

Equality Impact Assessment Form



Directorate: Transformation	Service: Planning & Development
Completed by: H Hatch	Date: 2/7/2015
Subject Title: Protocol for handling failures to adhere to CIL Regulations 2010 (as amended)	
1. DESCRIPTION	
Is a policy or strategy being produced or revised:	Yes Protocol setting out how and when surcharges will be applied to CIL administration breaches
Is a service being designed, redesigned or cutback:	No
Is a commissioning plan or contract specification being developed:	No
Is a budget being set or funding allocated:	No The imposition of surcharges may result in a small increase in CIL revenue
Is a programme or project being planned:	No
Are recommendations being presented to senior managers and/or Councillors:	Yes
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty (Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations):	Yes The protocol sets out how developers will be charged if a breach in the CIL regulations occurs. The purpose of the protocol is to set out a clear and consistent approach to breaches.
Details of the matter under consideration:	CIL is administered in accordance with the CIL Regulations 2010 (as amended) and the regulations set mandatory penalties that must be imposed where breaches occur. The regulations also grant the council flexibility as to whether they apply surcharges, and so for the purposes of clarity and consistency, this protocol sets out how and when the Council will impose surcharges. Optional penalties also include interest and enforcement action.
<p><i>If you answered Yes to any of the above go straight to Section 3</i></p> <p><i>If you answered No to all the above please complete Section 2</i></p>	
2. RELEVANCE	
Does the work being carried out impact on service users, staff or Councillors (stakeholders):	Yes/No* <i>*delete as appropriate</i>
<p>If Yes, provide details of how this impacts on service users, staff or Councillors (stakeholders):</p> <p><i>If you answered Yes go to Section 3</i></p>	

<p>If you answered No to both Sections 1 and 2 provide details of why there is no impact on these three groups: <i>You do not need to complete the rest of this form.</i></p>	
<p>3. EVIDENCE COLLECTION</p>	
<p>Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?</p>	<p>Some land and property developers will be affected by the imposition of the surcharge.</p> <p>West Lancashire residents. The collection of the surcharge provides opportunities to generate some additional revenue for use on infrastructure projects in the Borough.</p>
<p>If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?</p>	<p>n/a. Relates only to CIL chargeable developments and those developers that do not follow the administrative requirements.</p>
<p>Which of the protected characteristics are most relevant to the work being carried out?</p> <p>Age Gender Disability Race and Culture Sexual Orientation Religion or Belief Gender Reassignment Marriage and Civil Partnership Pregnancy and Maternity</p>	<p style="text-align: right;"><i>*delete as appropriate</i></p> <p>No No No No No No No No No</p>
<p>4. DATA ANALYSIS</p>	
<p>In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?</p>	<p>Land and property developers who have CIL liable and chargeable developments.</p>
<p>What will the impact of the work being carried out be on usage/the stakeholders?</p>	<p>Developers may have to pay surcharges if they do not follow the administrative requirements of the regulations.</p> <p>Should surcharges be imposed it will result in additional revenue for the Council to spend on infrastructure investment.</p>
<p>What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?</p>	<p>Now CIL is adopted, its management is a mandatory service of the Council but must be undertaken in accordance with the regulations. Most developers are accepting of the need for a CIL charge and follow the requirements. A minority will not and so this protocol is required.</p>

What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	Guidance provided through the CIL Regulations 2010 (as amended)
If any further data/consultation is needed and is to be gathered, please specify:	n/a
5. IMPACT OF DECISIONS	
In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	Surcharges will only impact on developers that fail to adhere to CIL requirements. Will not have any impact on protected characteristics.
6. CONSIDERING THE IMPACT	
If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).	Impact will only be on those developers who fail to adhere to the CIL requirements. No action, on behalf of the Council, required to mitigate it. Choice lies with developers.
What actions do you plan to take to address any other issues above?	No actions. <i>If no actions are planned state no actions</i>
7. MONITORING AND REVIEWING	
When will this assessment be reviewed and who will review it?	As and when, in line with ongoing CIL administration reviews / legislative changes.