against tenants who have installed dishes without permission from the council, or where the dish or fixings become unsafe. In an emergency where health and safety considerations mean urgent action is required, the council will remove the dish.
- 10.2 Where a dish has been installed in **low rise flats and houses**, the council will follow the process to deal with improvements carried out without permission.
- 10.3 For dishes installed in **high rise and multi storey flats**, the council will contact tenants and leaseholders and advise they are in breach of their tenancy or leasehold agreement for not requesting permission. The tenant / leaseholder must be advised that permission would not be granted and that the council will normally make arrangements to remove the satellite dish. The council would not generally expect the tenant to remove the dish themselves due to health and safety risks. The council reserves the right to charge the tenant for the cost of removing the dish. It may also be appropriate to notify Leeds City Council's Planning Department of any breach of planning regulations.

11. Audits

- 11.1 Appendix 4 is a checklist to confirm whether the current tenant installed the satellite dish themselves, and where appropriate, what arrangements will be made to remove it.

Appendices

- Appendix 1: Sample request letter
- Appendix 2: Sample permission letter
- Appendix 3: Flowchart
- Appendix 4: Audit form