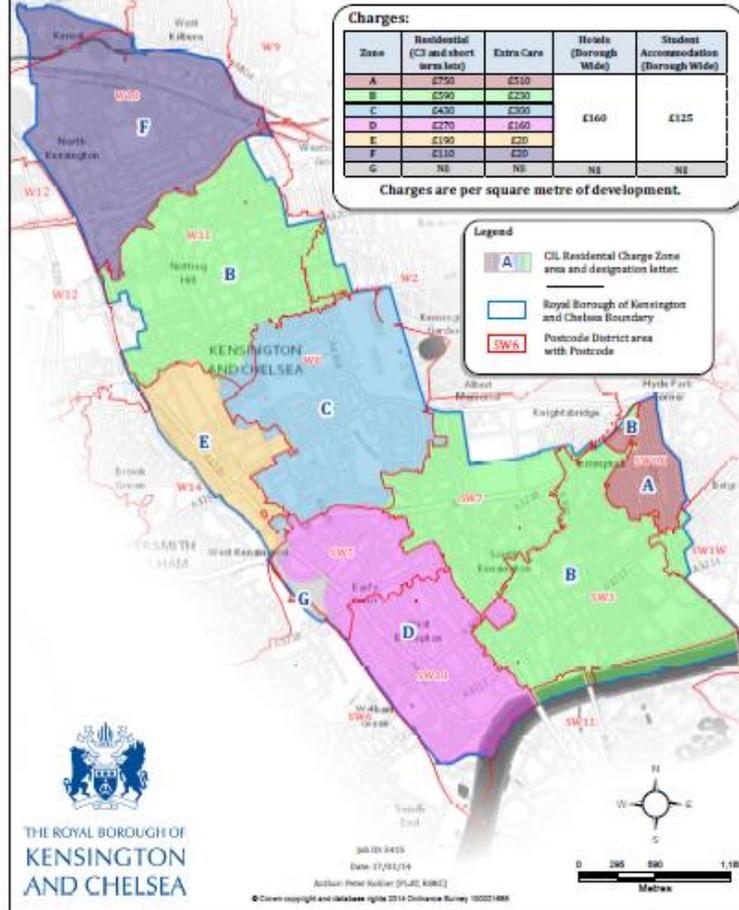


Equality Impact Analysis Tool

Overall Information	Details of Full Equality Impact Analysis
Financial Year and Quarter	2013/2014 Q4
Name and details of policy, strategy, function, project, activity, or programme	<p>Community Infrastructure Levy (CIL) Draft Charging Schedule (DCS)</p> <p>The Community Infrastructure Levy (CIL) enables a charge to be levied on the net increase in floorspace arising from development in order to fund infrastructure that is needed to support development in the area.</p> <p>Publication of, and consultation on, the Draft Charging Schedule (DCS) follows consultation on a preliminary draft charging schedule (Jan/ Feb 2013) and forms part of the process to adopting a CIL in this Borough.</p>
Lead Officers	<p>Name: Claire Shearing Position: Senior Planning Officer Email: claire.shearing@rbkc.gov.uk Telephone No: 020 7361 3012</p>
Lead Borough	RBKC
Date of completion of final Full EIA	<p>March 2014</p> <p>The equality duty is a continuing duty and consideration of equality impacts will continue at each relevant stage in the preparation and publication of the emerging Charging Schedule.</p>

Section 02		Scoping of Full EIA			
Plan for completion	Timing: Public consultation on the draft charging schedule 21 st January to 23 rd February 2014. Submission to Planning Inspectorate, March 2014 Resources: Staff time				
	The CIL DCS proposes, and seeks public views on, the proposed charges in this Borough. These are as set out below:				
Analyse the impact of the policy, strategy, function, project, activity, or programme	Development Type		CIL Rate		
			Charge per square metre (excl Mayoral CIL)		
			Zone	Class C3 (Residential)	Extra Care Housing
	Residential Uses		Residential Zone A:	£750	£510
			Residential Zone B:	£590	£230
			Residential Zone C:	£430	£300
			Residential Zone D:	£270	£160
			Residential Zone E:	£190	£20
			Residential Zone F:	£110	£20
	Non-residential Uses				
	Use		Charge per square metre (borough wide)		
	Hotels		£160		
	Student Accommodation		£125		
	Industrial/ Warehousing		Nil		
	Offices (B1)		Nil		
Retail Uses		Nil			
D1 and D2 Uses (eg health care facilities, schools, leisure uses etc)		Nil			
All Other Uses		Nil			
<i>All charges are exclusive of Mayoral CIL</i>					

DRAFT CHARGING SCHEDULE (January 2014)



The documents associated with the CIL DCS: the Infrastructure Delivery Plan, updated May 2013, and schedule identify infrastructure schemes which are indicative examples of schemes which CIL may be spent on. Although the CIL DCS is primarily concerned with setting the above CIL charge rates, for the purposes of this Equalities Impact Assessment, some limited consideration is also given to the potential infrastructure schemes which CIL may be spent on. CIL is just one source of funding for infrastructure schemes alongside many other possible sources of funding.

Section 03	<p>Analysis of relevant data Examples of data can range from census data to customer satisfaction surveys. Data should involve specialist data and information and where possible, be disaggregated by different equality strands.</p>
Documents and data reviewed	<p>NATIONAL DOCUMENTS The following national documents have been considered for the purposes of preparing the CIL PDCS):</p> <p>Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991 and others) The Planning System: General Principles ODPM January 2005 Planning Act 2008 The CIL Regulations 2010 HM Government March 2010, and subsequent amendment Regulations 2011, 2012 and 2013. CIL Guidance: Charge setting and charging schedule procedures DCLG April 2013 The CIL: Summary DCLG November 2010 CIL: An Overview DCLG May 2011 CIL Relief: Information document DCLG May 2011 CIL: Collection and Enforcement DCLG October 2011 Localism Act 2011 HM Government November 2011 National Planning Policy Framework (NPPF) DCLG March 2012</p> <p>REGIONAL DOCUMENTS The following regional documents have been considered for the purposes of preparing the CIL PDCS</p> <p>The London Plan: Spatial Development Strategy for Greater London GLA July 2011 Mayor of London CIL Charging Schedule GLA April 2012</p> <p>LOCAL DOCUMENTS The following local documents have been considered for the purposes of preparing the CIL PDCS</p> <p>Unitary Development Plan (UDP) (as amended) September 2007 Core Strategy Development Plan Document (DPD) December 2010 Infrastructure Delivery Plan, as amended May 2013.</p> <p>The CIL DCS has been drafted taking into account the context set by all of the above documents. In particular, the Core Strategy and its own evidence.</p> <p>Equalities Implications Adoption of the levy would allow the Council, and local neighbourhoods, to target the resulting revenue stream towards those types of infrastructure considered necessary to meet the needs of different areas. This is a key point in terms of delivering equality through the Council's services. Consequently, the levy is potentially a positive development.</p>

	The Council when taking decisions in relation to any of its functions must comply with its public sector equality duty as set out in s149 of the Equality Act 2010 (the Act). Section 149 provides that the Council must in the exercise of its functions (including its functions exercised as local planning authority) have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act, advance equality of opportunity between persons who share a protected characteristic and persons who do not share it and foster good relations between persons who share a protected characteristic and persons who do not share it. An equality impact assessment is the tool by which the authority can assess the impacts on various groups and the decision maker must then have due regard to the results of that assessment.
New research	It is considered that no new research is required for this EqIA.

Section 04	Consultation
	<p>The expected timetable for the consultation and submission of the CIL documents to the Planning Inspectorate are laid out above. Timeframes for adoption and collection of CIL in this Borough are to be confirmed. The consultation welcomes comments on the emerging EqIA. The consultation is in accordance with the Planning Act 2008 and CIL Regulations 2010 (as amended).</p> <p>The opportunity to take part in consultation on the DCS will be made available to all residents, businesses, voluntary bodies and business groups. The database of consultees that has been compiled for consultation on the Local Development Framework (LDF) / Local Plan documents includes a number of BME and other groups and they will be made aware of the DCS consultations and invited to make representations. Informal discussion with the officers involved in creation of the consultation documents is also available during the consultation period if clarification is required.</p> <p>Consultation documents will be made available on the council's website; in council libraries and at the Town Hall, Hornton Street. The document will also be made available in large copy print, audio cassette, Braille or languages other than English upon request.</p> <p>Representations to the DCS will be invited by email, post, or via the website.</p> <p>It should be noted that a previous iteration of the 'Infrastructure Delivery Planning'(IDP) was consulted on as part of the Core Strategy in which it is known as 'Chapter 40– Infrastructure Schedule'. Further work has since been done on developing the Infrastructure Schedule to ensure it is satisfactory for CIL evidence base purposes and this document will be consulted on as part of the emerging CIL Charging Schedule.</p>
Consultation in each borough	

Analysis of consultation outcomes for each borough	Analysis of the consultation representations from each stage of the emerging CIL Charging Schedule's consultation will be undertaken and summarised as appropriate.
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Section 05	Analysis of impact and outcomes
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Analysis	<p>PROTECTED CHARACTERISTICS AND THE PUBLIC SECTOR EQUALITY DUTIES (PSED)</p> <p>This EQIA analyses the likely impacts of the CIL DCS on statutorily identified protected characteristics, human rights and children's rights. It will also assess the CIL DCS against the public sector equality duties(PSED) in S149 of the Equality Act 2010 which states that in the exercise of our functions the council must have due regard to the need to:</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited under the Act; • Advance equality of opportunity between people who share a protected characteristic and those who do not; and • Foster good relations between people who share a protected characteristic and those who do not. <p>Having due regard for advancing equality involves:</p> <ul style="list-style-type: none"> • Removing or minimising disadvantages suffered by people due to their protected characteristics; • Taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and • Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low. <p>The Act states that meeting different needs involves taking steps to take account of disabled people's disabilities. It describes fostering good relations as tackling prejudice and promoting understanding between people from different groups. It states that compliance with the duty may involve treating some people more favourably than others.</p> <p>Residential Uses: £110- £750 per square metre.</p> <table border="1"> <thead> <tr> <th>Protected characteristic</th> <th>Borough Analysis</th> <th>Impact:</th> </tr> </thead> <tbody> <tr> <td></td> <td>Although the proposed charge for residential uses varies across the borough, this is based on evidence that residential development viability varies across the borough, so there should be no overall detrimental impact on delivery of residential development across the borough.</td> <td>Neutral</td> </tr> <tr> <td>Age</td> <td>RBKC Minimal impact on the availability of accommodation across the borough for any age group.</td> <td>Neutral</td> </tr> <tr> <td>Disability</td> <td>RBKC Minimal impact on the availability of accommodation across the borough for any level of ability/disability.</td> <td>Neutral</td> </tr> <tr> <td>Gender reassignment</td> <td>RBKC Minimal impact on the availability of accommodation across the borough for all people</td> <td>Neutral</td> </tr> </tbody> </table>	Protected characteristic	Borough Analysis	Impact:		Although the proposed charge for residential uses varies across the borough, this is based on evidence that residential development viability varies across the borough, so there should be no overall detrimental impact on delivery of residential development across the borough.	Neutral	Age	RBKC Minimal impact on the availability of accommodation across the borough for any age group.	Neutral	Disability	RBKC Minimal impact on the availability of accommodation across the borough for any level of ability/disability.	Neutral	Gender reassignment	RBKC Minimal impact on the availability of accommodation across the borough for all people	Neutral
Protected characteristic	Borough Analysis	Impact:														
	Although the proposed charge for residential uses varies across the borough, this is based on evidence that residential development viability varies across the borough, so there should be no overall detrimental impact on delivery of residential development across the borough.	Neutral														
Age	RBKC Minimal impact on the availability of accommodation across the borough for any age group.	Neutral														
Disability	RBKC Minimal impact on the availability of accommodation across the borough for any level of ability/disability.	Neutral														
Gender reassignment	RBKC Minimal impact on the availability of accommodation across the borough for all people	Neutral														

	whether experiencing gender reassignment or not.	
Marriage and Civil Partnership	RBKC Minimal impact on the availability of accommodation across the borough for all people whether single-person, couple or family.	Neutral
Pregnancy and maternity	RBKC Minimal impact on the availability of accommodation across the borough for all people whether experiencing pregnancy, maternity, parenthood or not.	Neutral
Race	RBKC Minimal impact on the availability of accommodation across the borough for any race, including where race/culture may have an influence on household size.	Neutral
Religion/belief (including non-belief)	RBKC Minimal impact on the availability of accommodation across the borough for any religion/belief/non-belief, including where religion/belief/non-belief may have an influence on household size.	Neutral
Sex	RBKC Minimal impact on the availability of accommodation across the borough for either sex.	Neutral
Sexual Orientation	RBKC Minimal impact on the availability of accommodation across the borough for any sexual orientation.	Neutral

Extra Care Housing: £20 - £510 per square metre

Protected characteristic	Borough Analysis Although the proposed charge for Extra Care Housing varies across the borough, this is based on evidence that Extra Care development viability varies across the borough, so there should be no overall detrimental impact on delivery of residential development across the borough.	Impact: Neutral
Age	RBKC Minimal impact on the availability of Extra Care Housing across the borough for any age group.	Neutral
Disability	RBKC Minimal impact on the availability of Extra Care Housing across the borough for any level of ability/disability.	Neutral
Gender reassignment	RBKC Minimal impact on the availability of Extra Care Housing across the borough for all people whether experiencing gender reassignment or not.	Neutral

Marriage and Civil Partnership	RBKC Minimal impact on the availability of Extra Care Housing across the borough for all people whether single-person, couple or family.	Neutral
Pregnancy and maternity	RBKC Minimal impact on the availability of Extra Care Housing across the borough for all people whether experiencing pregnancy, maternity, parenthood or not.	Neutral
Race	RBKC Minimal impact on the availability of Extra Care Housing across the borough for any race, including where race/culture may have an influence on household size.	Neutral
Religion/belief (including non-belief)	RBKC Minimal impact on the availability of Extra Care Housing across the borough for any religion/belief/non-belief, including where religion/belief/non-belief may have an influence on household size.	Neutral
Sex	RBKC Minimal impact on the availability of Extra Care Housing across the borough for either sex.	Neutral
Sexual Orientation	RBKC Minimal impact on the availability of Extra Care Housing across the borough for any sexual orientation.	Neutral

Hotels: £160 per square metre

Protected characteristic	Borough Analysis The proposed charge for hotel uses is based on hotel viability evidence base, so there should be no overall detrimental impact on delivery of these developments across the borough	Impact: Neutral
Age	RBKC Minimal impact on the availability of hotel accommodation across the borough for any age group.	Neutral
Disability	RBKC Minimal impact on the availability of hotel accommodation across the borough for any level of ability/disability.	Neutral
Gender reassignment	RBKC Minimal impact on the availability of hotel accommodation across the borough for all people whether experiencing gender reassignment or not.	Neutral
Marriage and Civil Partnership	RBKC Minimal impact on the availability of hotel accommodation across the borough for all people whether single-person, couple or family.	Neutral

Pregnancy and maternity	RBKC Minimal impact on the availability of hotel accommodation across the borough for all people whether experiencing pregnancy, maternity, parenthood or not.	Neutral
Race	RBKC Minimal impact on the availability of hotel accommodation across the borough for any race, including where race/culture may have an influence on household size.	Neutral
Religion/belief (including non-belief)	RBKC Minimal impact on the availability of hotel accommodation across the borough for any religion/belief/non-belief, including where religion/belief/non-belief may have an influence on household size.	Neutral
Sex	RBKC Minimal impact on the availability of hotel accommodation across the borough for either sex.	Neutral
Sexual Orientation	RBKC Minimal impact on the availability of hotel accommodation across the borough for any sexual orientation.	Neutral

Student Accommodation: £125 per square metre

Protected characteristic	Borough Analysis The proposed charge for student accommodation uses is based on student accommodation viability evidence, so there should be no overall detrimental impact on delivery of these developments across the borough	Impact: Neutral
Age	RBKC Minimal impact on the availability of student accommodation across the borough for any age group.	Neutral
Disability	RBKC Minimal impact on the availability of student accommodation across the borough for any level of ability/disability.	Neutral
Gender reassignment	RBKC Minimal impact on the availability of student accommodation across the borough for all people whether experiencing gender reassignment or not.	Neutral
Marriage and Civil Partnership	RBKC Minimal impact on the availability of student accommodation across the borough for all people whether single-person, couple or family.	Neutral
Pregnancy and maternity	RBKC Minimal impact on the availability of student accommodation across the borough for all people whether experiencing pregnancy, maternity, parenthood or not.	Neutral
Race	RBKC	Neutral

	Minimal impact on the availability of student accommodation across the borough for any race, including where race/culture may have an influence on household size.	
Religion/belief (including non-belief)	RBKC Minimal impact on the availability of student accommodation across the borough for any religion/belief/non-belief, including where religion/belief/non-belief may have an influence on household size.	Neutral
Sex	RBKC Minimal impact on the availability of student accommodation across the borough for either sex.	Neutral
Sexual Orientation	RBKC Minimal impact on the availability of student accommodation across the borough for any sexual orientation.	Neutral

All other uses: Nil or £0 per square metre

Protected characteristic	Borough Analysis The proposed charge for all other uses is based on viability evidence, so there should be no overall detrimental impact on delivery of these developments across the borough	Impact: Neutral
Age	RBKC Minimal impact on the availability of accommodation across the borough for any age group.	Neutral
Disability	RBKC Minimal impact on the availability of accommodation across the borough for any level of ability/disability.	Neutral
Gender reassignment	RBKC Minimal impact on the availability of accommodation across the borough for all people whether experiencing gender reassignment or not.	Neutral
Marriage and Civil Partnership	RBKC Minimal impact on the availability of accommodation across the borough for all people whether single-person, couple or family.	Neutral
Pregnancy and maternity	RBKC Minimal impact on the availability of accommodation across the borough for all people whether experiencing pregnancy, maternity, parenthood or not.	Neutral
Race	RBKC Minimal impact on the availability of accommodation across the borough for any race, including where race/culture may have an influence on household size.	Neutral
Religion/belief (including non-	RBKC Minimal impact on the availability of accommodation across the borough for any	Neutral

	belief)	religion/belief/non-belief, including where religion/belief/non-belief may have an influence on household size.	
	Sex	RBKC Minimal impact on the availability of accommodation across the borough for either sex.	Neutral
	Sexual Orientation	RBKC Minimal impact on the availability of accommodation across the borough for any sexual orientation.	Neutral

HUMAN RIGHTS
Will it affect Human Rights, as defined by the Human Rights Act 1998?
No

It is worth noting that the amendments to the CIL legislation assessed in the Localism Bill CIL Impact Assessment were deemed by the government to “not have an adverse impact on human rights” (page 25).

CHILDREN’S RIGHTS
Will it affect Children’s Rights, as defined by the UNCRC (1992)?
No

Section 06	Reducing any adverse impacts and recommendations
Outcome of Analysis	<p>The proposed CIL charges in the DCS are not considered to have any negative impacts on equality. When assessed, it has an overall a positive impact, particularly relating to the potential CIL-funded infrastructure schemes.</p> <p>It is therefore not anticipated that any specific actions will be needed to remove or mitigate against the risk of unlawful discrimination. However, despite this, the council will undertake the following actions set out in Section 07 Action Plan.</p>

Section 07	Action Plan					
Action Plan	Issue identified	Action (s) to be taken	When	Lead officer and borough	Expected outcome	Date added to business/service plan
	Need to ensure EqIA is robust	Ensure EqIA considered and consulted on in further stages of	See Section 01	Claire Shearing RBKC	More information and analysis on equalities impact	N/A

		consultation				
	Impact of CIL on charities where charities undertaking development for investment purposes	Consider pros/cons of introducing a discretionary charitable relief policy	Prior to CIL Charging Schedule taking effect (see Section 01)	Claire Shearing	Decision on whether or not to introduce a discretionary charitable relief policy	N/A
	Impact of CIL on borough development / viability and delivery of infrastructure	Monitor as part of Annual Monitoring Reports (AMRs)	In relevant AMRs after the CIL Charging Schedules takes effect (see Section 01)	Claire Shearing	Information and analysis on impact of CIL	N/A

Section 08	
Chief Officers' sign-off	Name: Jonathan Bore Position: Executive Director, Planning & Borough Development Email: jonthan.bore@rbkc.gov.uk Telephone No:
Key Decision Report (if relevant)	Date of report to Cabinet: 2 nd May 2013 Key equalities issues have been included: Yes – Cabinet Report Section 8
Lead Equality Manager (where involved)	Name: Position: Date advice / guidance given: Email: Telephone No: