

Equality Impact Assessment (EqIA) for Policies, Procedures and Services

Proposal name	Affordable housing commuted sums spend scheme		
Directorate	Childrens Services		
Service	Money Home Job (MHJ)		
Responsible Officer	Neil Hollyhead		
Proposal planning start	01/09/2021	Proposal start date (due or actual date)	

1	What is the purpose of the proposal?	Yes / No	New / revision
	Policy	Yes	Revision
	Procedure		
	Guidance		
	Is this a service to customers/staff/public?		
	If yes, is it contracted or commissioned?		
	Other - give details		
2	What is the business case for this proposal? Please provide the main purpose of the service, intended outcomes and reasons for change?		
	<p>The aim of the proposal is to ensure that affordable housing commuted sums (AHCS) are spent in a consistent and coordinated way, to increase the supply of dispersed temporary accommodation for homeless households.</p> <p>The Black Country Core Strategy (BCCS) sets out Walsall's policy on securing affordable housing contributions through the residential planning system. It seeks 25% affordable housing on any site of 15 or more self contained dwellings, where financially viable. Where it is not possible to provide the affordable housing contribution on site, saved Policy H4 (g) of Walsall's Unitary Development Plan allows for an off-site contribution, subject to an equivalent level of housing need being met. There is no exhaustive list of circumstances where an off site contribution is warranted, but the policy states it can include meeting of other policy objectives, or economics of housing provision. This off site contribution can either be made by providing affordable housing on another site, or as financial contribution, typically referred to as a commuted sum. This policy is further expanded in the Council's Supplementary Planning document for Affordable Housing (2008), which is due to be revised and presented Cabinet in 2022. A number of the contributions occur where the planning application proposes an all flatted scheme, typically in single or large blocks, where the HAs are not willing to take affordable flats on a leasehold basis in a block where the freehold is held by another party.</p> <p>The SPD states that the affordable housing contributions must be used in line with the Council's Housing Strategy, which has an objective prioritising the purchase of dispersed</p>		



temporary accommodation units for homeless households. The commuted sums are calculated on the basis of the sum required to provide an equivalent amount of affordable housing elsewhere in the borough. This figure is calculated by using information from the 2 largest developing HAs in Walsall (whg and Accord) on how much it would cost per unit to develop affordable housing, and multiplying it by 25% of the total dwellings on site. This cost per unit figure is updated annually. It is then a matter for the Planning Committee determining the planning application as to whether to accept the affordable housing contribution proposed by the applicant.

These affordable housing contributions (either on site or commuted sums) are secured through Section 106 of Town and Country Planning Act (1990), and are often referred to as Section 106 contributions. Affordable housing is not the only contribution sought, and on applicable developments, open space contributions are sought, and sometimes Education and/or Health contributions. There are a number of occasions where a reduced or zero contribution to affordable housing is secured due to the acceptance by Planning Committee, following the submission of a financial viability appraisal by the applicant, that the scheme would not be viable if some or all of the contributions were sought. The Committee receives independent advice on the financial viability appraisal, which has to be funded by the planning applicant.

Total commuted sums received so far is £1.5m. £275,000 of this sum is being used to purchase two long term empty properties that were vested in the Council following approval by this Cabinet for officers to progress Compulsory Purchase Order (CPO) process. This Cabinet has also subsequently agreed that AHCS could be used to fund the purchase of properties obtained through any future CPO process. It is estimated that this fund could purchase, and refurbish where required, approximately 10 additional homes at an average cost of £120k, to be used as temporary accommodation for homeless households. For comparison purposes it is estimated that this fund would only be able to fund 8 additional affordable homes at average £150k land and build cost. The proposal to purchase existing homes also has the benefit of bringing long term empty homes back into use. These homes would need to have rents charged at Affordable Rent levels, as defined by the National Planning Policy Framework (NPPF), to ensure that they meet with the spend requirements of the AHCS.

The Council is obliged by Housing Act 1996 to provide TA where homeless families are in priority need. The Council currently have 4 blocks, and the 2 dispersed units previously mentioned. Walsall's Homelessness Strategy stated an options appraisal was required to move to a dispersed temporary accommodation service. We have carried out a pilot which included renting several HA properties on licence. This pilot include the ability for tenancy flips to improve outcomes – most did so. A full options appraisal and business case regarding any potential change to our TA provision, including to a more dispersed model, will be reported to this Cabinet for approval in 22/23. In the meantime, with potential increase on TA demand by end of eviction ban, it is felt prudent to increase the supply of temporary accommodation. In the event any of use dwellings become surplus to requirements due to any future review, they can then be sold, and the proceeds would be ring-fenced for the provision of affordable housing, and a further report would be brought to cabinet if an amended Scheme was proposed.

The following scheme principles are proposed:

- All AHCS are pooled for the purchase of dwellings, and/or refurbishment of surplus council assets, to provide temporary accommodation for homeless households
- All homeless temporary accommodation purchased and/or refurbished by this fund will be licenced at Affordable rents as defined in the NPPF

- A mix of property types and sizes will be purchased and/or refurbished
- Properties will be dispersed across the borough, subject to availability and price
- Focus will be on purchasing properties that have been empty for the longest period of time, but again this is subject to availability and price
- Each property will become part of the council's temporary accommodation portfolio, and homeless households placed in these homes will be supported by the Council's temporary accommodation tenancy support team

A financial appraisal will be prepared for each potential purchase/refurbishment, in conjunction with the Council's Assets team. This will include purchase, refurbishment, 30 year repair cycle, and revenue cost of aforementioned tenancy support team. All properties will be inspected by the Council's Housing standards team, and comply with a minimum EPC rating C, either at purchase or completion of works. The scheme will be monitored quarterly, reviewed annually, and even changes or amendments to the Scheme will be reported back to Cabinet for approval.

3 Who is the proposal likely to affect?

People in Walsall	Yes / No	Detail
All	Yes	Homelessness can affect anyone, because of fire, flood or natural disaster, job loss or financial difficulties or relationship breakdowns. The proposal will also affect those people who experience homelessness and those accessing social housing in Walsall.
Specific group/s		
Council employees		
Other (identify)		

4 Please provide service data relating to this proposal on your customer's protected characteristics.

Over the last 5 years, over 900 units of affordable housing have been constructed in Walsall. Whilst contributions through the Planning system have an important role to play, the vast majority (927 units) of affordable housing provision in Walsall is delivered through (Homes England) grant funded schemes by housing associations (HAs) such as whg and GreensquareAccord.

Homelessness Data for 2020/21

Households assessed and duty owed –

Prevention duty owed **41%** England average is 42%

Relief duty owed **58%** England average is 53%

The % of initial applications opened at the prevention stage is not an absolute measure of service effectiveness, however it will enable you to see how many applicants are approaching at Prevention stage compared with Relief. It is generally accepted that the earlier an applicant approaches the service, the greater the chance to get a positive outcome. A priority for Walsall should be to encourage applicants to come in for advice at an earlier stage particularly given that 72% of those who approach at prevention stage get a settled accommodation outcome.

Support needs of households owed a prevention or relief duty:

- 1) History of mental health problems
- 2) At risk of / has experienced domestic abuse
- 3) Young person aged 18-25

3.5% of those owed a prevention or relief duty with a history of rough sleeping. (29 applicants)

Reason for loss of last settled home for households owed a prevention duty –

- 1) Family or friends no longer willing to accommodate
- 2) Not known – 91 cases reported as not known **a reporting issue here and one to pick up why cases being reported as not known**
- 3) Domestic abuse

Reason for loss of last settled home for households owed a relief duty –

- 1) Family or friends no longer willing to accommodate
- 2) Not known
- 3) Domestic abuse – 102 cases recorded as not known see advice above.

Reason for households' prevention duty ending:

Secured accommodation for 6+ months – **72%** England average is 59%

Of which moved to alternative accommodation **87%** of which 74% go into a social housing tenancy. 194 applicants into a social housing tenancy and 47 into a PRS tenancy.

Stayed in existing accommodation **13%**

Excellent performance in securing accommodation at Prevention stage but a reliance on finding alternative accommodation particularly social housing which may not be sustainable at these levels.

Reason for households' relief duty ending

Secured accommodation for 6+ months – **63%** England average 40% It is positive that this figure is comfortable above the national average. 184 applicants in the social rented sector and 108 into the PRS.

Households in temporary accommodation at end of quarter (31 March 2021) – 116 including 50 families of which 1 families in B&B.

A breakdown of age and data shows 30% of those coming through the service are aged between 25-34.

Age of main applicant s owed a prevention or relief duty:

16-17	28	3.4%
18-24	229	27.8%
25-34	254	30.8%
35-44	175	21.2%
45-54	90	10.9%
55-64	32	3.9%
65-74	12	1.5%
75+	4	0.5%
Not	0	0.0%

known⁸

Sexual identification of main applicants owed a duty⁷:

Heterosexual	744	90.3%
Homosexual (Gay/Lesbian)	21	2.5%
Other	13	1.6%
Prefer not to say	46	5.6%
Not known	0	0.0%

90% of those main applicants owed a duty are heterosexual.

Reason for eligibility of main applicants owed a duty:

British or Irish citizen, or habitually resident	9	1.1%
EEA citizen: Worker	1	1.3%
Non-UK/-EEA citizen: Indefinite Leave to Remain	3	3.9%
Non-UK/-EEA citizen: Limited Leave to Remain	2	3.2%
Non-UK/-EEA citizen: Granted refugee status	6	1.2%
EEA citizen: Other	1	1.2%
EEA citizen: Permanent right to reside	0	1.1%
Non-UK/-EEA citizen: Other protection (e.g. humanitarian, discretionary)	9	0.2%
EEA citizen: Eligible family member	2	1.3%
EEA citizen: Self-employed	1	0.0%
Non-UK/-EEA citizen: Exceptional Leave to Remain	0	0.0%
Not known ⁸	0	0.2%

3.9% are Non-UK/-EEA citizen: Indefinite Leave to Remain.

Ethnicity of main applicants owed a prevention or relief duty:

White	597	72.5%
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Black / African / Caribbean / Black British	64	7.8%
Asian / Asian British	88	10.7%
Mixed / Multiple ethnic groups	36	4.4%
Other ethnic groups	15	1.8%
Not known ⁸	24	2.9%

72.5 % are from white British groups.

Employment status of main applicants owed a duty:

Registered unemployed	361	43.8%
Not working due to long-term illness / disability	111	13.5%
Full-time work	55	6.7%
Part-time work	60	7.3%
Not seeking work / at home	123	14.9%
Not registered unemployed but seeking work	45	5.5%
Retired	15	1.8%
Student / training	22	2.7%
Other	18	2.2%
Not known ⁸	14	1.7%

44% are registered unemployed whilst 14% are not in work due to a long term illness.

A Review of Homelessness in Walsall January 2018 demonstrated:

The number of households registered for social housing in Walsall reduced significantly, 79%, between 2012 to 2013. The largest stock holding social housing provider, Walsall Housing Group, did a comprehensive data cleanse of its housing waiting list, which explains why the numbers reduced significantly from 2012 to 2013. From 2013 to 2016, levels have almost double, increasing by 42%. However current levels remain just over 10,000 (63%) below what they were in 2012. It is reasonable to assume that levels have increased for the past four years due to broader labour and housing market factors, but equally welfare reforms, will have influenced the number of people seeking to register for social housing.

The HCA data shows the number of households registered increased by 42% (4,582) from 2012/13 to 2015/16. However, during the same period lettings increased by only 6% (90). This consequence of this is that more people are waiting longer for an allocation of social housing. Whereas in 2012/13, there was 2.4 applicants for every letting, by 2015/16 this has almost doubled to 4 applicants for every letting. Reasons for why the number of lettings isn't increasing at the same rate as registrations, will be due to a lower number of properties becoming void. Commonly, the reason for fewer void properties, is because people live

longer and are more likely to receive care and support in their own home (rather than having to move in to a residential establishment). Furthermore, the overall volume of properties available to let will be reduced by some tenants exercising the right to buy (or acquire) their property.

Typical actions taken to relieve homelessness are to obtain social or private rented housing, nationally these outcomes account for more than half of all cases where homelessness is relieved. For example, an allocation of social rented housing to a housing register applicant that was homeless, counts as homelessness being relived (provided casework activity accomplished this outcome).

During the past five years, the scale of successful relief casework activity has reduced across England, by 42% from 2012/13 to 2015/16. This reduction has occurred at the same time homelessness acceptances have increased (by 33%), plus successful casework activity to prevent homelessness has increased (29%).

Walsall Housing register currently administered by whg and has been since the 2003 Stock Transfer. The register is separated into gold, silver and bronze priority bandings with gold being the top band. Gold and silver bands are for those who would typically be classed as with housing need to known as being under Reasonable Preference (under 1996 Housing Act).

The most recently reported figure is as at 1st April 2021 is 14,327 for Walsall. A breakdown of this information demonstrates a 6793 households requiring a 1 bed property.

5	Please provide details of all engagement and consultation undertaken for this proposal. (Please use a separate box for each engagement/consultation).		
Consultation Activity			
Type of engagement/consultation		Internal discussions	Date October 2021
Who attended/participated?		Key services	
Protected characteristics of participants		A cross section of staff including those from different ethnic, age, gender, disability related groups.	
Feedback Feedback from key services included a support for this work.			
Type of engagement/consultation		Scrutiny Overview Committee	Date November 2021
Who attended/participated?		Key services	
Protected characteristics of participants		A cross section of elected members	
Feedback Feedback from member included a support for this work.			
6	Concise overview of all evidence, engagement and consultation		

	Internal consultation with the Council's Assets, Legal and Planning teams, has resulted in confirmation that this is a legitimate use of the funds, and helped develop a plan for how they could be used.			
7	How may the proposal affect each protected characteristic or group? The effect may be positive, negative, neutral or not known. Give reasons and if action is needed.			
	Characteristic	Affect	Reason	Action needed Yes / No
	Age	positive	The under 35's are a group which are affected by a number of welfare reforms and receive reduced levels of benefit. They are therefore more likely to be affected by homelessness. The Homeless Reduction Act (2017) is set to improve outcomes for young single people.	N
	Disability	negative	28% of all customers in poverty have a disability (report commissioned JR Foundation 2016) https://www.disabilityrightsuk.org/news/2016/august/half-people-poverty-are-disabled-or-live-	Y

			disabled-person Disabled people are therefore more likely to become homeless than non-disabled people. Further data can be collected on need where a customer has a disability work is done to ensure their needs and aspirations are met.	
	Gender reassignment	neutral	No information is available and so the impact is not currently known.	Y
	Marriage and civil partnership	neutral	No information specific data is available and so the impact is not currently known – The cohort of people from previous years have not been in a marriage or civil partnership and tend to be single.	Y
	Pregnancy and maternity	neutral	No information specific data is available and so the impact is not currently known. Where a service user is pregnant consideration is given to the household.	Y
	Race	Positive	31% of children from Asian and Black backgrounds live in low income households compared to 11% of white households. Black ethnic groups make up 7% of the homeless but are only 2.4% of the resident population.	Y
	Religion or belief	neutral	No information specific data is available and so the impact is not currently known	Y

	Sex	Positive	Women are more likely to experience homelessness than men.	Y
	Sexual orientation	neutral	No information specific data is available and so the impact is not currently known.	Y
9	Which justifiable action does the evidence, engagement and consultation feedback suggest you take?			
	A	No major change required		
	B	Adjustments needed to remove barriers or to better promote equality Are you satisfied that the proposed adjustments will remove the barriers identified?		
	C	Continue despite possible adverse impact For important relevant proposals, compelling reasons will be needed. You should consider whether there are sufficient plans to reduce the negative impact and/or plans to monitor the actual impact. Consultation may suggest a change of action, but some actions will be required regardless of consultation e.g. budget savings. Mitigating actions may be required to minimise impact identified through consultation.		
	D	Stop and rethink your proposal Actual or potential unlawful discrimination is identified; the proposal will need reviewing immediately. You may need to consult with appropriate officers including your executive director, finance or Equality, Safety and Wellbeing.		
Action and monitoring plan	Action and monitoring plan	Action and monitoring plan	Action and monitoring plan	Action and monitoring plan
TBC	Continue to collect equality data on protected characteristics to help to inform the development of future services designed to reduce inequality.	Neil Hollyhead	TBC	Review equality data collated annually as part of homelessness strategy data suite Collate further data and intelligence on those accessing temporary accommodation.

Update to EqIA	
Date	Detail
Updates following the confirmation of a cabinet date	

Contact us

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Inside Walsall: [http://int.walsall.gov.uk/Service information/Equality and diversity](http://int.walsall.gov.uk/Service_information/Equality_and_diversity)