

## EQUALITY ANALYSIS QUALITY ASSURANCE CHECKLIST

<p><b>Name of 'proposal' and how has it been implemented</b> (proposal can be a policy, service, function, strategy, project, procedure, restructure/savings proposal)</p>	<p>1. <b>Affordable Self-Build Policy on Council Owned land 2019 – 2022</b></p> <p>2. <b>Self-Build Guidance 2019 - 2022</b></p>
<p><b>Directorate / Service</b></p>	<p><b>Place Directorate</b></p>
<p><b>Lead Officer</b></p>	<p><b>Tracey St Hill</b></p>
<p><b>Signed Off By</b> <b>9<sup>th</sup> December 2019</b></p>	<p><b>Karen Swift, Divisional Director Strategy, Regeneration and Sustainability</b></p>
<p><b>Summary – to be completed at the end of completing the QA (using Appendix A)</b> (Please provide a summary of the findings of the Quality Assurance checklist. What has happened as a result of the QA? For example, based on the QA a Full EA will be undertaken or, based on the QA a Full EA will not be undertaken as due regard to the nine protected groups is embedded in the proposal and the proposal has low relevance to equalities)</p>	<div style="text-align: center;">  <p><b>Proceed with implementation</b></p> </div> <p>Based on the findings of the QA checklist, a full EA will not be undertaken as due regard to the nine protected groups is embedded in the proposed policy and the policy has low relevance to equalities. The criterion for eligibility to join the Self-Build register has been carefully considered to ensure that no protected group is adversely impacted.</p> <p>The criterion set for eligibility was originally set out in the <i>Self-build and Custom Housebuilding Act</i> (2015); in terms of minimum age requirement, nationality and the requirement that applicants build a home for their own occupation.</p> <p>The local connection requirement arises from the <i>Self-build and Custom Housebuilding Regulations</i> (2016) (Regulation 5) which permits local authorities to introduce a local connection. The Council has adopted a local connection clause for who have lived and worked in the Borough for the last three years (and continue to do so). In doing so, this will ensure that the policy meets the housing needs of local residents and the local workforce; having a positive impact on those who have a local</p>

	<p>connection to the Borough regardless of any protected group which they identify with.</p> <p>The upper income cap limit of £90,000 per household mirrors that set by the Mayor of London/GLA's Shared Ownership Scheme which, like the self/custom build initiative is also an intermediate affordable product. This demonstrates that consideration has been given to create parity between the Council's policy and that of the Mayor of London/GLA and broadens the Council's range of affordable housing products available to residents.</p>
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Stage	Checklist Area / Question	Yes / No / Unsure	Comment (If the answer is no/unsure, please ask the question to the SPP Service Manager or nominated equality lead to clarify)
1	Overview of Proposal		
a	Are the outcomes of the proposals clear?	Yes	<p>The Council is required by law to keep a register of people who are looking for land in the Borough to build houses or flats and live in them as their main home. These duties are set out in two Acts of Parliament, the <i>Housing and Planning Act (2016)</i> and the <i>Self-build and Custom Housebuilding Act (2015)</i>.</p> <p>In addition, the <i>Self-build and Custom Housebuilding Regulations (2016)</i> set out how the register should be administered. This includes the eligibility requirements for joining the register (Regulation 4).</p> <p>The register is in 2 parts:</p> <p><b>Part 1</b> is for individuals and associations <u>who have a local connection to Tower Hamlets and can demonstrate access to sufficient resource to purchase the land required to build homes.</u></p> <p><b>Part 2</b> is for anyone else who meets the age and nationality</p>

requirements set out below, **but either does not have a local connection to Tower Hamlets or cannot demonstrate access to sufficient resource to purchase the land required to build homes.**

**To be registered on Part 1 of the register, individuals and associations must meet the following eligibility criteria:**

- Be over 18 years old.
- Be a British citizen, a national of an EEA state or Switzerland.
- Be seeking to build a home as a sole or main residence.

In addition, the Council has set a 'local connection'(as per Regulation 5 of the *Self-build and Custom Housebuilding Regulations 2016*) which must also be met:

- Have a local connection by living and/or working in the borough for a continuous period of at least 3 years and be living/working in the borough when you apply to go on the register\*.

(\***Note:** *a member of the armed services may be exempt from this requirement*).

**AND**

- Be able to demonstrate access to sufficient resource to purchase the land required to build a self-build home/s. If registering as part of an association, ALL members of the association must meet these criteria to join part 1 of the register.

Where the local eligibility conditions are not met, but the other criterion is, (age, nationality, sole or main residence),

individuals and associations will join part 2 of the register. However, entries to part 2 of the register do not contribute towards demand (i.e. the number of serviced plots that the Council is required to grant development permission for).

The Council is seeking the delivery of affordable housing in perpetuity on all Council owned sites provided for self-build. To achieve this, the Council will apply the following measures:

1. An upper income cap of £90,000 per household for accepting any bids under this policy.
2. A weighting system in the bid scoring methodology that prioritises applications containing allocation policies for residents whose income is closer to the average household income in the borough. Or proposals from community based organisations or individuals whose income is closer to the average household income in the borough.
3. A requirement that all Council owned land sold for self-build will follow one of the following two routes:
  - **Community Led Self-Build** – The Council will grant a long lease to a community led organisation on individual or multi-unit sites.
  - **Individual Self Build** – The Council will grant a long lease to individuals on single unit sites.

The Council will prioritise self-build proposals that include the provision of affordable rented homes over affordable ownership schemes. This preference will be reflected in the bid scoring methodology.

The Council will also prioritise proposals that optimise the density of housing on Council land, in line with planning

			<p>policy.</p> <p>The Mayor has committed to support up to 50 self-build homes over the period 2018-22. To facilitate this, officers have produced self-build policy and a guidance document.</p> <p>Not implementing a self-build policy may result in failure to deliver on the Mayoral commitment on self-build housing and disaffect the self-build community in the borough. Potentially, there could also be a breach of statutory duty in relation to the provisions of the <i>Housing and Planning Act</i> (2016) and the <i>Self-build and Custom Housebuilding Act</i> (2015).</p> <p>The policy document sets out the Council's formal position on key aspects of the self-build delivery process and the guidance document is there to assist the Borough's self-builders navigate the self-build system; particularly the self-build register.</p>
b	Is it clear who will be or is likely to be affected by what is being proposed (inc service users and staff)? Is there information about the equality profile of those affected?	<b>Yes</b>	The policy will benefit all residents and those working in the Borough, <b>regardless of any protected characteristic they may identify with</b> , who have had a local connection by living and/or working in the Borough for a continuous period of at least 3 years and who continue to live/work in the Borough. It extends the Council's Intermediate Housing product offer to residents and increases housing options for households whose income is below £90,000 pa.
<b>2</b>	<b>Monitoring / Collecting Evidence / Data and Consultation</b>		
a	Is there reliable qualitative and quantitative data to support claims made about impacts?	<b>Yes</b>	<ul style="list-style-type: none"> <li>➤ Data collected from the Council's Self-Build Register</li> <li>➤ Feedback from the Self-Build Forum sessions</li> <li>➤ Feedback from the public open meeting</li> <li>➤ Information obtained on line as part of the consultation process.</li> <li>➤ Feedback from staff</li> <li>➤</li> </ul>

	<p>Is there sufficient evidence of local/regional/national research that can inform the analysis?</p>		<p>Existing research into community led housing has found that providing a vehicle for community led groups or individuals to develop their own homes empowers communities to thrive and supports the development of sustainable communities.</p> <p>By promoting the development of affordable self-build housing in perpetuity ensures homes are being made available for people who would otherwise struggle financially to buy a home on the open market and would not necessarily have access to social housing. This then forces them into the private rented sector where they are likely to be less secure.</p> <p>The self-build programme provides secure of tenure in a housing environment where high rental costs and short term tenancies create instability for many families on median incomes in the borough and key workers who are have to seek housing outside the borough where many of them may have grown up.</p>
<p>b</p>	<p>Has a reasonable attempt been made to ensure relevant knowledge and expertise (people, teams and partners) have been involved in the analysis?</p>	<p><b>Yes</b></p>	<p>Since May 2017, the Council has been facilitating a Self-Build Forum which has been held at the Town Hall with Cabinet members attending. The forum has been the principle way in which the Council has communicated with aspiring self-builders in the Borough.</p> <p>All applicants on the register are invited to attend the Self-Build forum and on average 25 people have been attending these meetings. Through the forum, the Council continues to offer support and advice to those on the register, including facilitating workshops and meetings with other stakeholders interested in self-build.</p> <p>The Council has also been working closely with the GLA who have provided a resource from 'Community Led Housing London'. This organisation supports community led groups to navigate the development process and provide access to funding to facilitate getting schemes off the ground.</p>

C	<p>Is there clear evidence of consultation with stakeholders and users from groups affected by the proposal?</p>	<p><b>Yes</b></p>	<p>The council has been servicing a self-build forum that meets approximately 6 monthly for people interested in self-build. In the lead up to the Policy and Guidance document being drafted, comments arising from those meetings have helped inform the Policy.</p> <p>Details of the policy and guidance have been presented to the Self-build forum. In addition, a public open day was held on Saturday 9th November at the Idea Store in Whitechapel, where anyone interested in self-build could speak to council officers and learn more about how the Affordable Self-Build Programme will work.</p> <p>The information has also been presented to other social housing providers via the Tower Hamlets Housing Forum.</p> <p>A web page has been developed dedicated to self-build where prospective self-builders and other interested stakeholders are invited to comment on the proposals.</p> <p>Formal Consultation with Stakeholders with regard to the Council's policy and guidance commenced in October 2019 and ran until Saturday 30<sup>th</sup> November 2019. A total of 27 responses were received.</p> <p>In addition, a brochure was produced in October 2019 and delivered to residents, businesses, Housing Associations and other organisations within the vicinity of the identified sites that outlined the main elements of the policy and guidance, an indicative process and time timetable for delivery, and the first sites to be advertised. Audiences were provided with information on where to view policy details and invited to</p>

			<p>comment on line via the council website by 30<sup>th</sup> November.</p> <p>The Brochure outlined above invited interested stakeholders to attend an event at the Whitechapel Ideas Store on the 9<sup>th</sup> November 2019 which was facilitated by council officers and a representative from Community Led Housing London. Approximately 100 visitors attended, with a good mix of residents from across the Borough.</p> <p>The Communications Team circulated details of the consultation process via the twitter platform. Although comments arising from this medium are not captured by the Communications Team, prospective respondents were advised to complete the on-line survey to relay specific comments. We are also aware from officer feedback at the consultation events that some visitors attended as a direct result of being have informed through twitter feeds.</p>
<b>3</b>	<b>Assessing Impact and Analysis</b>		
<b>a</b>	Are there clear links between the sources of evidence (information, data etc) and the interpretation of impact amongst the nine protected characteristics?		<p>27 responses were received to the online survey. In terms of the current tenure of their home, the highest group of respondents (29.63%) lived in private rented accommodation. The second highest group, 25.93%, classified themselves as living in "other" forms of accommodation that fell outside of renting or owning outright or shared ownership categories.</p> <p>This supports the assertion that the self-build programme can provide a means by which people living in less secure forms of housing, many of which fall into the groups of the 9 protected characteristics, can potentially have access to a more affordable and secure home.</p>
<b>b</b>	Is there a clear understanding of the way in which proposals applied in the same way can have unequal impact on different groups?		<p>There is no disproportionate or negative impact on any protected group as a result of this policy and guidance. The criterion for eligibility is provided in Government legislation and the Council have included a 'local connection' criterion as it is permitted to. The policy and guidance does not favour</p>

			<p>one protected group over another and is intended to focus on the housing needs of all local residents and local workforce with an established connection to the Borough.</p> <p>The upper income cap provided in the policy mirrors that of the GLA/Mayor of London's Shared Ownership Scheme which provides a further affordable housing option for local residents and the local workforce.</p>
<b>4</b>	<b>Mitigation and Improvement Action Plan</b>		
a	Is there an agreed action plan?	Yes	<p>The Council is planning to release the council owned sites for affordable self-build housing during 2020.</p> <p>Four sites across the Borough have been identified and initial due diligence undertaken on the sites to assess their suitability for housing. Neighbouring residents were notified of the Council's interest in developing this land for housing in March and July 2019.</p> <p>Following the conclusion of the consultation period, a report will be submitted to Cabinet for approval of the policy and the sites earmarked for disposal in the latter part of 2019/20.</p> <p>The programme will be officially launched in the first quarter of 2020/21 when the bidding for the first round of sites will commence. Due diligence information will be made available to prospective self-builders once the sites are open for bidding. The program will run and be monitored throughout 2020 into 2020/2021.</p>
b	Have alternative options been explored	Yes	<p>Not implementing a self-build policy may result in failure to deliver on the Mayoral commitment on self-build housing and disaffect the self-build community in the Borough.</p> <p>Potentially, there could also be a breach of statutory duty in relation to the provisions of the Housing and Planning Act 2016 and the Self-build and Custom Housebuilding Act 2015.</p>

<b>5</b>	<b>Quality Assurance and Monitoring</b>		
a	Are there arrangements in place to review or audit the implementation of the proposal?	Yes	Equality monitoring will be included as part of the registration process to provide insight into which protected groups are using the registration service. This requirement to provide this information is optional on the part of the applicant
b	Is it clear how the progress will be monitored to track impact across the protected characteristics??	Yes	Equality monitoring data will be reviewed on a regular basis to ascertain who is accessing the registration scheme and which schemes are eventually delivered.
<b>6</b>	<b>Reporting Outcomes and Action Plan</b>		
a	Does the executive summary contain sufficient information on the key findings arising from the assessment?	Yes	

**Appendix A**  
**Equality Assessment Criteria**

<b>Decision</b>	<b>Action</b>	<b>Risk</b>
As a result of performing the QA checklist, the policy, project or function does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.	<b>Proceed with implementation</b>	<b>Green:</b> 