

# Equality Analysis

## New Homes Penry Street

April 2021

## Section 1: Equality analysis details

<b>Proposed policy/decision/business plan to which this equality analysis relates</b>	Penry Street New Homes – Provision of 13 Social and 11 private homes at the form Petrol Station
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Equality analysis author		Jacqui Flynn, Project Manager			
Strategic Director:		Eleanor Kelly			
Department		Chief Executive’s	Division	Regeneration	
Period analysis undertaken		February – April 2021			
Date of review (if applicable)		Not applicable			
Sign-off	Bruce Glockling	Position	Head of Regeneration – Capital Works and Development	Date	16 April 2021

## Equalities Impact Assessment

The Equalities Act of 2010 is the mainstay for the assessment of what impact policies have on the community we serve. The local authorities have a duty to apply the act in all that they do, including their own internal service.

The Equalities Act was brought together a number of key pieces of legislation to eliminate discrimination in the United Kingdom. You may remember the race relations Act of 1968 through to the Equalities Act 2010.

The local authority new approach to equalities forms part of the Public Sector Equality Duty (PSED). This came into effect 5 April 2011, which takes the 2010 Act 2010 further.

The Equalities Act 2010 sets out particular characteristics which must be considered in policy making. The characteristics are: Race, sex and disability.

In addition the PSED adds further characteristics to include: age, gender reassignment, pregnancy and maternity, religion or belief and sexual orientation. as a public body we must have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity between different groups
- Foster good relations between different groups

This provides the visions and policies for the many different areas within Southwark

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

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

#### Background

The site 233 – 247 Old Kent Road in SE1, a former hostel and Petrol Station, was identified as an under-utilised facility with the potential to provide much needed residential housing. Its development will maximise and add value to the area by providing:

- 24 high quality residential homes (including 3 accessible units): 13 social rent and 11 private use at good value
- 3 commercial units for rent
- Improved pavement fronting building at junction on for the Old Kent Road
- Employment and training opportunities

The council has an ambitious target to deliver 11,000 new council homes by 2043, with the first 1,500 by 2019. These will be delivered through a combination of in-fill development on our existing estates, purchasing some directly from developers, and developing land that the council owns.

On 27 January 2015 the Cabinet agreed the Soutwark Regeneration in Partnership Programme (SRPP). The programme identified a number of council owned sites which had development potential. On 20 October 2015, Cabinet agreed that the sites be packaged into 2 Lots that allowed for a more manageable delivery for their development. On 21 November 2018 the Strategic Director of Housing and Modernisation approved the termination of the Development Agreement for the Soutwark Regeneration in Partnership Programme Lot B by mutual agreement as the optimal outcome for the challenges faced. In September 2019, a report to the Strategic Director of Housing and Modernisation approved the procurement for this site as a direct delivery.

The purpose of this analysis is to integrate consideration of the advancement of equality into the day-to day business of the council subject to the duty; by placing enhanced responsibility on public bodies to consider how they can tackle discrimination and disadvantage of people with protected characteristics and to make reference to s.149 The Equality Act 2010 specifically in decisions.

We gathered the information on the protected characteristics based on information from the Joint Statistic Needs Assessment (JSNA). The next stage of engagement ahead and following contractor award is to engage with the community through a meet the contractor event. The contract is to let in compliance with section 149 of the Equality Act 2010 under which the council has a duty to have due regard in its decision making processes to the need to:

- Eliminate discrimination, harassment, victimisation or other prohibited conduct.
- Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not.
- Foster good relations between those who share a relevant characteristic and those that do not share it.

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

### 2. Service users and stakeholders

#### Key current users

There are no key users that will be impacted by the decision to regenerate the area as the site is currently vacant. However, historically there has been impact to the car wash owners and those in the shelter housing and local homes. On 31 March 2017 the appropriation of the land to planning purposes pursuant to section 122 of the Local Government Act 1972 took effect.

#### Key stakeholders were involved in this decision

The driver for this development is the new homes programme which has been shaped by the promises and commitments made in the Council Plan, such as building more quality affordable homes of every kind and revitalising our neighbourhoods making them places in which we can all be proud to live and work.

Historically, the latest tenancy was created for the former petrol station as a car wash on 25 September 2013 and terminated in 2016. The 3 residential flats were leased from 13 October 2013 to 12 October 2016. The site is vacant and as part of the requirements to consult under the Planning Approval process during 2016 to 2018 key stakeholder in the area, local residents and businesses have been consulted. Planning Approval was given on 2nd April 2019.

A range of standard 'planning department' methods were used in order to secure sufficient feedback and consultation. Via the planning application, assessment with regard to local people and in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation was made. Consultation with the community has been undertaken as part of the planning application process. There have been 98 consultations, with consultation replies from four statutory bodies, and two neighbours or local groups.

This consultation treated all groups based on their needs and the council is not aware of any groups that have been disadvantaged by this development. Discussion were held with relevant internal departments to assess the needs and mixture of tenure for this location.

The Community Impact Monitoring Framework (CIMF) should demonstrate compliance with the three general duties of the Equality Act 2010:

1. A public authority must, in the exercise of its functions, have due regard to the need to:
  - Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act.
  - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
2. Having due regard to advancing equality of opportunity includes making serious consideration of the need to:
  - remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
  - take steps to meet the needs of person who share a protected characteristics that are different from the needs of persons who do not share it;
  - encourage persons who share a relevant protected characteristics to participate in public life or in any activity in which participation by such persons is disproportionately low.

## 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**

The number of residents in North East Southwark is increasing at a faster rate than the borough trend at 37% as compared with that for Southwark at 22%, however for South Bermondsey this figure is 31%. The number of working age adults is projected to increase by 38,200. This increase is concentrated in the north of the borough

Population for Southwark overall is up by 22% from 2001 to 2017 compared with 12.5 growth for the whole of England. Life expectancy in South Bermondsey is significantly below the Southwark average for both males and females. This is a significant marker of deprivation and Southwark is 40th out of 326 local authorities.

Whilst Southwark's population is comparatively young, this is not driven by a large number of children and young people. It is primarily a result of the large number of young adults in their 20s and 30s. North East Southwark has fewer children, young people and older people when compared with Southwark as a whole.

To address the Council's policies include :

- Support the provision of new homes including 11,000 new council homes,
- Protect local businesses and attract more businesses into the borough to increase job opportunities.
- Support our high streets and increase the range of shops to increase their vitality.
- Set policies to provide greener infrastructure and to promote opportunities for healthy activities.

This development will provide social and private homes in line with the above and will impact positively across all age ranges contributing to tackling markers of deprivation.

JSNA 2019 Multi-ward Profiles – North East Southwark  
JSNA Factsheet 2018-19 - Demographics

### **Mitigating actions to be taken**

To ensure fairness across all age ranges based on needs:

- The social rent units will be retained by the council and let to local residents with priority need via the choice-based letting system.
- The private sale units will be sold through local agents with priority given to local residents.

External areas are to be provided to each flat as either a garden or balcony and additionally there is communal area for each block as well as internal bike stores.

The 3 commercial units will offer modernized facilities and active street frontage.

Apprenticeship and jobs are to be created during the construction period.

**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**

Approximately 13% of people living in inner London have a disability, equating to 40,700 people in Southwark. According to the labour market profile in Southwark out of works benefits are claimed by 1,550 claimant in 2016 and contribute to the workless households.

This scheme concurs with the objective in the housing strategy. E.g."Ensure a supply of housing to meet a range of needs."

By the provision of one wheelchair unit in the private block and two wheelchair units in the for the social homes this scheme contribute to the commitment in the provision wheelchair users and their housing needs to eliminate discrimination & advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.

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

Council Policy documents including organisations' equality & diversity policies  
<https://www.nomisweb.co.uk/reports/lmp/la/1946157256/report.aspx?town=southwar k#tabidbr>  
JSNA Factsheet 2017 – Protected Characteristics

**Mitigating actions to be taken**

Targets relating to standards such as wheelchair accessibility (from the core strategy) would have a positive impact by increasing the supply of wheelchair accessible housing and has been applied to this scheme. The homes will be in line with Building Regulation Part M for Wheelchairs and is underpinned by the requirements in the Planning Approval. The specification requires that the wheelchair units are to the South East London Housing Partnership (SELHP) design guide.

The contract will enable the council to maximise the utility, value and quality of buildings being delivered, which will impact greatly on improved social environments for current and future generations, while minimising long term revenue costs to the council.

Sale of the private unit is guided under the Unilateral Undertaking, thus attempts to identify a suitable wheelchair user has to be made for a period of time prior to being offered on the open market.

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

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

We do not have reliable information about gender reassignment. However, there is no reason to believe that residents transitioning from one gender to another will be negatively impacted by our proposals.

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

None that has been brought to the council's attention.

**Mitigating actions to be taken**

All new homes will be available to those who have undergone gender reassignment.

**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**

As the site is vacant we note the data for Southwark generally.

<b>Marital Status</b>	<b>Southwark</b>	<b>London</b>	<b>England</b>
Single (never married or never registered a same-sex civil partnership)	54.7%	44.1%	34.6%
Married	28.5%	39.8%	46.6%
In a registered same-sex civil partnership	0.9%	0.4%	0.2%
Separated (but still legally married or still legally in a same-sex civil partnership)	4.3%	3.2%	2.7%
Divorced or formerly in a same-sex civil partnership which is now legally dissolved	7.8%	7.4%	9.0%
Widowed or surviving partner from a same-sex civil partnership	3.8%	5.0%	6.9%

There is no reason to believe development will have a negative impact on persons due to their marriage/civil partnership status. Access to new home will be regardless of their marriage or civil partnership status.

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

JNSA Factsheet 2017 – Protected Characteristics

### **Mitigating actions to be taken**

To ensure fairness across all in respect of marriage and civil partnerships, based on needs:

- The social rent units will be retained by the council and let to local residents with priority need via the choice-based letting system.
- The private sale units will be sold through local agents with priority given to local residents.



**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.

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

As the site is vacant we note the data of Southwark generally on General Fertility Rate.

Year	Maternities	Live Births	Southwark	London	England
2010	5,059	5,131	65.6	67.5	64.1
2011	5,018	5,089	63.9	65.7	64.2
2012	4,972	5,030	62.7	67.0	64.9
2013	4,649	4,706	57.9	64.0	62.4
2014	4,576	4,647	57.0	63.3	62.2
2015	4,519	4,587	55.5	63.9	62.5

There is no reason to believe development will have a negative impact on persons due pregnancy and maternity status. Access to new home will be regardless of pregnancy and maternity status.

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

JNSA Factsheet 2017 – Protected Characteristics

**Mitigating actions to be taken**

To ensure fairness across all in respect of pregnancy and maternity status, based on needs:

- The social rent units will be retained by the council and let to local residents with priority need via the choice-based letting system.
- The private sale units will be sold through local agents with priority given to local residents.

All flat will be provided with access to external space for wellbeing.

**Race** - 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.

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

Southwark is an ethnically diverse borough. This varies markedly across age groups, with the population under 20 much more diverse than other age groups.

The highest concentration of people identifying themselves as from an Asian minority group is in the north of the borough. Although South Bermondsey is mixed in different part of the ward containing a concentration of Blacks and Whites.

This development has accommodation for 2 bedrooms and up to 4 person space to maximise the number of family groups benefiting, and so will not accommodate larger extended families. Across the delivery programme for new homes larger properties have been accommodated.

The demolition of this under-utilised site in a poor condition will not have an effect on a set community as there none established for this site. The surrounding community welcomes this new development.

During construction the representation of the community in the delivery of the development can have a positive impact across the community

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

JSNA Factsheet 2017 – Protected Characteristics

**Mitigating actions to be taken**

To ensure fairness across all groups in respect of race, based on needs:

- The social rent units will be retained by the council and let to local residents with priority need via the choice-based letting system.
- The private sale units will be sold through local agents with priority given to local residents.

Consideration on marketing and access is essential and to include translating information into other languages include using a variety of formats. Some people are not literate in their own languages. Face to face communication opportunities as well as leaflets should be employed. Dissemination of information via community organisations to be used.

Contractors and consultants' workforce are to be reflective of the community they are working within.

**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**

As the site is vacant we note the data of Southwark generally on Religion and belief. Nearly 65% of the population in Southwark identified with a religion, the highest percentages being people over aged 55 years-old. These religions are predominately Christian at 52.5% and Muslims at 8.5% followed by Buddhist and Hindu at 1.3% each. 26.7% reported no religion.

There is no reason to believe development will have a negative impact on persons due religion and beliefs. Access to new home will be regardless of religion and beliefs

During construction the representation of the community in the delivery of the development can have a positive impact across the community

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

JSNA Factsheet 2017 – Protected Characteristics

**Mitigating actions to be taken**

To ensure fairness in respect of religion and beliefs, based on needs:

- The social rent units will be retained by the council and let to local residents with priority need via the choice-based letting system.
- The private sale units will be sold through local agents with priority given to local residents.

Contractors and consultants' workforce are to be reflective of the community they are working within.

<b>Sex</b> - A man or a woman.
<b>Possible impacts (positive and negative) of proposed policy/decision/business plan</b>
<p>There is no reason to believe that service users will be negatively impacted by these proposals due to their sex. In Southwark there is approximate equal numbers of male to female residents.</p> <p>During construction the representation of the community in the delivery of the development can have a positive impact across the community.</p>
<b>Equality information on which above analysis is based</b>
JSNA Factsheet 2017 – Protected Characteristics
<b>Mitigating actions to be taken</b>
<p>To ensure fairness in relation to gender allocation of new homes is based on needs:</p> <ul style="list-style-type: none"> <li>• The social rent units will be retained by the council and let to local residents with priority need via the choice-based letting system.</li> <li>• The private sale units will be sold through local agents with priority given to local residents.</li> </ul> <p>Contractors and consultants' workforce are to be reflective of the community they are working within.</p>

**Sexual orientation** - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes

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

As the site is vacant we note the data of the community generally. In 2017 Southwark had the second largest gay or lesbian community in

Identity	Number of adults age 16+	Southwark	London	England
Heterosexual or straight	215,000	88.0%	90.2%	93.6%
Gay or lesbian	12,000	5.0%	1.9%	1.1%
Bisexual	2,000	0.8%	0.7%	0.6%
Other	2,000	0.9%	0.3%	0.3%
Don't know / refuse	13,000	5.2%	4.1%	4.5%

It is not anticipate the provision of these new homes will negatively impact based on a person's sexual attraction.

During construction the representation of the community in the delivery of the development can have a positive impact across the community.

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

JSNA Factsheet 2017 – Protected Characteristic

**Mitigating actions to be taken**

To ensure fairness across all sexual orientation based on needs:

- The social rent units will be retained by the council and let to local residents with priority need via the choice-based letting system.
- The private sale units will be sold through local agents with priority given to local residents.

Contractors and consultants' workforce are to be reflective of the community they are working within.

## 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 are no adverse consequences that are incompatible with the articles set out in the Human Rights Act.

It is not considered that this development amount to a breach of any of the convention rights.

Contractors and consultants' workforce are to be reflective of the community they are working within developing skill and pipeline for work opportunities.

### Information on which above analysis is based

- The Human Rights Act 1998
- The Equalities Act 2010

### Mitigating actions to be taken

To ensure fairness across in terms of Human Rights:

- The social rent units will be retained by the council and let to local residents with priority need via the choice-based letting system.
- The private sale units will be sold through local agents with priority given to local residents.

Contractors will be have to comply with the council's modern slavery policy and minimum wage requirement. Further in the contractor and consultant contracts they will be required to have a diverse workforce which is representative of the community that they works within.

Social Value deliverables must be provided which are beneficial to the community as a whole and not related to the deliverable within the contract.

Contractors and consultants' workforce are to be reflective of the community they are working within.

## Section 5: Further actions and objectives

5. Further actions			
Based on the initial analysis above, please detail the key mitigating actions or the areas identified as requiring more detailed analysis.			
Number	Description of issue	Action	Timeframe
1	Continuous review of impact on communities	The council will work with the appointed contractor through the lifespan of the development of consented scheme to mitigate any negative impact to known protected groups.	April 2021 to Sept 2023
2	Representation of the community makeup is not reflected in the contract used to deliver the new scheme	Contractors will be required to monitor take up of their services against a number of the protected characteristics and will be required to address areas of under-representation	Ongoing
3	Social unit fair allocation	The social rent units will be retained by the council and let to local residents with priority need via the choice-based letting system.	Jan 2022 onward
4.	Private units benefit local communities	The private sale units will be sold through local agents with priority given to local residents.	Jan 2022 onward
5.	Wheelchair units used to home wheelchair users	Unilateral undertaking complied with in terms of sales, together with Occupational Therapy involvement early to assess and identify potential users and ensure needs are met in fit out	Jan 2022 onwards
6.	Marketing and information not available to all due to language or digital barriers	Ensure different modes of engagement are used to reach all protected and hidden communities.	Jan 2022 onward
7	Review and collection of local data	<p>Data collection processes will incorporate households and businesses in the vicinity of the site being asked to complete a questionnaire, integrating equality monitoring data at key stages.</p> <p>Repeated periodically this will enable a comprehensive analysis of the impact from the initial to post completion and will inform future equality impact assessments and mitigation considerations.</p>	Ongoing

### 5. Equality objectives (for business plans)

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.

Objective and measure	Lead officer	Current performance (baseline)	Targets	
			2021/22	2022/23