

**BRADFORD DISTRICT COMMUNITY INFRASTRUCTURE LEVY  
INITIAL EQUALITIES IMPACT ASSESSMENT**

**July 2015**

## **1.0 INTRODUCTION**

- 1.1 The City of Bradford Metropolitan District Council is preparing a Community Infrastructure Levy (CIL) alongside the Local Plan for the District.
- 1.2 The CIL is a levy which the Council may charge on new developments in the District. The money raised will help the Council pay for infrastructure such as schools, transport, parks, open spaces and other community facilities required to support new housing and economic development in the District.
- 1.3 It is considered that the CIL is appropriate and will bring benefits to the Bradford District because:
  - it will help fund and generate additional income for essential infrastructure.
  - it will provide greater certainty and transparency for developers and the community.
  - development will fund new infrastructure in a more equitable way as CIL requires contributions from a broader range of developments.
  - without a CIL, the opportunity for income for local and strategic infrastructure needs will be greatly reduced; the current system for collecting contributions via S106 agreements has been scaled back since April 2015.
  - a meaningful proportion of CIL would be under direct local control over spending, with a percentage of CIL in the control of Parish and Town Councils and Neighbourhoods.
  - other local authorities in West Yorkshire and the wider Leeds City Region have adopted or are close to adopting a CIL, including Leeds and Wakefield.
- 1.4 The CIL will be subject to an Equalities Impact Assessment (EqIA) at all stages of production. The EqIA be reviewed and re-published following the end of the consultation period and considered in the production of each stage.
- 1.5 This initial EqIA has been produced alongside the CIL Preliminary Draft Charging Schedule (PDCS) to assess the potential adverse impacts of the document on various equality groups. The assessment process will be ongoing throughout all stages of production of the CIL. This will also include monitoring and reviewing the impacts of the CIL and where necessary seeking to mitigate against any unexpected adverse effects.
- 1.6 This document will set out how the needs of equality groups have been taken into account during the preparation and development of the CIL Preliminary Draft Charging Schedule. Its purpose is to thoroughly and systematically assess the likely implications of the proposed CIL on various equality groups once it is adopted. This enables the Local Planning Authority to identify direct and non-direct discrimination against equality groups and explore options for mitigating such impacts and improving the document.
- 1.7 This initial EqIA sits alongside the PDCS for public comment. Representations received at this stage will be taken into account and where appropriate or necessary, changes may be made to the PDCS to ensure that all equality groups positively benefit from the CIL.

## **2.0 EQUALITY IMPACT ASSESSMENTS**

- 2.1 The City of Bradford Metropolitan District Council is fully committed to ensuring that everyone has an equal opportunity to play an active and positive role in considering the planning issues which affect them and the District as a whole.
- 2.2 The production of an Equality Impact Assessment (EqIA) is a proactive approach to ensuring it meets its general duty under the Equality Act 2010 to have due regard to the need to:
- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - Advance equality of opportunity between persons who share a relevant protected characteristics and persons who do not share it; and
  - Foster good relations between persons who share a relevant protected and persons who do not share it.
- 2.3 These general duties are supplemented by specific duties to be undertaken by the Council in the way of its Equality Objectives for 2012-2016. In particular Objective 2: which aims to Embed Equality through the effective use of Equality Impact Assessments for all relevant procedures, processes and policies. Extent of the Equality Impact Assessment
- 2.4 It is the responsibility of the Council to ensure that the organisation does not discriminate in the way it provides services and employment and that it promotes equality, diversity and positive community relations across the district.
- 2.5 This initial EqIA ensures that equality issues are addressed from all angles in the preparation and development of the CIL. This report highlights the equality and diversity considerations which have been discussed within the Council. This supports the assessment process and could potentially pre-empt any adverse impacts on equality groups which may result from the content of policies within the CIL. It will also enable Bradford Council to review the document and consider alternative ways of achieving the same ends.
- 2.6 For the purpose of this assessment, the following equality groups have been identified:
- Age
  - Disability
  - Gender
  - Religion & Belief
  - Race
  - Sexual Orientation
  - Gender Reassignment
  - Pregnancy and Maternity
- 2.7 This report explores and recommends actions that, if adopted, will help Bradford Council to anticipate and address any negative consequences which may arise and identify opportunities for the ongoing promotion of equality within the District.

## Overview of the Equality Impact Assessment Process

- 2.8. In undertaking the EqIA, the Council has followed guidance from the Improvement and Development Agency (I&DeA) for Local Government. The Council's Equality and Diversity Team has also produced corporate guidance, which includes the pro-formers completed. The EqIA methodology consists of the following six key stages as outlined in Table 1 below.

Table 1: Six Stages of an Equality Impact Assessment		
Stage	Process	Description
1	Initial Screening	This stage determines whether a full EqIA should be undertaken through the completion of a series of questions. If the work is deemed to potentially cause an adverse impact or discriminate against different groups within the community then an EqIA should be undertaken.
2	Scoping and Defining	This stage defines the scope of the assessment which will take place. It requires an understanding of what the activity is looking to achieve. A series of questions about the work will be answered at this stage.
3	Information Gathering	The assessment should be based upon up-to-date and reliable information which outlines the current state of the area which uses a variety of sources of information.
4	Making a Judgement	This is the most important element of an EqIA. Information gathered in the earlier stages is used to decide whether or not there is a potential for the policy, strategy, procedure or function to result in a less favourable outcome on any group within the community or unlawful discrimination of any kind.
5	Action Planning	The real value of completing an EqIA comes from the actions that will take place and the positive changes that will emerge through conducting the assessment.
6	Publication and Review	It is a legal requirement to publish the EqIA to allow the public to see that the Council is actively engaged and committed to challenging potential discrimination, as well as improving service delivery. Progress against the action plan should be reviewed bi-annually.

- 2.9 This report completes Stage 1 of the process as outlined above. However, it should be noted that this report is not final and that it will be amended to reflect the comments of consultees, including equality groups, if necessary. Once it is finalised the EqIA of the AAP will be reviewed and updated on a regular basis to identify any unexpected impacts.

### **3.0 INITIAL EQUALITY IMPACT ASSESSMENT**

- 3.1 The CIL Preliminary Draft Charging Schedule has been subjected to an initial Equalities Impact Assessment (EqIA). The initial assessment has identified no negative impacts upon the identified characteristics. The results of the initial assessment can be found in Appendix 1 to this report.
- 3.2 The initial assessment did, however, highlight a number of likely positive effects the CIL may have on fostering good relations between different groups, eliminating victimisation and advance equality of opportunity between different groups.
- The delivery of local infrastructure to support growth is likely to have a positive effect upon an area and the businesses and residents who live there.
  - CIL is a pooled tariff which can be spent on infrastructure across the District. This will have a positive impact on areas and communities across the District and not just areas where development has taken place.
  - Communities receiving new development will receive a proportion of CIL funds collected in their area (15-25%). This will have a positive effect as it will as it will directly help to contribute to the local infrastructure needs identified within the area where development has taken place.
  - As CIL be used to fund a very broad range of infrastructure it gives the Council and local communities' flexibility to choose what infrastructure is needed. The system will be more transparent for local people, as the Council will have to report what they have spent the CIL on each year.

## APPENDIX 1

### Initial Equalities Impact Assessment Template

<b>Department:</b> Regeneration and Culture	<b>Completed by (lead):</b> Alex Bartle	<b>Date of initial assessment:</b> 22/07/2012
<b>Area to be assessed: (i.e. name of policy, function, procedure, practice or a financial decision)</b>	Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule	
<b>Is this existing or new function/policy, procedure, practice or decision?</b>	New function/policy	
<b>What evidence has been used to inform the assessment and policy? (please list)</b>		
<ul style="list-style-type: none"> <li>Local Infrastructure Plan</li> <li>CIL Economic Viability Assessment</li> </ul>		

<b>1. Describe the aims, objectives or purpose of the function/policy, practice, procedure or decision and who is intended to benefit.</b>	<ul style="list-style-type: none"> <li>The CIL allows local authorities to raise funds from development to help pay for the infrastructure needs arising from the anticipated development of their areas.</li> <li>The aim of CIL is to promote a fairer and transparent system to fund new infrastructure.</li> <li>CIL will assist in maximising contributions towards community infrastructure such as education provision and open space.</li> <li>gives local authorities the freedom to set their own priorities for what the money should be spent on</li> </ul> <p>It is considered that CIL will bring the following benefits to the Bradford District:</p> <ul style="list-style-type: none"> <li>it will help fund and generate additional income for essential infrastructure.</li> <li>it will provide greater certainty and transparency for developers and the community.</li> <li>development will fund new infrastructure in a more equitable way as CIL requires contributions from a broader range of developments.</li> <li>without a CIL, the opportunity for income for local and strategic infrastructure needs will be greatly reduced; the current system for collecting contributions via S106 agreements has been scaled back since April 2015.</li> <li>a meaningful proportion of CIL would be under direct local control over spending, with a percentage of CIL in the control of Parish and Town Councils and Neighbourhoods.</li> </ul>
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<p><b>The Equality Act 2010 requires public bodies to have “due regard” to the need to:-</b></p> <p><b>(1)</b> eliminate unlawful discrimination, harassment and victimisation;  <b>(2)</b> advance equality of opportunity between different groups; and  <b>(3)</b> foster good relations between different groups</p>		<p><b>2. What is the level of impact on each group/protected characteristics in terms of the three aims of the duty?</b></p> <p><b>Please indicate high (H) medium (M), low (L), no effect (N) for each.</b></p>	<p><b>3. Identify the risk or positive effect that could result for each of the group/protected characteristics?</b></p>	<p><b>4. If there is a disproportionately negative impact on any protected characteristics, can it be justified on the grounds of promoting equality or any other reason? If yes, please explain.</b></p>
<b>Protected characteristics</b>	<b>Age</b>	N	<p>The delivery of local infrastructure to support growth is likely to have a positive effect upon an area and the businesses and residents who live there.</p> <p>CIL is a pooled tariff which can be spent on infrastructure across the District. This will have a positive impact on areas and communities across the District and not just areas where development has taken place.</p> <p>Communities receiving new development will receive a proportion of CIL funds collected in their area (15-25%). This will have a positive effect as it will as it will directly help to contribute to the local infrastructure needs identified within the area where development has taken place.</p> <p>As CIL be used to fund a very broad range of infrastructure it gives the Council and local communities' flexibility to choose what infrastructure is needed. The system will be more transparent for local people, as the Council will have to report what they have spent the CIL on each year.</p>	
	<b>Disability</b>	N	As above	
	<b>Gender reassignment</b>	N	As above	
	<b>Race</b>	N	As above	
	<b>Religion/Belief</b>	N	As above	

	<b>Pregnancy and maternity</b>	N	As above	
	<b>Sexual Orientation</b>	N	As above	
	<b>Sex</b>	N	As above	
	<b>Any other area</b>	N	As above	

5. Has there been any consultation/engagement with the appropriate protected characteristics?		YES <input type="checkbox"/> NO	
6. What action(s) will you take to reduce any disproportionately negative impact, if any?			
7. Based on the information in sections 2 to 6, should this function/policy/procedure/practice or a decision proceed to Detailed Impact Assessment? (recommended if one or more H under section 2)		YES	NO <input type="checkbox"/> X
Assessor signature: Alex Bartle	Approved by: Bhupinder Dev	Date approved: 27/07/15	