

## **Draft Strategies/Policies - Equality Impact Check**

**Draft strategy/policy being checked:**

Draft Community Infrastructure Levy (CIL) Charging Schedule

**Is this draft strategy/policy:**

South only

Vale only

Joint across both councils

**Service team:** Planning Policy

**Officer completing this check:** Alison Williams – February 2022

**Once completed:**

Signed: Alison Williams                      Officer                      (11/02/2022)

Signed: Lynne Mitchell                      Equalities Officer                      (14/02/2022)

Signed: Harry Barrington-Mountford                      Head of Service                      (14/02/2022)

## **Why do you need to do this Equality Impact Check?**

Our strategies and policies set out the way we will deliver our services (including employment opportunities). When we are developing them, we need to check that they are not going to create any barriers which could prevent people from accessing our services.

People in South Oxfordshire may face barriers because of things like **disability, gender (including transgender, pregnancy and maternity), age, sexual orientation, rural isolation, income, religion/belief or ethnicity**.

As well as thinking about how our services will meet the needs of these groups of people, we also need to consider how our draft strategies and policies will help us to:

- promote positive relations within communities
- give everyone a voice
- respect and value everyone
- protect people's human rights

This Equality Impact Check provides officers with a framework to help them work through these considerations in relation to their draft policy/strategy, ensuring that we are meeting our legal duties with regards to equality and diversity.

We have a statutory duty to carry out these assessments and they contribute towards our corporate priority to 'optimise access to services'.

**If you have any queries about this Check or would like some advice/support in completing it, please contact the Shared equalities officer (see contact details below).**

Once you've completed this Equality Impact Check, please send the paperwork to the shared equality officer, along with a copy of the draft strategy/policy.

Lynne Mitchell (Equalities Officer)

Email: [lynne.mitchell@southandvale.gov.uk](mailto:lynne.mitchell@southandvale.gov.uk)

Telephone: 07598 545906

## **OUTLINE OF THE DRAFT STRATEGY / POLICY YOU ARE CHECKING:**

### **1. What are the aims and objectives of this draft strategy/policy?**

#### Draft Community Infrastructure Levy (CIL) Charging Schedule

The Community Infrastructure Levy (CIL) is a levy that local authorities can choose to charge on new development in their area and came into force in April 2010. South Oxfordshire District Council is classed as a 'charging authority' and may charge CIL in respect of development that takes place in the District. The money raised can be used to fund a wide range of infrastructure such as transport schemes, schools, community facilities, health and social care facilities, parks, green spaces and leisure facilities.

In February 2016, the council approved its first CIL Charging Schedule, which is a document setting out the CIL rates it charges for different types of development in different parts of the district. The current CIL rates came into force on 1 April 2016.

The council is now undertaking a review of its Charging Schedule, to take into account the new site allocations and additional infrastructure requirements contained within the South Oxfordshire Local Plan 2035 (which was adopted in December 2020) and legislative changes introduced by the Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019.

We are currently at the consultation stage of our review and are inviting comments on our revised Draft CIL Charging Schedule and associated evidence documents, including a viability assessment which underpinned our review and provides important background information on the viability of development. This has helped us draft the proposed new CIL rates for different types of development. The findings from the assessment have also provided the basis for defining three new CIL charging zones across the District.

The CIL Regulations 2010 require that, in order to justify charging CIL, the Council must demonstrate that there is a 'gap' between the infrastructure needs of the District and the funding that is available, including anticipated CIL income. An Infrastructure Funding Gap Statement has been prepared to demonstrate this need and is also being published alongside the Draft Charging Schedule for public consultation.

**2. Who is the proposed strategy or policy designed to support / help / serve?**

The Draft CIL Charging Schedule is a document setting out the new CIL rates that the council is proposing to charge for different types of development in different parts of the district. The money raised can be used to fund a wide range of necessary infrastructure to support planned housing and employment growth identified in the South Oxfordshire Local Plan 2035. The Charging Schedule could, therefore, have an indirect impact on all those that live, work or spend their leisure time in the District. The main stakeholders could include local residents, businesses, education or healthcare providers, community/ voluntary groups or organisations. The Draft Charging Schedule provides clarity for developers on how much they will need to pay towards necessary infrastructure in South Oxfordshire, which in turn will support/ serve these stakeholders.

**3. If the draft strategy/policy relates to an existing Council service/function, has an Equality Impact Assessment (EIA) already been completed on the service/function?**

Yes

No

If yes, please list any issues/barriers identified within the assessment that your draft strategy needs to address:

An **Equality Impact Assessment** was completed for the South Oxfordshire Local Plan 2035 (adopted December 2020) and can be viewed [here](#)

This assessed the impacts of policies in the Local Plan against '*protected characteristics*', which included: gender, disability, age, race, religion or belief, sexual orientation, gender reassignment, pregnancy and maternity, marriage, civil partnership and people living in rural areas.

Under Policy INF1 (Infrastructure Provision) the EIA concluded that: '***The provision of required infrastructure is relevant to all equality groups and can indirectly benefit everyone, however, this policy does not provide detail to determine its actual benefit specific to any one group.***'

No further action was identified.

**4. Does the draft strategy/policy have the potential to cause a negative impact or discriminate against certain groups in the community?**

Please see table overleaf.

Equality Group	Yes	No	<p>If 'YES', please explain how the strategy/policy could cause a negative impact or discriminate. If you cannot justify this, you will need to take mitigating action (complete the action plan at the end of this assessment).</p> <p>If 'NO', what existing evidence (presumed or otherwise) do you have for this? Will the service changes advance equality of opportunity between people who share a protected characteristic? This means will they:</p> <ul style="list-style-type: none"> <li>• Remove or minimise disadvantages suffered by people due to their protected characteristics.</li> <li>• Take steps to meet the needs of people from protected groups, where these are different from the needs of other people.</li> </ul>
All		No	<p>The Draft Charging Schedule will contribute towards delivery of the necessary local infrastructure to support planned housing and employment growth across South Oxfordshire – it will support/serve <b>all those living, working and spending leisure time in the District, including those who share a protected characteristic.</b></p>
People from ethnic minority groups		No	<p>There are not expected to be any barriers to participation in the public consultation on the Draft Charging Schedule for people in this target group. We are committed to making all the consultation documents available in alternative languages if needed, with the aim of reducing barriers for people who do not have English as their first language.</p>
People with disabilities (including carers)		No	<p>Public consultation on the Draft Charging Schedule will use digital methods of engagement alongside traditional methods. We will ensure that our consultation webpages and links to our online comment forms are as accessible and easy to use as possible. Hard copies of all the consultation documents will also be available to read at all the libraries in South Oxfordshire and at our Council Offices in Milton Park (latter by appointment).</p> <p>The consultation documents will also be available to view in alternative formats (e.g. large print, Braille, audio, email, Easy Read and alternative languages) on request.</p>
Men or Women (including pregnant women, women on maternity and transgender people)		No	<p>There are not expected to be any barriers to participation in the public consultation on the Draft Charging Schedule for people in this target group – consequently, no negative impact or discrimination against this group.</p> <p>All the consultation documents will be made available to view both digitally via our website and in hard copy at all the libraries in South Oxfordshire and at our Council Offices in Milton Park (latter by appointment).</p>
Gay, lesbian or bisexual people		No	<p>There are not expected to be any barriers to participation in the public consultation on the Draft Charging Schedule for people in this target group – consequently, no negative impact or discrimination against this group.</p>
People from different religions/beliefs (including people without a religion/belief)		No	<p>There are not expected to be any barriers to participation in the public consultation on the Draft Charging Schedule for people in this target group – consequently, no negative impact or discrimination against this group.</p>

Equality Group	Yes	No	<p>If 'YES', please explain how the strategy/policy could cause a negative impact or discriminate. If you cannot justify this, you will need to take mitigating action (complete the action plan at the end of this assessment).</p> <p>If 'NO', what existing evidence (presumed or otherwise) do you have for this? Will the service changes advance equality of opportunity between people who share a protected characteristic? This means will they:</p> <ul style="list-style-type: none"> <li>• Remove or minimise disadvantages suffered by people due to their protected characteristics.</li> <li>• Take steps to meet the needs of people from protected groups, where these are different from the needs of other people.</li> </ul>
Older or younger people		No	<p>Public consultation on the Draft Charging Schedule will use written methods of engagement alongside digital methods. We send out notification letters to those who request it and have no other means of engaging with us.</p> <p>Hard copies of all the consultation documents will be available to read at all the libraries in South Oxfordshire (and at our Council Offices, Milton Park with viewing by appointment).</p> <p>The consultation documents will also be available to view in alternative formats (e.g. large print, Braille, audio, email, Easy Read and alternative languages) on request.</p> <p>For younger people, the impact is positive, as young people are more likely to engage with our online methods of communication, including making use of the Council's social media channels.</p>
People living in rural areas		No	<p>The Draft Charging Schedule covers all of South Oxfordshire, which includes a number of rural settlements. All the consultation documents will be available to view on our website and hard copies will also be placed in all of the libraries across the District (and at the Council offices, Milton Park with viewing by appointment).</p>
Local voluntary, community and faith sector organisations		No	<p>There are not expected to be any barriers to participation in the public consultation on the Draft Charging Schedule for people in this target group – consequently, no negative impact or discrimination against this group.</p>

**5. Have reasonable adjustments been made for people with disabilities to ensure they can use the draft strategy or policy? This might mean treating disabled people better than non-disabled people in order to meet their needs**

Yes

No

**If yes - please provide detail:**

The Draft Charging Schedule has been written using plain English and in a style that is easy to read and navigate. We will ensure that the consultation webpage and online comment form are as accessible and easy to use as possible, again using plain English. Hard copies of all the consultation documents will be available to read at all the libraries in South Oxfordshire (and at our Council Offices, Milton Park with viewing by appointment).

The consultation documents will also be available to view in alternative formats (e.g. large print, Braille, audio, email, Easy Read and alternative languages) on request.

We will provide contact details should anyone require assistance in accessing the Draft Charging Schedule or participating in the public consultation.

**6. Have there been any equality related recommendations in the area that your draft policy/strategy is covering which have arisen from, for example, internal/external audits or scrutiny reports?**

None

**7. Will the draft strategy or policy help to foster good relations between people who share a protected characteristic and people who do not share it (e.g will the changes help to tackle prejudice and promote understanding between the different groups?)**

No (If you feel there is scope to improve how you foster good relations, amend your decision accordingly)

Yes – please explain how:

Public consultation on the Draft Charging Schedule will help to foster good relations by demonstrating that the Council is engaging with all those who live, work or spend their leisure time in the South Oxfordshire in the revision of its CIL rates, which will contribute towards the provision of necessary infrastructure that supports planned housing and employment growth across the District.

**8. Will the draft strategy or policy protect and promote human rights? [You may find it helpful to view the human rights guide for public authorities on the intranet to help you decide]**

No – please explain why and how you will amend the draft policy/strategy to eliminate the effect (if you think the effect cannot be eliminated but can be justified, please also give details).

- Yes – please list relevant articles and briefly explain how you think your policy or strategy demonstrates compliance.

The human rights with relevance to this public consultation on the Draft Charging Schedule are as follows:

- Article 8 Respect for your private and family life, home and correspondence.
- Article 10 Freedom of expression.
- Article 14 Protection from discrimination in respect of these rights and freedoms.
- Protocol 1,  
Article 1 Right to peaceful enjoyment of your property.

No human rights will be affected by either the Draft Charging Schedule itself or by the planned public consultation process. Human rights will continue to be taken into account once the Charging Schedule has been adopted by the council and the new CIL rates come into force.

**9. Has there been consultation with relevant community groups to help inform this draft strategy or policy?**

Yes.

**If yes, please list who you have consulted/ will be consulting:**

A range of key stakeholders will be consulted to help inform the preparation of the CIL Charging Schedule, including:

- All Town and Parish Councils in South Oxfordshire
- Oxfordshire County Council
- All South Oxfordshire District Councillors
- All neighbouring local authorities
- All those (both individuals and organisations) who have signed up to receive notifications about any of the council's planning consultations relating to South Oxfordshire and/or South Oxfordshire and Vale of White Horse.
- Developers/ agents who have previously been invited to participate in a CIL Viability Developer Engagement Session
- We will also pass on the notification email (containing details on the public consultation) to some colleagues across the wider council, so that they can share it with any individuals or organisations on their database(s), who they consider may have a particular interest in the public consultation and wish to make comments on the Draft Charging Schedule.

We will review all the comments we receive during the public consultation and summarise them in a 'Statement of Representations'. If we are recommending any changes to the Draft Charging Schedule in response to comments received, we will also produce what is called a 'Statement of Modifications', which will say how and why the amendments need to be made. We will then formally submit the Draft Charging Schedule and all associated evidence

documents to be examined by an independent examiner. Following the Examination, the Examiner will issue a report with recommendations and can either approve or reject the CIL Charging Schedule or suggest modifications which the council must make in order to adopt it. The Charging Schedule must then be approved by Council resolution before the new rates can come into force.

**Do you feel there are any groups that the draft strategy or policy significantly affects who you have not currently consulted? If yes, please contact the shared equality officer for advice (see page 2 for contact details).**

N/A

**10. Has the draft strategy or policy missed opportunities to advance equality of opportunity and positive attitudes?**

- No  
 Yes – please outline the plans you have to address the missed opportunities below.

The Council will continue to encourage the participation of all sectors of the local community in the preparation of this CIL Charging Schedule.

**Action plan for mitigating action or advancing equality of opportunity**

None required.