Community Infrastructure Levy Equality Impact Analysis

October 2014

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Date of assessment	October 2014				
Reason for assessment	Equality Impact Analysis (EIA) – improving outcomes for disadvantaged groups				
	The purpose of this assessment is to review the impacts that the council's Community Infrastructure levy (CIL) proposals are likely to have on those who reside, work or visit the area covered by the Chichester Local Plan. (This excludes the area within the district covered by the South Downs National Park). This EIA aims to ensure that the CIL does not have an adverse effect on disadvantaged and vulnerable groups by assessing the main potential impacts of the CIL on the Protected Characteristic Groups identified within the Equalities Act 2010: Race Faith and Belief Disability Gender Sexual Orientation Age Gender Reassignment Marriage and Civil Partnership Pregnancy and Maternity.				

Description of the project being assessed

The subject of this assessment is the council's Community Infrastructure Levy (CIL) which the Council aims to adopt in Summer 2015. The levy will be charged on new development within the area covered by the Local Plan (This excludes the area covered by the South Downs National Park, because the South Downs National Park Authority is producing a separate CIL charging schedule for the South Downs National Park area). The levy is to be introduced in order to raise funds to meet the demands that new development will place on the infrastructure of the area, such as new and improved roads, public transport, cycleways, pedestrian routes, schools, green infrastructure, community and health facilities.

The Community Infrastructure levy (CIL) was introduced under the Planning Act 2008 and is a new tariff system that enables local authorities to make a charge on most forms of new development to fund infrastructure needed to support development. Unlike funding from Section 106 agreements, CIL funds can be spent on a wide range of infrastructure to support development without the need for a direct geographical or functional relationship with the development. The intention is that CIL will be a simpler, fairer, more transparent and more predictable system. The CIL Regulations 2010 (as amended) set out the framework and statutory requirements for local authorities who intend to introduce a CIL. The overall purpose of CIL is to ensure that costs incurred in providing infrastructure to support the development of an area can be funded (wholly or partly) by owners or developers of land.

Under the CIL Regulations 2010 (as amended), the amount of CIL to be paid has to be set out in a formal document called a Charging Schedule. The Charging Schedule must set out the level of charge that is to be levied for different types of development, in different parts of the Local Plan area. It is charged per square metre on net additional floorspace of development and the charging schedule must set out how to calculate the level of CIL required for each scheme.

CIL is not charged on affordable housing and buildings used for charitable purposes. The amount payable for other forms of development will be set at the time planning permission is granted and payment will be due at the commencement of development. Larger amounts will be payable in instalments over fixed time periods.

CIL is intended to complement rather than replace other funding streams and is intended to promote development rather than hinder it. Its main advantages are that:

- It is modest, representing no more than 5% of total development costs and is not charged on types of development that cannot sustain it;
- It is a fixed, non-negotiable charge and is therefore transparent and predictable;

- It is less time-consuming and complicated than S106 planning obligations, with less need for protracted negotiations with applicants and the drawing up of legal agreements; and
- Parish and Town Councils' will receive a share (15-25% dependent upon whether they have an adopted Neighbourhood Plan), which they can spend on infrastructure of their choice, enabling communities to benefit from development in their area.

In accordance with the CIL Regulations 2010 (as amended), two rounds of consultation need to be carried out prior to Chichester adopting its Community Infrastructure Levy. The first being at the Preliminary Draft Charging Schedule Consultation stage which took place from 10th March – 23rd April 2014; and the second for the Draft Charging Schedule consultation planned for 21st November – 5th January 2015.

The draft CIL Charging Schedule identifies two discrete charging zones in which different CIL charges will apply depending on the type of development that is being proposed.

Draft Charging Schedule - Charge rates

Table 1 – Proposed CIL Charges

Use of Development	Proposed Levy (£/m2)
*Residential – South of the District	£120 sqm
*Residential – North of the District	£200 sqm
Business (B1b, B1c, B2, B8)	£0 sqm
Retail (wholly or mainly convenience)	£125 sqm
Retail (wholly or mainly comparison)	£20 sqm
Student Housing	£30 sqm
Standard Charge (applies to all	£0 sqm
development not separately defined)	
*with the exception of residential	
institutions (C2)	

The CIL Regulations require that the CIL rates are underpinned by evidence relating to the economic viability of new development and the projected infrastructure needs over the period to which the CIL charge applies. The Council's Infrastructure Delivery Plan which accompanies the draft Chichester Local Plan: Key Policies 2014-2029 sets out key infrastructure requirements needed to support growth and the development objectives of the plan area. The draft regulation 123 List contains the list of generic infrastructure projects where CIL may be applied and where S106 will not be sought. Importantly, adopting the CIL in Chichester will help the Council achieve its spatial strategy as outlined in the draft Chichester Local Plan: Key Policies 2014-2029.

The introduction of CIL should, in principle, benefit all groups by contributing to the delivery of strategic and local infrastructure and helping to achieve more sustainable development. CIL payments will be used to fund infrastructure such as delivery of new school places, health facilities, sports and leisure facilities, open space projects and therefore it is anticipated it will generate benefits for all equality groups. Any possible impacts would arise at the time money is secured through CIL and new or improved infrastructure is actually delivered; impacts will not arise directly as a result of the CIL Charging Schedule itself.

The Department for Communities and Local Government (DCLG) undertook an Equalities Impact Assessment of CIL legislation and regulations in January 2012. Part of this assessment states that:

"The Community Infrastructure Levy is unlikely to have an adverse impact on any social group. By making communities more sustainable, the Community Infrastructure Levy will facilitate economic growth and liveability and so create opportunity for all. The infrastructure and services that the Community Infrastructure Levy will provide (such as medical and community facilities and transport networks) will enhance accessibility and liveability for all sectors of society, and could help to deliver new infrastructure that serves different needs within the community, for example, by increasing mobility and accessibility. We do not anticipate the reforms to the Community Infrastructure Levy changing this assessment."

DCLG, Jan 2010 http://www.parliament.uk/documents/impact-assessments/iA11-010AG.pdf

It is clear that the Government do not expect the implementation of CIL to cause any adverse impact on any equality groups; indeed they anticipate that it will in general have a positive influence on a number of equalities groups.

Chichester District Council is required to undertake equality monitoring. Where possible the most up to date data has been used as the benchmark. Monitoring is undertaken using the following categories:

- Gender reassignment
- Age

- Ethnicity
- Disability
- Religion and belief
- Sexual orientation
- Marriage and civil partnership
- Pregnancy and maternity
- Sex (gender)

Equalities Impact Analysis

Target Groups	Impact: Positive Neutral/Negligible Negative Not applicable Unknown	Impact analysis	Data sources
GENDER REASSIGN MENT	Unknown	No specific impacts are identified although the introduction of CIL will benefit all groups by contributing to the provision of infrastructure.	The Council does not have access to any data on gender reassignment.
AGE	Positive	The provision of new and	The table below shows the breakdown of age ranges in the district as at Census 2011. The highest amount of people by age is 8,550 people aged 60-

	pedestrian facilities and	Population by age range Census 2011	Number of people	Percentage
	cycle facilities	All persons	113,794	
	should benefit all	All persons aged 0-4	5652	5.0%
	age groups	All persons aged 5-9	5630	4.9%
	particularly	All persons aged 10-14	6092	5.4%
	the older and	All persons aged 15-19	6517	5.7%
	younger age	All persons aged 20-24	6200	5.4%
	groups.	All persons aged 25-29	5150	4.5%
		All persons aged 30-34	5205	4.6%
		All persons aged 35-39	6121	5.4%
		All persons aged 40-44	7497	6.6%
		All persons aged 45-49	8312	7.3%
		All persons aged 50-54	7795	6.9%
		All persons aged 55-59	7179	6.3%
		All persons aged 60-64	8550	7.5%
		All persons aged 65-69	7551	6.6%
		All persons aged 70-74	6219	5.5%
		All persons aged 75-79	5515	4.8%
		All persons aged 80-84	4317	3.8%
		All persons aged 85+	4292	3.8%

public transport, pedestrian facilities and cycle facilities and community facilities should benefit all people particularly minority ethnic groups who may be less reliant on the private car.

Resident Population by Ethnic Group -	Chichester district
Census 2011	percentages
All persons	113,794
White: English/Welsh/Scottish/Northern	02.00/
Irish/British	93.0%
Please note that due to a census 2011 re-	
classification White Irish, White Other and	7%
White gypsy and traveller have now been	1 70
classified as black and ethnic minority	
Mixed/multiple ethnic group: White and Black	0.2%
Caribbean	0.2%
Mixed/multiple ethnic group: White and Black	0.40/
African	0.1%
Mixed/multiple ethnic group: White and Asian	0.3%
Mixed/multiple ethnic group: Other Mixed	0.3%
Asian/Asian British: Indian	0.4%
Asian/Asian British: Pakistani	0.0%
Asian/Asian British: Bangladeshi	0.1%
Asian/Asian British: Chinese	0.3%
Asian/Asian British: Other Asian	0.6%
Black/African/Caribbean/Black British: African	0.3%
Black/African/Caribbean/Black British:	0.1%
Caribbean	U. 170
Black/African/Caribbean/Black British: Other	0.1%
Black	U.176
Other ethnic group: Arab	0.1%
Other ethnic group: Any other ethnic group	0.1%

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DISABILITY	Positive	The Council
		is not
		proposing to
		charge CIL
		on new
		healthcare or
		community
		facilities
		which will
		mean that
		CIL will not
		represent a
		barrier to the
		development
		of such new
		facilities.
		Rather, funds
		collected
		through CIL
		from other
		forms of
		development
		will be used
		to help
		deliver new
		social
		infrastructure
		which
		includes
		healthcare
		and
		community

Long term health problem or disability

Chichester District is generally in line with county, regional and national averages in terms of daily activities that are limited due to a long term health problem or disability, for all people.

Showing All people: daily affected by a long term health problem or disability for 2011 compared to county, regional and national averages. All areas highlighted are the highest in West Sussex.

%	Day-to-day activities limited a lot	Day-to-day activities limited a little	Day-to-day activities not limited
Adur	9.1	11.0	79.9
Arun	9.4	11.7	78.9
Chichester	7.3	10.2	82.5
Crawley	6.6	8.2	85.3
Horsham	6.0	8.8	85.2
Mid Sussex	5.8	8.4	85.8
Worthing	8.9	10.5	80.6
West Sussex	7.5	9.8	82.8
South East	6.9	8.8	84.3
England	8.3	9.3	82.4

Chichester District is slightly lower than County, Regional and National averages for daily activities limited by long term health problem or disability for people aged 16-64.

Showing 16 – 64 year olds: daily activities affected by a long term health problem or disability for 2011. Compared to county, regional and national averages. All areas highlighted are the highest in West Sussex.

		The table be					_
			ability living	allowance (as at Augus	e in the district t 2010) this als	
				ue ioiai iiuii	iber of those	e in the district	who were
		Disability live. The table be					_
		Disability liv					
			England	3.6	4.1	56.5	
			West Sussex South East	2.7 2.7	4.1 4.1	54.6 57	
			Worthing	3.4	4.5	53.6	
			Mid Sussex	2.1	3.5	56.9	
			Horsham	2.1	3.6	56.1	
	facilities.		Crawley	3.1	4.3	59.3	
	of these		Chichester	2.3	3.8	53.1	
	accessibility		Arun	3.1	4.5	50.4	
	including the		Adur	3.5	4.7	52.5	
	groups		%	Age 16 to 64	to 64	to 64	
	disability			limited a lot:	little: Age 16	limited: Age 16	
	various			activities	limited a		
	will benefit			Day-to-day	activities	Day-to-day activities not	

		proposing to charge CIL	of the 2011 population).		
		on religious institutions	Religion	Chichester di	strict numbers	% of district
		which means	All people	113	3,794	100%
		that CIL will	Christian	75	,248	66.13%
		not be a	Buddhist	4	92	0.43%
		barrier to the delivery of	Hindu	2	76	0.24%
		such	Jewish	1	63	0.14%
		facilities. It	Muslim (Islam)	4	19	0.37%
		should be	Sikh		31	0.03%
		noted that the	Other religion: Total	5	16	0.45%
		CIL regulations	No religion: Total	27	,947	24.56%
		declare	Religion not stated	8,	702	7.65%
		buildings proposed by charities and used for charitable purposes are exempt from paying CIL.				
SEXUAL	Neutral/Negligible	No specific	Same sex couples			4.0
ORIENTATI ON		impacts are identified	The table below indicanumber of same sex			
		although the introduction	All Households	Same-sex couples	Percentage of all hou in Chichester Dis	
		of CIL will benefit all	49848	66	0.1%	
		groups by				

		contributing to the provision of infrastructure.	Same-sex couple households Dependent Children No dependent children	5 61			
MARRIAGE & CIVIL PARTNERS HIP	Neutral/Negligible	No specific impacts are identified although the introduction of CIL will	The table below details marital status in the district as at the Census 201 49,642 people are married. This is 52.2% of the population, which is the level in the district. The total number of people single (never married or registered a same-sex civil partnership) is second highest and equates to 25,801, which is 27.1% of the total population.				
		benefit all	Marita	al Status	Chichester District	%	
		groups by contributing to the	All categories: Marit)			
			status	95161			
		provision of	Single (never marrie				
		infrastructure.	same-sex civil partn	ership)	25801	27.1%	
			Married		49642	52.2%	
				e-sex civil partnership	175	0.2%	
			Separated (but still I legally in a same-se	egally married or still x civil partnership)	2153	2.3%	
			Divorced or formerly partnership which is	vin a same-sex civil now legally dissolved	8890	9.3%	
			Widowed or survivin same-sex civil partn	0 1	8500	8.9%	
PREGNANC Y & MATERNITY	Positive	The Council is not proposing to charge CIL on new	and shows all the dist	Joint Strategic Needs ricts and boroughs in '	Assessment – West Sus West Sussex. Chicheste s from the total of 1864	er district is	

healthcare or community facilities which will mean that CIL will not represent a barrier to the development of such new facilities. Rather, funds collected through CIL from other forms of development will be used to help deliver new social infrastructure which includes healthcare and community facilities that will benefit various groups including the

Local Authority	Females aged 15- 44	Live births	Birth rate per 1,000 females aged 15-44
Adur	10,939	775	71.8
Arun	24,355	1,619	67.0
Chichester	18,645	1,136	62.3
Crawley	23,725	1,648	69.4
Horsham	22,710	1,290	58.1
Mid Sussex	25,369	1,545	61.3
Worthing	19,474	1,194	61.8
West Sussex	145,217	9,207	64.1
England	10,749,254	694,241	64.9

		accessibility of these	
		facilities.	
SEX (GENDER)	Positive	The CIL will benefit all groups of people by contributing to the delivery of strategic and local infrastructure as identified in the draft Regulation 123 list as necessary to support proposed levels of development.	According to the Census 2011, the total district population was 113,794. Of this, 59,393 were females and 54,401were male. This indicates that 52.2% of the total population are female and 47.8% are male.

Gaps in evidence base

There are gaps in the evidence base for the areas of gender reassignment. However, it is not considered that further information in these areas will influence the CIL charging schedule. Given CIL contributions will be spent on local infrastructure, it is expected that funds collected from CIL should result in positive impacts on this group as well as all other equality groups.

Engagement and consultation with stakeholders

The Preliminary Draft Charging Schedule was published for public consultation in accordance with the Council's Statement of Community Involvement from 17th March to 23rd April 2014.

Responses received to this consultation resulted in the Council commissioning an update of its viability evidence which has informed the production of the Draft Charging Schedule, which once approved by the Cabinet on 4th November 2014 will be published for a second round of public consultation from 21st November 2014 to 5th January 2015. The representations will be considered and modifications may be prepared and agreed by Council on 10th March 2015 before being submitted for independent Examination on 10th March 2015.

Action Plan

Issue Identified	Action Required	Lead Officer	Timescale	Comments
The CIL has not yet	This EIA has been	Karen Dower	CIL Preliminary Draft	The EIA has been
been implemented and	reviewed and updated in		Charging Schedule	updated to take account
is still to undergo it	response to relevant		consultation: 10 March	of changes to the CIL
second round of	issues raised during		to 23 April 2014	Charging Schedule. The
consultation and	consultation of the CIL			change has been the
examination.	Draft Charging		CIL draft Charging	reduction of the purpose
Subsequently there may	Schedule.		Schedule consultation:	built student housing
be some alterations to			21 November 2014 to 5	from £60sqm to £30sqm
the Charging Schedule			January 2015	
before it is adopted			A landar a series I I I I	
			Adoption expected: July	
		.,	2015	
It will be important to	Consider and review the	Karen Dower	July 2015 onwards	The Council will ensure
review the impact of CIL	impact of CIL once it			that CIL is allocated in
on equalities issues	has been adopted.			accordance with its
once it is adopted.				policies on fairness and
				equalities.