

**City of York Council**  
**Equalities Impact Assessment**

**Who is submitting the proposal?**

<b>Directorate:</b>	Economy and Place		
<b>Service Area:</b>	Forward Planning		
<b>Name of the proposal :</b>	Community Infrastructure Levy Draft Charging Schedule consultation and public examination		
<b>Lead officer:</b>	Alison Stockdale, Principal Strategic Planning Policy Officer		
<b>Date assessment completed:</b>	11/01/2023		
<b>Names of those who contributed to the assessment :</b>			
<b>Name</b>	<b>Job title</b>	<b>Organisation</b>	<b>Area of expertise</b>
Kirstin Clow	Interim Head of Strategic Planning Policy	City of York Council	Planning Policy

## Step 1 – Aims and intended outcomes

1.1	<p><b>What is the purpose of the proposal?</b> Please explain your proposal in Plain English avoiding acronyms and jargon.</p>
	<p><i>The purpose of a Community Infrastructure Levy (CIL) is to pay for infrastructure to support development. This charge will sit alongside existing S106 obligations which will continue for affordable housing and other on-site infrastructure.</i></p>
1.2	<p><b>Are there any external considerations?</b> (Legislation/government directive/codes of practice etc.)</p>
	<p><i>The implementation of a CIL charging schedule is governed by the CIL Regulations 2010 (Amended 2019).</i></p>
1.3	<p><b>Who are the stakeholders and what are their interests?</b></p>
	<p><i>Stakeholders include residents, businesses including developers and landowners across the entirety of the City of York area. Residents and businesses within the city will benefit from infrastructure funded by the Levy. It is also noted that a portion of the CIL goes to communities most directly impacted by development to be spent on projects related to the demands that development places on the area.</i></p>
1.4	<p><b>What results/outcomes do we want to achieve and for whom?</b> This section should explain what outcomes you want to achieve for service users, staff and/or the wider community. Demonstrate how the proposal links to the Council Plan (2019- 2023) and other corporate strategies and plans.</p>
	<p><i>The intention is to implement the introduction of a CIL to help pay for infrastructure to support development. This charge on development operates alongside S106, which can continue to be used for affordable housing and other on-site infrastructure. A</i></p>

*charging authority can think strategically in their use of CIL to ensure that key infrastructure priorities in their Local Plan are delivered to facilitate growth and the economic benefits of their area. In particular it will support the key outcome of the Council Plan related to the provision of world class infrastructure and indirectly contribute to all of the outcomes by contributing to sustainability, quality, health and equality of people and of places.*

## Step 2 – Gathering the information and feedback

<b>2.1</b>	<b>What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights?</b> Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.
<b>Source of data/supporting evidence</b>	<b>Reason for using</b>
<b><i>Regulation 19 Local Plan Evidence Base</i></b>	<i>The Local Plan evidence base includes viability studies associated with the development of the Local Plan including a 2018 study and updated sensitivity testing in 2022 (see ‘Background papers’). In particular, the Infrastructure Gantt Chart May 2022 Revised August 2022 provides detail of proposed infrastructure projects which may be supported by CIL contributions. Evidence base documents supporting the Local Plan include an Equalities Impact Assessment and Addendum.</i>

### Step 3 – Gaps in data and knowledge

3.1	<b>What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.</b>		
<b>Gaps in data or knowledge</b>		<b>Action to deal with this</b>	
<i>The outcome of the Local Plan examination is not yet known.</i>		<i>While the outcome of the Local Plan examination is not yet known, the evidence base can still provide a basis for the identification of infrastructure needs to support development in the authority area.</i>	
<i>The draft Charging Schedule has to undergo a period of public consultation, the responses of which cannot yet be known.</i>		<i>The draft Charging Schedule is based on evidence gathered in the form of a viability report, infrastructure needs and funding gap.</i>	

### Step 4 – Analysing the impacts or effects.

4.1	<b>Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments?</b> Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.		
<b>Equality Groups and Human Rights.</b>	<b>Key Findings/Impacts</b>	<b>Positive (+) Negative (-) Neutral (0)</b>	<b>High (H) Medium (M) Low (L)</b>
<b>Age</b>	Once introduced the CIL will provide funding for infrastructure needs arising from development within the Authority including health care provision, education, transport and green infrastructure.	+	H

<b>Disability</b>	Once introduced the CIL will provide funding for infrastructure needs arising from development within the Authority including health care provision, education, transport and green infrastructure.	+	H
<b>Gender</b>	No impacts identified	0	n/a
<b>Gender Reassignment</b>	No impacts identified	0	n/a
<b>Marriage and civil partnership</b>	No impacts identified	0	n/a
<b>Pregnancy and maternity</b>	No impacts identified	0	n/a
<b>Race</b>	No impacts identified	0	n/a
<b>Religion and belief</b>	No impacts identified	0	n/a
<b>Sexual orientation</b>	No impacts identified	0	n/a
<b>Other Socio-economic groups including :</b>	<b>Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?</b>		
<b>Carer</b>	No impacts identified	0	n/a
<b>Low income groups</b>	No impacts identified	0	n/a
<b>Veterans, Armed Forces Community</b>	No impacts identified	0	n/a

<b>Impact on human rights:</b>			
List any human rights impacted.	<i>The Convention rights applicable are:</i> Protocol 1, Article 2: Right to education	+	H

**Use the following guidance to inform your responses:**

Indicate:

- Where you think that the proposal could have a POSITIVE impact on any of the equality groups like promoting equality and equal opportunities or improving relations within equality groups
- Where you think that the proposal could have a NEGATIVE impact on any of the equality groups, i.e. it could disadvantage them
- Where you think that this proposal has a NEUTRAL effect on any of the equality groups listed below i.e. it has no effect currently on equality groups.

It is important to remember that a proposal may be highly relevant to one aspect of equality and not relevant to another.

<p><b>High impact</b> (The proposal or process is very equality relevant)</p>	<p>There is significant potential for or evidence of adverse impact The proposal is institution wide or public facing The proposal has consequences for or affects significant numbers of people The proposal has the potential to make a significant contribution to promoting equality and the exercise of human rights.</p>
<p><b>Medium impact</b> (The proposal or process is somewhat equality relevant)</p>	<p>There is some evidence to suggest potential for or evidence of adverse impact The proposal is institution wide or across services, but mainly internal The proposal has consequences for or affects some people The proposal has the potential to make a contribution to promoting equality and the exercise of human rights</p>
<p><b>Low impact</b> (The proposal or process might be equality relevant)</p>	<p>There is little evidence to suggest that the proposal could result in adverse impact The proposal operates in a limited way The proposal has consequences for or affects few people The proposal may have the potential to contribute to promoting equality and the exercise of human rights</p>

## Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	<b>Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?</b>
<p><i>The CIL will support the positive impact measures identified in the Local Plan. In particular it will provide for infrastructure to support development detailed in the Local Plan (excepting on-site infrastructure is identified within Local Plan policies which will be secured via S106 agreement).</i></p> <p><i>A CIL spend strategy, taking into account development impacts, will be used to guide any future spend in York after a period of accrual of CIL funding. This strategy will need to be evidence-led and will be critical to ensure that the right range of infrastructure is delivered in the right place and at the right time – including for education uses where there are particular challenges in projecting demand in the medium to longer term. The CIL spend strategy along with data on the actual spend of CIL receipts will be reported the Council’s Infrastructure Funding Statement, annual publication, which is requirement of the CIL Regulations 2010 (as amended). The Council already publishes a report in connection with Section 106 receipts and expenditure as required by these regulations. Discussions are ongoing with colleagues and other stakeholders regarding management of the CIL spend.</i></p>	



## Step 6 – Recommendations and conclusions of the assessment

6.1	<p><b>Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision. There are four main options you can take:</b></p>
<p>- <b>No major change to the proposal</b> – the EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review.</p>	
<p>- <b>Adjust the proposal</b> – the EIA identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance quality or to foster good relations.</p> <p>- <b>Continue with the proposal</b> (despite the potential for adverse impact) – you should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations under the duty</p> <p>- <b>Stop and remove the proposal</b> – if there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination it should be removed or changed.</p>	
<p><b>Important:</b> If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column.</p>	
<b>Option selected</b>	<b>Conclusions/justification</b>

No major change to the proposal	<i>The EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impacts. Opportunities to advance equality and foster good relations will be applied throughout the consultation and implementation of the CIL Charging Schedule. The Infrastructure Funding Statement will contain detail on the CIL Spend Strategy and actual spend of CIL receipts. A proportion of the CIL receipt will be paid to local communities most impacted by the development in accordance with the CIL Regulations 2010 (as amended).</i>
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## Step 7 – Summary of agreed actions resulting from the assessment

<b>7.1 What action, by whom, will be undertaken as a result of the impact assessment.</b>			
<b>Impact/issue</b>	<b>Action to be taken</b>	<b>Person responsible</b>	<b>Timescale</b>
n/a			

## Step 8 - Monitor, review and improve

<b>8. 1</b>	<b>How will the impact of your proposal be monitored and improved upon going forward?</b> Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?
	Monitoring of CIL will take place in the Infrastructure Funding Statement which is updated every year and identifies CIL revenues and spend. It must also identify where the funds have been allocated. This enables communities to have a better understanding of how CIL has been used to deliver infrastructure in their area.