

Appendix 7 Equalities Impact Assessment (EqIA)

Full Equality Impact Analysis Tool

Section 01	Details of Full Equality Impact Analysis												
Financial Year and Quarter	2014 / Q2												
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) is a tool for local authorities in England and Wales to help deliver infrastructure to support the development of the area.</p> <p>The Draft Charging Schedule (DCS) represents the second stage of public consultation in the process that will lead to the introduction of CIL charges for most new development in the borough. It has been prepared taking into account the comments received on the Preliminary Draft Charging Schedule, which was subjected to public consultation in late 2012. This DCS is being subjected to a further round of public consultation before going forward for a formal independent public examination.</p>												
	<p>Name: Siddhartha Jha Position: Policy Planner Email: sid.jha@lbhf.gov.uk Telephone No: 0208 753 7032</p>												
Date of completion of final EIA	<p>August 2014 (DCS)</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. The expected timetable for the consultation and introduction of CIL in the borough is set out below:</p> <table border="1" data-bbox="533 1193 2145 1442"> <thead> <tr> <th data-bbox="533 1193 1032 1230">Timescales</th> <th data-bbox="1032 1193 2145 1230">Stage</th> </tr> </thead> <tbody> <tr> <td data-bbox="533 1230 1032 1273">7 Sep 2012 – 19 Oct 2012</td> <td data-bbox="1032 1230 2145 1273">Preliminary Draft Charging Schedule (PDCS) Consultation (6 weeks)</td> </tr> <tr> <td data-bbox="533 1273 1032 1316">22 Aug 2014 – 3 Oct 2014</td> <td data-bbox="1032 1273 2145 1316">Draft Charging Schedule (DCS) Consultation (7 weeks)</td> </tr> <tr> <td data-bbox="533 1316 1032 1359">Autumn/ Winter 2014</td> <td data-bbox="1032 1316 2145 1359">Submission of DCS for examination</td> </tr> <tr> <td data-bbox="533 1359 1032 1402">Late 2014</td> <td data-bbox="1032 1359 2145 1402">Independent public examination</td> </tr> <tr> <td data-bbox="533 1402 1032 1442">Early 2015</td> <td data-bbox="1032 1402 2145 1442">Publication and effect</td> </tr> </tbody> </table>	Timescales	Stage	7 Sep 2012 – 19 Oct 2012	Preliminary Draft Charging Schedule (PDCS) Consultation (6 weeks)	22 Aug 2014 – 3 Oct 2014	Draft Charging Schedule (DCS) Consultation (7 weeks)	Autumn/ Winter 2014	Submission of DCS for examination	Late 2014	Independent public examination	Early 2015	Publication and effect
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Section 02 Scoping of Full EIA

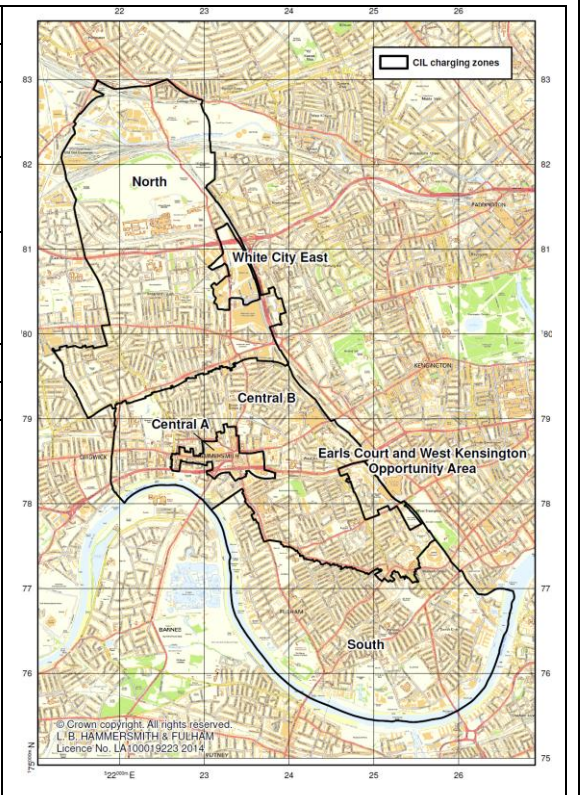
Plan for completion

Resources: Staff time
Lead Officer: Siddhartha Jha

What is the policy, strategy, function, project, activity, or programme looking to achieve?

The CIL DCS is consulting on introducing CIL charges for the borough as set out below:

Uses	Residential		Office (B1a/b)	All uses unless otherwise stated	Health
	HMO (C4)	Hostel			Education
Charging Zones	North	£100/m ²	Nil	£80/m ²	Industrial (B1(c)/B2)
	Central A	£200/m ²	£80/m ²		Warehousing (B8)
	Central B		Nil		Selling/display of motor vehicles
	South	£400/m ²	Nil		Scrapyards
	White City East				Hotel (C1)
Earls Court & West Kensington Opportunity Area			Nil	Nil	



The documents supporting the CIL DCS, notably the CIL DCS Consultation Document and the Infrastructure Schedule (Appendix 3) both suggest general infrastructure categories (Appendix 2) and specific 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 (i.e. setting CIL receipts), for the purposes of this EqIA, consideration is also given to the potential infrastructure schemes which CIL may be spent on (i.e. CIL expenditure) bearing in mind that CIL represents one source of funding for infrastructure schemes alongside many other possible sources of funding.

Section 03

Analysis of relevant data and/or undertake research

Documents and data reviewed

NATIONAL DOCUMENTS

The following national documents have been considered for the purposes of preparing the CIL DCS (see section 2 of the DCS Consultation Document):

Document	Publisher	Date
Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991 and others)	HM Government	May 1990
Planning Act 2008	HM Government	Nov 2008
The CIL Regulations 2010 (as amended 2011, 2012, 2013, 2014)	HM Government	2010-2014
Localism Act 2011	HM Government	Nov 2011
National Planning Policy Framework (NPPF)	DCLG	Mar 2012
National Planning Practice Guidance (NPPG): Local Plans	DCLG	Mar 2014
National Planning Practice Guidance (NPPG): Planning Obligations	DCLG	Mar 2014
National Planning Practice Guidance (NPPG): Viability	DCLG	Mar 2014
National Planning Practice Guidance (NPPG): CIL	DCLG	May 2014

In addition to these, other national documents have also been considered for the purposes of considering equalities issues for this DCS:

CIL: Initial Impact Assessment	DCLG	Nov 2007
CIL: Impact Assessment	DCLG	Nov 2008
CIL: Impact Assessment	DCLG	Dec 2008
CIL: Partial Impact Assessment	DCLG	Jul 2009
CIL: Final Impact Assessment	DCLG	Feb 2010
Explanatory Memorandum to the CIL Regulations	DCLG	Mar 2010
Localism Bill: CIL – Impact Assessment	DCLG	Jan 2011
Explanatory Memorandum to the CIL (Amendment) Regulations 2011 No.987	DCLG	Mar 2011

Localism Bill CIL Impact Assessment

The Localism Bill CIL Impact Assessment provides a general overview at a national level of the impact of CIL. Page 1 states:

“The Community Infrastructure Levy was introduced as an alternative to planning obligations. It provides a simpler, fairer and more transparent system of standard charges to unlock additional funding for infrastructure and respond to the needs of local communities. The planning obligations system by which developers contribute funding for infrastructure is often slow and unpredictable, based on ad hoc negotiations conducted in private. Research shows the burden of funding is unfair, falling primarily on major residential developments.”

It also describes a further benefit of CIL as ensuring “funding for vital infrastructure projects for communities that might otherwise not be delivered and thereby help to deliver further development and the benefits associated with this” (page 3). Page 8 lists several advantages of CIL over the current system of planning obligations including: simplicity; predictability; transparency; fairness; and efficiency.

REGIONAL DOCUMENTS

The following regional documents have been considered for the purposes of preparing the CIL PDCS (see section 2 of the DCS Consultation Document):

Document	Publisher	Date
The London Plan: Spatial Development Strategy for Greater London	GLA	Jul 2011
Mayor of London CIL Charging Schedule	GLA	Apr 2012
London Implementation Plan 1	GLA	Jan 2013
CIL Instalments Policy	GLA	Mar 2013
Use of Planning obligations in the funding of Crossrail and the Mayoral CIL SPG (Crossrail SPG)	GLA	Apr 2013
The London Plan: Spatial Development Strategy for Greater London: Revised Early Minor Alterations: Consistency with the National Planning Policy Framework	GLA	Oct 2013

Draft Further Alterations to The London Plan (FALP)	GLA	Jan 2014
Long Term Infrastructure Investment Plan for London: Progress Report	GLA	Mar 2014
London Planning Statement SPG	GLA	May 2014
Draft Social Infrastructure SPG	GLA	Jun 2014

In addition to these, other regional documents have also been considered for the purposes of considering equalities issues for this DCS:

Report to the Mayor of London: Mayoral CIL: Approval of Charging Schedule	GLA	Feb 2012
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LOCAL DOCUMENTS

The following local documents have been considered for the purposes of preparing the CIL DCS (see section 2 of the DCS Consultation Document):

Document	Publisher	Date
Community Strategy 2007-2014	LBHF	Sep 2007
Park Royal Opportunity Area Planning Framework (OAPF)	GLA / LBHF / LB Ealing / LB Brent	Jan 2011
Core Strategy Development Plan Document (DPD)	LBHF	Oct 2011
Earls Court Viability Study: Development Infrastructure Funding Study	DVS	November 2011
Earls Court and West Kensington Opportunity Area Joint Supplementary Planning Document (SPD)	GLA / LBHF / RBKC	Mar 2012
South Fulham Riverside Delivery and Infrastructure Funding Study	CgMs; Cushman & Wakefield; Jacobs	Mar 2012
South Fulham Riverside Supplementary Planning Document (SPD)	LBHF	Jan 2013
White City Development Infrastructure Funding Study	AECOM; Deloitte	May 2013

Old Oak: A Vision for the Future	GLA / LBHF / LB Ealing / LB Brent	Jun 2013
Development Management Local Plan (DM LP)	LBHF	Jul 2013
Planning Guidance Supplementary Planning Document (PG SPD)	LBHF	Jul 2013
White City Opportunity Area Planning Framework (OAPF)	GLA / LBHF	Oct 2013
Local Plan Review: Issues and Options for Review	LBHF	Jul 2013
Monitoring Report April 2012 to March 2013	LBHF	Aug 2014

In addition to these, other local documents have also been considered for the purposes of considering equalities issues for this DCS:

Opportunity for All: Single Equality Scheme 2009-12	LBHF	February 2010
Core Strategy DPD EqIA	LBHF	July 2011
DM DPD EqIA	LBHF	July 2013
PG SPD EqIA	LBHF	July 2013

The CIL DCS has been drafted taking into account the context set by all of the above documents. In particular, the Core Strategy, DM DPD and PG SPG have all had individual EqIAs undertaken.

The Equality Act 2010

The Council is no longer required to produce equality schemes (e.g. those for race, disability, gender). The Council adopted its response to the new requirements (S153 of the Act) in December 2011. The Council gave feedback to the public at a public meeting on its Single Equality Scheme ('SES') 2009-2012 in July 2012. The objectives of the SES were based on the same Community Strategy objectives as the Core Strategy. The CIL DCS is based on these same broad objectives. While the SES is now complete, it is relevant insofar as it has had outcomes for equality groups in mind and informed the Council's strategic planning policy.

LOCAL DEMOGRAPHICS OF EQUALITY TARGET GROUPS

A summary of the demographic situation in relation to each of the equality groups is given below. This provides a starting point for the analysis of likely impacts of the DCS on these groups. **Demographics of Equality Target Groups**

A summary of the demographic situation in relation to each of the equality groups is given below. This provides a starting point for the analysis of likely impacts of the DM LP on these groups. Data includes the 2011 Census.

Population

The population of the borough is relatively young and ethnically diverse. It is also a highly mobile population with about half of all households having moved in the previous five years. In 2011, nearly half of the population (46.8%) was between 20 and 40 years old which was significantly higher than the London (37.3%) and the national (28.5%) averages.

The borough has a high proportion of single people (55.9%) compared to 34% in England & Wales, and 37.5% of all households consisted of one person households in 2011.

It is projected by the GLA (taking account of the borough's housing target of an additional 615 dwellings per annum) that the population will increase from 182,400 in 2011 to 209,000 in 2031, (a 14.6% increase). This compares to a 22% increase for Inner London as a whole.

Between 2010 and 2031, the population aged 20 to 49 is expected to grow by 6.5%, the population aged 50 to 64 by 37%, the population aged 65 to 79 by 15% and the population over 80 by 23%.

Households will increase by 9% from 76,400 households in 2008 to 83,130 in 2033 (Source: DCLG). It is projected that the main growth in number of households will be in 'one person' households (21% up to 2033), while the number of 'co-habiting couples' households will decrease by nearly 11% between 2008 and 2033.

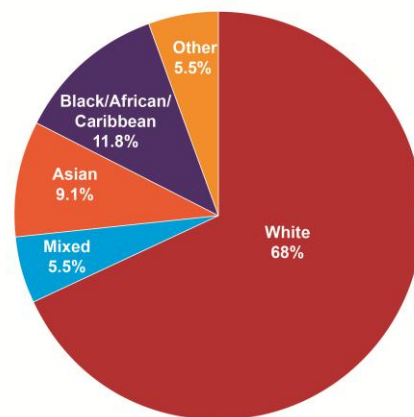
Race

According to the Census 2011, 32% of the borough's population in 2011 belonged to ethnic groups other than white. This represents an increase of nearly 10% since 2001. The main ethnicity in the borough was 'white people' (68 %) followed by people from 'black African' origin (5.7%) and the 'other'¹ group.

In 2011, the white population represented 80% of the economically active population followed by the Black African ethnic group (4.4%) and the 'other group' (3.90%).

¹ The other group refers to the two ONS 2011 Census Ethnic Category: 'other Asian or any other ethnic group'.

Figure 1: Ethnic groups in Hammersmith & Fulham, Census 2011



Source: Office for National Statistics

Disability

The rate of physical disability registrations for Hammersmith and Fulham as a whole is 37.3 registrations per 1,000 population. The Single Equalities Scheme (SES) from 2009-12 indicates that around 15% of residents in Hammersmith and Fulham have a disability. College Park and Old Oak has the highest rate of physical disability registrations in the borough (53.95). The five wards with the highest rates are all in the north of the borough; College Park and Old Oak, Wormholt and White City, Shepherd's Bush Green, Hammersmith Broadway and Askew. Palace Riverside has the lowest rate of registrations in the borough. Physical disability registration is voluntary so the figures do not give a complete picture of disability within Hammersmith & Fulham. In 2011, 12.6% of the borough population had limited day-to-day activities in the borough.

We recognise that people with disabilities and those that support them may be represented in one or more of the other equality groups. The other related group that is usually referenced is age, in particular, we recognise that people with disabilities who can experience difficulty accessing services and accessing the built environment are often children and young people, older people, and those who may provide care for older and younger disabled people. As disability covers a broad spectrum, we also recognise that adaptations for people with mobility impairments may not make the built environment accessible for people with sensory impairments, and that people

with mental health or long-term limiting illnesses may have different requirements from their environment. It is for these reasons that we actively engaged with the Hammersmith and Fulham Disability Forum, the local user group representing disabled people.

Figure 2: Number of people registered with a disability



Source: Community Services registrations

Gender

In 2011, there were more women in the borough than men (there were also more women than men in London).

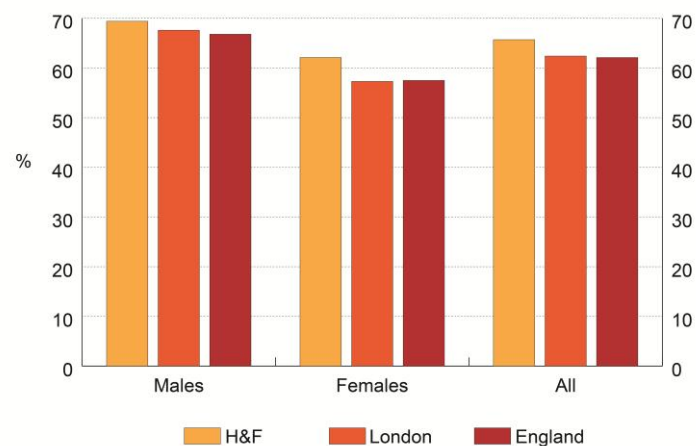
The Single Equalities Scheme (SES) indicates that there are more female headed households in the borough which represents a key equality gap for Hammersmith and Fulham.

Women are less economically active than men representing respectively 70% and 78% in 2011. These figures are higher than the London figures of 66% for women and 77.5% for men (Source: Census 2011).

Hammersmith & Fulham has a marginally higher proportion of male residents in employment (69.4%) than the London (67.6%) and national averages (66.8%). The proportion of female residents in employment (62.1%) is also higher than the London (57.3%) and national averages (57.5%).

For commentary regarding transgendered or transitioning people, see 'sexual orientation (and transgender)' below. For the assessment of policies, transgendered or transitioning people are represented in the gender category (see section 05).

Figure 3: Employment in Hammersmith and Fulham, Census 2011



Source: Office for National Statistics

Religion

The religious profile of the borough is less diverse than in London as a whole. In 2011, 54.1% of residents in the borough were Christians, 10% Muslim and 23.8% stated that they had no religion.

This partly reflects the ethnic profile of the borough, with a higher White population who are predominantly Christian and a lower Asian population who have a more diverse religious profile.

The policies in the DM LP are not aimed specifically at religious groups, but it is noted that members of this population will also be represented through one or more other equality strands and that race and religion are often linked, meaning that benefits will be experienced by this group in more subtle ways. For example, through increased employment opportunities, better transport and quality of built environment. Further, places of worship are supported in the DM LP policies D1 and D2 that are concerned with community services and arts, culture and leisure respectively.

Age

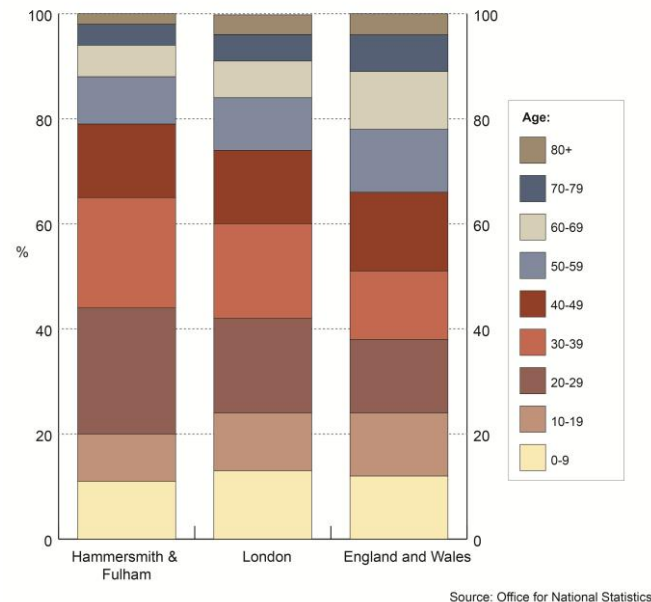
In 2011, the borough had a higher proportion of young adults aged 25-39 (35.7%) than London (28%) and England and Wales (20%). Conversely, the proportion of children and young adults (0-24) in the borough was

lower than in London (26.7% compare to 32.2%) and England and Wales (30.7%).

12.7% of the population is aged 60 or over, which is slightly lower than the London (15.2%) and England and Wales (20.3%) averages.

According to the H&F Carer's Strategy 2005-2010 and Experian Mosaic Data for the borough, older residents in the borough are more likely to live alone.

Figure 4: Age structure (% of total population, Census 2011)



Sexual Orientation (and transgender)

The nature of issues facing LGB people can be similar to transgendered or transitioning people as well, hence the council often use the term LGBT (lesbian, gay, bisexual and transgender). This is relevant when assessing impacts and looking at populations, for there are no official statistics on sexual orientation or gender identity, as these are not routinely captured by public bodies, and are not captured by the census. However:

'In 2005, the Department for Trade and Industry published a figure of 6% as the percentage of LGBT people in the general population..... the number of LGBT people in London is thought to be anywhere between 6% and 10% of the total population, increased by disproportionate levels of migration. This equates to an urban population of between 450,000 and 750,000' (Kairos in Soho, *London's LGBT Voluntary Sector Infrastructure Project*, 25:2007).

	<p>To put this in a local context so far as is possible, although there are no accurate statistics for the numbers of lesbian, gay and bisexual residents in the borough, the 2011 census recorded that 568 people (or 1.1% of couples), aged 16 and over, were living as same sex couples in Hammersmith and Fulham. In 2011, there were 299 same sex civil partnerships in the borough.</p> <p>This gives us some of the picture but within the parameters of the DTI figures, we note that these local statistics may hide single LGB people, or LGB people who have not entered into civil partnerships. We do not have specific data on transgendered or transitioning people. The policies in the DM LP are not aimed specifically at LGBT people but it is noted that members of this population will also be represented through one or more other equality strands, meaning that benefits will be experienced by this group in more subtle ways. For example, through increased employment opportunities, better transport and quality of built environment.</p> <p>Socio-economic</p> <p>In 2010, Hammersmith & Fulham is ranked as the 55th most deprived local authority in England, in the country and there are significant pockets of deprivation.</p> <p>The 2011 Census shows that Hammersmith & Fulham is a polarised borough with relatively high proportions of residents who are either high earners or low earners. Census measures also show very high degrees of polarisation compared to other local authorities in educational attainment and occupation levels.</p> <p>H&F has high proportions of working age residents in higher-paid jobs. In 2011, 14.6% were managers and senior officials compared to 11.6% in London and 10.8% in England and Wales.</p> <p>27% were in professional positions: this has increased significantly from 2001 when only 19.6% fell within this occupation group. Conversely, the Associate and Technical occupations category has decreased slightly from 23.5% in 2001 to 22.1% in 2011.</p> <p>Also, in 2011, 6.7% of the population were in the ‘elementary occupations’ category compared to 9.6% in London and 11.1% in the UK.</p> <p>In terms of economic inactivity, 26% of the 16-74 population in 2011 was inactive compared to an average of 28.3% in London.</p>
New research	It is considered that no new research is required for this EqIA.

Section 04	Undertake and analyse consultation
Consultation	<p>The expected timetable for the consultation and introduction of CIL in the borough is set out in section 1. The consultation welcomes comments on the EqIA.</p> <p>Formal representations on the DCS and the supporting evidence base documents are welcomed by the council. Representations on the Neighbourhood CIL and the Equalities Impact Assessment (EqIA), which are separate to the formal Draft Charging Schedule consultation are also welcomed by the council.</p> <p>The council proposes to subject the DCS and associated evidence and other relevant documents to a 7 week public consultation period (22 August 2014 – 3 October 2014). This exceeds the 4 week statutory public consultation period required by the CIL Regulations (Reg 17(3)), the 6 week consultation recommended by NPPG CIL (para.031) and the Revised Statement of Community Involvement (Oct 2013).</p> <p>The opportunity to take part in consultation on the DCS is available to all persons including borough 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 that will also be notified of the DCS consultations and invited to make representations. The CIL DCS will also be on the agenda of any future ‘Agents Forum’ meeting which will assist with explaining the DCS and inviting consultation representations from known planning agents operating in the borough acting on behalf of large and small businesses and landowners.</p> <p>Consultation documents will be made available on the council’s website; in council libraries and in Hammersmith Town Hall Extension. A notice will also be placed in a local newspaper advising the local community that the documents will be available for inspection at the abovementioned venues. The document will also be made available in large copy print, audio cassette or Braille upon request. Any person may make representations which are invited by email and/or post.</p>
Analysis	<p>Formal representations on the DCS and the supporting evidence base documents will be submitted to an independent examiner as part of the independent public examination and will be made publicly available for inspection on the council’s website and other locations.</p> <p>Representations on the Neighbourhood CIL and the Equalities Impact Assessment (EqIA), which are separate to the formal DCS consultation, will not be submitted to an independent examiner as they will not be part of the independent public examination. A summary of the representations will be made publicly available for inspection on the council’s website.</p>

Section 05

Analysis of impact and outcomes

Analysis

PROTECTED CHARACTERISTICS AND THE PUBLIC SECTOR EQUALITY DUTIES (PSED)

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:

- 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.

Having due regard for advancing equality involves:

- 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

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.

PSED ANALYSIS

The analysis includes a rating of the relevance of the policies to the protected characteristics listed as:

High (H)	The policy, strategy, function, project, activity, or programme is relevant to all or most parts of the general duty, and/or to human/children's rights
	There is substantial or a fair amount of evidence that some groups are (or could be) differently affected by it
	There is substantial or a fair amount of public concern about it
Medium (M)	The policy, strategy, function, project, activity, or programme is relevant to most parts of the general duty, and/or to human/children's rights
	There is some evidence that some groups are (or could be) differently affected by it
	There is some public concern about it
Low (L)	The policy, strategy, function, project, activity, or programme is not generally relevant to most parts of the general duty, and/or to human/children's rights
	There is little evidence that some groups are (or could be) differently affected by it
	There is little public concern about it
Not Applicable (N/A)	Not applicable

The impacts of the policy on the protected characteristics are also analysed and rated as:

Positive (+)	The EIA shows the policy is not likely to result in adverse impact for any protected characteristic and does advance equality of opportunity, and/or fulfils PSED in another way
Neutral	The EIA shows the policy, strategy, function, project or activity is not likely to result in adverse impact for any protected characteristic and does not advance equality of opportunity, and/or fulfils PSED in another way
Negative (-)	The EIA shows the policy, strategy, function, project or activity is likely to have an adverse impact on a particular protected characteristic(s) and potentially does not fulfil PSED, or the negative impact will be mitigated through another means

	Proposed CIL charges / zones impact			
	Residential (C3); HMO (C4); Hostel £100-300/m²	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.		
		Age Minimal impact on the availability of accommodation across the borough for any age group.	L	Neutral
		Disability Minimal impact on the availability of accommodation across the borough for any level of ability/disability.	L	Neutral
		Gender reassignment Minimal impact on the availability of accommodation across the borough for all people whether experiencing gender reassignment or not.	L	Neutral
		Marriage and Civil Partnership Minimal impact on the availability of accommodation across the borough for all people whether single-person, couple or family.	L	Neutral
		Pregnancy and maternity Minimal impact on the availability of accommodation across the borough for all people whether experiencing pregnancy, maternity, parenthood or not.	L	Neutral
		Race Minimal impact on the availability of accommodation across the borough for any race, including where race/culture may have an influence on household size.	L	Neutral
		Religion/belief (including non-belief) 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.	L	Neutral
		Sex Minimal impact on the availability of accommodation across the borough for either sex.	L	Neutral
Sexual Orientation Minimal impact on the availability of accommodation across the borough for any sexual orientation.	L	Neutral		

	Office (B1a/b) £0-£80/m²	Although the proposed charge for office uses varies across the borough, this is based on evidence that office development viability varies across the borough, so there should be no overall detrimental impact on delivery of office development across the borough. Where a £0/m ² charge is applied to such development, S106 contributions can still be sought (if in accordance with S106 tests, pooling restrictions and policy) to ensure any necessary supporting infrastructure or mitigating measures are delivered.		
	Age	Minimal impact on employment opportunities across the borough for any age group, including the working population.	L	Neutral
	Disability	Minimal impact on employment opportunities across the borough for any level of ability/disability.	L	Neutral
	Gender reassignment	Minimal impact on employment opportunities across the borough for all people whether experiencing gender reassignment or not.	L	Neutral
	Marriage and Civil Partnership	Minimal impact on employment opportunities across the borough for all people whether single-person, couple or family.		
	Pregnancy and maternity	Minimal impact on the employment opportunities across the borough for all people whether experiencing pregnancy, maternity, parenthood or not.	L	Neutral
	Race	Minimal impact on the employment opportunities across the borough for any race.	L	Neutral
	Religion/belief (including non-belief)	Minimal impact on the employment opportunities across the borough for any religion/belief/non-belief.	L	Neutral
	Sex	Minimal impact on the employment opportunities across the borough for either sex.	L	Neutral
	Sexual Orientation	Minimal impact on the employment opportunities across the borough for any sexual orientation.	L	Neutral
	Health £0/m²	The proposed charge for health uses is zero and so there should be no detrimental impact on delivery of health development. Where a £0/m ² charge is applied to such development, S106 contributions can still be sought (if in accordance with S106 tests, pooling restrictions and policy) to ensure any necessary supporting infrastructure or mitigating measures are delivered.		

		Age No impact on access to healthcare for any age group, including the particularly vulnerable young or elderly age groups.	N/A	Neutral
		Disability No impact on access to healthcare for any level of ability/disability, including disabled people who may need greater access to healthcare.	N/A	Neutral
		Gender reassignment No impact on access to healthcare for all people whether experiencing gender reassignment or not.	N/A	Neutral
		Marriage and Civil Partnership No impact on access to healthcare for all people whether single-person, couple or family.	N/A	Neutral
		Pregnancy and maternity No impact on access to healthcare for all people whether experiencing pregnancy, maternity, parenthood or not.	N/A	Neutral
		Race No impact on access to healthcare for any race.	N/A	Neutral
		Religion/belief (including non-belief) No impact on access to healthcare for any religion/belief/non-belief.	N/A	Neutral
		Sex No impact on access to healthcare for either sex.	N/A	Neutral
		Sexual Orientation No impact on access to healthcare for any sexual orientation.	N/A	Neutral
		Education £0/m² The proposed charge for education uses is zero and so there should be no detrimental impact on delivery of education development. Where a £0/m ² charge is applied to such development, S106 contributions can still be sought (if in accordance with S106 tests, pooling restrictions and policy) to ensure any necessary supporting infrastructure or mitigating measures are delivered.		
		Age No impact on access to education for any age group, including the young, young adults, or those seeking adult education.	N/A	Neutral
	Disability No impact on access to education for any level of ability/disability.	N/A	Neutral	

		Gender reassignment No impact on access to education for all people whether experiencing gender reassignment or not.	N/A	Neutral
		Marriage and Civil Partnership No impact on access to education for all people whether single-person, couple or family.	N/A	Neutral
		Pregnancy and maternity No impact on access to education for all people whether experiencing pregnancy, maternity, parenthood or not.	N/A	Neutral
		Race No impact on access to education for any race.	N/A	Neutral
		Religion/belief (including non-belief) No impact on access to education for any religion/belief/non-belief.	N/A	Neutral
		Sex No impact on access to education for either sex.	N/A	Neutral
		Sexual Orientation No impact on access to education for any sexual orientation.	N/A	Neutral
	Industrial (B1(c)/B2) ; Warehousing (B8); Selling/display of motor vehicles; Scrapyards; Hotel (C1) £0/m²	The proposed charge for industrial, warehousing, selling/display of motor vehicles, scrapyards and hotel uses is zero and so there should be no detrimental impact on delivery of such development. Where a £0/m ² charge is applied to such development, S106 contributions can still be sought (if in accordance with S106 tests, pooling restrictions and policy) to ensure any necessary supporting infrastructure or mitigating measures are delivered.		
		Age No impact on employment opportunities for any age group, including the working population.	N/A	Neutral
		Disability No impact on employment opportunities for any level of ability/disability.	N/A	Neutral
		Gender reassignment No impact on employment opportunities for all people whether experiencing gender reassignment or not.	N/A	Neutral
		Marriage and Civil Partnership No impact on employment opportunities for all people whether single-person, couple or family.	N/A	Neutral

		Pregnancy and maternity No impact on employment opportunities for all people whether experiencing pregnancy, maternity, parenthood or not.	N/A	Neutral	
		Race No impact on employment opportunities for any race.	N/A	Neutral	
		Religion/belief (including non-belief) No impact on employment opportunities for any religion/belief/non-belief.	N/A	Neutral	
		Sex No impact on employment opportunities for either sex.	N/A	Neutral	
		Sexual Orientation No impact on employment opportunities for any sexual orientation.	N/A	Neutral	
	All uses unless otherwise stated £80/m²	The proposed charge for all other uses is based on development viability evidence, so there should be no overall detrimental impact on delivery of other uses development across the borough.			
			Age Minimal impact on any age group.	L	Neutral
			Disability Minimal impact on any level of ability/disability.	L	Neutral
			Gender reassignment Minimal impact for all people whether experiencing gender reassignment or not.	L	Neutral
			Marriage and Civil Partnership Minimal impact for all people whether single-person, couple or family.	L	Neutral
			Pregnancy and maternity Minimal impact for all people whether experiencing pregnancy, maternity, parenthood or not.	L	Neutral
			Race Minimal impact for any race.	L	Neutral
			Religion/belief (including non-belief) Minimal impact for any religion/belief/non-belief.	L	Neutral
		Sex Minimal impact for either sex.	L	Neutral	

		Sexual Orientation Minimal impact for any sexual orientation.	L	Neutral
	White City East	The proposed charge for White City East and Earls Court & West Kensington Opportunity Area is zero and is based on development viability evidence, so there should be no overall detrimental impact on delivery of development in these areas. Where a £0/m ² charge is applied to such development, S106 contributions can still be sought (if in accordance with S106 tests, pooling restrictions and policy) to ensure any necessary supporting infrastructure or mitigating measures are delivered.		
	Earls Court & West Kensington Opportunity Area	Age Minimal impact on any age group.	L	Neutral
	£0/m²	Disability Minimal impact on any level of ability/disability.	L	Neutral
		Gender reassignment Minimal impact for all people whether experiencing gender reassignment or not.	L	Neutral
		Marriage and Civil Partnership Minimal impact for all people whether single-person, couple or family.	L	Neutral
		Pregnancy and maternity Minimal impact for all people whether experiencing pregnancy, maternity, parenthood or not.	L	Neutral
		Race Minimal impact for any race.	L	Neutral
		Religion/belief (including non-belief) Minimal impact for any religion/belief/non-belief.	L	Neutral
		Sex Minimal impact for either sex.	L	Neutral
		Sexual Orientation Minimal impact for any sexual orientation.	L	Neutral
Potential CIL-funded infrastructure schemes*				
Drainage & Flooding, Highways &	Infrastructure which may potentially be funded by CIL includes sustainable urban drainage, schemes which provide better transport access to jobs/services, improved public transport services and step-free access.			

	Transport	Age Positive impact on all age groups, but in particular the young, young adult or elderly age groups who may have more limited mobility.	M	+
		Disability Positive impact on all levels of ability/disability, but in particular disabled people with particular mobility and/or transport access needs.	M	+
		Gender reassignment Positive impact on people whether experiencing gender reassignment or not.	L	+
		Marriage and Civil Partnership Positive impact on people whether single-person, couple or family.	L	+
		Pregnancy and maternity Positive impact for all people whether experiencing pregnancy, maternity, parenthood or not, but in particular, those with particular mobility and/or transport access needs arising from pregnancy and caring for babies/children.	M	+
		Race Positive impact for all races.	L	+
		Religion/belief (including non-belief) Positive impact for all religions/beliefs/non-belief, but in particular those requiring transport access to religious centres or places of worship.	M	+
		Sex Positive impact for either sex.	L	+
		Sexual Orientation Positive impact for any sexual orientation.	L	+
	Waste & Street Enforcement, Energy & Environmental Health	Infrastructure which may potentially be funded by CIL includes schemes which provide waste facilities, energy, environmental health, noise and air quality improvements.		
		Age Positive impact on all age groups, but in particular the young or elderly age groups who may be more vulnerable to environmental health impacts.	M	+
		Disability Positive impact on all levels of ability/disability, but in particular disabled people who may be more vulnerable to environmental health impacts.	M	+
		Gender reassignment Positive impact on people whether experiencing gender reassignment or not.	L	+

		Marriage and Civil Partnership Positive impact on people whether single-person, couple or family.	L	+
		Pregnancy and maternity Positive impact for all people whether experiencing pregnancy, maternity, parenthood or not, but in particular pregnant women who may be more vulnerable to environmental health impacts.	M	+
		Race Positive impact for all races.	L	+
		Religion/belief (including non-belief) Positive impact for all religions/beliefs/non-belief.	L	+
		Sex Positive impact for either sex.	L	+
		Sexual Orientation Positive impact for any sexual orientation.	L	+
	Economic development, adult learning & skills	Infrastructure which may potentially be funded by CIL includes schemes which provide access to jobs, training, (small) business engagement and adult learning. It should be noted, however, that this infrastructure category is likely to have only a few schemes which qualify for CIL for legal reasons and may continue to be provided predominantly by S106s.		
		Age Positive impact on all age groups, but in particular young adults and the working age population.	M	+
		Disability Positive impact on all levels of ability/disability, but in particular disabled people who may benefit from specialist training or business engagement.	M	+
		Gender reassignment Positive impact on people whether experiencing gender reassignment or not.	L	+
		Marriage and Civil Partnership Positive impact on people whether single-person, couple or family.	L	+
		Pregnancy and maternity Positive impact for all people whether experiencing pregnancy, maternity, parenthood or not.	L	+

		Race Positive impact for all races, but in particular those whose first language may not be English and may require support in terms of training, business engagement and/or adult learning to help access jobs.	M	+
		Religion/belief (including non-belief) Positive impact for all religions/beliefs/non-belief.	L	+
		Sex Positive impact for either sex.	L	+
		Sexual Orientation Positive impact for any sexual orientation.	L	+
	Culture, Community Investment, Libraries & Archives	Infrastructure which may potentially be funded by CIL includes schemes which provide third sector hubs, disability services accommodation, community space and libraries.		
		Age Positive impact on all age groups, but in particular, the young and the elderly who may have a greater need for such services.	M	+
		Disability Positive impact on all levels of ability/disability, but in particular disabled people who may have a greater need for such services.	M	+
		Gender reassignment Positive impact on people whether experiencing gender reassignment or not.	L	+
		Marriage and Civil Partnership Positive impact on people whether single-person, couple or family, but in particular those seeking marriage or civil partnership who may have a greater need to access appropriate venues for ceremonies.	M	+
		Pregnancy and maternity Positive impact for all people whether experiencing pregnancy, maternity, parenthood or not, but in particular those who may have a greater need for such services.	M	+
		Race Positive impact for all races, but in particular those who may have a greater need for such services.	M	+

		Religion/belief (including non-belief) Positive impact for all religions/beliefs/non-belief, but in particular those who may have a greater need for such services which may be related to religion/belief/non-belief.	M	+	
		Sex Positive impact for either sex.	L	+	
		Sexual Orientation Positive impact for any sexual orientation.	L	+	
	Children's Services, Early Years, Schools & Youth	Infrastructure which may potentially be funded by CIL includes schemes which provide nurseries, schools and special education.			
		Age	Positive impact on all age groups, but in particular the young, young adults, or those seeking adult education.	M	+
		Disability	Positive impact on all levels of ability/disability, but in particular disabled people who may require specialist educational services to meet their needs.	M	+
		Gender reassignment	Positive impact on people whether experiencing gender reassignment or not.	L	+
		Marriage and Civil Partnership	Positive impact on people whether single-person, couple or family.	L	+
		Pregnancy and maternity	Positive impact for all people whether experiencing pregnancy, maternity, parenthood or not.	L	+
		Race	Positive impact for all races.	L	+
		Religion/belief (including non-belief)	Positive impact for all religions/beliefs/non-belief.	L	+
		Sex	Positive impact for either sex.	L	+
		Sexual Orientation	Positive impact for any sexual orientation.	L	+
	Adult Social Care & Health	Infrastructure which may potentially be funded by CIL includes schemes which provide adult social care, mental health and primary care services.			

		Age Positive impact on all age groups, but in particular the young or elderly age groups who may have a greater need for health services.	M	+
		Disability Positive impact on all levels of ability/disability, but in particular disabled people who may have a greater need for health services.	M	+
		Gender reassignment Positive impact on people whether experiencing gender reassignment or not, but in particular those experiencing gender reassignment who may have a greater need for health services to assist with reassignment.	M	+
		Marriage and Civil Partnership Positive impact on people whether single-person, couple or family.	L	+
		Pregnancy and maternity Positive impact for all people whether experiencing pregnancy, maternity, parenthood or not, but in particular those who may have a greater need for health services.	M	+
		Race Likely to have a positive impact for all races, but in particular those who may have a greater need for particular health services.	M	+
		Religion/belief (including non-belief) Positive impact for all religions/beliefs/non-belief.	L	+
		Sex Positive impact for either sex.	L	+
		Sexual Orientation Positive impact for any sexual orientation.	L	+
	Emergency services & community safety	Infrastructure which may potentially be funded by CIL includes schemes which provide policing, community safety hubs and CCTV.		
		Age Positive impact on all age groups, but in particular the young or elderly age groups who may be more vulnerable to crime or the fear of crime.	M	+
		Disability Positive impact on all levels of ability/disability.	L	+
		Gender reassignment Positive impact on people whether experiencing gender reassignment or not.	L	+

		Marriage and Civil Partnership Positive impact on people whether single-person, couple or family.	L	+
		Pregnancy and maternity Positive impact for all people whether experiencing pregnancy, maternity, parenthood or not.	L	+
		Race Positive impact for all races, but in particular those groups (including minority ethnic groups) who may be more likely to experience or fear racism and/or hate crime(s).	M	+
		Religion/belief (including non-belief) Positive impact for all religions/beliefs/non-belief, but in particular those groups who may be more likely to experience or fear hate crime(s) based on their religion.	M	+
		Sex Positive impact for either sex.	L	+
		Sexual Orientation Positive impact for any sexual orientation, but in particular those groups who may be more likely to experience or fear hate crime(s) based on their sexual orientation.	M	+
	Leisure Parks	& Infrastructure which may potentially be funded by CIL includes schemes which provide leisure and sport facilities, parks/park improvements and play spaces / improvements.		
		Age Positive impact on all age groups with regard to health benefits, but in particular the young who benefit from play space provision.	M	+
		Disability Positive impact on all levels of ability/disability with regard to health benefits, but in particular disabled people who may require specialist leisure/sport infrastructure or benefit from access improvements in parks.	M	+
		Gender reassignment Positive impact on people whether experiencing gender reassignment or not.	L	+
		Marriage and Civil Partnership Positive impact on people whether single-person, couple or family.	L	+

Pregnancy and maternity Positive impact for all people whether experiencing pregnancy, maternity, parenthood or not.	L	+
Race Positive impact for all races.	L	+
Religion/belief (including non-belief) Positive impact for all religions/beliefs/non-belief.	L	+
Sex Positive impact for either sex.	L	+
Sexual Orientation Positive impact for any sexual orientation.	L	+

*From the Infrastructure Schedule, a background document to the DCS. Note that the purpose of the Infrastructure Schedule is to demonstrate an aggregate funding gap for infrastructure across the borough, primarily for CIL purposes and *not* to represent a detailed spending plan for infrastructure schemes which S106 or CIL monies can be spent on. Identification of schemes in the Infrastructure Schedule does not mean that they will necessarily have CIL monies spent on them – this is dependent on the public consultation, examination, and the circumstances at the time, including prioritising infrastructure schemes. It follows that schemes have been suggested here *as indicative examples of schemes which CIL may be spent on* only for the purposes of assessing equality impacts. Some categories of infrastructure, for example economic development, adult learning and skills, are likely to have only a few schemes which qualify for CIL for legal reasons and may continue to be provided predominantly by S106s. The proposed consultation also includes consultation on the Neighbourhood CIL where suggestions can be put forward for CIL expenditure, which will also be considered by the council in due course.

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). Further the explanatory memorandum for the 2104 amendments to the CIL Regulations 2010 states that the amendments “are compatible with the [European] Convention [on human] rights” (para.6).

CHILDREN'S RIGHTS

Will it affect Children's Rights, as defined by the UNCRC (1992)?

No

OTHER ANALYSES

It is also considered important to consider the potential impacts of the proposed CIL charges and zones in the DCS for other general groups as set out below.

Affordable housing	<p>It should be noted that a significant factor influencing viability of residential development schemes is the provision of affordable housing for different tenures. The Viability Study document which supports the CIL DCS demonstrates that the proposed CIL charges can be achieved without having an overall impact on delivering policy-compliant levels of affordable housing.</p> <p>It is acknowledged that affordable housing can help advance equality issues for protected characteristics and groups.</p>	L	Neutral
Social groups	<p>The Localism Bill CIL Impact Assessment considers that CIL "is unlikely to have an adverse impact on any social group" (page 25).</p> <p>The Report to the Mayor of London on the Mayoral CIL states that "It is considered that the proposals will not have a significant adverse impact on any particular social group or community" (6.6).</p> <p>Further to the PSED analysis above, it is considered that the proposed CIL charges and zones in the DCS will not have any significant adverse impacts on any social groups, and in fact will have a positive impact when potential CIL-funded infrastructure schemes are considered.</p>	L	Neutral
Health	<p>The Localism Bill CIL Impact Assessment suggests that CIL will not "have an adverse impact on health" (page 25).</p> <p>Further to the PSED analysis above, it is considered that the proposed CIL charges and zones in the DCS will not have any significant adverse impacts on health, and in fact will have a positive impact when potential CIL-funded</p>	L	Neutral

		infrastructure schemes are considered.		
	Charities	<p>CIL (Amendment) Regulations 2014 Explanatory Memorandum “The impact on... charities or voluntary bodies is limited to those who develop land or own land that is developed. The changes improve flexibility in the application of the levy and update and add to both discretionary and mandatory reliefs from the levy” (para.10.1).</p> <p>It is acknowledged that charities can help advance equality issues for protected characteristics and groups.</p> <p>The mandatory exemption from CIL for charitable purposes will be applied as part of any borough CIL, as per the CIL regulations, and no difference in approach is proposed through the DCS.</p> <p>The council may propose at a later date to introduce a policy to allow the additional discretionary charitable relief although that is not currently part of this particular decision-making process for the DCS.</p>	L	Neutral
	Businesses / Developers / Landowners	<p>The Localism Bill CIL Impact Assessment considers that CIL will provide a number of benefits to businesses, developers and landowners, including:</p> <ul style="list-style-type: none"> • Simplicity; • Reducing risk and providing upfront certainty about liability; • Speeding up the development process; • Avoiding only the minority of (typically larger) developments contributing to the infrastructure needed to support growth as with the existing system of planning obligations; and • Avoiding rewarding developers’ ability to negotiate as with the existing system of planning obligations. <p>It goes on to conclude “We expect that any additional upfront costs on developers should be offset by the benefits...” (page 20); “We do not anticipate the Community Infrastructure Levy having an adverse impact upon fair and open business competition” and “This impact assessment therefore assumes that there will be a neutral effect overall in terms of the administrative burdens on</p>	L	Neutral

		<p>developers” (page 24).</p> <p>CIL (Amendment) Regulations 2014 Explanatory Memorandum states that “The impact on business... is limited to those who develop land or own land that is developed. The changes improve flexibility in the application of the levy and update and add to both discretionary and mandatory reliefs from the levy” (para.10.1).</p>		
	<p>Small and Medium Sized Businesses</p>	<p>The CIL Regulations Explanatory Memorandum states that the CIL legislation “applies to small businesses in the same way that it applies to larger businesses” (11.1).</p> <p>Both the CIL Regulations Explanatory Memorandum and the Localism Bill CIL Impact Assessment emphasise the provisions in the CIL Regulations which are partly intended to help small businesses, namely:</p> <ul style="list-style-type: none"> • The 100sqm threshold under which developments generally don’t give rise to a CIL liability, to ensure small developments do not pay CIL; • The £50 CIL liability threshold under which CIL liability is deemed to be zero, to avoid administrative costs associated with paying small amounts of CIL; and • The ability for charging authorities to introduce discretionary instalments policies to help with any cash flow issues. <p>The council may propose at a later date to introduce a policy to allow instalments although that is not currently part of this particular decision-making process for the DCS.</p> <p>The Localism Bill CIL Impact Assessment acknowledges that “as the Community Infrastructure Levy is payable on almost all new developments, there will be a small administrative burden on some developers who did not previously contribute towards infrastructure through section 106 agreements” (page 12). However, it goes on to state that “we would ultimately expect these costs, for small and big businesses alike, to be passed back to landowners through reduced prices for land” (page 24). It should also be noted that the 2014 amendment regulations introduced exemptions for residential annexes, residential extensions and self-builders.</p>	L	Neutral

Section 06	Reducing any adverse impacts
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	Expected outcome	Date added to business/service plan
	Need to ensure EqIA is robust	Ensure EqIA considered and consulted on in further stages of consultation	See Section 01	Sid Jha	More information and analysis on equalities impact	N/A
	Impact of CIL on cashflow of (small) businesses	Consider pros/cons of introducing a discretionary instalments policy	Prior to CIL Charging Schedule taking effect (see Section 01)	Sid Jha	Decision on whether or not to introduce a discretionary instalments policy	N/A
	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)	Sid Jha	Decision on whether or not to introduce a discretionary charitable relief policy	N/A

	Impact of CIL on Discounted Market Sale (DMS) housing delivery	Consider pros/cons of introducing a discretionary social housing relief policy	Prior to CIL Charging Schedule taking effect (see Section 01)	Sid Jha	Decision on whether or not to introduce a discretionary social housing relief policy	N/A
	Impact of CIL on sites with exceptional viability circumstances, such as abnormal on-site costs and significant S106 contributions	Consider pros/cons of introducing an exceptional circumstances policy	Prior to CIL Charging Schedule taking effect (see Section 01)	Sid Jha	Decision on whether or not to introduce an exceptional circumstances 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)	Sid Jha / Sandrine Mathard	Information and analysis on impact of CIL	N/A

Section 08	Agreement, publication and monitoring	
Chief Officer sign-off	Name: Position: Email: Telephone No:	Nigel Pallace Executive Director, Transport and Technical Services nigel.pallace@lbhf.gov.uk 0208 753 3000
Key Decision Report	Date of report to Cabinet: Equalities issues included:	11 August 2014 Yes – section 8 of Cabinet report.