

Report to: Cabinet

Date: January 2012

Portfolio: Planning, Councillor Miles Parkinson

Report Author: Chief Planning and Transportation Officer

Title of Report: Development Management DPD
Consultation on Issues and Options

Customer First Analysis

The Council's corporate values include putting the customer first, providing opportunities for bright futures and narrowing inequality across the Borough. From 1 April 2011, a new legal duty applies to all public authorities. It covers these protected characteristics:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- gender;
- sexual orientation; and, for some aspects,
- marriage and civil partnerships.

The duty means that – as previously - we should analyse the effect of existing and new policies and practices on equality. It does not specify how we should do this. However, legal cases on the meaning of the previous general equality duties make it clear that the Council must carry out the analysis before making the relevant policy decision, and include consideration as to whether it is possible to reduce any detrimental impact. The Council has developed a template for this to be assessed that requires four areas to be considered:

1. Purpose

The purpose of the report is to seek approval from cabinet to consult on issues and options for the Development Management DPD. The DPD will contain a series of policies that relate to the use and development of land in the Borough that will reflect the strategic policies of the Core Strategy.

The report includes a draft consultation document that contains details of a number of areas where policy can be developed. These do not provide detail of the proposed policy but a description of the types of issues that may arise. The DPD will be used by developers, planning officers, members of the public and members of Planning Committee in the determination of planning applications. The DPD will form part of

the Local Development Framework for Hyndburn that the Council is required to produce. The purpose of consultation is to seek the views of the Council's customers and in particular those involved in planning.

2. Evidence

The Council uses a database of its customers for consultation. In this instance it will be necessary to consider whether there is a need to add to this database so that it includes all planning consultancies/agents that have submitted planning applications. There are a number of the groups listed above where it will be necessary to give particular attention:

- Age. The Borough has a population that is aging and it is necessary to ensure that we plan for our elderly residents. This is addressed by the Core Strategy and will need to be taken into consideration by the Development Management DPD. It is also necessary to ensure that provision is made for younger people, for example through the provision of adequate open space and for issues such as affordable housing to be addressed.
- Disability. The design of new development should ensure that it caters for disabled people. Although this is normally managed through Building Regulations, the planning system also has a role to play in ensuring that this is considered from the outset and not as an add-on at the end of the process.
- Race / religion or belief. The housing and development needs of those of different races, often who have different beliefs, needs to be taken into consideration. This could be through the development of appropriate housing development, for example.

3. Impact

It is necessary to ensure that the impacts of the policy are taken into consideration and regard is had to any adverse impact and the policy adjusted if necessary. The Issues and Options document is the first stage of the preparation of the DPD and will not contain detail. It will be difficult to assess impacts at this stage due to the lack of policy wording.

4. Actions

The purpose of the consultation is to ensure that the policy framework proposed will not discriminate against any particular group. Further consultation on more detailed policies will be undertaken later this year.

January 2012.