

# BRAINTREE DISTRICT COUNCIL - IMPACT ASSESSMENT

## WHY DO I NEED TO DO AN ASSESSMENT?

This Impact Assessment isn't designed to 'catch you out'. It is designed to help you think about and improve the way you deliver your services by ensuring that they are as inclusive as possible.

It will help you to test the impact on people when reviewing or developing new policies, strategies and functions to find out if there is any adverse impact or illegal discrimination or any unmet need or requirements.

Legislation imposes duties on local authorities to promote equality and tackle discrimination related to Age, Disability, Gender (includes marital status, gender reassignment), Race (colour, ethnic or national origin, nationality) Religion or Belief, Sexual Orientation, However, we have also included discretionary but important additional categories relevant to our District in this assessment process: People Living in Rural Areas, People living in Urban Areas, People on Low Incomes and People for whom English is not their first Language.

To comply with legislation the Council is required to publish its Impact Assessments and these will be made available on our website.

## WHAT HAS TO BE IMPACT ASSESSED?

You need to do an Assessment when reviewing, making changes to or developing new and existing policies, strategies and functions that are relevant to equality. This can be determined as follows:

### RELEVANT – Impact Assessment must be done

- The policy, strategy or function will impact on people (residents, staff or people living, visiting or working in Braintree District)
- The policy, strategy or function may benefit some people or communities and not others

### NOT RELEVANT – Impact Assessment not needed

- No intended impact on people
- The policy, strategy or function is administrative only

## HOW DO I DO THIS ASSESSMENT?

By answering the questions in the following Assessment template you will be able to consider any possible positive or negative impacts that a new or existing policy, strategy or function may have on defined groups, using data as evidence, and take action accordingly.

## IMPACT ASSESSMENT – INITIAL SCREENING

Name of Policy, Strategy or Function being assessed	Widening the scope of pre-application charging to include advice on works to Listed Buildings and on householder proposals
Is this a new or existing Policy, Strategy or Function?	<b>This is an expansion of an existing Policy</b>
Person responsible for the assessment	<b>Tessa Lambert</b>
Service Area	<b>Development Management</b>
Head of Service	<b>Jon Hayden</b>
Date	<b>27.01.11</b>

### 1. What is the main purpose of the Policy, Strategy or Function?

**To widen the scope of existing arrangement for charging for pre-application advice. The charging regime was introduced in April 2010 and currently applies to all application except “householder” proposals and most proposals affecting Historic buildings. The proposal is to expand the scope of these arrangements to encompass householder proposals and proposals involving works to Listed Buildings (other than advice on general works of repair which would not require Listed Building Consent).**

**The introduction of the charging for Pre-application advice was the subject of a Pilot Equality Impact Assessment in September 2009.**

### 2. Who else will be involved in the delivery of this Strategy, Policy or Function?

**If so, state who they are. They will need to be involved in producing this Impact Assessment**

**The external providers of the advice (e.g ECC Highways and ECC Historic Buildings Advisors) were consulted prior to the introduction of pre-application advice, as were all the DM staff who would be involved in providing the advice. There was also some consultation with the service users (developers,**

planning agents) and a review of the service was undertaken in the Autumn of 2010. The outcomes of the review were reported to the Planning Committee in November 2010; feedback was generally positive.

**3. Who are you delivering your service to/who will be affected by the Strategy, Policy or Function?**

Developers, planning consultants, architects, landowners, householders. The proposed extension of the scheme will have greatest impact upon householders, including the owners of Listed properties. At present they can access this advice at no charge.

**4. To ensure that you have all available information that could help you to undertake this Impact Assessment complete the following table to evidence which of the following sources of information you are using, or intend to use, to assess the impact of the Policy, Strategy or Function on people within the following equality groups:** Disability, Race (colour, ethnic or national origin, nationality) Religion or Belief, Sex (marital status, gender reassignment), Sexual orientation, Age, People living in rural areas, People living in urban areas, People on low incomes, People for whom English is not their first language. **The sources listed are for guidance so please add/substitute your own categories as appropriate.**

<b>Source</b>	<b>Reference (date/ relevant publication, etc)</b>
Performance Indicators/Targets	The service will monitor the speed with which it handles the requests for advice (i.e organising meetings and responding in writing)
User Satisfaction Surveys	Those who have made use of the existing service were consulted, for feedback, at the review stage.
Consultation results (new and existing)	Refer to Planning Committee report – November 2010
Staff monitoring data	Checks in place on content of advice letters and monitoring of handling times in readily available.
Complaints information	Details of how to complain are explained within the information about the existing service (on forms

	<b>and website). The same would apply to the extended service.</b>
Demographic profiles (census, etc)	<b>No data available</b>
Local Needs Analysis (internal or external sources)	<b>The service is demand led</b>
Staff Survey results	<b>Will monitor staff feedback over first 6 months</b>
Research reports	<b>Planning Advisory Service undertook research into LPA charges</b>
Best Practice Information	<b>None available</b>
Benchmarking data	<b>Benchmarking on practice and implementation via the Essex Development Control Forum</b>
Expert views of people representing the equality groups	<b>None available</b>
Other – please state	

**5. Based on the data indicated in question 4, assess the impact that the Policy, Strategy or Function could have on the groups below. The impact could be positive ie it will benefit this group, it could help to promote equality, access, or improve relations within equality groups. The impact could be negative i.e. it could disadvantage them. You need to explain the reasons for the impact assessment you have made**

***Development Management Service currently provides these advice services – the change proposed is the introduction of a charge for the advice. Only those groups where a differential impact may arise have been highlighted in the table below.***

<b>Equality Group</b>	<b>Category</b>	<b>Positive Impact</b>	<b>Negative Impact/ Risk</b>	<b>Explanation</b>
Age	Children 0-16			
	Young People 17-25			
	Ages 26-59			
	Older People 60+			

Disability	Blind/Partially Sighted			
	Deaf/Hearing Impaired			
	Wheelchair user/mobility difficulties			
	Learning Difficulties			
	Mental Health Difficulties			
	Learning Difficulties			
Gender	Women			
	Men			
	Transgender			
Race	White including English, Scottish, Welsh, Irish, Eastern European (Polish Slovak, etc) Other White background – please specify			
	Asian including Bangladeshi, Pakistani, Indian, Vietnamese, Chinese, Other Asian background – please specify			
	Black including Caribbean, Somali, Other African, Other Black background – please specify			
	Mixed Dual Heritage including White and Black Caribbean, White and Black African, White and Asian, Other mixed background – please specify			
	Gypsies/Travellers			
Religion/Belief	Buddhist			
	Christian			
	Hindu			
	Jewish			
	Muslim			
	Sikh			
	Other – please specify			

Sexual Orientation	Lesbian Gay men Heterosexual Bi-sexual			
Social Inclusion	People living in rural areas			
	People living in urban areas			
	People on low incomes		<b>Risk of greater impact on those on low incomes as these services are currently provided at no charge</b>	<b>The service can signpost users to the free advice available through recognised national websites (e.g Planning Portal) and through organisations such as Planning Aid. However, the cost of the service cannot, legally, exceed the cost of service provision and is not, therefore, expected to be prohibitive.</b>
	English not first language			
Other (optional)	Use to define Impact on any groups specific to this Strategy, Policy or Function not listed above.  <b>Residents who own and live in Historic Buildings</b>		<b>There will be a greater impact on those who own Listed Buildings because the advice that they require is likely to be charged for at a higher rate than the general Householder advice.</b>	<b>The provision of advice on matters relating to the general care and repair of Listed Buildings will not be charged for as the LPA needs to ensure that such advice is readily available in order to safeguard the heritage asset. Where residents are seeking to do works that relate to some improvement to their property (i.e and will therefore require Listed Building Consent)), the charge will apply. However, the cost of the service cannot, legally, exceed the cost of service provision and is not, therefore, expected to be prohibitive.</b>

6. Based on your answer to question 5, could the Policy, Strategy or Function discriminate against any of the groups below either directly or indirectly

**NOTE: Direct Discrimination** occurs when a person is treated less favourably than another in a comparable situation because of their racial or ethnic origin, gender, religion or belief, disability, age or sexual orientation.

**Indirect Discrimination** occurs when an apparently neutral provision or practice would disadvantage people on the grounds of racial or ethnic origin, gender, religion or belief, disability, age or sexual orientation, unless the practice can be objectively justified by a legitimate aim

Group	Direct Yes/No	Indirect Yes/No	If Yes state how
Age	No	No	
Disability	No	No	
Gender	No	No	
Race	No	No	
Religion/Belief	No	No	
Sexual Orientation	No	No	
Social Inclusion	No	Yes	<b>Risk of greater impact on those on low incomes as these services are currently provided at no charge</b>

- 7. Referring to your answers to questions 5 and 6, can you easily minimize or remove any negative impacts identified and if so how?**

**The service can signpost all users to the free advice available through recognised national websites (e.g Planning Portal) and through organisations such as Planning Aid. Moreover, the cost of the service cannot, legally, exceed the cost of service provision and is not, therefore, expected to be prohibitive. The cost is likely to be around £25 – 50.**

- 8. If the negative impacts cannot be minimized or removed, they need to be justified. Please explain how and what the evidence for this is.  
You may want to refer back to the monitoring data you listed in Question 4 to answer this question.**

**Other LPAs have already introduced charging for pre-application advice to householders and to the owners of Listed Buildings, including 2 LPAs in Essex. The DM service will keep the service provision under review by seeking feedback from users.**

- 9. If you have identified any impacts as positive in Question 5, are there any further ways in which you can adapt the policy, strategy or function to increase or extend its positive benefits for equality groups?  
Please explain your reasoning.**

**N/a**



**10. Based on the information you have now provided in this assessment please proceed as follows:**

<b>Equality Impact Assessment</b>	<b>Action</b>
No negative impacts have been identified and this has been justified with evidence	Go to Q11 and Sign Off
Negative impacts were identified but have been minimized or removed	Go to Q11 and Sign Off
There is insufficient evidence to reach a valid conclusion on the Impact	Go back and collect additional evidence/data and then complete a new Assessment
Negative impacts were identified but have not been minimized, removed or justified	Complete the Action Plan below and then sign off by completing Q11

**11. Sign Off**

<b>Assessment Completed by (name &amp; signature)</b>	<b>Tessa Lambert</b>
<b>Senior Manager (name &amp; signature)</b>	<b>Jon Hayden</b>
<b>Date:</b>	<b>27/01/11</b>

**A copy of the signed Impact Assessment and any Action Plan should be retained and appended to the relevant Policy/Strategy document or Business Plan. A signed hard copy and an electronic copy should be sent to Charmaine Dean, Head of Community Services. It is a statutory requirement to publish the results of Equality Impact Assessments. We will make these available on our website.**

## IMPACT ASSESSMENT ACTION PLAN

You now need to develop and implement an Action Plan to address the negative impacts identified that could not be minimized, removed or justified.

This should include more detailed research, further data collection or consultation with representatives from the equality group(s) who you have identified as being likely to suffer a negative impact/be disadvantaged by the Policy, Strategy or Function being assessed.

### ACTION PLAN

Equality Group (eg young people, blind/partially sighted, etc)	Negative Impact Identified	Action	By Who	Start Date	End Date

### ACTION PLAN MONITORING

How will you monitor progress of your Action Plan? And at what intervals?	
How frequently will this monitoring take place?	
Who will be responsible for this?	

**Now go back to question 11 to complete and sign off this Assessment**