



THE ROYAL BOROUGH OF  
**KINGSTON**  
UPON THAMES

**Royal Borough of Kingston upon Thames  
Community Infrastructure Levy  
Equalities Impact Assessment  
June 2015**

<b>FULL EQUALITIES IMPACT ASSESSMENT FORM B</b>	
<b>Function being assessed?</b>	Community Infrastructure Levy (CIL)
<b>Is this a new function or a review of an existing function?</b>	Part replacement of an existing function (Section 106)
<b>What are the aims/purpose of the function?</b>	<p>CIL is a local levy introduced under the Planning Act 2008 and the Localism Act 2011 which will raise funds to deliver infrastructure that is required to enable growth. CIL will provide a more consistent and transparent mechanism to raise financial contributions currently sought under Section 106 of the Town and Country Planning Act 1990 (S106). CIL is locally administered. While the level of charges proposed must undergo independent examination, the spending of CIL receipts is for the Council to determine.</p> <p>It is important to note that CIL Regulations provide CIL relief for Affordable Housing and for development by charitable organisations. In terms of charging the levy: CIL regulations require that the levy must not make development proposals unviable, and that any variations to the charge, or relief from paying the charge, are solely based on the grounds of economic viability. The Council has taken great care to ensure that this is the case.</p> <p>Government has undertaken an Equality Impact Assessment on the introduction of the CIL. This identified no adverse impact.</p>

**Who implements or delivers the policy, service or function? State if this is undertaken by more than one team, service, and department including any external partners?**

The gathering of evidence and progression of the CIL charges is undertaken by the Development, Planning and Regeneration Team.

Collection of the CIL charge from developers will be undertaken by the Development, Planning and Regeneration Team who administer Section 106. The Council's Legal and Finance departments will also be involved.

**Who will be affected by this proposal? For example who are the external/internal customers, communities, partners, stakeholders, the workforce etc.**

Developers will be affected by the CIL. The proposed levy will be charged on the following development types:

Development type	Proposed CIL rate (£/sqm)			
	Zone 1	Zone 2	Zone 3	Zone 4
Residential	£210	£130	£85	£50
Care Homes & Retirement housing	£50		£20	
Extra Care housing	£20			
Student housing	£220			
Retail - Convenience based supermarkets and superstores and retail warehousing (net retail space>280sm)	£200			
	<i>Kingston Town Centre -Primary Shopping area</i>		<i>Rest of Borough</i>	
All other forms of Retail (A1-5)	£200		£20	
All other Uses (with the exception of those identified below)	£20			
Public Services and Community Facilities	£0			

<p><b>Is the function designed to meet specific needs such as the needs of minority ethnic groups, older people, disabled people etc?</b></p>	<p>It is likely that the CIL will have a positive impact on people of all ages, race, disability, religion or belief, sex and sexual orientation, gender reassignment, marriage or civil partnership and pregnancy or maternity as CIL will provide additional funding for community infrastructure (such as schools, green spaces, roads, rail facilities, flood defences and health care facilities), which is used by all types of people.</p> <p>Local communities will benefit from the CIL, as the CIL will enable the necessary infrastructure to support new development.</p> <p>A meaningful proportion (at least 15 per cent of levy receipts) will be allocated for spend on infrastructure priorities that should be agreed with the local community in areas where chargeable development takes place up to £100 per existing council tax dwelling per annum. Communities that draw up a neighbourhood plan or neighbourhood development order (including a community right to build order), and secure the consent of local people in a referendum, will benefit from 25 per cent of the levy revenues arising from the development that takes place in their area.</p>
<p><b>What information has been gathered on this function? (Indicate the type of information gathered e.g. statistics, consultation, other monitoring information)? Attach a summary or refer to where the evidence can be found</b></p>	<p>The CIL charges will be set based on up-to-date evidence of development viability in different parts of Kingston and for different types of development.</p> <p>The proposed CIL charges will be the subject of public consultations and an independent examination by the Secretary of State.</p> <p>For the forthcoming consultation on the Draft Charging Schedule of the CIL, the Council will contact:</p> <ul style="list-style-type: none"> <li>• The consultation bodies as per CIL regulations;</li> <li>• Those on the Local Development Framework consultation database (which includes contacts of equalities groups); and,</li> <li>• Those who express interest in CIL (Developers, landowners etc).</li> </ul> <p>The Council will give notice of the consultation in the local press, place documents at its libraries and customer contact reception, and make the documents available online in the Council's consultation portal, and Planning Policy web pages.</p>
<p><b>Does your analysis of the information show different outcomes for different groups (higher or lower uptake/failure to</b></p>	<p>Officers have not identified local circumstances which would result in an adverse impact on equalities groups in the Borough through the introduction of CIL charges.</p> <p>The CIL regulations require that the levy must not make</p>

<p><b>access/receive a poorer or inferior service)? If yes, indicate which groups and which aspects of the policy or function contribute to inequality?</b></p>	<p>development proposals unviable and that the CIL rates are dependent on development viability in an area. In areas where viability is high and for development types that are highly viable, the rate will be higher than for areas or types of development with low viability. In areas and development types that are marginal in terms of viability a nominal rate of CIL charge will be set.</p> <p>The CIL is charged per square metre of net additional floor space on development, and therefore relative to the size of the development.</p> <p>Affordable housing development and charities are exempt from the CIL.</p> <p>CIL will apply to developments creating one or more new dwelling / or providing 100sqm+ of new floorspace, which is a much lower threshold compared to S106, and thus many more developers will need to contribute CIL compared to S106.</p>
<p><b>What plans do you have in place, or are developing, that will mitigate the likely identified negative impacts? For example what plans, if any, will be put in place to reduce the impact.</b></p>	<p>No adverse impact has been identified. The Council cannot control adverse impacts that are the result of the regulations (and the regulations were subject to a national EIA which did not identify any adverse impact). However, the Council will keep under review development viability which underpins the CIL rates. Triggers are identified that require a new viability assessment.</p>
<p><b>Do you have plans in place to monitor the impact of the proposals once they have been implemented? The full impact of the decision may only be known after the proposals have been implemented?</b></p>	<p>Regulations require that the CIL be monitored. Mechanisms will be put in place to monitor the income, spending and impact of the CIL and to report this in the Annual Monitoring Report.</p> <p>Development viability, which underpins the CIL rates will be regularly monitored. The impact of the imposition of the CIL will also be monitored by way of monitoring change in development activity.</p>
<p><b>Assessment completed by:</b> Name Service Date</p>	<p><b>Jason Ashby</b> <b>Strategic Planning and Regeneration Team (SPR)</b> <b>18 June 2015</b></p>