

Equality, Diversity, Cohesion and Integration Screening



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.

Directorate: Resources and Housing	Service area: Policy and Plans
Lead person: Nasreen Yunis	Contact number: 0113 3787640

1. Title: : The Leeds Community Infrastructure Levy – Investment of the Strategic Fund

Is this a:

☒

Strategy / Policy

☐

Service / Function

☐

Other

If other, please specify

2. Please provide a brief description of what you are screening

The Community Infrastructure Levy (CIL) was adopted in April 2015, since its adoption the CIL strategic fund has gradually been accumulating. This report relates to the spend of that monies for £685.434.61 which was generated from CIL up until Nov 2016.

The Community Infrastructure Levy (called 'the levy' or 'CIL') allows local planning authorities to raise funds from developers who are creating new buildings in their area. The funds raised will go towards infrastructure that is needed to support the growth of the city, such as schools and transport improvements. The CIL is applied as a charge on each square metre of certain types of new buildings. It replaces the current method of seeking pooled contributions from developers, called Section 106 planning obligations.

Executive Board (February 2015), made key decisions around spending of the future CIL income, directing it into two main funding streams, a strategic fund, and a neighbourhood fund, plus up to 5% for administrative costs.

The purpose of the CIL strategic fund is to contribute to the costs of hosting development, not for the money to be substituted for general spending, for which funding streams should continue as at present. The levy has to focus on the provision and maintenance of infrastructure and should not be used to remedy pre-existing deficiencies unless those deficiencies will be made more severe by new development. Funds can be accrued to fund key items, or passed onto any other body e.g. the Highways Authority. Investment of the strategic fund as such needs to take into consideration the restrictions set out in the Reg123 list. This report makes a recommendation in relation to the spend of the strategic fund only.

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3. Relevance to equality, diversity, cohesion and integration

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 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).

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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"> Eliminating unlawful discrimination, victimisation and harassment Advancing equality of opportunity Fostering good relations 	 x x	 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).

In developing the Community Infrastructure Levy (CIL) charge setting process, previous screening reports have already considered equality to ensure that there is equal and fair consultation throughout the charge setting process, and equality for those who will have to pay the charge. Executive Board in February 2015 also determined the broad principles for spending of the CIL, which was accompanied by an EIA Screening Report. The conclusions of that screening were that there are no equality impacts that have not been given due regard or which are not planned to be mitigated through future work. A key element of the recommendations to Executive Board were concerned with ensuring that the governance structure for allocating CIL will be transparent and ensure that the allocation of funds to projects is undertaken in a fair and consistent manner. Crucially, this will include considerations of equality and cohesion within those decisions. Overall the CIL will be a benefit for the people of the District. It was anticipated that much of the agreed spending would be locality based, reflecting Members' views on priorities at the time, and in turn reflecting views of their local communities. This was expected to reflect where significant development had taken place or was on-going as well as other funding sources. Flexibility enables the balance to vary year on year to respond to changing circumstances, and any impacts (real or perceived) on equality.

This current report is concerned with equality as a result of decisions on spending of the strategic fund. National legislation requires that each Council which has implemented CIL should set out a Regulation 123 list. Appendix 1 of the main report sets out the current Regulation 123 list, which is the Infrastructure list the Council approved on the adoption of the CIL. This specifies those infrastructure projects or types of infrastructure that the Council intends will be, or may be, wholly or partly funded through the CIL. In order to ensure that individual developments are not charged twice for the same infrastructure items, the CIL Regulations restrict section 106 planning obligations in respect of infrastructure listed on the Regulation 123 list. Where the regulation 123 list includes a generic type of infrastructure (such as 'education' or 'transport'), section 106 contributions should not be sought on any specific projects in that category. As such national legislation is very specific in relation to the spend of the strategic fund. The impact on the protected characteristics is as such very similar for all the characteristics as national guidance allows the spend of the strategic fund to be decided at a local level.

There are various options and pressures in relation to the investment of the strategic fund, such as competing demands for the monies from varying different types of infrastructure to include schools, public transport and flood alleviation. There are also pressures in terms of where the monies are spent geographically. The strategic fund can be invested on strategic infrastructure throughout Leeds and is not restricted geographically, however this can also mean that there is not necessarily a connection between development activity and where the strategic fund is spent. Whilst section 106 funds are closely tied to the local area around the relevant development and are often directed towards specific types of infrastructure, there is the potential to direct CIL funds towards more strategic infrastructure priorities.

The recommendation that the investment of the strategic fund (until November 2016) to be spent to contribute to learning places deficit for schools assists with the provision of vital infrastructure. In particular the key groups to benefit from this are young children who will directly benefit from the provision of schools. This also has a positive impact on other groups as the provision of education benefits all in the local community. In addition other protected characteristics such as the ethnic minorities, gender, religion, sexual orientation, may all benefit from the proposal as the provision of education has an impact on these groups.

- **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)

- **Actions**

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

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 (these matters have already been subject to an equality screening). It is therefore considered that it is a beneficial mechanism to help promote equality overall. The CIL has never been expected to fund all the necessary infrastructure for Leeds and other sources of funding will continue to be sought.

The CIL should benefit all groups by contributing to the delivery of strategic and local infrastructure, helping to achieve more sustainable development. Various consultations have been held throughout the process leading up to the adoption of the CIL. By investing the strategic fund at this point in time for education provision, the equality considerations are positive especially for the young, and their communities, to include all protected characteristics. The future spend of the strategic fund will also need to be considered at a later date, and the priorities at that stage may be different, and will again have to meet the national requirements stipulated in the CIL Regulations (2010 as amended) and give due regard to equality.

Annual monitoring of a number of elements of the CIL will be important in managing and responding to any real or perceived risks and any other implications on equality which have not been identified or addressed.

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
D Feeney	Head of Strategic Planning	16/6/17

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.

If this screening relates to a **Key Delegated Decision, Executive Board, full Council** or a **Significant Operational Decision** a copy should be emailed to Corporate Governance and will be published along with the relevant report.

A copy of **all other** screening's should be sent to equalityteam@leeds.gov.uk. For record keeping purposes it will be kept on file (but not published).

Date screening completed

16/6/17

If relates to a Key Decision - **date sent to Corporate Governance**

Any other decision – **date sent to Equality Team**
(equalityteam@leeds.gov.uk)

