

Equality Impact Assessment Form

screen tip-section A

1. Document Control

1. Control Details

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|--------------------------------------|---|
| Title: | Equality Impact of improvement works at Cavendish Court |
| Author (assigned to Pentana): | Alison Thomas |
| Director: | Andrew Errington |
| Department: | Safer Housing |
| Service Area: | Community Protection |
| Contact details: | 0115 8761574 |
| Strategic Budget EIA: Y/N | |

2. Document Amendment Record

| Version | Author | Date | Approved |
|---------|---------------|----------|----------|
| 1 | Alison Thomas | 09/07/18 | |
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3. Contributors/Reviewers

| Name | Position | Date |
|----------------|--|----------|
| Alison Thomas | Principal Environmental Health Officer | 09/07/18 |
| Duncan Newbitt | Operations Manager | 09/07/18 |
| | | |

4. Glossary of Terms

| Term | Description |
|--------------------|--|
| Clearance Order | Order that legally requires demolition of a privately owned building |
| Improvement Notice | Notice that legally requires specified works to be done to improve a dwelling to a satisfactory standard |
| Prohibition Order | Order that can require a dwelling not to be used for habitation until specified works are carried out |
| Housing Act 2004 | Piece of legislation enforced by Safer Housing |
| Building Act 1984 | Piece of legislation enforced by Safer Housing |

screen tip-section B

2. Assessment

1. Brief description of proposal / policy / service being assessed

Cavendish Court is a three-storey block of fifteen flats. Each of the individual flats are in private ownership, with the majority being privately rented. The block has been in serious disrepair for several years and has been an ongoing enforcement case since 2008. Safer Housing were tasked to re-assess the Clearance Order declared in relation to this property, and have determined that this course of action is no longer appropriate. Safer Housing propose that the service of various notices is more appropriate. An application will be made to the Magistrates Court under the Building Act, and Improvement Notices/Prohibition Orders will be pursued under the Housing Act, with the aim being to improve the condition of this dwelling and ensure that it provides a safe and healthy environment for all of its occupants.

screen tip-section C

2. Information used to analyse the effects on equality:

Officers have used information based on desktop study of current occupancy, and on site study and analysis of experienced officers who have studied the property and dwellings within it. It is important to bear in mind that this is a revision of a previous decision and part of the decision to review the previous decision is that it was having an

unreasonable impact, and therefore this is reflected in the revised EIA. For the full report of actions proposed/taken in context please see the DDM uploaded *hyperlink to DDM*

3. Impacts and Actions:

| <u>screenip-sectionD</u> | Could particularly benefit X | May adversely impact X |
|--|--|----------------------------------|
| <u>People from different ethnic groups.</u> | x | x |
| <u>Men</u> | x | x |
| <u>Women</u> | x | x |
| <u>Trans</u> | x | x |
| <u>Disabled people or carers.</u> | x | x |
| <u>Pregnancy/ Maternity</u> | x | x |
| <u>People of different faiths/ beliefs and those with none.</u> | x | x |
| <u>Lesbian, gay or bisexual people.</u> | x | x |
| <u>Older</u> | x | x |
| <u>Younger</u> | x | x |
| <u>Other (e.g. marriage/ civil partnership, looked after children, cohesion/ good relations, vulnerable children/ adults).</u> | x | x |
| <u>Please underline the group(s) /issue more adversely affected or which benefits.</u> | | |

| <p>screenitp-sectionE How different groups could be affected (Summary of impacts)</p> | <p>screenitp-sectionF Details of actions to reduce negative or increase positive impact (or why action isn't possible)</p> |
|---|--|
| <p>The private owners, landlords and tenant of these 15 flats include people from different ages, genders and ethnic backgrounds. The impact of taking different forms of action on the human rights of those who will be affected has been considered in detail as part of the process of determining the most acceptable course of action.</p> <p>Action has to be carried out as significant hazards to safety have been identified. There is a legal duty on The Council to act under the Housing Act.</p> <p>Although all leaseholders and tenants will be affected, enforcement is essential. Previously an enforcement decision was made to declare a Clearance Order and demolish the properties. Obviously this would have an enormous impact on those owners and residents, and an EIA was carried out for this. Improving the property instead of demolition will have a much more positive impact on the owners and those persons living there.</p> <p>It is felt that the impact of enforcement will be far more positive on most of those groups than demolition as no one will need to be rehoused. This is a more desirable outcome. It will also improve conditions within the dwelling, improving accessibility and safety for all residents, and internally, when individual flats are improved this will improve the health and wellbeing of the occupants – providing a safer and healthier environment overall for living in.</p> | <p>The fact that this is a reversal of a previous decision is in itself an action to reduce negative impact. Despite the enormous amount of time and resource that was input into reaching the previous decision, the Council recognises when its decisions are no longer appropriate, and is ambitious in revisiting these decisions to protect the wellbeing of our citizens.</p> <p>There is a recognition that since the previous enforcement decision was reached no further action has been taken, and citizens continue to be at risk by residing in this property.</p> <p>In the event of demolition, the current residents would have to have been rehoused. This would impact on the city's most vulnerable citizens. Any elderly and disabled residents being moved may feel an impact in terms of social exclusion and young children would potentially face an impact in terms of their schooling if not rehoused appropriately. The fact that these residents will all be kept in their own homes will be much more beneficial to all involved.</p> <p>Some of the landlords are of a BME background, and some may or may not have any of the above protected characteristics. The improvement action is likely to have an immediate financial impact on them, however in the longer term, this protects their investment and is more beneficial to them. To protect them in the shorter term, the proposal is to offer to carry out the works in default of the notice, and</p> |

they will be invoiced for their proportion of the costs. This will mean they can either make regular payments, or they can have the charge sit on the property until such time as they sell it.

Overall, the owners and residents will be in far better control with this enforcement outcome.

4. Outcome(s) of equality impact assessment:

| | | | |
|-------------------------------------|-----------------------------|--------------------------|-------------------------------------|
| <input checked="" type="checkbox"/> | No major change needed | <input type="checkbox"/> | Adjust the policy/proposal |
| <input type="checkbox"/> | Adverse impact but continue | <input type="checkbox"/> | Stop and remove the policy/proposal |

5. Arrangements for future monitoring of equality impact of this proposal / policy / service:

Officers are currently updating the residents and owners regularly by letter. Everyone seems engaged and happy with our proposals, and there have received no objections. Once the portfolio holder has approved the decision, formal notification will be sent to all owners and residents and they will be invited to comment in writing, by telephone, or offer to conduct a site meeting with them. This will ensure that they are able to offer feedback via whatever medium best suits them.

6. Approved by (manager signature) and Date sent to equality team for publishing:

| | |
|---|--|
| Approving Manager: The assessment must be approved by the manager responsible for the service/proposal. Include a contact tel & email to allow citizen/stakeholder feedback on proposals. Anton Menzies, Head of Safer Housing Tel: 3116920 | Date sent for scrutiny: 12/07/2018 Send document or Link to: equalityanddiversityteam@nottinghamcity.gov.uk |
| SRO Approval:  | Date of final approval: 18/07/18 |

Before you send your EIA to the Equality and Community Relations Team for scrutiny, have you:

1. Read the guidance and good practice EIA's
<http://intranet.nottinghamcity.gov.uk/media/1924/simple-guide-to-eia.doc>
2. Clearly summarised your proposal/ policy/ service to be assessed.
3. Hyperlinked to the appropriate documents.
4. Written in clear user-friendly language, free from all jargon (spelling out acronyms).
5. Included appropriate data.
6. Consulted the relevant groups or citizens or stated clearly, when this is going to happen.
7. Clearly cross-referenced your impacts with SMART actions.