

	<p>Policy & Resources Committee 24 March 2015</p>
Title	Planning Additional Services Pilot
Report of	Alun Parfitt – Operations Director (Regional Enterprise Limited)
Wards	All
Status	Public
Enclosures	Appendix 1 – Proposed Planning Pilot Fees and Charges
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Summary
The report seeks approval to pilot additional planning services until March 2016

Recommendations
<p>1. That Policy and Resources Committee approve the proposed additional planning services pilot to run until 31st March 2016 and the associated charges (detailed in Appendix 1).</p>
<p>2. The results of the pilot are reported back to the Committee in the event officers recommend that the additional planning services are implemented fully on a permanent basis.</p>

1. WHY THIS REPORT IS NEEDED

- 1.1 The Planning Service is regularly asked whether it can offer enhanced planning services to allow applications and pre-application advice to be dealt with faster on payment of additional fees. Fees and charges for statutory planning services are set by Policy and Resources Committee and as such it is appropriate that this committee should consider whether to offer this service on a pilot basis.
- 1.2 The proposed fees and charges are outlined in Appendix 1.

2. REASONS FOR RECOMMENDATIONS

- 2.1 The proposed additional services are set out in Appendix 1 and in the main offer fast track, pre-application advice, registration of planning applications and decision-making on planning applications.
- 2.2 It is believed that offering this service has the following benefits:
 - 2.2.1 It demonstrates Barnet is delivering services in an innovative and proactive manner;
 - 2.2.2 Increased customer satisfaction levels; and
 - 2.2.3 The income generated by the service would be used to finance the employment of additional planners. Investing in new planners would help to improve service provision generally leading to increased customer satisfaction.
 - 2.2.4 Investment in this service would also lead to the Planning Service being more attractive generally to those who are thinking of investing in this borough through development.
- 2.3 Customers who submit applications without opting for premium type services will continue to receive a very good service. For example, the priority of the Planning Service is to ensure the percentage of decisions made within statutory target dates is maintained in the top five as benchmarked against other London Local Planning Authorities performance on speed of decision making.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The alternative option is not to offer additional planning services. In this case, customers will continue to receive the statutory planning service.

4. POST DECISION IMPLEMENTATION

- 4.1 If approved, it is proposed that the pilot be formally rolled out and advertised on the council's website with effect from 1st April 2015.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 Barnet Council will work with local partners to create the right environment to improve the satisfaction of residents and businesses with the London Borough of Barnet as a place to live, work and study.

- 5.1.2 The three priority outcomes set out in the 2013/16 Corporate Plan are:

- Promote responsible growth, development and success across the borough
- Support families and individuals that need it- promoting independence, learning and well-being
- Improve the satisfaction of residents and businesses with the London Borough of Barnet as a place to live, work and study

- 5.1.3 The proposed initiative will help the council to meet the financial challenges it is facing which will in turn benefit the residents of the Borough.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.2.1 The additional income generated will fund additional posts to provide the service and therefore this will be cost neutral. They have been reviewed for VAT implications, and appear accurate to comply with appropriate VAT legislation.

5.3 Legal and Constitutional References

- 5.3.1. Local authorities have a variety of powers to charge for specific statutory services set out in statute. The Localism 2011 provides a power to trade and a power to charge for discretionary services, the latter on a costs recovery basis. Discretionary services are those that a local authority is permitted to provide under statute but is not obliged to do so. The power to charge for discretionary services is not available to local authorities if there is a statutory duty to provide the service or if there is a specific power to charge for it or if there is a prohibition on charging.

- 5.3.2 Where authorities have a duty to provide a statutory service free of charge to a certain standard, no charge can be made for delivery to that standard, however delivery beyond that point may constitute a discretionary service for which a charge could be made.

- 5.3.3 There is a variety of legislation permitting charging for different services, some which set prescribed fees and charges (or the range of charges for a given service), and others which allow discretion based on costs of providing the service.
- 5.3.4 In relation to planning services, it is settled law that charges can be levied for pre-application advice or services on a cost recovery basis.
- 5.3.5 Detailed legal advice on the legal powers to charge for each service is set out in Appendix 2, which is marked as an exempt appendix on the basis it contains legal advice, which is legally professionally privileged.

5.4 Equalities and Diversity

- 5.4.1 The Equality Act 2010 outlines the provisions of the Public Sector Equality Duty which requires public authorities to have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it

The relevant protected characteristics are age, race, disability, gender reassignment, pregnancy and maternity, religion or belief, sex and sexual orientation. The duty also covers marriage and civil partnership, but to a limited extent.

- 5.4.2 The broad purpose of this duty is to integrate considerations of equality into day to day business and keep them under review in decision making, the design of policies and the delivery of services so that the potential impact on any protected groups is identified and steps taken to mitigate or remove them.
- 5.4.3 The introduction of these additional services has been assessed and it is not considered to impact any of the protected groups. Whilst the services will be offered based on ability to pay the extra fees, the statutory planning service will not be impacted detrimentally by the introduction of this pilot.

5.5 Consultation and Engagement

- 5.5.1 Customers using the pilot service will be surveyed to assess how satisfied they are with the service provided, the results of which will feed into the report to be presented back to the Committee.

6. BACKGROUND PAPERS

- 6.1 None.