

Kent County Council

Equality Analysis/ Impact Assessment (EqIA)

Directorate/ Service: Growth, Environment and Transport (GET) Directorate;
Environment, Planning & Enforcement Division

Name of decision, policy, procedure, project or service: Charging for Planning and Environmental Advice – GET Directorate

Responsible Owner/ Senior Officer: Sharon Thompson - Head of Planning Applications

Version:

Version	Author	Date	Comment
1	S Thompson	November 2017	Initial Screening
2			
3			

Author: Sharon Thompson - Head of Planning Applications

Pathway of Equality Analysis: A decision to approve fees and charges for discretionary planning and environmental advice and the principles for establishing fees and charges is to be reported to Environment & Transport Committee on 30th November 2017 prior to a Cabinet Member decision

Summary and Recommendations of Equality Analysis/Impact Assessment:

Context

The Council currently provides professional and technical advice across a range of disciplines that support the planning process. Over recent years, with the rise of constraints on local authority budgets, councils at both county and district level have had to consider how they recover costs from providing such advice in order to ensure that they can continue to provide such advice on a sustainable basis.

The legal authority to set a charge for discretionary services is provided for in the Local Government Act 2003. The Act allows authorities to set the level of the charge for each discretionary service as they think fit within the restriction, and that the income from charges for each kind of service must not exceed the costs of its provision (i.e. cost recovery). If a profit is to be made, then a separate trading function is required.

As the Mineral and Waste Planning Authority and the upper tier authority for local government in Kent, there is an expectation on the County Council that it will provide discretionary planning advice to those promoting planning applications for mineral and
Updated 22/11/2017

waste development and for those promoting applications for nationally significant infrastructure projects. The latter are determined by the Secretary of State following examination at a public inquiry via the Development Consent Order process (DCO). The County Council is expected to provide a range of specialist planning, environmental and economic advice to support the DCO process. There is also the potential to provide other environmental advice to support the delivery of sustainable development.

A charging review has therefore been undertaken and revised charging rates are proposed. The scope of the review covers charging for pre-application advice from KCC's environmental and planning services, as well as the setting of a charge for Planning Performance Agreements (PPA) for KCC's input to Development Consent Orders (DCOs).

Aims and Objectives

The outcome of the charging review work is to maximise recovery of costs associated with the provision of discretionary planning and environmental advice and ensure that the County Council can continue to provide such advice on a sustainable basis. The work also recognises the value that pre-application advice plays in the delivery of high quality developments and the need for a charge that does not deter users from accessing the service.

Summary of Impact Assessment

The proposals are neutral in an equality impact assessment with regard to any one protected group. The purpose of the charge is encourage good quality developments that are then determined under planning legislation against the development plan (the Local Plan) and in the public interest. The proposals for revised charges are unlikely to have a specific impact, either positive or negative, on any of the protected groups identified below to any lesser or greater extent than the general population. The actual impact of developments that receive advice through these charged services would be considered as part of a planning application which requires public consultation and the decision making process has to have regard to responses received.

Summary of Equality Impact

It is reasonable to conclude that the provision of planning advice, chargeable or otherwise contributes to the bringing forward of new development. However, this advice should enable better quality planning applications and therefore enhance the quality of the final development. As such, there is low overall on any one protected characteristic. In addition, the determination of a planning application is determined in accordance with the Development Plan and other planning legislation and guidance that have been the subject of equality impact assessments.

Furthermore, the recovery of costs from discretionary work streams should enable a potential benefit by sustaining funds for other work streams that support 'Increasing Opportunities and Improving Outcomes'.

Updated 22/11/2017

Overall, the charging review and the introduction of new charges for planning and environmental advice and for advice to support the Development Consent Order process within the County are unlikely to have a specific impact, either positive or negative on any of the protected groups identified below to any lesser or greater extent than the general population. On this basis a Part 2 full equality impact assessment is not required.

Adverse Equality Impact Rating **Low - See table below**

Attestation

I have read and paid due regard to the Equality Analysis/Impact Assessment concerning the review of charging for discretionary planning and environmental advice for mineral and waste development and for projects promoted pursuant to the Development Consent Order process. I agree with risk rating and the actions to mitigate any adverse impact(s) that has /have been identified.

Head of Service

Signed: Sharon Thompson

Job Title: Head of Planning applications

Date: 14th November 2017

DMT Member

Signed: Katie Stewart

Job Title: Director of Growth, Environment and Transport

Date: 14th November 2017

Updated 22/11/2017

Part 1 Screening

Could this policy, procedure, project or service, or any proposed changes to it, affect any Protected Group (listed below) less favourably (negatively) than others in Kent?

Could this policy, procedure, project or service promote equal opportunities for this group?

Protected Group	Please provide a <u>brief</u> commentary on your findings. Fuller analysis should be undertaken in Part 2.			
	High negative impact EqIA	Medium negative impact Screen	Low negative impact Evidence	High/Medium/ Low Positive Impact Evidence
Age			Any impacts would unlikely to be different to the impacts (positive or negative) experienced by the general population. No further assessment is required	
Disability			Any impacts would unlikely to be different to the impacts (positive or negative) experienced by the general population. No further assessment is required.	
Gender			Any impacts would unlikely to be different to the impacts (positive or negative) experienced by the general population. No further assessment is required.	
Gender identity/ Transgender			Any impacts would unlikely to be different to the impacts (positive or negative) experienced by the general population. No further assessment is required.	
Race			Any impacts would unlikely to be different to the impacts (positive or negative) experienced	

Updated 22/11/2017

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			by the general population. No further assessment is required.	
Religion and Belief			Any impacts would unlikely to be different to the impacts (positive or negative) experienced by the general population. No further assessment is required.	
Sexual Orientation			Any impacts would unlikely to be different to the impacts (positive or negative) experienced by the general population. No further assessment is required.	
Pregnancy and Maternity			Any impacts would unlikely to be different to the impacts (positive or negative) experienced by the general population. No further assessment is required.	
Marriage and Civil Partnerships			Any impacts would unlikely to be different to the impacts (positive or negative) experienced by the general population. No further assessment is required.	
Carer's Responsibilities			Any impacts would unlikely to be different to the impacts (positive or negative) experienced by the general population. No further assessment is required.	

Part 2 is not required.

Updated 22/11/2017

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