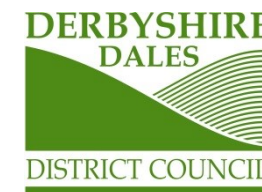


Derbyshire Dales District Council Equality Impact Assessment



Please refer to the guidance whilst completing this form.

1. Outline

a. Title of policy, practice, service or function being assessed	Derbyshire Clause Policy under the Housing Act 1985
b. Service and/or Corporate Plan Ref	Providing a High Quality customer services as delays in making these decision are affecting the sale of properties thus delegating the decision to Officers will speed up the decision making process.
c. Name and Role of Officers conducting assessment	Lee Gardner – Legal Services Manager
d. Date of assessment	01/10/2021
e. Reason for assessment	The policy would be a new policy and therefore a formal assessment is required to make sure there is no discrimination or adverse impact on those subject to a protected characteristic. It is considered that this policy may have an increased impact onto those suffering a disability who may need to sell their home or have relatives move closer to provide support and assistance.
f. What is the purpose of this policy, practice, service or function? (specify aims and objectives)	To give clear guidance to Officers undertaking delegated decisions on whether to exercise its discretions to allow the sale of a property subject to a restrictions on title under sc 157 of the Housing Act 1985 that restricts the sale or lease of a property, subject to the restriction, to persons that have not lived or worked in the area for the last 3 years. There are currently 863 such properties.

g. Are there any other organisations involved in its implementation?	No
h. Likely customer groups to be impacted	Sellers and potential buyers of ex-council house properties situated in the Peak National Park
i. Other stakeholders likely to be impacted	Local Business namely Estate Agents, property sellers
Which District Council departments are affected by the policy, practice, service or function?	Legal Services and Housing
Do any of the objectives directly support or hinder another Council activity?	The Derbyshire clause is intended to help provide affordable housing within the Peak Park and stop villages turning into places filled with holiday lets and second homes thus ruining the local community. The policy is guidance on that decision making process so the policy does not directly impact on that activity but is part of that process.

2. Assessing Relevance to the General Equality Duty

The General Equality Duty has three aims which require the District Council to have due regard to the need to:	Tick those which are relevant
1. Eliminate unlawful discrimination (both direct or indirect), harassment and victimisation	X
2. Advance equality of opportunity between all persons by <ul style="list-style-type: none"> • removing or minimising disadvantages suffered by protected groups; • taking steps to meet the needs of people from protected groups where these are different from the needs of other people • encouraging people from protected groups to participate in public life or other activities where participation is disproportionately low 	X
3. Foster good relations between different groups	

3. What existing information / data do you have / monitor about different diverse groups in relation to this policy, practice, service or function? For example: previous EIA's, reports, consultation, surveys, demographic data etc.

Information / Data	Data source and date	Information relevant to proposed policy/service/function
<p>Derbyshire Dales Equalities Profile https://observatory.derbyshire.gov.uk/wp-content/uploads/reports/profiles/census_profiles/qualities_profile/district/Derbyshire_Dales.pdf</p>	<p>Derbyshire Observatory; taken from Census 2011 - national survey of all households</p>	<p>18.5% of residents have a limited long term health problem or disability, compared to the England figure of 17.6%</p> <p>12.6% of residents are unpaid carers, compared to the England figure of 10.2%</p> <p>19.7% of households are deprived in more than one dimension compared to 24.8% in England</p> <p>24.2% single person households, compared to England figure of 23.7%</p>
<p>Derbyshire Dales Profile https://www.nomisweb.co.uk/reports/localarea?compare=E07000035</p>	<p>NOMIS Official Labour Market Statistics Census 2011- national survey of all households</p>	<p>72.4% of residents own their own home compared to 63% of people in England own their own homes.</p> <p>12.2% live in Social Housing compared to 17% in England</p> <p>12.6% live in private rented housing compared to 18.7% in England</p>
<p>Derbyshire Dales Equality Information published on website: https://www.derbyshiredales.gov.uk/your-council/equalities/equality-information</p>	<p>DDDC Monitoring data collected by services (in-house and outsourced)</p>	<p>n/a</p>

<p>House prices https://www.ons.gov.uk/economy/inflationandpriceindices/bulletins/housepriceindex/december2020</p> <p>https://www.gov.uk/government/statistics/uk-house-price-index-england-april-2021/uk-house-price-index-england-april-2021</p>	<p>ONS Inflation and Price Indices</p>	<p>Derbyshire Dales had an average house price of £283,000 in 2019, compared to a UK figure of £251 000 in the UK.</p> <p>UK average house prices increased by 8.5% to December 2020, to stand at a record high of £252,000. This is also reflected in recent rises in the Derbyshire Dales.</p> <p>In 2020 the average house price in the Derbyshire Dales was £265,131 in April 2021 it was £295,813 – a rise of 11.6%.</p> <p>Purchasing property is difficult for people in the Derbyshire Dales due to this much higher average price.</p>
<p>https://commonslibrary.parliament.uk/research-briefings/cbp-8456/</p>	<p>Average wage comparisons UK</p>	<p>Average wages in the East Midlands have reduced by 2% over the previous years; the median weekly pay is £561 [£29,172 per annum] compared to a UK median of £586.</p> <p>The salient point here is that wages are lower in Derbyshire Dales than average across the UK, yet house prices are higher than average.</p>

4. Based on the evidence above, does the policy, practice, service or function have a positive or negative impact on any protected group(s)?

Protected groups	Positive effects	Negative effects	Potential/Actual Improvement Actions
Age	<p>The policy supports younger people getting onto the property ladder, particularly in areas where house prices are inflated due to tourism and second home ownership.</p> <p>Elderly people needing care and support will benefit from family members being able to live close by.</p>	Potential problems such as delays in selling the property, due to the Derbyshire Clause criteria	In the policy, a wide range of people who meet the criteria for a Consent letter, are described in in the policy. Discretion is also allowed when making decisions on suitable applicants. Both of these result in a flexible policy that aims to enable Derbyshire Dales Residents to purchase a property
Disability or long term ill heath Physical disabilities, sensory impairments, limiting long-term illnesses, learning disabilities or mental health issues	The Policy allows Officers to exercise discretion to allow purchases to take place where those suffering from disabilities need to move due to their disability or have relatives move closer to provide care.	Potential problems such as delays in selling the property, due to the Derbyshire Clause criteria	As above
Race / ethnic groups			
Women or men	The 2020 mean gender pay gap is 6.5% and the median gender pay gap is 15.9%. Click the link to see Pay gap statistics	Potential problems such as delays in selling the property, due to the Derbyshire Clause criteria	As above

Protected groups	Positive effects	Negative effects	Potential/Actual Improvement Actions
	<p>More affordable properties could therefore benefit women</p> <p>The majority of unpaid carers are women – the policy aims to assist carers moving closer to their families.</p>		
Sexual orientation			
Religion or belief (including non-belief)			
Transgender (including people planning to or going through gender reassignment)			
Pregnancy and maternity (including maternity and paternity leave)			
Marital status (including civil partnership & same sex marriage)			

4a. Are there any local priority groups / factors which should be considered?

Other factors	Positive effects	Negative effects	Improvement actions
Rural areas	n/a	n/a	n/a
Poverty / deprivation	n/a	n/a	n/a
Derbyshire Dales is one of the most popular areas for tourists in the UK		<p>Low wages in service sector, seasonal jobs.</p> <p>Higher than average house prices – particularly smaller/starter type properties.</p> <p>Lack of affordable accommodation to rent</p>	

5. Consultation and engagement

Do we need to seek the views of others and if so, who? If not, please explain why.

The policy was subject to a 6 week consultation which specifically obtained the view of local business affected by the Clause namely estate agents.

6. Commissioned / outsourced services

Is your policy, practice, service or function is partly or wholly provided by any external organisation / agency?	No
If yes, please list any contractual or other arrangements which aim to ensure that the provider promotes equality and diversity (e.g. <i>monitoring data</i>)	

7. Improvement Plan

Key issues identified	Actions
n/a	n/a

PLEASE FORWARD THE COMPLETED FORM TO THE POLICY MANAGER / POLICY OFFICER (Consultation & Equalities)

Signed Lee Gardner (Completing Officer)