

As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration.

A **screening** process can help judge relevance and provides a record of both the **process** and **decision**. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions. Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality, diversity, cohesion and integration.
- whether or not equality, diversity, cohesion and integration is being/has already been considered, and
- whether or not it is necessary to carry out an impact assessment.

<b>Directorate: City Development</b>	<b>Service area: Forward Planning and Implementation</b>
<b>Lead person: Lora Hughes</b>	<b>Contact number: 50714</b>
<b>Date: 19<sup>th</sup> August 2014</b>	

<b>1. Title: Community Infrastructure Levy (CIL) – Adoption of Charging Schedule</b>		
Is this a:		
<input checked="" type="checkbox"/> <b>Strategy / Policy</b>	<input type="checkbox"/> <b>Service / Function</b>	<input type="checkbox"/> <b>Other</b>
<b>If other, please specify</b>		

<b>2. Please provide a brief description of what you are screening</b>
The Planning Act 2008 established powers to create a Community Infrastructure Levy, and the Community Infrastructure Levy Regulations (April 2010 and amended 2011, 2012, 2013, 2014) used these powers to allow a charging authority to levy a charge on the owners or developers of land that is developed, so that they contribute to the costs of providing the infrastructure needed to support the development of the area. The rates take into account the sensitivity of the market for all types of development and must be balanced between pro-growth and being able to deliver the necessary infrastructure.
This Screening Report assesses the decision to adopt the Community Infrastructure Levy (CIL) Charging Schedule on the 6 <sup>th</sup> April 2015.

<b>3. Relevance to equality, diversity, cohesion and integration</b>
<i>All the council's strategies/policies, services/functions affect service users, employees or the wider community – city wide or more local. These will also have a greater/lesser relevance to equality, diversity, cohesion and integration. The following questions will help you to identify how relevant your proposals are. When considering these questions think about age, carers, disability, gender reassignment, race, religion</i>

or belief, sex, sexual orientation and any other relevant characteristics (for example socio-economic status, social class, income, unemployment, residential location or family background and education or skills levels).

Questions	Yes	No
Is there an existing or likely differential impact for the different equality characteristics?	X	
Have there been or likely to be any public concerns about the policy or proposal?	X	
Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?	X	
Could the proposal affect our workforce or employment practices?	X	
Does the proposal involve or will it have an impact on <ul style="list-style-type: none"> <li>• Eliminating unlawful discrimination, victimisation and harassment</li> <li>• Advancing equality of opportunity</li> <li>• Fostering good relations</li> </ul>	X	

If you have answered **no** to the questions above please complete **sections 6 and 7**

If you have answered **yes** to any of the above and;

- Believe you have already considered the impact on equality, diversity, cohesion and integration within your proposal please go to **section 4**.
- Are not already considering the impact on equality, diversity, cohesion and integration within your proposal please go to **section 5**.

#### 4. Considering the impact on equality, diversity, cohesion and integration

*If you can demonstrate you have considered how your proposals impact on equality, diversity, cohesion and integration you have carried out an impact assessment. Please provide specific details for all three areas below (use the prompts for guidance).*

- ***How have you considered equality, diversity, cohesion and integration?***

*(think about the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected)*

There have been a range of formal public consultation stages in setting the CIL rates, with equalities screenings undertaken and published at previous decision making stages (August 2013, January 2013, December 2011). It is considered that the current stage has the same conclusions; namely that the issues with most impact on equality, diversity and cohesion relate to spending and governance. The impacts would arise at the point at which money has been secured through CIL and new or improved infrastructure is actually delivered. They would not arise directly as a result of the CIL Charging Schedule itself and spending is not the subject of the current decision for Executive Board. Therefore the Screening conclusions remain the same, in that overall the CIL will be a benefit for the people of the District, and that no impacts are identified that cannot be mitigated against through other workstreams. The Executive Board is making a decision based on a continuation of previously approved stages of the Community Infrastructure Levy and so it is not necessary to further review equality in a full impact assessment at this time

The CIL rates have to be set primarily on viability evidence so the Council had limited choice over the types of development or geographical locations where it can be charged. Adopting a CIL will have an impact on anyone in the District with an interest in land, particularly landowners and developers. As CIL is based on viability, developments of different values

will still achieve the same profit margins as CIL captures surplus profit which has been adjusted for different zones, meaning profitability of high and low value developments have equal margins. Development types that generically cannot afford CIL do not have to pay it as it is set at a zero rate for such types. The Council is proposing that leisure centres, schools, public health facilities, community centres, cultural facilities and religious institutions will be exempt from CIL. By removing the requirement to pay CIL, the delivery of these services is less likely to be inhibited. This will be beneficial for those people who are reliant of these types of services, including older people, children and families. The Regulations set out that development proposed by charities and used for charitable purposes is exempt from paying the CIL, as is social housing. Setting the CIL at an appropriate rate will mean that it should not be an additional barrier to the delivery of social housing.

- **Key findings**

*(think about any potential positive and negative impact on different equality characteristics, potential to promote strong and positive relationships between groups, potential to bring groups/communities into increased contact with each other, perception that the proposal could benefit one group at the expense of another)*

Adopting a CIL will help the authority to achieve the vision for sustainable development that is set out in the Core Strategy. The Core Strategy was itself subject to a detailed Equality Impact Assessment Screening that considered the impacts of individual policies on those groups identified as having protected characteristics. Bringing forwards the CIL in Leeds aims to enable the Council to direct spending on necessary infrastructure items, give more choice in priority setting for spending to local communities, and balance out the costs and benefits of growth across the District. It is therefore considered that it is a beneficial mechanism to help promote equality overall.

It is considered that the CIL will have neither a positive nor a negative impact on equalities characteristics because the rate payable is based solely upon the viability of the development types in line with national legislation set out CIL regulations. It is difficult to attribute the proposed CIL charge to specific impacts on the groups identified in the Equality Act as having protected characteristics. The CIL cost is ultimately expected to rest with landowners. It aims to provide more certainty for the development industry than the current system, and knowledge in advance of rates which will be charged and the transparency this will result in and will allow for more equality in the process of negotiating payments and in balancing the infrastructure costs of new development across all types of viable development. All equality characteristics and the impact on them have been considered as part of the EIA screening process, and the impact on all groups is the same.

Regulation 123 requires the Council to identify a list of projects or types of infrastructure on which the CIL may be spent. The Leeds R123 List is relatively generic and has aimed to maximise infrastructure funding from new developments. For example the sustainable transport proposals of New Generation Transport, and the Core Cycle Network will improve access to all and benefit all the groups with protected characteristics. The List does not identify priorities for spending within it, which would be the point at which any specific implications on the protected characteristics may arise.

The CIL Regulations do not allow a charge to be levied on affordable housing or for development by charities, however developer contributions will still be paid for affordable housing, this has the same impact on those who are on lower incomes and the young, who in particular are reliant on affordable housing. In Leeds the levy will also not be charged on leisure centres, schools, public health facilities, community centres, cultural facilities, and religious institutions, which ensures that projects which support narrowing gaps and bringing communities together, and infrastructure projects themselves, are not impacted by the CIL.

- **Actions**

*(think about how you will promote positive impact and remove/ reduce negative impact)*

The CIL rates have been chosen to not impact on the overall viability of development across the District. They have been subject to formal public examination. Before the CIL is introduced a range of guidance documents will be produced, with training sessions for the property industry and also communities undertaking neighbourhood planning.

The Council is required to monitor both the receipt and expenditure of CIL on an annual basis, which will form part of the Annual Monitoring Report. This will include the amount raised, developments charged, CIL spent and infrastructure delivered. The CIL will be reviewed at an appropriate point based on this monitoring.

In terms of equality of payment, the Council can use past development rates to determine whether CIL has affected development patterns, and whether its application and effect is equal. In addition, the Council will need to monitor if any relief from CIL is purely based on economic viability, and not creating bias to any particular developer or development type.

**5. If you are *not* already considering the impact on equality, diversity, cohesion and integration you *will need to carry out an impact assessment*.**

Date to scope and plan your impact assessment:	
Date to complete your impact assessment	
Lead person for your impact assessment (Include name and job title)	

**6. Governance, ownership and approval**

Please state here who has approved the actions and outcomes of the screening

Name	Job title	Date
Lora Hughes	Principal Planner	19 <sup>th</sup> August 2014

**7. Publishing**

This screening document will act as evidence that due regard to equality and diversity has been given. If you are not carrying out an independent impact assessment the screening document will need to be published. Please send a copy to the Equality Team for publishing

<b>Date screening completed</b>	
<b>Date sent to Equality Team</b>	
<b>Date published</b> (To be completed by the Equality Team)	