

# Equalities Analysis in Lambeth

Proposal Title \*

Draft Affordable Workspace Supplementary Planning Document

Author

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Please provide name of lead author and/or those within project team who may be required to contribute to this assessment

Who will sign off the assessment?

Rob Bristow

Please indicate who will be involved in approving this assessment. This will need to be signed off by the designated Head of Service or Director

## Q1a. What is changing?

Lambeth is undertaking a review of its Local Plan. As part of this it is seeking to introduce Policy ED2: Affordable workspace which seeks to secure a proportion of affordable workspace from major office developments in defined circumstances. The proposed policy wording and supporting text is to be set out in the Draft Revised Lambeth Local Plan – Proposed Submission Version which is to be published for a six week publication period, subject to Cabinet approval. Beneficiaries of the affordable workspace will include businesses and organisations in the Creative and Digital Industries (CDI) sector and charitable and not-for-profit organisations.

For planning policy purposes, affordable workspace is defined as workspace that is provided at rents maintained below the market rate for that space for a specific social, cultural or economic development purpose. The definition is consistent with the London Plan.

A draft Affordable Workspace Supplementary Planning Document (SPD) has been produced. The role of the SPD will be to support Policy ED2 by providing further guidance on the policy's implementation. This will provide further guidance to the council's requirements for affordable workspace and ultimately it will aid in the delivery of affordable workspace. Specifically, the draft SPD covers: alternative approaches to provision of affordable workspace; the role of the council's list of affordable workspace providers and register of approved charitable and not-for profit organisations; the role of the Workspace Management Plan; how market rents and discounts will be assessed; viability review mechanisms; payments in lieu; and monitoring arrangements.

Though Policy ED2 only seeks affordable workspace in major office development in identified parts of the borough, under specific circumstances the policy allows for a payment in lieu of on-site affordable workspace provision to be spent in any part of the borough. This is reflected in the draft SPD. As such, the SPD may have an impact across the whole borough and this is reflected in this EIA.

SPDs do not introduce policy, instead this SPD provides further guidance to the proposed Policy ED2 of the revised Lambeth Local Plan. The effect of the SPD as a standalone document on those groups with protected characteristics is therefore limited as a result. The revised Lambeth Local Plan, including Policy ED2, will be subject to a separate Equalities Impact Assessment as well as a Sustainability Appraisal.

At the national level, to reflect the [Equality Act 2010](#) the council needs to have due regard to the Public Sector Equality Duty which involves eliminating unlawful discrimination; advancing equality of opportunity between people who share a protected characteristic and those who don't, and fostering or encouraging good relations between people who share a protected characteristic and those who don't.

The Council also has a duty to make adjustments under Section 20 of the Equality Act 2020 which will be relevant to the final form and provision of affordable workspace within the borough including: disability- hrough design and accessibility policies, ensuring workspace is accessible and in accessible

locations to ensure equality of access; religion make allowance for worship practices during working hours; ethnicity- making allowance for cultural practice during working hours; socio-economic- ensuring workspaces are in accessible locations and commitments to London Living Wage; and pregnancy and maternity- workspaces to be useable for pregnant women or women who have recently given birth and accessible to customers who are pregnant or have children. Where affordable workspace is managed by a provider on the council's Affordable Workspace Provider list the council will ensure the provision of adjustments to ensure the workspace is accessible to those with protected characteristics through the criteria for inclusion on the list, which includes cultural and charitable considerations.

The SPD relates directly to the Local Plan but also aims to deliver aspects of a number of other corporate strategies including:

[The Borough Plan](#) . In particular by ensuring partners and local employers pay the London Living Wage; growing presence as a home for creative and digital industries, health and life science, business and financial services and tourism; ensuring growth is spread across the borough; and ensuring older and disabled people can live healthy, independent lives while promoting community resilience.

[The Responsible Procurement Policy](#)

[The Creative and Digital Industries Strategy](#)

What is the most significant or key change taking place? Can you indicate the type of change in your response (e.g. policy/decision/strategy/ service/procedural/ geographic/procurement etc.) so it is clear what is being equalities assessed? Why is this change happening? What do you aim to achieve? Can you clearly indicate what decision-makers are being asked to take a decision on?

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Q1b. Who will be involved in approving this decision?

Cabinet will be asked to note and agree the content of the draft Affordable Workspace SPD and approve it for public consultation.

Who else will be involved in signing-off this decision?

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Q2a. What do we know about the people who will be impacted by this

## change?

Data available from the Office of National Statistics (different source where specified) state that:

- the population in of Lambeth is 325,900
- 50.3% of the population are male and 49.7% of the population is female
- the mean age of the Lambeth's residents is 32.9, with over half of the population in the 'younger working age' category (20-44 years).
- In terms of ethnicity, 53.1% of the population are categorised as being 'white' (this includes white British, Irish, Gypsy or Irish Traveller, and Other) with 23.5% categorised as being 'black' (this includes Black African, Caribbean, and Other).
- In terms of employment, 30.8% of persons in employment are in the 'professional occupations' category. The second largest category is 'associate professional and technical', with 21.2% of employed persons representing this group.
- 85.8% of Lambeth's 'white' working age (16-64) residents are employed, compared to 70.1% of 'ethnic minority' residents.
- The ethnic group that is most highly qualified in Lambeth are people who are 'white' as 58.6% of the working age population have a Level 4 or higher qualification. The ethnic group which is the least highly qualified is 'black' as 29.5% of the working population having a Level 4 or higher qualification.
- Just over half of Lambeth's disabled population are in work, with those with no disability having an employment rate of 80%.
- The majority of residents (115,500; 69%) out commute to work with the majority of the Lambeth's workplace population (87,000; 63%)
- Over 60% of Lambeth residents have a religion and 28% have no religion. Christians (53%) and Muslims (7%) are the largest group of residents by religion.
- 4% of respondents to the Lambeth Residents' Survey identified themselves as lesbian, gay or bisexual.
- There were 3,917 births to mothers who live in the borough in 2018.

\*Please note that the terms used above reflect the names of categories in the data.

In relation to the CDI sector Lambeth's Creative and Digital Industries Strategy 2018 states that:

- 11.4% of jobs in the CDI sector are held by BAME employees.
- Women are underrepresented in the CDI workforce (holding 17% of jobs) and in senior roles.
- People with disabilities and those from lower-income backgrounds are underrepresented in the CDI sector overall and less likely to be in senior roles.

The above figures reflect national information. There is no Lambeth-only information available but it is assumed that the national trends reflect the situation in the borough.

Affordable workspace will in the first instance be provided on site through developments in the most accessible parts of the borough (Waterloo, Vauxhall, Oval, Kennington, Clapham and Brixton) which benefit from public transport. This will ensure affordable workspace is accessible to those with a disability, benefit those with socio-economic characteristics enabling reliance on public transport and for those with children. In some exceptional cases off-site provision may be appropriate for other parts of the borough, where accessibility of provision would also be considered through Local Plan policies.

What does your information tell you about the people who will be affected by this change? Are protected groups impacted? What information do you hold on the protected characteristics of the people affected by the change? (Age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief, gender, sexual orientation, health, socio-economic, language) Are there any gaps or missing information?

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## Q2b. How will they be impacted by the change?

The impact of the draft SPD has been assessed against the protected characteristics of age, sex, ethnicity, faith/belief, sexual orientation, pregnancy/maternity, disability, marriage/civil partnership and gender reassignment. The effect of the draft SPD on health, socio-economic impacts and impacts resulting from residents having English as a second language has also been assessed.

The assessment has considered the impact of each of the sections of the SPD. Overall, the draft SPD has found to have limited positive impacts on those with protected characteristics but may disproportionately benefit those who are male, white, have higher than average incomes and have no disability. The analysis is shown below:

### *Section 1: Introduction*

This section provides contextual information and sets out the structure of the report. It has no impact on the identified groups.

### *Section 2: Affordable Workspace Approaches*

This section details the following different approaches in which affordable workspace could be delivered:

1. Affordable workspace leased and managed by an affordable workspace provider on the council's approved list in accordance with an agreed workspace management plan.
2. Affordable workspace managed directly by the owner of the new development where it is demonstrated to the satisfaction of the council that they have the necessary skills and experience and an agreed workspace management plan is in place.
3. Affordable workspace leased by the owner of the new development to one or more end users on the council's approved register of businesses that require non-managed affordable workspace.

All of the approaches are likely to have a positive socio-economic impact as the end users of the space (i.e. the beneficiaries) will be businesses and organisations in the CDI sector that would otherwise be unable to secure workspaces at rates that they can afford.

Without knowing the characteristics of those accessing the affordable workspace it is not possible to accurately determine whether the approaches would benefit other identified groups. However, all approaches, but particularly Approach C would allow affordable workspace to be secured for use by a charitable or not for profit organisation on a council-approved register at rates that they could otherwise not afford. This could include organisations whose purpose is to benefit people who belong to groups with one or more of the identified protected characteristics. As such this could have a positive impact on all of the identified groups.

#### *Section 3: Affordable Workspace Providers*

This section explains that affordable workspace providers – organisations who manage the affordable workspace and provide support to end users – will be required to apply to be on the council's Approved Affordable Workspace Provider List. The draft SPD explains that the council will make a determination on whether to approve organisations on the list based on defined criteria. The criteria includes a commitment to recruiting and supporting appropriate end users, to have demonstrated a capability in promoting the workspace tenant opportunities, services and events to residents local to their workspaces – including priority groups, and outlining their approach to the London Living Wage. The above should have positive impacts on those protected characteristics by ensuring that affordable workspace is managed by providers who will promote the workspace to residents, including those in priority groups. It has also been assessed to have a positive socio-economic impact by ensuring that approved providers provide support to end users and have a clear approach to the London Living wage.

The section also provides further information about who is expected to benefit from affordable workspace: start-ups and early stage businesses in the CDI sector; businesses focussed on creative production; not for profit and/or charitable organisations supporting Lambeth's CDI economy and providing significant social value to local residents - this includes education providers and organisations whose primary purpose is to support disadvantaged groups and tackling economic inequality through CDI related activity.

As explained in the analysis to section 2, without knowing the characteristics of who will access the affordable workspace, it is not possible to accurately determine whether this section would benefit the identified groups. However, it is known that nationally those working in the CDI sector are likely to be male, white, have higher than average incomes and have no disability and therefore the SPD, in supporting ED3 may disproportionately benefit these groups and consequently disbenefit other groups. Despite the above, beneficiaries of affordable workspace could also include organisations whose purpose is to benefit people who belong to groups with one or more of the identified protected characteristics. As such the approach could have a positive impact on all of the identified groups. By making clear that the end users of managed affordable workspace could include start ups or early stage businesses, this could have positive socio-economic impacts by securing space that they could otherwise not afford.

#### *Section 4: Council's approved charitable and not for profit register*

This section explains that some charitable and not for profit organisations require unmanaged affordable workspace. It explains that the council will have a charitable and not for profit register and that organisations can apply to be on it should they wish to occupy affordable workspace. The draft SPD states that the application will be determined against identified criteria including: charitable/not for profit status of the organisation; social value; need for affordable workspace; commitment to community engagement; and business conduct (including commitment to London Living Wage).

It is further explained that the developers/owners who wish to meet their policy requirements by leasing unmanaged affordable workspace directly to an organisation (Approach C) should use this register.

This section provides more clarity as to who is a charitable or not for profit organisation for the purposes of this policy and should help applicants in identifying potential end users. As explained elsewhere, given the council's criteria, such organisations may include those whose purpose is to benefit people who belong to groups with one or more of the identified protected characteristics. As such this could have a positive impact on all of the identified groups.

Further, by identifying that organisations on this register need affordable workspace and are committed to London Living wage, this section is assessed to have a positive socio-economic impact.

#### *Section 5: Workspace Management Plan*

This section of the SPD sets out that applications that deliver their policy requirement by providing managed affordable workspace will be required to produce a Workspace Management Plan (WMP), the provisions of which will be secured by a planning obligation. The WMP will be required to set out: the terms on which the affordable workspace will be let; the types of business the workspace will be let to; the process for letting space and re-letting vacant space; the fit out and the responsibilities of those fitting out the space; the business support offer to end users; and reporting requirements.

By providing additional information about the WMP, this section should help to ensure that the affordable workspace secured benefits appropriate organisations at prices that they can afford. As such, this further guidance is assessed to have a positive socio-economic impact. The Workspace Management Plan also sets out the requirement for workspace providers to monitor the beneficiaries of the workspace including protected characteristics.

#### *Section 6: Market Rents*

This section explains how the market rents (and therefore the discounted rent for affordable workspace) is to be calculated. It is not considered to have an impact on those with protected characteristics.

#### *Section 7: Review Mechanisms*

This is a technical section showing when the viability of schemes will be reviewed and the formulas to be used in such reviews. This is not considered to have an impacts on those with protected characteristics.

#### *Section 8: Payment in Lieu*

This section provides information on when a payment in lieu of on-site affordable workspace delivery will be accepted. This section is not considered to have impacts on those with protected characteristics.

#### *Section 9: Monitoring affordable workspace obligations and timing of payments*

The section sets out that applicants providing affordable workspace will be required to provide annual reports to the council as set out in the WMP (approaches A and B) or in a Section 106 legal agreement (Approach C). It also sets out that monitoring fees will need to be paid and when payments in relation to planning obligations should be made.

This is largely a technical section and it is not assessed to have an impact on those with protected characteristics.

Would you assess the impact as positive, adverse, neutral? Do you have any uncertainty about the impact of your proposal? Is there a likelihood that some people will more impacted than others? Can you describe the ways in which they will be affected? How might this change affect our 'general duty'?

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### Q3a. How do you plan to promote and deliver any positive impacts of the proposal?

The positive impacts of the SPD will arise when affordable workspace is delivered. As part of a planning obligation, the council will require annual reports to monitor the use of the affordable workspace. This includes the number of businesses occupying the affordable workspace, the profile of the beneficiaries of affordable workspace (gender, age, ethnicity, disability), whether businesses pay the London Living Wage and the rents that they will pay. This will allow the council to understand the amount of people/organisations benefitting from discounted market rents and ensure that Local Plan Policy ED2 is being implemented correctly.

How might the principles of fairness, equality of opportunity and positive relationships be further promoted as a consequence of this proposal? How do you propose to measure your positive outcomes and the benefits outlined to find out if these have been achieved?

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### Q3b How do you plan to address and mitigate any negative impacts of the proposal?

It has been assessed that the delivery of affordable workspace in accordance with Local Plan Policy ED2, and therefore the SPD, may disproportionately benefit those who male, white, have higher than average incomes and have no disability and therefore may disbenefit those who don't hold these characteristics. As stated above, the council will require annual reports on the profile of beneficiaries, so the council will be in a position to know who benefits from affordable workspace and make adjustments if necessary (see Q4).

Further and as is set out in section 3 of the SPD, it is intended that that managed affordable workspace would be operated by a council approved Affordable Workspace Provider, who will have met defined council criteria. The criteria includes a commitment to recruiting and supporting appropriate end users, to have demonstrated a capability in promoting the workspace tenant opportunities, services and events to residents local to their workspaces – including priority groups, and outlining their approach to the London Living Wage. Such criteria should ensure that those with protected characteristics benefit from affordable workspace, as well as those from lower incomes.

In addition, as section 4 of the SPD sets out, unmanaged affordable workspace could be directly leased by approved charitable and not-for-profit organisations on the council's register. To be on the council's approved register they would have had to meet criteria including, charitable/not for profit status of the organisation; social value; need for affordable workspace; commitment to community engagement; and business conduct (including commitment to London Living Wage). Such criteria should also ensure that those with protected characteristics, as well as those from lower incomes, benefit from affordable workspace.

Design and accessibility standards as set out within the Local Plan will also ensure that workspace is accessible and useable to other protected characteristic groups.

What impact has this evidence had on what you are proposing? What can you do differently that might lessen the impact on people within the timeframes i.e. development-implementation? Who can help you to develop these solutions?

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### Q4. How will you review/evaluate your proposal, mitigating actions and/or

### benefits? Who will be responsible for this?

The SPD is designed to support Policy ED2 of the revised Local Plan, when it is adopted. Local Plans are required to be reviewed every 5 years and if the policy on which the SPD is designed to support is reviewed, then it may be necessary to update.

By securing monitoring information from schemes with affordable workspace through a planning obligation, the council will have the information that will allow it to evaluate the impact of Policy ED2 and the SPD and assess its benefits. Such information can be considered when the Local Plan is reviewed.

Where Management Plans are in place this will be required to identify those benefitting from the affordable space including any protected characteristics. Monitoring of S106 agreements will also enable this to take place.

Who will you be accountable to for the above actions/outcome? How will those responsible know these actions have worked? What performance indicators will you use to demonstrate this? Are there any other forms of evidence you can use to support this assessment of their effectiveness?

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### Section to be completed by Sponsor/Director/Head of Service

Outcome of equality impact assessment

- No adverse impact, no change required
- Low adverse impact, minor adjustment required
- Significant adverse impact, further action required
- Significant impact identified unable to mitigate fully
- Unlawful in/direct discrimination, stop and rethink

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### Comments from Sponsor/Director/Head of Service

This Equalities Impact Assessment is approved. As set out above, the outcomes generated by the policy on affordable workspace, and this supporting guidance, will be kept under review, to ensure the greatest benefit for our communities, particularly those with protected characteristics, is secured.

Submit for approval

Resubmit

Executive Approval

Approved

### Attachments

[Appendix 2 AW SPD EqIA.docx](#)

