

Appendix C: Equality Impact Assessment (EqIA) for Custom and Self-Build Housing Register Eligibility Criteria

Date: 22/02/2018	Scheduled refresh date: 30/11/2018	Version: 1
Service: Strategy and Commissioning Place Team (Corporate Services)	Completed by: Frances Haywood / Kayleigh Pearse	Signed-off by: Sarah Hollamby
What key decision activity are you completing this EqIA for?		
Policy/Strategy <input type="checkbox"/>	Decision <input checked="" type="checkbox"/>	Service <input type="checkbox"/>

STAGE 1: INITIAL SCREENING

1.1: Did you answer yes to any question in the EqIA Criteria Checklist? <i>(Source: EqIA Criteria Checklist, Appendix B, EqIA Guidance)</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
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*If yes, please complete the template.
If no, please provide an explanation below of why an EqIA is not required for the policy, function or service work you are implementing.*

[Click or tap here to enter text.](#)

1.2: What are the aims and objectives of the policy/strategy, decision or service?

The Self-Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) places a number of duties on relevant authorities. These include:

- Setting up and maintaining a register of individuals/associations that are seeking serviced plots for self-build and/or custom housebuilding
- To have regard for the register when carrying out planning, housing, land disposal and regeneration functions
- Imposes a duty to grant planning permission for sufficient serviced plots of land to meet the demand evidenced by the register

Eligibility criteria for entry onto the Council's register was originally set out in the 2015 Act. These stated that applicants would be eligible to be placed on the Council's register if they are:

- Aged 18 or over
- A British Citizen, a national of an European Economic Area (EEA) state other than the UK or national of Switzerland; and
- Seeking (either alone or with others) to acquire a serviced plot of land in the relevant authority's area to occupy as that individual's sole or main residence

New regulations which came into force on 31 October 2016, allow local authorities to introduce a:

- Local connection test
- Financial solvency test; and/or
- A registration fee and an annual charge to cover reasonable costs of maintaining the register and granting permissions

The introduction of eligibility criteria (in the form of a local connection test) for the Council's custom and self-build register will assist in ensuring that future action is focused on the needs of local residents.

STAGE 2: SCOPE AND DEFINE

2.1: Who are the main beneficiaries of the policy, decision or service?

List the groups the work is targeted or aimed at.

To ensure that the Custom and Self-Build register is focused on local housing needs, a local connection test would require applicants to have:

- Either lived in the Borough for at least 5 years, or
- To be in full-time employment (greater than 16 hours per week) within the Borough for at least 5 years; and/or
- To have an immediate family member who has lived in the borough for the past 5 years prior to their application

To note: Immediate family will be defined as a close relative (mother, father, brother, sister or adult child) who has been living in the Borough for more than five years. Current or former personnel (applying to join the Register within 5 years of discharge) of the armed services will automatically satisfy any local connection test set.

2.2: Who has been involved in the creation of the policy, decision or service? Who will it impact?

E.g. focus groups, interviews, staff, service users. Also identify any groups, in addition to the main beneficiaries, the work may impact

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Council staff have worked closely with Members, including Members of the Affordable Housing Implementation Group, consisting of Officers and representation of Members from both political parties, in determining how the Custom and Self-Build register should operate and whether a local connection test should be introduced.

The local connection test will impact on current and future applicants who do not meet the new eligibility criteria. Those who don't meet the criteria will be moved to Part 2 of the Register. Entries on Part 2 do not count towards demand for granting development permissions but relevant authorities must have regard to the entries on Part 2 when carrying out their planning, housing, land disposal and regeneration functions.

STAGE 3: INFORMATION GATHERING/EVIDENCE

3.1: What Secondary Data did you use in the creation of this EqIA?

Secondary data is data collected by someone other than the user. Common sources of secondary data for social science include censuses, organizational records and data collected through qualitative methodologies or qualitative research)

The data which has been used in the production of this EqIA includes:

[Self-build and Custom Housebuilding Act 2015](#)

[Housing and Planning Act 2016](#)

[The Self-build and Custom Housebuilding \(Time for Compliance and Fees\) Regulations 2016](#)

[The Self-build and Custom Housebuilding Regulations 2016](#)

Desk based research of other Council's examples on how they have implemented additional criteria.

3.2: What Primary data did you use in the creation of this EqIA?

Primary data is data collected by the investigator conducting the research, for example data collected through consultation, questionnaires or focus groups

- Data from the Council's Self and Custom Build Register
- Feedback from the Affordable Housing Implementation Group
- Feedback from staff including the planning team

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STAGE 4: ASSESSING THE IMPACT

Please complete the impact assessment table below by identifying any function or service that is likely to touch on any of the 3 main duties of the Equality Act 2010, then select the protected characteristic that maybe effected by the decision.

STAGE 5: ADDRESSING THE ISSUES

Once you have identified the impacts, please consider ways to tackle each of the negative impacts identified in order to mitigate them by completing the mitigation section of the table.

4 & 5: IMPACT ASSESSMENT AND ACTION PLAN

Consider the 3 main duties set out in the Equality Act 2010

1. Eliminate discrimination, harassment, victimisation and other conduct that is prohibited under the Act

2. Advance equality of opportunity between persons who share relevant protected characteristics and persons who do not share it

3. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

Protected Characteristics	IMPACT ASSESSMENT			MITIGATION			
	(+ve / 0 / -ve)	Nature/Explanation	Main Duty (1-3)	Action required	Who is responsible?	By when?	Expected outcome
Race	+ve	No specific impact relating to race has been identified during this assessment. Adopting a local connection test is likely	N/A	Ensure the Council's Custom and Self-Build Register is available to all those with a local connection to the Borough and who want to build their own home	Strategy and Commissioning/Planning	Ongoing	Equal access by all protected characteristics who have a local connection to the Borough and who want to build their own home

		to have a positive impact on those from ethnic minority backgrounds with a local connection to the Borough who want to build their own home.					
Disability	+ve	A potential risk was initially identified that the 16 hours working requirement could disadvantage those who due to disability could not work this number of hours. However, the criteria was adapted to give flexibility in exceptional circumstances. Adopting a local connection test is likely to have a positive impact on those with disabilities who have a local connection to the Borough and who want to build their own home.	N/A	Ensure the Council's Custom and Self-Build Register is available to all those with a local connection to the Borough and who want to build their own home	Strategy and Commissioning/Planning	Ongoing	Equal access by all protected characteristics who have a local connection to the Borough and who want to build their own home
Gender	+ve	No specific impact relating to gender has been identified during this assessment. Adopting a local connection test is likely to have a positive impact on all genders who have a local connection to the Borough and who want to build their own home.	N/A	Ensure the Council's Custom and Self-Build Register is available to all those with a local connection to the Borough and who want to build their own home	Strategy and Commissioning/Planning	Ongoing	Equal access by all protected characteristics who have a local connection to the Borough and who want to build their own home
Age	+ve	No specific impact relating to age (other than the 2015 Act states applicants must be over 18 years) has been identified during this assessment. Adopting a local connection test is likely to have a positive impact on all age groups who have a local connection to the Borough and who want to build their own home.	N/A	Ensure the Council's Custom and Self-Build Register is available to all those with a local connection to the Borough and who want to build their own home	Strategy and Commissioning/Planning	Ongoing	Equal access by all protected characteristics who have a local connection to the Borough and who want to build their own home
Sexual orientation	+ve	No specific impact relating to sexual orientation has been identified during this assessment. Adopting a local connection test is likely to have a positive impact on all those with a local connection to the Borough who want to build their own home.	N/A	Ensure the Council's Custom and Self-Build Register is available to all those with a local connection to the Borough and who want to build their own home	Strategy and Commissioning/Planning	Ongoing	Equal access by all protected characteristics who have a local connection to the Borough and who want to build their own home
Religion/ belief	+ve	No specific impact relating to religion has been identified during this assessment. Adopting a local connection test is likely to have a positive impact on all those with a local	N/A	Ensure the Council's Custom and Self-Build Register is available to all those with a local connection to the Borough and who want to build their own home	Strategy and Commissioning/Planning	Ongoing	Equal access by all protected characteristics who have a local connection to the Borough and who want to build their own home

		connection to the Borough who want to build their own home.					
Gender Reassignment	+ve	No specific impact relating to gender reassignment has been identified during this assessment. Adopting a local connection test is likely to have a positive impact on all those with a local connection to the Borough who want to build their own home.	N/A	Ensure the Council's Custom and Self-Build Register is available to all those with a local connection to the Borough and who want to build their own home	Strategy and Commissioning/Planning	Ongoing	Equal access by all protected characteristics who have a local connection to the Borough and who want to build their own home
Pregnancy and maternity	+ve	No specific impact relating to pregnancy and maternity has been identified during this assessment. Adopting a local connection test is likely to have a positive impact on all those with a local connection to the Borough who want to build their own home.	N/A	Ensure the Council's Custom and Self-Build Register is available to all those with a local connection to the Borough and who want to build their own home	Strategy and Commissioning/Planning	Ongoing	Equal access by all protected characteristics who have a local connection to the Borough and who want to build their own home

To note, when carrying out the impact assessment the discriminatory factor is the local connection test, which can be seen as excluding any group which do not meet the criteria. But it does not target any protected characteristic. If, however a household outside of the Wokingham borough wants to build a house in the borough then they can purchase land themselves to do this and will not be restricted by this criteria.

STAGE 6: REVIEW & SCRUTINY

6.1: Has your EqlA been considered at your service's Management Team for discussion?

Yes

No

If yes, date of meeting: 23/02/2018

6.2: After discussion with Management Teams, list comments, criticisms or alternative approaches suggested regarding the impacts and actions of the policy/strategy, decision or service.

What changes, if any, have been taken following discussion with your service Management Team?

No further changes

STAGE 7: PUBLICATION AND COMMUNICATION OF RESULTS

7.1: How will the assessment, consultation and outcomes be published and communicated?

The EqlA will be published with information on the Custom and Self-Build Register on the Council's website and made available in hard copy upon request.

STAGE 8: EMBEDDING ACTIONS INTO DELIVERY PLANS

8.1: Has your delivery plan been updated to incorporate the activities identified in the EqlA to mitigate any negative impacts that you have discovered?

These could be service, equality, project or other delivery plans.

Note: If you did not have sufficient data to complete a thorough impact assessment, then an action should be incorporated to collect this information in the future.

Any actions will be embedded into service plans and regular performance monitoring.