



**APPENDIX 3**

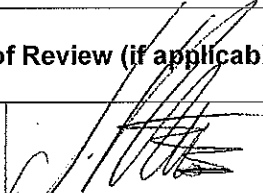
**Equality Analysis**

**Redevelopment of Elmington Estate Phase Three (known as sites C, D, E and G)**

**September 2014**

**Section 1: Equality analysis details**

<b>Proposed policy/decision/business plan to which this equality analysis relates</b>	To re-approve the making of an application to the Secretary of State for a Compulsory Purchase Order (CPO) to acquire the remaining properties within the Elmington Phase 3 (known as sites C, D, E and G).
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<b>Department</b>	Chief Executive's	<b>Division</b>	Regeneration		
<b>Period Analysis Undertaken</b>	May to July 2014				
<b>Date of Review (if applicable)</b>	May to July 2014				
<b>Sign-off</b>		<b>Position</b>	Director of Regeneration	<b>Date</b>	2nd September 2014

## Section 2: Brief description of policy/decision/business plan

### 1.1 Brief description of policy/decision/business plan

In October 2009, the council's Cabinet agreed in principle, in continuation of the regeneration of Elmington Estate, that a mixed option of redevelopment and refurbishment be pursued on 14 residential blocks that had been identified as having a high investment need. Cabinet agreed those 9 blocks on sites known as D, E and G are redeveloped and that remaining blocks be refurbished as part of Housing Investment Programme. Cabinet also requested that officers carry out detailed consultation with residents on the implications of the mixed option and prepare a detailed implementation programme for the sites to be redeveloped. Then in March 2011, Cabinet agreed an indicative regeneration programme set out by officers, which projected vacant possession of these 3 sites by Spring 2015 although this date is under review and likely to be revised in view of legal and procedural matters addressed in Appendix 4.

There are a total of 144 flats in the blocks to be demolished of which 113 were tenanted and 31 were owned by leaseholders. The council has successfully re-housed all bar 4 of the secure tenants to alternative accommodation and it expects to re-house the remaining 4 shortly. The council has acquired 12 leasehold interests to date by agreement but on the basis of compensation pursuant to compulsory purchase legislation; however, in the event that acquisition by agreement does not successfully buy out all the remaining leasehold interests, then the council will need to compulsorily acquire those interests in order to achieve its redevelopment strategy.

To date the council has successfully re-housed 109 of the 113 tenants without resorting to use of possession orders and hopes to help the remaining 4 tenants move of their own volition. There are also approximately 90 non-secure tenants temporarily occupying void units who will be served a Notice to Quit and offered either a move to permanent accommodation or to another temporary facility. Any risk of non-secure and secure tenants refusing to leave can be fully mitigated by the use of compulsory purchase order(s).

On the 23 October 2012, Cabinet approved the making of an application to the Secretary of State for a compulsory purchase order (CPO) to purchase the remaining leasehold properties within the Elmington Estate Phase 3 (known as sites C, D, E and G).

Since 23 October 2012, the council has continued to engage with leaseholders to acquire the remaining leasehold interests by agreement. 12 flats have already been successfully acquired with 19 remaining.

In March 2014, the council exchanged conditional contracts with Family Mosaic and Bellway Homes ("the development partner") for the disposal of sites C, D, E and G. Under the terms of the contract (which is conditional on the Development Partner obtaining planning permission for its redevelopment scheme and on the council obtaining vacant possession of the sites) the Development Partner must submit a planning application for its redevelopment scheme by September 2014. The contract also requires the council to use its reasonable endeavours to achieve vacant possession, including using compulsory purchase orders should it be necessary.

The need to use CPO's and the resulting implications formed the basis of Cabinet's resolution in October 2012 in which an application to the Secretary of State to acquire all remaining leasehold and other property interests was agreed. Given the time that has lapsed since October 2012, it is necessary to up-date Cabinet on progress on the residential buy back programme and provide Analysis as to how residents might be affected by the CPO and mitigation actions to be taken.

### Section 3: Overview of service users and key stakeholders consulted

<b>2. Service users and stakeholders</b>	
<b>Key users of the department or service</b>	<p>The key users that will be impacted by this decision are as follows:</p> <ol style="list-style-type: none"> <li>1. 19 remaining leaseholders of which 9 are resident leaseholders</li> <li>2. 4 remaining tenants</li> <li>3. 10 sub-tenants of the non-resident leaseholders</li> <li>4. 92 non secure tenants in temporary accommodation.</li> </ol> <p>Note: leaseholders and tenants are referred to as residents and non-secure tenants means temporary accommodation in this Analysis.</p>
<b>Key stakeholders were/are involved in this policy/decision/business plan</b>	<p>The key community stakeholders have been consulted about the decision to make a four or fewer CPO's are as follows:</p> <ol style="list-style-type: none"> <li>1. At the start of the scheme, residents of the effected blocks were informed about the intention to make a CPO in their re-housing information packs and were consulted about the initial Cabinet decision via the Residents Steering Group.</li> <li>2. The remaining residents and the resident associations (Mid-Elmington and Poets Corner) have been informed of the council's intention to seek another resolution and how they can engage with the process in the June 2014 regeneration newsletter.</li> </ol> <p>The key internal stakeholders involved in the Analysis and decision to make a CPO are as follows:</p> <ol style="list-style-type: none"> <li>1. Regeneration</li> <li>2. Specialist Housing Services</li> <li>3. Legal Services</li> <li>4. Property</li> <li>5. Corporate Strategy</li> </ol>

## Section 4: Pre-implementation equality analysis

This section considers the potential impacts (positive and negative) on groups with 'protected characteristics', the equality information on which this analysis is based and any mitigating actions to be taken.

**Age** - Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).

### Potential impacts (positive and negative) of proposed policy/decision/business plan

1. Majority of respondents are of working age; if they move outside of London, it may have an impact on their ability to find work.
2. For people aged 55+ moving or leaving their established community may have a negative impact on general well-being.
3. The impact of residents having to leave their current homes on the estate is likely to be greater for elderly residents as they may find packing, moving, and unpacking more difficult.
4. For older residents whose children have left home and who are now occupying a large unit which is over-occupied, the result could be that they are offered a smaller property as they no longer need to have a larger one.
5. Retired leaseholders who are mortgage free may not be able to raise another mortgage to buy a new home.
6. Primary school aged children who move outside the catchment of the local school (which is rated as outstanding by Ofsted) may be disadvantaged.
7. On a positive side people ages 18 – 54 have greater flexibility in housing options outside of L.B. of Southwark. Access to social housing may be limited through local residence criteria to access the Housing Register.
8. Furthermore, the provision of new homes would provide for better access (as regards common areas, lifts, and level access) which would benefit older residents with age related mobility impairments and also parents with young children.

### Equality information on which above analysis is based

A survey of remaining residents found that 98% of respondents had other family members in their households between 18 and 54 years of age while 14% had household members over 55 years of age.

### Mitigating actions to be taken

1. Through choice based lettings policy, tenants would have a certain degree of choice about where they can move to. Tenants have also been given the option to return.
2. Tenants and resident leaseholders (4% and 9% of respondents, respectively) are liable for re-housing support from Housing Management Services and Housing Specialist Services.
3. The council has adopted re-housing policies for homeowners affected by the redevelopment scheme which will include assistance to older persons with the physical demands of moving home through a dedicated re-housing officer who will be able to allocate additional support and services to this group.
4. Non-secure tenants (82% of respondents) will be offered suitable alternative housing by the Temporary Accommodation Team.
5. Sub-tenants (2% of respondents) made homeless as a result of a CPO are able to obtain alternative accommodation via Southwark if they qualify for housing assistance.

**Disability** - A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

**Possible impacts (positive and negative) of proposed policy/decision/business plan**

1. Move would impact on residents who have mobility problems and have had their current home adapted to meet their disability. Their new home would need to be adapted for their use as well.
2. The impact previously identified of residents having to move home is greater for disabled residents as they will need assistance with packing, moving, and unpacking. The council will address this negative impact by allocating additional support to disabled persons to assist them in moving home.
3. Residents affected by a disability may need to re-establish, new medical support networks if the move disrupts their current support networks, such as hospital or doctor's surgery.
4. On a positive note residents affected by a disability could gain a home more suitable which complies with the requirements of the Equalities Act 2010 and built to Life Time Home Standards and/or adapted for wheelchair use.

**Equality information on which above analysis is based**

14% of survey respondents had household members with some form of disability or access need. Physical disability and lack of mobility accounted for 14% of the types of disability reported. A long term resident has been identified as being reliant on medical support networks closeby and there will be a need to adapt their new home and maintain these networks.

**Mitigating actions to be taken**

1. Choice based lettings will enable tenants' choice in finding a suitable property.
2. Leaseholders who qualify for re-housing assistance will be registered for the choice based lettings system. The council offers re-housing assistance through ownership or reversion to tenancy. Leaseholders who do not qualify for council assistance can choose their next home, in line with their housing needs, within the budget they have secured following buyout.
3. The council will work closely with elderly residents with a disability – in particular a long term resident with local medical needs - to ensure that it assists these groups to move to an area and property where access to existing, specialist medical services, and other support networks can be maintained. A dedicated re-housing officer will be able to allocate additional support and services to this group if necessary.
4. Tenants or leaseholders who can afford to purchase a shared ownership unit will be prioritised for the new builds within the estate footprint which will all be built to Lifetime Home Standards and will include 10% wheelchairs.
5. Non-secure tenants will be offered suitable alternative housing by the Temporary Accommodation team.
6. Sub-tenants made homeless as a result of a CPO are able to obtain alternative, accommodation via Southwark if they qualify for housing assistance.

**Gender reassignment** - The process of transitioning from one gender to another.

**Possible impacts (positive and negative) of proposed policy/decision/business plan**

Re-housing residents that have re-assigned their gender could expose them to harassment in their new community.

**Equality information on which above analysis is based.**

None of the respondents reported having a member of their household with a reassigned gender but should this group exist in future on the estate, the mitigating actions will be taken below.

**Mitigating actions to be taken**

1. Both Southwark Housing Management and Housing Associations have policies and officers in specialist teams to deal with anti-social behaviour such as the Southwark Anti-Social Behaviour Unit.
2. Choice based letting system, priority over new build and re-let units within the Elmington footprint will give residents a choice of where they can move to.
3. Non-secure tenants will be offered suitable alternative housing by the Temporary Accommodation team.
4. Eligible sub-tenants who wish to remain in the area can register on the council's housing waiting list.

**Marriage and civil partnership** - Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters. **(Only to be considered in respect to the need to eliminate discrimination.**

**Possible impacts (positive and negative) of proposed policy/decision/business plan**

Just over one third of total respondents are married. However, a CPO together with the re-housing policy will not discriminate against residents who are either single, married or in a civil partnership.

**Equality information on which above analysis is based**

The survey found that 37% of the respondents were married while 53% confirmed they were single.

**Mitigating actions to be taken**

None proposed.

**Pregnancy and maternity** - Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

<b>Possible impacts (positive and negative) of proposed policy/decision/business plan</b>
<ol style="list-style-type: none"> <li>1. The lettings policy does not take into account unborn children in determining housing need. However, babies under 26 weeks old would be considered when determining housing need.</li> <li>2. Leaseholders who are on maternity leave may have difficulty qualifying for a mortgage.</li> <li>3. Re-housed households with new babies may not have the same access to nursery places, childminders or family/support networks.</li> <li>4. The impact of residents having to leave their current homes on the estates is likely to be greater for pregnant women and women on maternity leave. The council will mitigate this by providing assistance with the physical requirements of a move.</li> </ol>
<b>Equality information on which above analysis is based</b>
42% of respondents have been pregnant or been on maternity leave in the past 2 years but this percentage is entirely from the sector of non-secure tenants. Accordingly, none of the tenants or leaseholders who have responded are in this sample of the survey.
<b>Mitigating actions to be taken</b>
<ol style="list-style-type: none"> <li>1. Choice based letting will enable secure tenants with young children to focus their search to areas with adequate, alternative nursery provision or close to support networks.</li> <li>2. Furthermore, new homes will have the opportunity for better access by way of common areas, lifts and access routes which will positively impact on pregnant woman and women on maternity leave.</li> <li>3. The impact previously identified of residents having to move home is greater for pregnant residents or residents with babies under 26 weeks old as they may need assistance with packing, moving, and unpacking. The council will address this negative impact by allocating additional support to pregnant women or women on maternity leave to assist them in moving home if necessary through a dedicated re-housing officer.</li> </ol>

<b>Race</b> - Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.
<b>Possible impacts (positive and negative) of proposed policy/decision/business plan</b>
Roughly, two-thirds of respondents were identified as Black. However, the CPO and re-housing policy (i.e. choice based letting, option to return and the leaseholder assistance package) will not disadvantage or discriminate against any race or ethnic group as both are applied fairly and equally to all groups throughout negotiations.
<b>Equality information on which above analysis is based</b>
63% of respondents were Black and 28% were confirmed as White overall. However, amongst the secure tenants and resident leaseholders, more than 50% were confirmed as White.



**Mitigating actions to be taken**

1. The council will work closely with residents of different nationalities or ethnicities to provide a translation service through community engagement for CPO and re-housing where English is a second language.
2. Residents might be reliant on specialist services or shops to purchase food and clothing in addition to recreational or leisure facilities in the locality. Choice based letting, priority over new build and re-lets and the option to return on the Elmington footprint will give residents the ability to remain in the area.

**Religion and belief** - Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

**Possible impacts (positive and negative) of proposed policy/decision/business plan**

Residents, who are predominately Christian and Muslim, may have to move away from their preferred place of worship.

**Equality information on which above analysis is based**

58% of respondents said they were of the Christian faith while 28% said they were of the Muslim faith.

**Mitigating actions to be taken**

Choice based letting, priority over new build and re-lets and the option to return on the Elmington footprint will give residents the ability to remain in the area.

<b>Sex</b> - A man or a woman.
<b>Possible impacts (positive and negative) of proposed policy/decision/business plan</b>
The majority of respondents were female. However, the CPO and re-housing policy (i.e. choice based letting, option to return and the leaseholder assistance package) will not disadvantage or discriminate against any gender as it is applied equally to both groups throughout negotiations.
<b>Equality information on which above analysis is based</b>
75% of the respondents were female.
<b>Mitigating actions to be taken</b>
None proposed.

<b>Sexual orientation</b> - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes
<b>Possible impacts (positive and negative) of proposed policy/decision/business plan</b>
All respondents in the survey indicated that they are heterosexual. However, the CPO and the re-housing policy (i.e. choice based letting, option to return and the leaseholder assistance package) will not disadvantage or discriminate against sexuality as it is applied equally to all groups throughout negotiations.
<b>Equality information on which above analysis is based</b>
100% of the respondents were heterosexual.
<b>Mitigating actions to be taken</b>
None proposed.

**Human Rights**

There are 16 rights in the Human Rights Act. Each one is called an Article. They are all taken from the European Convention on Human Rights. The Articles are The right to life, Freedom from torture, inhuman and degrading treatment, Freedom from forced labour, Right to Liberty, Fair trial, Retrospective penalties, Privacy, Freedom of conscience, Freedom of expression, Freedom of assembly, Marriage and family, Freedom from discrimination and the First Protocol

**Possible impacts (positive and negative) of proposed policy/decision/business plan**

There is no "right to family life" impact as all household residents are re-housed together (including older children living with their families) although families with large bed needs can be more difficult to re-house.

**Information on which above analysis is based**

There is no survey data on bed need; however, all of the effected units are 3 bedrooms or larger.

**Mitigating actions to be taken**

1. Tenants have been given priority for new build and re-lets on the estate.
2. All of the proposed socially- rented new build units on the first development site to be constructed will be 3 bedrooms or larger.
3. Officers work closely with families to ensure their housing needs continue to be met through supportive, focussed face to face case work through a dedicated re-housing officer who will be able to allocated additional support and services to all affected groups.
4. Leaseholders are reimbursed the cost of appointing professional advisers to represent them in negotiations to secure market value in accordance with compulsory purchase legislation and guidelines for buyout. Resident leaseholders qualify for a 10% of the market value as a home loss payment as well as re-housing assistance for ownership or reversion to tenancy.
5. Leaseholders that cannot afford to buy elsewhere are offered re-housing assistance.
6. Re-housing policy was formulated with residents' input.

## Section 5: Further actions and objectives

<b>5. Further actions</b>			
Based on the initial analysis above, please detail the key mitigating actions or the areas identified as requiring more detailed analysis.			
<b>Number</b>	<b>Description of issue</b>	<b>Action</b>	<b>Timeframe</b>
1	Identify sub-tenants in occupation at leasehold units	Requisitions to be issued to leaseholders by post and/ or in person	Oct 2014 onwards
2			
3			
4			
5			
6			
7			

<b>5. Equality objectives (for business plans)</b>				
Based on the initial analysis above, please detail any equality objectives that you will set for your division/department/service. Under the objective and measure column please state whether this objective is an existing objective or a suggested addition to the Council Plan.				
<b>Objective and measure</b>	<b>Lead officer</b>	<b>Current performance (baseline)</b>	<b>Targets</b>	
			<b>2013/14</b>	<b>2014/15</b>