

Equality Impact Assessment

New discretionary fees and charges in Planning

Equality Impact Assessment / Equality Analysis

Title of service or policy	Single Member Decision for the implementation of additional discretionary charges in Planning
Name of directorate and service	Sustainable Communities, Development
Name and role of officers completing the EIA	Sarah Jefferies, Operations and Technical Support Manager
Date of assessment	January 2023

Equality Impact Assessment (or 'Equality Analysis') is a process of systematically analysing a new or existing policy or service to identify what impact or likely impact it will have on different groups within the community. The primary concern is to identify any discriminatory or negative consequences for a particular group or sector of the community. Equality impact Assessments (EIAs) can be carried out in relation to service delivery as well as employment policies and strategies.

This toolkit has been developed to use as a framework when carrying out an Equality Impact Assessment (EIA) or Equality Analysis on a policy, service or function. It is intended that this is used as a working document throughout the process, with a final version including the action plan section being published on the Council's website.

1.	Identify the aims of the policy or service and how it is implemented.	
	Key questions	Answers / Notes
1.1	<p>Briefly describe purpose of the service/policy including</p> <ul style="list-style-type: none"> • How the service/policy is delivered and by whom • If responsibility for its implementation is shared with other departments or organisations • Intended outcomes 	<p>This report is to support a Single Member Decision to agree to the implementation of some additional discretionary charges for services that Planning currently provides free of charge but for which legislation allows charges to be raised</p>
1.2	<p>Provide brief details of the scope of the policy or service being reviewed, for example:</p> <ul style="list-style-type: none"> • Is it a new service/policy or review of an existing one? • Is it a national requirement?). • How much room for review is there? 	<p>The charges being proposed are for history searches & documentation provision, confirmation of condition discharges, meetings about site allocations, specialist CIL advice</p> <p>The charging of certain discretionary fees in Planning is encouraged by the government in Planning legislation. B&NES Planning already has a range of successful chargeable discretionary planning services such as pre-application advice and planning performance agreements. It is generally accepted that all Local Planning Authorities will charge for discretionary services and many LPAs already charge for the services we are hoping to introduce a charge for now</p> <p>The Local Government Act 2011 enables local authorities to raise reasonable /</p>

		<p>fair charges to cover the cost of service delivery in certain circumstances, such as these</p> <p>All discretionary fees are reviewed regularly from both a financial and service delivery point of view</p>
1.3	Do the aims of this policy link to or conflict with any other policies of the Council?	No

2. Consideration of available data, research and information

Monitoring data and other information should be used to help you analyse whether you are delivering a fair and equal service. Please consider the availability of the following as potential sources:

- **Demographic** data and other statistics, including census findings
- Recent **research** findings (local and national)
- Results from **consultation or engagement** you have undertaken
- Service user **monitoring data** (including ethnicity, gender, disability, religion/belief, sexual orientation and age)
- Information from **relevant groups** or agencies, for example trade unions and voluntary/community organisations
- Analysis of records of enquiries about your service, or **complaints** or **compliments** about them
- Recommendations of **external inspections** or audit reports

	Key questions	Data, research and information that you can refer to
2.1	What is the equalities profile of the team delivering the service/policy?	The Planning service has a ratio of about 50% male to 50% female, and a mixture of ethnicity and disability.

2.2	What equalities training have staff received?	Training has been provided through the corporate training programme.
2.3	What is the equalities profile of service users?	<p>Service users include the population of Bath and North East Somerset as well as businesses and other applicants outside the District. The equality profile of service users is therefore difficult to ascertain. However, for the whole population of Bath & North East Somerset the 2011 census information can be found at this link:</p> <p>http://www.bathnes.gov.uk/sites/default/files/siteimages/census_2011_first_release_-_bath_and_north_east_somerset_briefing_note.pdf</p> <p>Also here is the first wave of data from the 2021 census</p> <p>https://www.ons.gov.uk/visualisations/censuspopulationchange/E06000022/</p>
2.4	What other data do you have in terms of service users or staff? (e.g results of customer satisfaction surveys, consultation findings). Are there any gaps?	<p>There is no additional data available other than that for the whole population of Bath & North East Somerset:</p> <p>http://www.bathnes.gov.uk/sites/default/files/jsna_equalities_v.1.2.pdf</p>
2.5	What engagement or consultation has been undertaken as part of this EIA and with whom? What were the results?	No formal consultation. It is widely accepted that LPAs charge discretionary fees and charges. Around 80% of planning applications come via a planning agent/architect who mediate the conversation with clients about discretionary fees and charges. The Agents Forum is a mailing list of over 120 planners and architects based in the South West which Planning invite to bi-annual meetings. We will advise the Agents Forum and advertise the changes on our website.
2.6	If you are planning to undertake any consultation in the future regarding this service or policy, how will you include equalities considerations within this?	Not proposing to undertake any further consultation although all discretionary processes and their charges are regularly reviewed

3. Assessment of impact: 'Equality analysis'

	<p>Based upon any data you have considered, or the results of consultation or research, use the spaces below to demonstrate you have analysed how the service or policy:</p> <ul style="list-style-type: none"> • Meets any particular needs of equalities groups or helps promote equality in some way. • Could have a negative or adverse impact for any of the equalities groups 		
		Examples of what the service has done to promote equality	Examples of actual or potential negative or adverse impact and what steps have been or could be taken to address this
3.1	Gender – identify the impact/potential impact of the policy on women and men.	The service has undertaken equalities training and is aware of equalities issues in the provision of services.	<p>Planning discretionary fees and charges are considered to be neutral.</p> <p>Planning does not envisage that any group will be adversely affected by introducing additional charges for existing services. All groups have the option to self-serve (for free) or not use the services</p>
3.2	Pregnancy and maternity		
3.3	Transgender – – identify the impact/potential impact of the policy on transgender people		
3.4	Disability – identify the impact/potential impact of the policy on disabled people (ensure consideration both physical and mental impairments)		
3.5	Age – identify the impact/potential impact of the policy on different age groups		
3.6	Race – identify the impact/potential impact on different black and minority ethnic groups		
3.6	Sexual orientation – identify the impact/potential impact of the policy on lesbians, gay, bisexual & heterosexual people		

3.7	Marriage and civil partnership – does the policy/strategy treat married and civil partnered people equally?		
3.8	Religion/belief – identify the impact/potential impact of the policy on people of different religious/faith groups and also upon those with no religion.		
3.9	Socio-economically disadvantaged – identify the impact on people who are disadvantaged due to factors like family background, educational attainment, neighbourhood, employment status can influence life chances		
3.10	Rural communities – identify the impact / potential impact on people living in rural communities		

4. Bath and North East Somerset Council & NHS B&NES Equality Impact Assessment Improvement Plan

Please list actions that you plan to take as a result of this assessment. These actions should be based upon the analysis of data and engagement, any gaps in the data you have identified, and any steps you will be taking to address any negative impacts or remove barriers. The actions need to be built into your service planning framework. Actions/targets should be measurable, achievable, realistic and time framed.

Issues identified	Actions required	Progress milestones	Officer responsible	By when
No issues	Ongoing training in Equalities	Officers 6 monthly review of own training needs	Individual officers	Ongoing

5. Sign off and publishing

Once you have completed this form, it needs to be 'approved' by your Director or their nominated officer. Following this sign off, send a copy to the Equalities Team (equality@bathnes.gov.uk), who will publish it on the Council's and/or NHS B&NES' website. Keep a copy for your own records.

Signed off by: Simon de Beer

Date: 3/2/23