

Equality Analysis

Birmingham City Council Analysis Report

EA Name	Community Infrastructure Levy
Directorate	Economy
Service Area	P&R Planning And Development
Type	New/Proposed Policy
EA Summary	The impact of a new policy to secure planning obligation contributions from new development within the city.
Reference Number	EA000209
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Date Approved	2015-07-09 01:00:00 +0100
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Introduction

The report records the information that has been submitted for this equality analysis in the following format.

Overall Purpose

This section identifies the purpose of the Policy and which types of individual it affects. It also identifies which equality strands are affected by either a positive or negative differential impact.

Relevant Protected Characteristics

For each of the identified relevant protected characteristics there are three sections which will have been completed.

- Impact
- Consultation
- Additional Work

If the assessment has raised any issues to be addressed there will also be an action planning section.

The following pages record the answers to the assessment questions with optional comments included by the assessor to clarify or explain any of the answers given or relevant issues.

1 Activity Type

The activity has been identified as a New/Proposed Policy.

2 Overall Purpose

2.1 What the Activity is for

What is the purpose of this Policy and expected outcomes?	The CIL is a charge which Local Authorities in England and Wales are empowered, but not required, to charge on most types of new development in their area. The proceeds of the CIL will be spent on local infrastructure to support the development of the area. It is for the Authority to determine the infrastructure which will be supported and the priority order of that infrastructure. The charge per square metre, once adopted, will become a mandatory charge on all new developments with an increase of net internal area of over 100sqm, or a single new dwelling.
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For each strategy, please decide whether it is going to be significantly aided by the Function.

Public Service Excellence	No
A Fair City	No
A Prosperous City	Yes
A Democratic City	No

2.2 Individuals affected by the policy

Will the policy have an impact on service users/stakeholders?	Yes
Will the policy have an impact on employees?	No
Will the policy have an impact on wider community?	Yes
<u>Comment</u> The CIL regulations ensure that all charges proposed relate solely to the development economics/viability of an area or type of development, and do not relate to individual builders/people/companies. It should also be noted that the infrastructure provided will have a positive benefit for individuals, businesses and visitors to Birmingham through improved public spaces, transport, education provision and cultural offerings.	

2.3 Analysis on Initial Assessment

The Department of Communities and Local Government 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.

The CIL will provide an income stream to contribute towards infrastructure projects in the city which will support the city to grow as outlined in the Birmingham Development Plan. This infrastructure can include but is not limited to highways, education facilities, public open space, public transport, and leisure facilities.
All projects funded wholly or in part through CIL will be subject to the Councils Standing Orders and will have due

regard to the aims of the General Duty.

The CIL will impact on those individuals and businesses who submit planning applications either for an individual dwelling (although self build individuals will be exempt from paying CIL) or for applications with an increase of 100sqm or more of gross internal area, as these developments will be liable for CIL payments. This is a mandatory charge and will be payable in instalments.

The CIL charge will be based on extensive, specialist, viability testing and will be published for public consultation twice, with further publication in advance of the Examination in Public.

As part of the first consultation stage, the relevant documents were published on the website for six weeks, along with paper copies available in all Libraries. Two public drop in sessions were also held, in addition to workshops with interested private sector agencies (developers, agents and consultants) to facilitate engagement. The consultation was published on Objective, and written responses were also accepted. All comments were taken into account, and the charges have been revised where appropriate to ensure they do not inhibit development, but also secure an income stream to provide necessary infrastructure.

As part of the second consultation stage, the revised charges will also be published on the website for a period of six weeks, there will be further drop in sessions, workshops and the consultation will be on Be Heard. If comments received require further amendment of CIL charges, the EA will be updated to reflect this.

Regulations clearly state how CIL will be calculated and spent to ensure there is no double counting of planning obligations with S106 agreements.

The consultation process and formal examination stage which follows will provide an opportunity to influence the charges and viability evidence of the CIL. The objective of CIL is to generate funds to provide infrastructure to support the development of the city, as outlined in the Birmingham Development Plan. Without this option, the change in regulations relating to planning obligations would lead to a decrease in planning obligation income. This could have implications for the city as the current infrastructure would not be improved or replaced to keep pace with the growth of the city, leading to overcrowded schools, a lack of public open space, poor highway infrastructure and public realm which is not fit for purpose.

However, if the CIL charges are too high, this could lead to a reduction in development activity, and therefore in the number of new houses and employment opportunities provided for a growing population. This could also lead to a reduction in the associated planning obligation income.

This risk can be mitigated by ensuring the charges are kept to a level which secures income but does not prohibit development, as is required in the CIL regulations. In addition, the regulations regarding S106 planning obligations will be scaled back once CIL is adopted, leading to an expectation that overall planning obligation contributions will remain on a par after the adoption of CIL and should not have any impact on the level of development activity.

There is no evidence that this policy will have an adverse impact on the lives of people.

It is anticipated that the funds received will provide infrastructure which will improve the lives of people within Birmingham.

3 Concluding Statement on Full Assessment

This screening has been undertaken as a collaborative exercise by the panel and has included a review of other screening statements. A full Equalities Assessment is not necessary. Should any equality issue arise post implementation of CIL, this will be considered.

4 Review Date

30/09/15

5 Action Plan

There are no relevant issues, so no action plans are currently required.