



Cabinet

Date: Tuesday, 30 June 2020
Time: 10.00 am
Venue: A link to the meeting can be found on the front page of the agenda.

Membership: (Quorum 3)

Spencer Flower (Chairman), Peter Wharf (Vice-Chairman), Tony Alford, Ray Bryan, Graham Carr-Jones, Tony Ferrari, Laura Miller, Andrew Parry, Gary Suttle and David Walsh

Chief Executive: Matt Prosser, South Walks House, South Walks Road, Dorchester, Dorset DT1 1UZ (Sat Nav DT1 1EE)

For more information about this agenda please telephone Democratic Services on 01305 or Kate Critchel 01305 252234 - kate.critchel@dorsetcouncil.gov.uk



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Due to the current coronavirus pandemic the Council has reviewed its approach to holding committee meetings. Members of the public are welcome to attend this meeting and listen to the debate either online by using the following link insert [Weblink to Dorset Council Cabinet Meeting to observe - 30 June 2020](#)

Members of the public wishing to view the meeting from an iphone, ipad or android phone will need to download the free Microsoft Team App to sign in as a Guest, it is advised to do this at least 30 minutes prior to the start of the meeting."

Please note that public speaking has been suspended. However Public Participation will continue by written submission only. Please see detail set out below.

Dorset Council is committed to being open and transparent in the way it carries out its business whenever possible. A recording of the meeting will be available on the council's website after the event.

AGENDA

Page No.

1 APOLOGIES

To receive any apologies for absence.

2 MINUTES

5 - 18

To confirm the minutes of the meeting held on 5 May 2020

3 DECLARATIONS OF INTEREST

To receive any declarations of interest.

4 PUBLIC PARTICIPATION

To receive questions or statements on the business of the committee from town and parish councils and members of the public.

Please note that public speaking has been suspended during the Covid-19 crisis. Each question or statement is limited to no more than 450 words and must be electronically submitted to kate.critchell@dorsetcouncil.gov.uk by the deadline set out below. The question or statement will be read out by an officer of the Council and a response will be given by the appropriate Portfolio Holder at the meeting. All questions/statements and the responses will be published in full within the minutes of the meeting.

The deadline for submission of the full text of a question or statement is 8.30am on Thursday 25 June 2020.

5 QUESTIONS FROM MEMBERS

To receive any questions from members in accordance with procedure rule 13.

6 FORWARD PLAN

19 - 24

To consider the Cabinet Forward Plan.

ITEMS RELATING TO THE COVID-19 EMERGENCY COVID-19 RESPONSE

7	UPDATE ON DORSET COUNCIL'S RESPONSE TO COVID-19	25 - 44
	To consider a update report from the Leader of the Council.	
8	COVID-19: HOW WELL HAS DORSET COUNCIL RESPONDED TO MEETING THE NEEDS OF VULNERABLE GROUPS DURING 'LOCKDOWN'?	45 - 74
	To consider a report of the Portfolio Holder for Corporate Development and Change.	
	ITEMS IDENTIFIED FROM THE CABINET'S FORWARD PLAN	
9	STATEMENT OF LICENSING POLICY 2021-2026	75 - 160
	To consider a report of the Portfolio Holder for Customer, Community and Regulatory.	
10	STATEMENT OF GAMBLING LICENSING POLICY 2021-2024	161 - 222
	To consider a report of the Portfolio Holder for Customer, Community and Regulatory.	
11	COMMUNITY SAFETY PLAN 2020-2023	223 - 236
	To consider a report of the Portfolio Holder for Housing and Community Safety.	
12	OPTIONS FOR PROHIBITING THE USE OF DISPOSABLE BARBEQUES	237 - 244
	To consider a report of the Portfolio Holder for Highways, Travel and Environment.	
13	CAPITAL FUNDING OF EMBANKMENT IMPROVEMENTS TO THE RIVER BRIT AT WEST BAY	245 - 250
	To consider a report of the Portfolio Holders for Finance, Commercial and Assets and Highways, Travel and Transport.	
	Please note that the appendix associated with this report is an exempt document.	

PANELS AND GROUPS

To receive any minutes, recommendations or verbal updates from panels, groups and boards:

**14 CLIMATE & ECOLOGICAL EMERGENCY EXECUTIVE ADVISORY
PANEL UPDATE**

To receive an update from the Portfolio Holder for Highways, Travel and Environment.

15 URGENT ITEMS

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972. The reason for the urgency shall be recorded in the minutes.

16 EXEMPT BUSINESS

To move the exclusion of the press and the public for the following item in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12 A to the Local Government Act 1972 (as amended).

The public and the press will be asked to leave the meeting whilst the item of business is considered.

**17 CAPITAL FUNDING OF EMBANKMENT IMPROVEMENTS TO THE
RIVER BRIT AT WEST BAY - EXEMPT APPENDIX**

251 - 264

Exempt appendix relating to agenda item 13 – Capital funding of embankment improvements to the River Brit at West Bay – **NOT FOR PUBLICATION**



DORSET COUNCIL - CABINET

MINUTES OF MEETING HELD ON TUESDAY 5 MAY 2020

Present: Cllrs Spencer Flower (Chairman), Peter Wharf (Vice-Chairman), Tony Alford, Ray Bryan, Graham Carr-Jones, Tony Ferrari, Laura Miller, Andrew Parry and David Walsh

Apologies: Cllrs Gary Suttle

Also present: Cllr Piers Brown, Cllr Matthew Hall, Cllr Jill Haynes, Cllr Jane Somper and Cllr Daryl Turner

Officers present (for all or part of the meeting):

Matt Prosser (Chief Executive), Aidan Dunn (Executive Director - Corporate Development S151), Jonathan Mair (Corporate Director - Legal & Democratic Service Monitoring Officer), John Sellgren (Executive Director, Place), Susan Dallison (Democratic Services Manager), Kate Critchel (Senior Democratic Services Officer), Karyn Punchard (Corporate Director of Place Services) and Susan Ward-Rice (Equities and Diversity Officer)

WELCOME

The Chairman welcomed all who were attending the first cabinet meeting to be held since March 2020 due to the COVID-19 pandemic. He also explained how the meeting would be conducted.

In respect of the item 4 on the agenda "Questions and Statements from the Public", 2 statements had been received regarding the future of Community Hospitals. Questions or statements to Cabinet needed to refer to council business and it was not within the Council's remit to decide the future of community hospital beds.

These matters should be referred to the Clinical Commissioning Group who had the responsibility for clinical provision in Dorset.

138. Minutes

The minutes of the meeting held on 3 March 2020 were confirmed as a correct record and would be signed by the Chairman at the first available opportunity.

139. Declarations of Interest

Cllr L Miller declared a non-pecuniary interest in respect of minute no. 153 "Major Waste Disposal Contracts" following a competitive tender process.

Cllr Miller reported that her partner worked for a company that had connections within this particular industry. He was not directly involved in the matter set out within the report before members and she therefore indicated that she would take part in the discussion and vote on the item.

140. Public Participation

Four questions from the public had been received. These were from Chris Bradely, Caz Dennett, Debby Monkhouse and Irene Statham.

A shortened version of the questions were read out by Matt Prosser (Chief Executive) and Jonathan Mair (Corporate Director, Legal and Democratic Services). A copy of the full questions and the responses are set out in appendix 1 these minutes.

141. Questions from Members

There were two questions from members and these are set out in appendix 2 to these minutes.

142. Forward Plan

The Cabinet Forward Plan was received and noted.

143. Covid-19 Response

The Chairman introduced the report by stating that as of 4 May 2020 174 members of Dorset's community had sadly lost their life due to COVID-19. 46 of those were from local residential care homes.

He asked the committee to take a moment to sit quietly for a short period of reflection.

The Chairman advised that the report set out a summary of the council's response to the COVID-19 pandemic and identified some of the many changes that had taken place in the way that services were being managed, and the command structures enacted to do this. He commended the response from Dorset Council officers in the face of this crisis and advised that the report aimed to set out what had been achieved to date and what issues might be faced in the future.

The Chief Executive reported the strategic approach to the pandemic. He took the opportunity to thank local residents, communities and businesses in Dorset for their continued support. He also thanked local volunteers for their contribution and those individuals who had worked on delivering such national initiatives as the Community Shielding work. He highlighted the work being carried out to deliver business grants and support for council taxpayers facing hardship.

Dorset Council was classed as a Category 1 Emergency Responder under

the 2004 Civil Contingencies Act, alongside emergency services (police, fire, ambulance); coastguard; health and the environment agency. All Category 1 responders were also members of Dorset's Local Resilience Forum (LRF). The Forum was the principal mechanism for multi- agency planning and co-operation in response to an incident.

The Executive Director for Corporate Development advised that his role within this was to act as the Council's "Covid Gold Lead" and to coordinate the council's response to the Covid-19 crisis. The complexity of the arrangements put into place by the council were set out at appendices A & B of the report. The role had dealt with issues such as obtaining the emergency provision of PPE, testing for Covid-19, communications, discouragement of visitors to Dorset and promoting social distancing regulations. The LRF were also now planning the way back to the new normality.

The Director of Public Health set out an overview of the Public Health challenges. He advised that he was working closely with Public Health England in order to give appropriate advice to the local public health system. Because of the adherence to the lockdown and social distancing measures put into place, Dorset had not, to date, been significantly impacted by the virus compared with other areas within the UK. He further highlighted that at the moment the main concern related to pressure that was in and around local residential care homes.

The Executive Director for People (Children) reported on the council's community shielding work which coordinated the provision of food, medicine and emotional support to individuals and families identified on the Government 'shielded' list. She further reported on the work to support Dorset's children by ensuring the provision of enhanced services in relation to school and early years provision for vulnerable children and those of keyworkers; Remote education for children not able to attend school, teacher resilience during COVID-19 closures, the provision of free school meals and domestic abuse issues.

The Portfolio Holder for Adult Social Care and Health set out the response to the pandemic in respect of People Services (Adults). She stated how inspired she had been by the Community Shield work including the role of community volunteers. She also referred to the Council's PPE drive through hubs which had supported local residential homes and funeral directors.

The Portfolio Holder also referred to the Covid response help-lines and indicated that the council had increased care facilities which had freed up and enabled greater capacity in the acute hospital setting. Lessons could be learnt from the work carried out so far and she commended the report and welcomed the scrutiny of it by Resources Scrutiny Committee.

The Portfolio Holder for Children, Education and Early Help expressed his thanks to all the staff within school settings to ensure that children continued to be educated, receiving pastoral care and making sure that safeguarding was in place. He also praised careers and foster careers during this time of

home schooling. He thanked social workers for their efforts to ensure that children in care and young leavers remained safe.

The Portfolio Holder for Housing and Community Safety commended the report as a fundamental piece of historical work. He set out the efforts taking place within the housing provision and advised that at the outbreak of the virus, the housing team had found accommodation for the rough sleeping community within a 4 day period. They now continued to provide the necessary outreach support to these individuals.

The council was working hard with its partners to deal with issues as they occurred as a number of households presented as homeless had increased since the restrictions were introduced. These were a separate group of people to the rough sleeping community and the main reasons for the increase related to persons who were sofa surfing or renting a room from a friend being asked to leave due to concerns about self-isolation.

In respect of domestic abuse concerns, the community safety team were working with partners to monitor the situation and support the Police with a domestic abuse communications campaign.

The Executive Director for Place indicated that he was the officer lead in respect of the recovery process. A recovery coordinating group (RCG) were working in parallel to the LRF and within the framework of national guidance. The aim of the RCG was to enable and support progress which allowed individuals, families and communities to attain their proper level of functioning through the provision of information and resources. He further advised that the group would undertake an initial impact analysis and define the recovery strategy for Dorset, focusing on the economy and welfare and wellbeing of residents and employees.

In respect of the Place directorate, members were advised that many employees within the directorate provided key services and it had been important that these were maintained. Other employees had been redeployed to support the distribution of food and prescriptions to vulnerable people.

The Portfolio Holder for Highways, Travel and Environment reported that transport services were being adapted to ensure the safety of drivers and the general public. The council fleet had been moved to County Hall in order to free up the Old Radio Station site. He reported that it was essential to continue the work of the Climate and Ecological Emergency Executive Advisory Panel, although some officers had been temporarily re-deployed. It was also noted that vehicle movements within Dorset had reduced by 70% with this slightly peaked over the weekends.

The Portfolio Holder for Planning reported that the planning service had been adapting to new ways of working and business was being conducted remotely. Case Officers were having to change working practices as site visits were currently on hold, the planning services was continuing to operate. Progress continued on the local plan although there were some immediate impacts of COVID-19 that had put a halt to some work within the service.

However the Local Plan Executive Advisory Panel was to re-commence to oversee the achievement of key milestones and planning policy. He also referred to the work being carried out in respect of Neighbourhood plans and reported that government guidelines had been amended to indicate that plans awaiting referendums could be given significant weight in planning decision making.

The Portfolio Holder for Customer, Community and Regulatory Services took the opportunity to thank community and voluntary bodies for their support. He also referred to the Town and Parish Councils' work during the emergency period. He reported on the changes to the registration services, in particular for the registration of deaths, which were now being carried out by telephone appointment. Members were further advised of the work of Weymouth Crematorium which continued to provide funerals where close family and friends could attend. Plans were also in place to accommodate higher numbers of cremations over the next weeks and months, if that was required.

Trading Standards and Environmental Health were providing support and advice to businesses, helping them to navigate through business closure and social distancing requirements in the workplace. He also referred to the customer service activity which had been supported by library staff whilst the Dorset Library's were closed.

The Corporate Director for Legal and Democratic reported on the work of the emergency planning team and the excess death planning arrangements. These arrangements had been made and facilities put in place in the Dorset Council and Bournemouth, Christchurch and Poole Council areas in order that COVID deaths would be well managed and both the deceased and the bereaved treated with respect.

In respect of the workforce and their well-being, the Executive Director for Corporate Development advised that COVID-19 had impacted on businesses in many different ways. Dorset Council staff had been developing new services and working flexibly. An internal skills agency was being developed to ensure that key services could continue to be maintained.

The Portfolio Holder for Finance, Commercial and Assets advised that the full financial impact of the COVID-19 pandemic on Dorset Council was still being analysed whilst the emergency response was ongoing. There would be a significant impact from the suspension of income generating services, additional expenditure and incurred, and planned transformation savings that had not been achieved.

These would require mitigation during 2020/21 (and beyond) once the full compensation package from central government was known.

The Portfolio Holder for Corporate Development and Change and the Corporate Policy and Performance Officer reported that during the COVID-19 response, impact screening tools and assessments had been undertaken where a permanent change in service delivery had been made.

A draft EqIA for the COVID-19 pandemic was currently being produced which covered all the protected characteristics and the additional characteristics that Dorset Council consider important. Once finalised, the EqIA would be shared publicly, however, it should be noted that this was an ever-changing situation and the EqIA would need to be updated on a regular basis.

Following a set of round table conversations with councillors, a copy of the EqIA report would be presented to a future meeting of Cabinet.

The Chairman invited Scrutiny Chairmen to address the committee. The Chairman of Resources Scrutiny Committee asked Cabinet to support the recommendations and took the opportunity to set out how the Resources Scrutiny Committee would monitor and review its progress.

The Chairman of the Health Scrutiny Committee indicated that it was likely that a joint health scrutiny meeting would be held with BCP in the near future to discuss the areas' response to COVID-19 along side the two councils' partners including the NHS.

In response, the Portfolio Holder for People Adult Services agreed that it was important that the council was part of an integrated health system. Members also agreed that being a unitary council had enabled them to respond to the crisis in a cohesive manner.

In response to questions from the Chairman for Place Scrutiny Committee, the Chairman confirmed that work on communication flyers be it electronic or in paper form continued. He would also discuss the possibility of contact details being made available on the local transport system with the communications team.

In respect of climate change, the Portfolio Holder for Highways, Travel and Environment agreed that it was essential that the council learnt lessons from the crisis, in order to work smarter in the future and these matters would be discussed at a future meeting of the Climate and Ecological Emergency Executive Advisory Panel.

The Chairman of the Audit & Governance Committee asked Cabinet about the 109 decisions taken by officers during the pandemic, were they operational or would they had required a scrutiny process? In response the Portfolio Holder for Adult Social Care and Health advised that these were decisions that had been taken at speed and within the council's scheme of delegation.

In respect of a question relating to local food banks, the council had been working with Public Health Dorset in respect of this provision and many had seen an increased need. The council had supported these food banks with social distancing, healthy start vouchers, lanyards, financial contributions and advice on how volunteers could remain safe. The council had been in weekly contact with all the food banks who provide data so that this information can be mapped and measured in the future.

In respect of questions around mental health support, the Portfolio Holder of Adult Social Care and Health agreed that this was critical, in supporting employees and local residents. Established multi agency groups were bringing together a tiered approach to cover areas of bereavement, well-being support, self help, skills training or telephone line support.

In response to a question on safety on school transport, the Portfolio Holder for Children, Education and Early Years advised that the council was waiting for further advice in respect of school transport provision.

The Chairman of People Scrutiny Committee asked the Cabinet about support in terms of children already being home schooled and those being looked after by the council.

The Portfolio Holder for Children, Education and Early Years confirmed that the council's focus had been around those children with social workers and those who were looked after children. Some of those were home schooled. The number of children within care had not changed during this period.

The Executive Director advised that schools were contacting children on the vulnerable list on a weekly basis. There were, however no secure beds available across the county and it remained a challenge to provide this type of care facility as it did prior to the COVID-19 pandemic.

The Chairman, thanked all those that had contributed to the creation of the report, including multi-agency partners and local residents.

Cllr P Wharf proposed an amendment to the recommendation set out within the report, this was accepted by Cabinet.

Decision

- (a) That the Council's response to the Covid emergency response is noted;
- (b) That all Council staff be thanked for their part in responding to the emergency;
- (c) That this report is referred to the Resources Overview and Scrutiny Committee for members to consider the effectiveness of Dorset Council's response and
- (d) That the focus of the work of the Resources Overview and Scrutiny Committee be to learn from Dorset Council's experience of responding to the Covid-19 emergency and not to scrutinise the effectiveness of other agencies and any decisions which are rightly the responsibility of the Council's partners.

Reason for the Decision

To ensure that cabinet are fully informed and assured of the way that services have been managed under the Council's response to the COVID-19 pandemic to date.

144. **Approval for the transfer of assets to Portland Town Council**

Members were advised that prior to the formation of Dorset Council some services and assets were agreed to be transferred to Weymouth & Portland Town Councils. Transfers to Weymouth Town Council had been dealt with as part of the formation of Weymouth Town Council. Portland Town Council already existed and therefore the asset transfer process was required to be completed separately.

The Portfolio Holder for Finance, Commercial and Assets sought approval for the authority to proceed with the proposed asset transfers to Portland Town Council on less than best consideration basis.

Decision

- (a) That the assets listed in Appendix A of the report of 5 May 2020 be transferred freehold to Portland Town Council at less than best consideration with no clawback provisions.
- (b) That the assets listed in Appendix B of the report of 5 May 2020 be transferred leasehold to Portland Town Council at less than best consideration with covenants to retain control of future use and ownership.
- (c) That the right to work the minerals be excluded on all transferring assets.
- (d) For Dorset Council to keep control of the Verne Common including areas covered by High Level Stewardship agreement and be able to licence the Town Council to hold suitable events.
- (e) That discussions with the Crown Estate and Portland Town Council progress to relinquish the management of assets currently managed by Dorset Council and owned by the Crown Estate.
- (f) That authority be delegated to the Executive Director for Place in conjunction with the Portfolio Holder for Commercial, Finance and Assets to make changes to the above.

Reason for the decision

To confirm the assets to be transferred and the basis of transfers to Portland Town Council.

Weymouth & Portland Borough Council carried out services which are more typically that of a Town Council, such as allotments and parks. Prior to the formation of Dorset Council some services and assets were agreed to be

transferred to Weymouth & Portland Town Councils. Transfers to Weymouth Town Council were dealt with as part of the formation of Weymouth Town Council. Portland Town Council already existed and therefore the asset transfer process is required to be completed separately.

Member authority is required to transfer assets (some with values reported in excess of £100,000) at less than best consideration, ie at less than market value.

145. **Transforming Cities Fund (TCF) Delivery**

The Portfolio Holder for Highways, Travel and Environment reminded members that Cabinet had considered a report in November 2019 seeking delegated authority for the submission of the Transforming Cities Fund (TCF).

The scheme aimed to deliver improved cycle, walking and public transport. The scheme also proposed aims to increase the amount of sustainable low carbon, travel and would form part of the ongoing efforts to reduce carbon emissions from transport.

Cabinet was now being asked to consider a report setting out the proposed governance framework and delivery plan for the TFC. In response to a questions, the Chairman confirmed that scrutiny was essential to ensure that this joint project with BCP was transparent and he would look to see what scrutiny functions had been included within the governance arrangements.

Decision

- (a) That, in principle, the proposed three-year delivery programme in line with the TCF Strategic Outline Business Case, already approved by Cabinet, and guidance set out by the DfT in the Assurance Framework, be approved;
- (b) That the proposed Governance Framework be approved and authority be delegated to the Head of Highways in consultation with the Portfolio Holder for Highways, Travel and the Environment through the TCF Council Governance Board (CGB), for approval of future TCF proposals, detailed programme delivery decisions and the detailed design of each element of the programme;
- (c) That the principle of regular TCF update reports going to the CGB and from there to DfT as stipulated within point 8 of the award letter, with consideration of Traffic Regulation Orders (TROs) associated with the programme being considered in line with current Dorset Council approvals, be approved.

Reason for the decision:

The delegations were designed to:

- (i) Allow maximum flexibility in meeting the strict DfT timeline for delivery over the next three years, with appropriate Dorset Council approvals in place.

- (ii) To ensure that the authority is best placed to progress scheme delivery at the pace required to meet the funding profiles set by the DfT.

146. Jurassic Coast Partnership Plan 2020 - 2025 and future funding agreement with the Jurassic Coast Trust

Cabinet considered a report on the Jurassic Coast Partnership Plan 2020 – 2025. This set out the management framework for the Dorset and East Devon Coast World Heritage Site, also known as the Jurassic Coast.

Since 2017 the Jurassic Coast Trust has taken the lead in setting out and coordinating delivery of site management, delivering the obligations of both Dorset Council and Devon County Council in respect of site management. It used a Partnership Advisory Committee and Board of Trustees to provide advice towards the management and policies of the site as well as collaborating with a wide range of partners, groups, visitor centres and museums.

The Portfolio Holder for Highways, Travel and Environment advised that together with Devon County Council, Dorset Council had an ongoing agreement to fund the core work of the Jurassic Coast Trust as it offered an effective and sustainable financial model to both councils to deliver management of the site.

In response to a question relating to little reference being made of marketing the site within the documents, the Portfolio Holder advised this was included within the Management Plan under protecting the world heritage site. However he confirmed that he would discuss this issue further with the Jurassic Coast Trust and report back directly to the member concerned at a later date.

Assurance was sort regarding the protection of elements of the Jurassic path in respect of cliff fall and erosion of footpaths that sat on the East Devon Coastline of the Jurassic path; the Portfolio Holder confirmed that he would discuss these concerns with his East Devon colleagues.

Decision

- (a) That the Cabinet Jurassic Coast Partnership Plan 2020 - 2025 be adopted;
- (b) That the current funding contribution made to the Jurassic Coast Trust continue until to March 2023.
- (c) That with the Portfolio Holder for Highways, Travel and Environment, authority be delegated to the Executive Director of Corporate Development (Section 151 Officer) to approve a new funding agreement with the Jurassic Coast Trust

Reason for Decision

The Jurassic Coast Partnership Plan and Dorset Council's continued support of the Jurassic Coast Trust helps us to deliver a number of actions outlined in the Corporate Plan in an effective and cost efficient way; delivering services that protect our natural, historic and cultural environments, capitalising on Dorset's unique environmental assets to support our priorities and providing an

environment that attracts business investment, tourism and a skilled workforce. The partnership plan enables us to meet UNESCO and UK Government requirements with regard to management of the World Heritage Site.

147. Making of Bridport Neighbourhood Plan 2020-2036

The Portfolio Holder for Planning presented a report seeking formal adoption of the Bridport Area Neighbourhood Plan as part of the statutory development plan for the Bridport Neighbourhood Area. In addition he took the opportunity to congratulate and thank those involved in preparing the plan.

Decision

- (a) That the council make the Bridport Area Neighbourhood Plan (as set out in appendix A of the report to 5 May 2020) part of the statutory development plan for the Bridport Neighbourhood Area;
- (b) That the council offers its congratulations to Bridport Town Council and the Joint Council Committee in producing their neighbourhood plan.

Reason for Decision

To formally adopt the Bridport Area Neighbourhood Plan as part of the statutory development plan for the Bridport Neighbourhood Area. In addition, to recognise the significant amount of work undertaken by the Joint Council Committee in preparing the neighbourhood plan, congratulating them on their success.

148. Making of Upper Marshwood Vale Neighbourhood Plan 2018 to 2033

The Portfolio Holder for Planning set out a report seeking formal adoption of the Upper Marshwood Vale Neighbourhood Plan as part of the statutory development plan for the Upper Marshwood Vale Neighbourhood Area, following a successful referendum. He also took the opportunity to thank those who were involved in preparing the plan.

Decision

- (a) That the council make the Upper Marshwood Vale Neighbourhood Plan (as set out in the appendix A of the report of 5 May 2020) part of the statutory development plan for the Upper Marshwood Vale Neighbourhood Area;
- (b) That the council offers its congratulations to Upper Marshwood Vale Neighbourhood Plan group in producing their neighbourhood plan.

Reason for Decision

To formally adopt the Upper Marshwood Vale Neighbourhood Plan as par of the statutory development plan for the Upper Marshwood Vale Neighbourhood area. In addition, to recognise the significant amount of work undertaken by the Upper Marshwood Vale Neighbourhood Plan group in preparing the neighbourhood plan, congratulating them on their success.

149. **Making of the Sutton Poyntz Neighbourhood Plan 2016 to 2031**

The Portfolio Holder for Planning set out a report seeking formal adoption of the Sutton Poyntz Neighbourhood Plan. As the local ward member, Cllr T Ferrari took the opportunity to thank all those involved in the preparation of the plan which demonstrated local democratic engagement.

Decision

- (a) That the council make the Sutton Poyntz Neighbourhood Plan (as set out in Appendix A of the report of 5 May 2020) part of the statutory development plan for the Sutton Poyntz Neighbourhood Area;
- (b) That the council offers its congratulations to Weymouth Town Council and the Sutton Poyntz Society in producing their neighbourhood plan.

Reason for Decision

To formally adopt the Sutton Poyntz Neighbourhood Plan as part of the statutory development plan for the Sutton Poyntz Neighbourhood Area. In addition, to recognise the significant amount of work undertaken by the Sutton Poyntz Society in preparing the neighbourhood plan, congratulating them on their success.

150. **Climate & Ecological Emergency Executive Advisory Panel Update**

The Portfolio Holder for Highways, Travel and Environment reported that the Executive Advisory Panel would continue to meet and aimed to feedback its action plan to Full Council later in the year.

151. **Urgent items**

There were no urgent items considered at the meeting.

152. **Exempt Business**

It was proposed by Cllr P Wharf

Decision

That the press and the public be excluded for the following item(s) in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12 A to the Local Government Act 1972 (as amended).

The committee logged out of the MS Teams Live Event to consider the following item under exempt business

153. **Major Waste Disposal Contracts following competitive tender process**

Cabinet considered a report on the awarding of the residual waste contract.

Decision

That the award of the residual waste contract be approved.

Reason for Decision

To allow cost effective management of waste.

Duration of meeting: 10.00 am - 1.10 pm

Chairman

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Cabinet Forward Plan - July 2020
For the period 1 JULY 2020 to 31 OCTOBER 2020
(publication date – 29 JUNE 2020)

Explanatory Note:

This Forward Plan contains future items to be considered by the Cabinet and Council. It is published 28 days before the next meeting of the Committee. The plan includes items for the meeting including key decisions. Each item shows if it is 'open' to the public or to be considered in a private part of the meeting.

Definition of Key Decisions

Key decisions are defined in Dorset Council's Constitution as decisions of the Cabinet which are likely to -

- (a) to result in the relevant local authority incurring expenditure which is, or the making of savings which are, significant having regard to the relevant local authority's budget for the service or function to which the decision relates (**Thresholds - £500k**); or
- (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the relevant local authority."

In determining the meaning of "*significant*" for these purposes the Council will have regard to any guidance issued by the Secretary of State in accordance with section 9Q of the Local Government Act 2000 Act. Officers will consult with lead members to determine significance and sensitivity.

Cabinet Portfolio Holders 2019/20

Spencer Flower	Leader / Governance, Performance and Communications
Peter Wharf	Deputy Leader / Corporate Development and Change
Tony Ferrari	Finance, Commercial and Assets
Graham Carr-Jones	Housing and Community Safety
Gary Suttle	Economic Growth and Skills
Andrew Parry	Children, Education and Early Help
Laura Miller	Adult Social Care and Health
David Walsh	Planning
Ray Bryan	Highways, Travel and Environment
Tony Alford	Customer, Community and Regulatory Services

Subject / Decision	Decision Maker	Decision Due Date	Other Committee Date	Portfolio Holder	Officer Contact
Investing to Save in Highway Infrastructure Assets Key Decision - Yes Public Access - Open	Dorset Council - Cabinet	28 Jul 2020	Dorset Council - Place Scrutiny Committee 30 Jan 2020	Portfolio Holder for Highways, Travel and Environment	<i>Jack Wiltshire, Head of Highways jack.wiltshire@dorsetcouncil.gov.uk Executive Director, Place (John Sellgren)</i>
Major Highway Improvement Schemes - Dinah's Hollow, Melbury Abbas Key Decision - Yes Public Access - Open	Dorset Council - Cabinet	28 Jul 2020		Portfolio Holder for Highways, Travel and Environment	<i>Kate Tunks, Service Manager for Infrastructure and Assets kate.tunks@dorsetcouncil.gov.uk Executive Director, Place (John Sellgren)</i>
Dorset Council - Community Infrastructure Levy Governance Arrangements Key Decision - Yes Public Access - Open	Dorset Council - Cabinet	28 Jul 2020	Dorset Council - Place Scrutiny Committee 23 Jul 2020	Portfolio Holder for Planning	<i>Andrew Galpin, Implementation Team Leader andrew.galpin@dorsetcouncil.gov.uk Executive Director, Place (John Sellgren)</i>
Dorset Council Budget - Quarterly Performance Report - Q1 Key Decision - No Public Access - Open	Dorset Council - Cabinet	28 Jul 2020	Dorset Council - Audit and Governance Committee 10 Aug 2020	Portfolio Holder for Finance, Commercial and Assets	<i>Jim McManus, Corporate Director - Finance and Commercial J.McManus@dorsetcc.gov.uk Executive Director, Corporate Development - Section 151 Officer (Aidan Dunn)</i>
Approval of the Economic Growth Strategy for Dorset Council	Dorset Council - Cabinet	28 Jul 2020		Portfolio Holder for Economic Growth and Skills	<i>David Walsh, Service Manager for Growth and Economic Regeneration</i>

Subject / Decision	Decision Maker	Decision Due Date	Other Committee Date	Portfolio Holder	Officer Contact
Key Decision - Yes Public Access - Open					<i>David.walsh@dorsetcouncil.gov.uk</i> Executive Director, Place (John Sellgren)
Dorset Council Climate & Ecology Strategy - Draft Plan for Consultation Key Decision - Yes Public Access - Open	Dorset Council - Cabinet	28 Jul 2020	Dorset Council - Place Scrutiny Committee 23 Jul 2020	Portfolio Holder for Highways, Travel and Environment	<i>Antony Littlechild,</i> Community Energy Manager <i>antony.littlechild@dorsetcouncil.gov.uk</i> Executive Director, Place (John Sellgren)
MoD Battle Lab investment at Dorset Innovation Park Key Decision - Yes Public Access - Fully exempt	Dorset Council - Cabinet	28 Jul 2020		Portfolio Holder for Economic Growth and Skills	<i>David Walsh, Service</i> Manager for Growth and Economic Regeneration <i>David.walsh@dorsetcouncil.gov.uk</i> Executive Director, Place (John Sellgren)
Youth Justice Plan Key Decision - Yes Public Access - Open	Dorset Council	15 Oct 2020	Dorset Council - Cabinet 28 Jul 2020	Portfolio Holder for Children, Education and Early Help	<i>David Webb, Service</i> Manager - Dorset Combined Youth Offending Service <i>david.webb@bcpcouncil.gov.uk</i> Executive Director, People - Children (Theresa Leavy)
Grants to the Voluntary and Community Sector Key Decision - Yes Public Access - Open	Dorset Council - Cabinet	3 Nov 2020	Dorset Council - Resources Scrutiny Committee Not before 3rd Sep 2020	Portfolio Holder for Customer, Community and Regulatory Services	<i>Laura Cornette, Corporate</i> Policy & Performance Officer <i>Laura.cornette@dorsetcouncil.gov.uk</i> Executive Director, Corporate Development - Section 151 Officer (Aidan Dunn)

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Subject / Decision	Decision Maker	Decision Due Date	Other Committee Date	Portfolio Holder	Officer Contact
Dorset Council Procurement Strategy 2020 - 2022 Key Decision - Yes Public Access - Open	Dorset Council - Cabinet	8 Sep 2020		Portfolio Holder for Finance, Commercial and Assets	<i>Dawn Adams, Senior Procurement Officer dawn.adams@dorsetcouncil.gov.uk Executive Director, Corporate Development - Section 151 Officer (Aidan Dunn)</i>
Asset Management Plan for Dorset Council 2020- 2023 Key Decision - Yes Public Access - Open	Dorset Council - Cabinet	6 Oct 2020		Portfolio Holder for Finance, Commercial and Assets	<i>Dave Thompson, Corporate Director for Property & Assets dave.thompson.dorsetcouncil.gov.uk@dorsetcouncil.gov.uk Executive Director, Place (John Sellgren)</i>
Major Highway Improvement Schemes - A354 Corridor Route Strategy Weymouth to Portland Key Decision - Yes Public Access - Open	Dorset Council - Cabinet	6 Oct 2020		Portfolio Holder for Highways, Travel and Environment	<i>Kate Tunks, Service Manager for Infrastructure and Assets kate.tunks@dorsetcouncil.gov.uk Executive Director, Place (John Sellgren)</i>
Building Better Lives - Purbeck Gateway: Design Brief Key Decision - Yes Public Access - Open	Dorset Council - Cabinet	6 Oct 2020		Portfolio Holder for Housing and Community Safety, Portfolio Holder for Adult Social Care and Health	<i>Rosie Dilke, Project Manager rosie.dilke@dorsetcc.gov.uk Executive Director, People - Adults (Mathew Kendall)</i>
Housing Allocations Policy Key Decision - Yes Public Access - Open	Dorset Council - Cabinet	3 Nov 2020	Dorset Council - People Scrutiny Committee 20 Oct 2020	Portfolio Holder for Housing and Community Safety	<i>Rebecca Kirk, Corporate Director of Housing, Dorset Council Rebecca.Kirk@dorsetcouncil.gov.uk Executive Director, People - Adults (Mathew Kendall)</i>

Subject / Decision	Decision Maker	Decision Due Date	Other Committee Date	Portfolio Holder	Officer Contact
<p>Results of Public Consultation on the proposed dog-related Public Spaces Protection Order</p> <p>Key Decision - Yes Public Access - Open</p>	Dorset Council - Cabinet	3 Nov 2020	Dorset Council - Place Scrutiny Committee 22 Oct 2020	Portfolio Holder for Customer, Community and Regulatory Services	<p><i>Graham Duggan, Head of Community & Public Protection</i> <i>graham.duggan@dorsetcouncil.gov.uk</i> <i>Executive Director, Place (John Sellgren)</i></p>
<p>Dorset Council Budget - Quarterly Performance Report - Q2</p> <p>Key Decision - No Public Access -</p>	Dorset Council - Cabinet	3 Nov 2020		Portfolio Holder for Finance, Commercial and Assets	<p><i>Jim McManus, Corporate Director - Finance and Commercial</i> <i>J.McManus@dorsetcc.gov.uk</i> <i>Corporate Director, Legal and Democratic Services - Monitoring Officer (Jonathan Mair)</i></p>
<p>Final version of the Statement of Gambling Licensing Policy</p> <p>Key Decision - Yes Public Access - Open</p>	Dorset Council	10 Dec 2020	Dorset Council - Cabinet 3 Nov 2020	Portfolio Holder for Customer, Community and Regulatory Services	<p><i>John Newcombe, Service Manager, Licensing & Community Safety</i> <i>john.newcombe@dorsetcouncil.gov.uk</i> <i>Executive Director, Place (John Sellgren)</i></p>
<p>Final Version of the Statement of Licensing Policy</p> <p>Key Decision - Yes Public Access - Open</p>	Dorset Council	10 Dec 2020	Dorset Council - Place Scrutiny Committee Dorset Council - Cabinet 22 Oct 2020 3 Nov 2020	Portfolio Holder for Customer, Community and Regulatory Services	<p><i>John Newcombe, Service Manager, Licensing & Community Safety</i> <i>john.newcombe@dorsetcouncil.gov.uk</i> <i>Executive Director, Place (John Sellgren)</i></p>

Private/Exempt Items for Decision

Each item in the plan above marked as 'private' will refer to one of the following paragraphs.

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the shadow council proposes:-
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Cabinet 30 June 2020 Update on Dorset Council's Response to COVID-19

For Decision

Portfolio Holder: Cllr S Flower, Leader of the Council

Local Councillor(s): All Councillors

Executive Director: Matt Prosser, Chief Executive

Report Author: Nina Coakley
Title: Programme Manager
Tel: 01305 224386
Email: nina.coakley@dorsetcouncil.gov.uk

Report Status: Public

Recommendation: That the continued COVID-19 emergency response is noted in relation to the organisational reset and planned incident recovery and that a review of the Dorset Council Plan is considered in light of the organisational reset and recovery.

Reason for Recommendation: To ensure that Cabinet are able to lead and remain assured of the way that the reset and recovery from COVID-19 is planned for implementation at the appropriate time.

1. Executive Summary

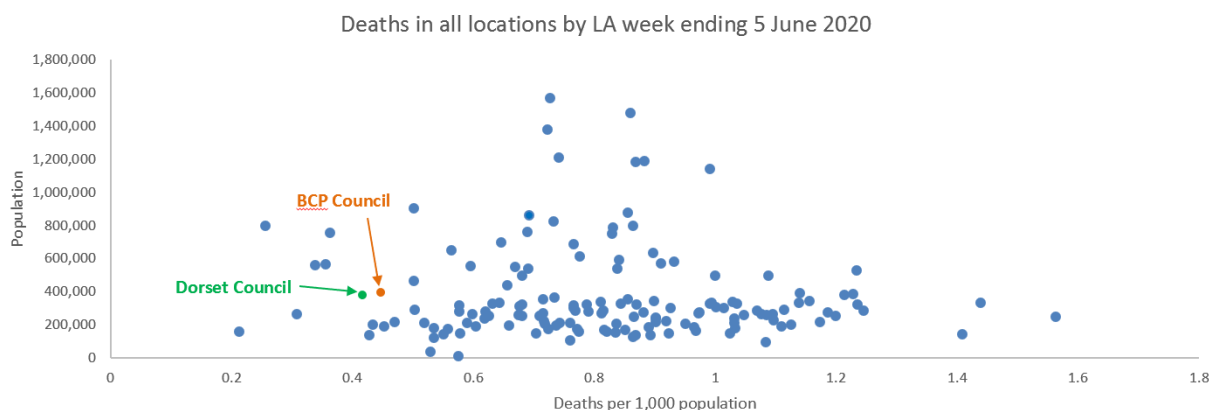
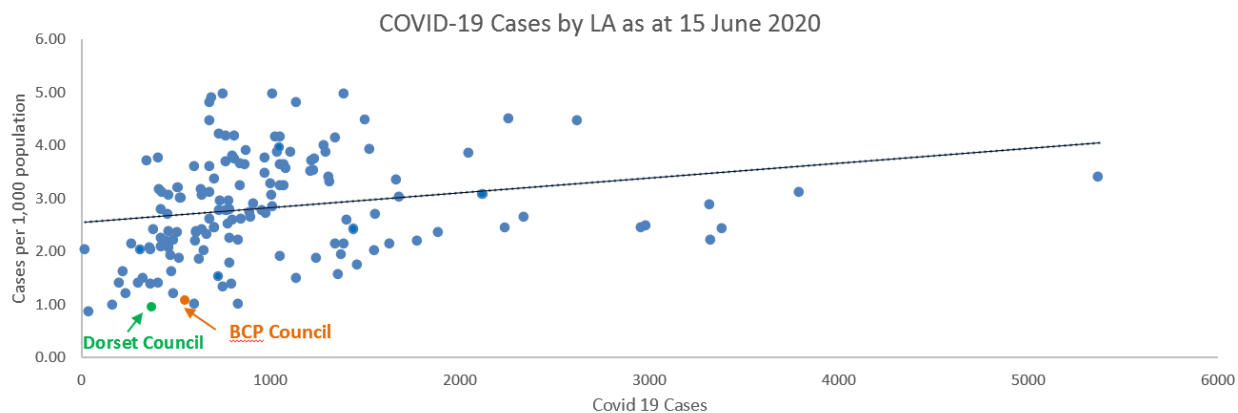
Since the emergence of the pandemic in March, cases in England have been reached a rate of 274.8 of the population (281,661 cases), compared with the south west rate of 138.7 of the population (7,766 cases).

Nationally, sadly 39,904 people have died across the UK. All data as at 4 June¹.

Regionally, the South West has the lowest prevalence of cases and deaths when compared nationally

¹ All data as at 4 June 2020.

<https://coronavirus.data.gov.uk/#category=regions&map=rate&area=e12000009>



However, the Council is deeply saddened that 279 people across Dorset and Bournemouth, Christchurch and Poole Councils have died in care homes or in a hospital setting up until 4 June 2020. This is a truly tragic loss and our thoughts are with the family and friends of those who have died.

Dorset Council continues to respond to the ongoing pandemic at a time of transition from lockdown to seeing some services reopening amongst social distancing and other new guidance.

The initial Dorset Council response to COVID-19 was detailed in a report to Cabinet on 5 May and set out the services provided to support residents and businesses during the period of lockdown from 23 March up until 20 April 2020. This report provides an update on key areas since 20 April along with the emerging arrangements for recovery planning and the future reset of the organisation.

Key areas for update include:

- Public Health including outbreak planning and test and trace
- Care homes
- Adult mental health and safeguarding
- Housing and community safety
- Shielding and adult response
- Community shield
- Schools
- Children's safeguarding
- Open spaces

The reset, recovery and transformation of the council are three distinct workstreams which collectively will enable the organisation to return to full health when the time is right.

2. Financial Implications

The financial implications of COVID-19 continue to be significant and currently unsustainable at £15m per month with a total overspend forecast at £60m for 2020/21. This expenditure is incurred due to the temporary suspension of some income generating services during lockdown as well as additional costs incurred in order to provide additional services across the county.

To date, the council has received £21m from government to support the response. If no further financial support is received, the shortfall for the year could be £39m.

The council is continuing to make the case for further support to the government.

3. Climate implications

The implications of COVID-19 have been positive for our climate and ecology, with a significant reduction in travel by 80% due to the lockdown. As we have seen the lockdown eased this reduction has reversed to a 20% reduction of travel. The council remains committed to the Climate and Ecological emergency declared in May 2019 and have resumed the Executive Advisory Panel to finalise the development of the strategy. The Executive Advisory Panel report is being considered at the Place Overview and Scrutiny Committee on 23 July and by Cabinet on 28 July.

4. Other Implications

Public Health implications are ongoing due to the active pandemic. Additionally, there are implications for all aspects of business as usual service delivery as the virus nears its peak. This includes and is not limited to sustainability, property and assets, voluntary organisations, community safety, corporate parenting, physical activity, safeguarding children and adults, the workforce and HR implications.

5. Risk Assessment

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: HIGH

Residual Risk: HIGH

The Council continues to deliver during a high-risk situation during a major incident with many factors unpredictable including the central government response during the outbreak. The risk management strategy at this time is for continued, focussed oversight of known risk and management of capacity to respond to priority situations as they evolve.

6. Equalities Impact Assessment

During the COVID-19 response, impact screening tools and assessments have continued to be undertaken where a permanent change in service delivery has been made.

An EQIA has been developed to consider the impact of COVID-19 on vulnerable people and this is the subject of a separate agenda item at today's meeting.

7. Appendices

None

8. Background Papers

[Cabinet report on the Dorset Council response to COVID-19 on 5 May 2020](#)
COVID-19 Equalities Impact Assessment (a separate item on this agenda)

9. Introduction and Update on COVID-19 Response

Public Health and Test and Trace

- 9.1 Since the last Cabinet report the COVID-19 outbreak is entering a different phase in Dorset, with fewer daily cases, and fewer outbreaks affecting care homes. There have been no outbreaks reported to Public Health England in Dorset care homes in the past 7 days at time of writing and a substantial fall in the number of deaths linked with the disease either directly or indirectly. The overall number of care home residents who died due to COVID-19 was 61, with the last death occurring on 22 May.
- 9.2 The public health team is involved in supporting two important new initiatives that will form important parts of the strategy for how we continue to ease the lockdown restrictions safely. First, NHS Test and Trace, the national contact tracing service, went live on 28 May. This is now the main way that all people with COVID-19 symptoms should be ordering a test, so that they can be contacted by the service and interviewed to determine whether there are any significant contacts that also need to be followed up by the service. Prompt identification and isolation of contacts of all positive cases is how the virus will be contained going forwards, breaking further transmission and enabling the continued reduction in the numbers of new cases.
- 9.3 Contact tracing happens at 3 levels. Tier 3 is the main telephone based contact tracing service, based on a national recruitment exercise. Most initial cases and contacts will be handled by this service. Anything that looks more complex because of a higher risk occupation, or links with complex situations will be escalated to Tier 2, staffed by returning NHS clinical staff. The most complex cases, potentially linked with outbreaks, are escalated to Tier 1, which is run by Public Health England regional health protection teams. The public health team has provided 3 people to support the contact tracing at Tier 1 and will continue to work closely with PHE at this level.
- 9.4 The second new initiative is the requirement for all Councils responsible for Public Health and Social Care (such as Dorset Council) to develop local outbreak management plans by the end of June. This will set out in detail how each council works to respond to local outbreaks in specific themes, covering care homes and schools, high risk settings (hostels, workplaces with particular risks), testing and tracing, intelligence and surveillance, and ensuring adequate local skills and capacity to respond. There is a national allocation of £300m to support plan development, Dorset Council will receive £1.28m in its Public Health budget to support this work. The plan will be delivered through a local COVID-19 outbreak board, overseen by a public engagement board with local political

leadership, Dorset Council will use the Health & Wellbeing Board to undertake this role. The plans will be the main way assurance will be provided to residents and partners in remaining vigilant for any changes in local COVID-19 transmission, and local ability to respond quickly to any outbreaks, working with key partners.

- 9.5 Recovery and health and care system working
An important part of this phase of the pandemic is looking back and learning from how the system has responded over the past five months, and work is underway on this. A particular focus will be the work with care homes across the system. led through a multi-agency task and finish group, in close discussion with the portfolio holder and with oversight via the Health Scrutiny Board. This is particularly important because it can provide valuable lessons to inform recovery, and more importantly, how we work as a system to ensure that we don't recover back to a health and care system that carries the same risks, should a period with a potential second wave of COVID-19 cases occur.
- 9.6 The councils Public Health team are starting to work with colleagues in the health service to think through how future models of care could be transformed at pace, moving away from a reliance on bed-based care models, and centred on an overarching principle of supporting people in their own homes primarily. Any need for acute medical care should be viewed as a temporary phase, with the system geared towards safe and effective discharge to home, supported by primary, community and voluntary services wherever possible. The past few months has significantly disrupted the local health and care system, and this is a huge opportunity to reset and reshape the model, not go back to what was in place before. This includes considering the learning from supporting shielded residents, and the strengthened relationships with voluntary and community organisations in supporting people differently.

Adult Social Care

- 9.7 Dorset Council, NHS and relevant statutory partners are working in partnership with adult social care providers to ensure that local people who use social care services, and particularly residents in our local care homes, are given the best possible care through the current COVID-19 crisis. Dorset Council has also been aligning, where possible, with Bournemouth Christchurch and Poole (BCP) Council in order to ensure a consistent approach across Dorset.
- 9.8 On 14 May 2020 all local authorities received a request from the Minister of State for Care to provide assurances regarding local interventions to support residential care homes. The definition of 'care homes' within the letter includes any Care Quality Commission (CQC) registered residential care setting for an individual, or individuals, aged 18 or over and includes homes for older people, people with physical disabilities and those with learning disabilities or mental health problems. Whilst the letter and its response focus on residential care homes, the council is ensuring that all care settings are supported through the crisis.
- 9.9 The Government has also established a £600 million Infection Control Fund. Dorset Council has received an allocation of £5 million. The fund is being managed as a grant whereby 75% of the funding has been allocated to all CQC registered residential care homes based on the number of beds at the home. All conditions have been pre-set and the first tranche of this funding was provided to

care homes on 10 June 2020. The remaining 25% of funding can be allocated to other care settings. Dorset Council is working in partnership with care providers in order to establish how this will be utilised.

Controlling Spread of Infection in Care Settings

- 9.10 In March 2020, supply of Personal Protective Equipment (PPE) was an issue for providers so Dorset Council commenced direct procurement of PPE in order to ensure that adequate emergency supplies were available.
- 9.11 An emergency PPE system was implemented for providers to access 7 days a week from 8am – 8pm. To date 155,820 items of PPE has been supplied to 143 provider settings.
- 9.12 PPE supplies provided as part of the national response to support Local Resilience Forums has been incorporated into this approach, however Dorset Council has to date purchased circa £1.9 million of PPE for local care providers. The council does not charge and is not seeking to recharge providers for any PPE supplied to them as part of the emergency initiative as guided by the government.
- 9.13 The public health team, working with the regional Public Health England (PHE) health protection team, developed guidance on use of PPE in different settings, including the care sector. Dorset Clinical Commissioning Group (CCG) has also developed a clear flow chart for all providers on how to access PPE. To date no care provider in the Dorset Council area has run out of PPE.
- 9.14 Residential care homes have also received invitations to undertake additional infection control training. A total of 23 members of staff have been seconded to be trained as infection control trainers and as of 6 June, over 150 training sessions have been delivered either face to face or virtually.
- 9.15 There is an online booking portal for care homes to arrange for testing of asymptomatic residents and staff. Communication resources and FAQs to support this programme of work have been developed so that all care home leaders are clear on the purpose and consequences of the testing.
- 9.16 A process is in place for testing prior to the discharge of patients from the 3 Acute hospitals and 1 local community and mental health trust prior to admission back to the care home to meet the requirement of the Adult Social care plan.

Supporting the Workforce

- 9.17 In Dorset all direct care, e.g. home care, supported living, residential care, is delivered by external provider organisations or personal assistants.
- 9.18 One of the key areas to try to prevent the transmission of COVID-19 both within and between care homes has been to control the movement of staff. Providers with multiple homes and sites in the area also took the decision to limit staff movement between their homes. In addition, the local care agencies rapidly agreed a position to limit the deployment of agency staff to a single designated home, rather than working across multiple sites.

- 9.19 Workforce support and development has been system wide and has included:
- a) Specific action on staff well-being in mid-May. Information, resources and tools were published and promoted to care homes, including a free counselling service.
 - b) New online training resources to induct new staff, and for IPC.
 - c) Dissemination of guidance and processes. Communication co-ordinated through a central web site hosted by Dorset Council and promoted Partners in Care.
 - d) A dedicated website has also been created to host all the various training offers for the care sector.
- 9.20 The council is currently developing a care recruitment campaign with providers and local partners in order to support the recruitment of new carers. In addition, the council is working with colleagues at the CCG to ensure that volunteers and NHS returners are an available resource to the care sector.

Supporting Local Authorities and Providers of Care

- 9.21 Dorset Council provided a 10% uplift to gross fee rates for care providers of LA commissioned care, including registered care homes from 19th March. The 10% uplift is paid monthly in advance to help with cash flow. To ensure providers had clarity of financial planning to meet pressures, this was agreed until the end July. In addition, providers were offered an exceptions process where they could request further funding to meet exceptional pressures above the 10% additional funding. Because the Local Authority is procuring beds from 96% most of the local market have received financial help through this route.
- 9.22 Dorset Council has also taken the following steps in order to support the viability of care providers:
- a) Immediate payment upon invoice.
 - b) An offer to work with providers to consider additional support where they are facing cost pressures above the 10%.
 - c) Free provision of emergency PPE (in addition to the allocation via our local resilience Forum)
 - d) Continued contact with home providers to support infection control, access to PPE, training and other related quality issues coordinated with the CCG.
- 9.23 In May, the government announced that £600m was being made available via local authorities to support care homes with infection control. The council has received a £5m share which is in the process of being distributed to care homes in Dorset. The fund, which is ringfenced for social care, will ensure care homes can continue to halt the spread of coronavirus by helping them cover the costs of implementing measures to reduce transmission.
- 9.24 Adult Social Care is working with representatives from the care provider sector in order to review future funding arrangements.
- 9.25 Adult Social Care is currently running a project to understand the experience people have had during the crisis around the hospital discharge process, coming out of hospital and going into a residential setting or returning home, interim placements.

Housing and Community Safety

- 9.26 Following the government announcement on the 13 May 2020 which re-opened the housing market and with restrictions around moving house starting to be eased, the service is now focusing on moving those in temporary B&B accommodation into alternative accommodation solutions. This includes both the rough sleeping cohort and the homeless households who the council have accepted a duty towards.
- 9.27 When the lock down restrictions were announced, the Council was required to accommodate anyone who presented to them as homeless so they would not be sleeping on the streets. In some cases, people were provided with accommodation who normally would not be helped by the Council. Now the restrictions have been eased a decision has been made to only accept those to whom the Council has a legal duty. All those who were accommodated and to whom the Council would have a statutory duty have been advised that they should be seeking their own accommodation in the private rented sector and they will no longer be supported by the Council.
- 9.28 As part of the programme to move people out of B&B accommodation, adverts on the Council HomeChoice portal which advertises properties to rent from Registered Providers (RP's) will be restricted to those in the emergency band on the housing register. The only exception will be where the property has a local connection criteria or S106 clause restricting the use. If following the advert, the property is not let it will be re-advertised to everyone on the housing register. This approach will enable those in temporary accommodation (TA) to move into longer term settled accommodation, free up TA properties for those in B&B to move into. At the height of the lockdown the Council had 158 households (including 33 rough sleepers) in B&B accommodation. This number is slowly decreasing at the time of writing there are 146 households accommodated in B&B and the housing and accommodation officers are working to continue to move people into accommodation, whilst ensuring the necessary tenancy agreements, checks and deposits are in place.
- 9.29 Our RP's have advised they have a number of void properties they are preparing to advertise, however due to social distancing their teams will take longer to prepare a property for rent. The same also applies to the TA properties that require preparation before letting.
- 9.30 There are concerns from the local community about the use of some B&B accommodation in the Weymouth Seafront area where a small number of those accommodated are causing anti-social behaviour. Work is taking place with colleagues in Property Services to find alternative accommodation away from the area and outside of Weymouth. This includes trying to determine if the Council has some its own property it could use. In the meantime, work continues to take place with partners such as the Police, Probation Service, homeless support charities, drug and alcohol teams and the town council through weekly partnership meetings to discuss and resolve ongoing community concerns.
- 9.31 In response to the government guidance regarding rough sleepers and the request to ensure those accommodated are able to move into longer term settled accommodation, each rough sleeper accommodated is being supported by their

own support worker who will be working with the individual to create a plan to move out of B&B into appropriate supported accommodation.

- 9.32 Due to the restrictions introduced, a decision has been made to extend the consultation regarding the Housing Allocations Policy. So far, the Council has had approximately 600 responses. However, a process has been set up for people to request a paper copy of the consultation due to the closure of the Council offices and libraries. The consultation will now close on the 20 July 2020.
- 9.33 The Council's partners continue to monitor the impact of COVID-19 on domestic abuse services, particularly now that lockdown restrictions are being lifted. At the start of the lockdown restrictions there was no increased demand calls to support services, however the Councils commissioned domestic abuse service are now starting to report increases in people accessing services. There does however remain ample capacity for refuge.

Adult Mental Health

- 9.34 Over the past two months, there have been usual levels of safeguarding concerns being referred into the service. There are no significant increases in domestic abuse concerns being evidenced, and where they are raised, they are being progressed to safeguarding enquiries where appropriate.
- 9.35 The service has regular meetings with the community safety partnership, and with other safeguarding leads from health and the police. These forums provide local intelligence to the team about what is happening across Dorset, and to be aware of any changes e.g. rise in calls to domestic abuse services. There were some safeguarding concerns which were COVID-19 specific related to the use of PPE and following care plans by providers; however, this were largely seen at the beginning of the pandemic and has decreased.
- 9.36 The team have a weekly report of the numbers and types of concerns which are shared across the leadership team. The impact of the easing of lockdown and whether the service sees an increase in numbers and types of safeguarding concerns will be monitored.
- 9.37 At week ending 12th April we had 20 contacts to the AMHP service resulting in 16 mental health act assessments. The numbers of contacts rose dramatically over the ensuing weeks and by week ending 3rd May it was 70 contacts, 10th May 76 and by 31 May there were 109 contacts in the week resulting in 13 mental health act assessments. The majority of the contacts were for social care support or information and signposting and during this period there were 9 people needing safeguarding.

Adult Safeguarding

- 9.38 The numbers of safeguarding concerns have steadily risen since May. As at 4 May, there were 66 concerns raised, of which 44 were progressed to a decision point and 6 to a S.41 enquiry. By 8 June, concerns had risen to 94 with 54 progressed to decision point and 17 progressed to a s.41 enquiry. The key themes have been 'Neglect and Acts of Omission (14), Physical Abuse (13) Psychological Abuse (10) and Domestic Abuse (9).

- 9.39 The hospital and locality teams continue to ensure timely discharges with a 'home first' approach adopted for all to avoid inappropriate placements to a residential setting. People requiring discharge to a residential setting are tested and will be accommodated for 14 days in isolation if required in a hospital setting, if there is capacity, otherwise the accommodation has been commissioned by the council.
- 9.40 Day Centre providers, other than Tricuro, support a further 180 people. Regular checks from these providers take place for people who use their services and their families, providing opportunities to raise concerns and share good practice. Carer needs are being reviewed to ensure they have appropriate support.
- 9.41 Since the closure of the day service provision, the 670 people who used Tricuro day services and 186 people who used private providers, are all continuing to receive regular calls and direct support.
- 9.42 The locality and specialist teams continue to review and assess people, remotely where that is appropriate and where a face to face meeting is needed (for example Safeguarding and Mental Capacity assessments) then the appropriate risk assessments are completed, and staff are issued with PPE.

Shielding Cohort and Work with the Voluntary, Community and Social Enterprise Sector

- 9.43 98.3% of the 16,037 Shielded People in Dorset are aged 18 and over, so there is a large role for Adult Services in the ongoing planning and delivery of support to these individuals. Over 91% of these people aren't previously known to the service, so even if only a small proportion of these people require support the additional strain on services would be significant. As with the wider Community Shield approach, focus is placed firmly on how community and volunteers can support a preventative approach to minimise the number of people who need a more formal support intervention and to avoid creating dependency.
- 9.44 For Adults, much of the focus has been on supporting proactive contact for Shielded people, in particular those that the Government Helpline have been unable to get hold of them. Work has been done to identify those already known to Adult Services and our Locality Teams have taken lead on contacting and supporting the 1,120 people within this group. To support this, officers have worked with colleagues to design and approve a pathway for contacting these people, including how to escalate to wellbeing visit in cases where contact can't be made and there are concerns.
- 9.45 Over the weekend of 30 and 31 May the Government Advice for Shielded People changed slightly, advising them that they could go outside with one other person if they so choose. This has led to some people contacting the council with anxiety about this, particularly since initial advice came in a formal letter whereas this update was announced through the media. To compound this, government have also asked GPs and clinicians to consider individuals who should be removed from the Shielded Person list, if their medical condition has improved and they are no longer extremely vulnerable. Unfortunately, SMS text messages were sent to these individuals before health professionals could contact them, and so this has also led to an increase in contacts from people anxious at the implications of

this. Preparations have been undertaken to address this and reminding people that there are people available to talk to and to help, shielded or not. Conversations with Voluntary Sector partners take been taking place about how support could be shifted to help people get back into general society and independence with confidence.

- 9.46 Calls to the COVID-19 helpline and responses to proactive calls made to Shielded People are starting to show a rising trend in people making contact for befriending, social contact, and to report carer strain. As time passes, this is expected to continue to rise, and work is underway to more formally record and analyse these issues. Carers Support Dorset have reported a 277% rise in the number of people self-referring for support. Work is ongoing to anticipate how this will develop and to ensure signposting to self-help and support for mental wellbeing and carer support are well communicated.
- 9.47 Work is ongoing to develop how shielded and other vulnerable people can be seen in terms of the strengths they have and the assets they can contribute back to their community. However, there is a risk that COVID-19 shielded people are seen in terms of their vulnerability and not in terms of support they might be able to offer to other people.
- 9.48 The role that the Voluntary, Community, and Social Enterprise Sector has taken has been crucial in the delivery of support to Shielded people, and their resilience, flexibility, and responsiveness has made the support for shielded people successful. Taking a one-council approach, colleagues are working across the authority and the sector to consider how community can be made more central to the Adult Services offer for vulnerable people. Volunteer capacity has risen significantly, and a recent survey of Volunteer organisations carried out by Help & Kindness, an ambitious project to bring together information about all kinds of help and support that are available to people living and working in Dorset, has identified that on average these groups expect 60% of this capacity to remain even once lockdown is fully lifted. A task for Dorset Council is to work with the sector to identify continued sense of purpose for these groups and to co-produce how we as a Local Authority will work with them in future. However, we also know from a recent Dorset Community Action survey that there is fragility in the sector, with 2/3rds of community organisations reporting that they will not be able to continue for a further 12 months without emergency funding. Co-production takes time when done properly, so we also need to think about how we create the space and resilience to allow the sector

Community Shield

- 9.49 A multi-agency Community Shield group continues to coordinate the council's response to meeting the needs of extremely clinically vulnerable to COVID-19 who have been asked to shield. There are currently just over 16,000 shielded residents in Dorset, with over 1,643, who have previously been shielded during this time period. A small proportion of these people are known to children's (1.8%) and adult's services (5.5%) indicating that this is a group of people that in normal times live without support needs from the council.
- 9.50 The Ministry of Housing and Local Government (MHCLG) oversees the national programme and determines the requirements of local councils and directs how information can be used. Some elements of the shielding programme are

- coordinated at a national level and the rest locally. The national support offer includes delivery of weekly food parcels and access to priority delivery slots for online shopping.
- 9.51 The local support offer includes provision of information, advice and guidance; urgent deliveries of food and medicine; support from volunteers to pick up shopping, or medicine; peer support or befriending; and access to social care or mental health services. It is supported by a range of church, community and neighbourhood support groups as well as by Age UK, Volunteer Centre Dorset and Help and Kindness, who have been mapping and publishing local places to get help and support. Our colleague town and parish councils have also been providing local support.
- 9.52 There has been a significant amount of written, email and social media communication to inform residents how they can ask for help if the need it or offer help and support themselves. This has included a letter to the homes of all shielded residents and an email newsletter for ongoing communication. This has resulted in:
- a) 2,057 enquiries to the council's COVID-19 helpline and contact centre
 - b) 6,855 enquiries to Age UK
 - c) 1,801 enquiries to Volunteer Centre Dorset
- 9.53 To date over 9,000 of the shielded group have registered with the national programme and 4,532 have stated they needed support from the council and partners to access essential care or supplies. We have contacted all these people to undertake an assessment of their needs and continue to receive additional data feeds daily. Support to these residents has included:
- a) 17021 successful food parcel deliveries from the national shielded programme
 - b) 965 food parcel deliveries from the council, 528 were urgent
 - c) Signposting to local support organisations and businesses
 - d) Help with registering and deregistering on the government website
 - e) Keeping in touch and befriending calls made by Dorset Council staff and volunteers
 - f) Volunteers matched to shielded and non-shielded residents to help them with food/medicine collection
 - g) Increased care and support offered from council and partners
- 9.54 As well as direct support to vulnerable residents, the community shield group has developed a new online system for coordinating support, with an additional safeguarding pathway, developed a performance reporting dashboard, and developed a library of resources to support residents, volunteers and local providers.
- 9.55 Community has been essential to Dorset's response to shielded people. The flexibility, responsiveness, resilience, and collaboration of our Voluntary, Community, and Social Enterprise (VCSE) Sector has been inspiring and council officers have been able to focus effort and resources on shielded people because of the extent and quality of local neighbourhood responses led by local ward members and town and parish councils for their local communities. Improving integration with local neighbourhood and community responses is a priority for the Community Shield programme going forward as well as understanding the

impact of COVID-19 on the VCSE sector. Although volunteer capacity is at an all-time high, there are concerns about sustainability from some organisations.

- 9.56 The next steps for Community Shield are to plan for the medium to long-term support requirements for shielded people and other vulnerable groups, with particular focus on emotional wellbeing and mental health of residents; food security and support to volunteers and carers.

Schools

- 9.57 The majority of Early Years settings have been able to be open since 1 June and the council has been supporting settings with daily advice. A very small number of settings are struggling with their finances these are being reviewed on a case by case basis, exploring the options for individual support packages.
- 9.58 A subset of 30+ school leaders meet with officers on a bi-weekly basis, discussing a single county response to issues as they arise. Thus far, work has focussed on free school meals, support for school leaders, work with vulnerable children and arrangements for expanding the numbers of children in schools. These sessions have included support from Public Health and HR. All Dorset schools have been open through the period. All children will now not return to schools until at least September following the Secretary of State announcement on Tuesday 9 June.
- 9.59 Primary schools are now open for children in Reception, Year 1 and Year 6 following extensive planning and risk assessment. This has been supported at an individual level and more widely. Those who have capacity will be able to open to more children in the next few weeks and we will support this with school leaders.
- 9.60 Secondary and upper schools are planning for some face to face contact with students in Years 10 and 12 before the end of term.
- 9.61 First, Infant and Middle Schools have been asked to be able to open for Years 2, 4 and 8 to support transition work. This will be facilitated by the DFE announcement of schools with capacity being able to open for more children and the council are working with them on their risk assessment for this.
- 9.62 The council have been able to maintain very good working relationships with unions throughout the period of COVID-19. They have been supportive of staff and leaders in schools and have worked collaboratively.
- 9.63 Statutory work around special needs education, Health and Care Plans has continued. Whilst some assessment activity has been taking longer, timeliness in processing applications and reviews has been good.
- 9.64 School and SEN transport remains a challenge during rapid change of requirements around social distancing. Work continues on planning for wider opening of schools this term and in September which may have cost implications.

Safeguarding Children and Young People

- 9.65 Safeguarding arrangements continue to be a focus during the pandemic with no changes to the statutory requirements for child protection

- conferences or looked after children. Staffing levels are good and face-to face visits to children continue where it is deemed safe for employees during this difficult time. This has remained unchanged throughout the period of COVID-19.
- 9.66 The number of contacts to Children's Services has increased and the conversion rate has increased, this means that an increased number of children and families are passing through to the locality teams for assessment. The themes are domestic violence, mental health of both adults and children, adolescent self-harm and parental substance misuse.
- 9.67 Arrangements for Child Protection Conferences have continued using conference calls. All statutory agencies are expected to continue their involvement, and the police have provided reports as usual so that the Child Protection Chair is able to make an informed decision. Case conference quoracy has been maintained with partners and extraordinary measures for quorate conferences have been put in place, where a decision is needed to safeguard children.
- 9.68 The number of children subject to a Child Protection Plan has fallen from 293 to 289 as at 10 June 2020.
- 9.69 Our responsibility to review looked after children is being maintained with a combination of virtual and actual visits and reviews. Decisions on direct face to face meetings with the child are being managed on an individualised basis. In addition to Reviews in the week and preparation for up and coming reviews, Independent Reviewing Officers continue to make additional contact with young people who are placed out of county and young people who are living in semi-independent accommodation.
- 9.70 The number of children who are looked after has increased from 473 to 483 over the same period. This includes those who turn 18 and become adults and those new entrants to the care system. We have continued to admit children into care in this period. The increase in the numbers of Looked after Children are placing the placement system under considerable pressure.
- 9.71 COVID-19 has caused a contraction in the placement provider markets and suitable placements have been harder to source and are also more expensive. Internal foster care placements have been restricted due to shielding, however, placement stability has remained relatively unchanged and has improved in some cases.
- 9.72 A small number of young people are awaiting a match to a suitable placement. A new [Foster for Dorset recruitment campaign](#) has been launched and new assessments are continuing within social distancing frameworks, there has been an increase in applications to foster but also an increase in applications to adopt via Aspire, the regional adoption agency.
- 9.73 All care leavers continue to receive support from their Personal Advisor (PA), through phone calls asking what the PA can do to support them e.g.

shopping, medicine, but also to ensure they get medical advice if they need it.

- 9.74 The pan-Dorset Children’s Safeguarding Partnership retains its statutory function and new working arrangements are being developed through this period, prioritising key current issues, such as concerns about the increased risk of domestic abuse. Weekly operational and strategic meetings are in place to ensure a robust and co-ordinated response to support vulnerable children and families.

The challenges this crisis has placed on families is recognised and the council is a partner to a local campaign on domestic abuse [#youarenotalone](#) and are supporting children and families for whom this is a reality.

- 9.75 There have not been significant pressures in respect of workforce. Permanent posts within children’s social care have continued to be recruited to, and both newly qualified and experienced social workers will be joining the council in September.

Safe Open Spaces

- 9.76 May and June saw several incidents across Dorset following a long spell of warm and dry weather. Each of these incidents required a coordinated response from the council along with partners across the Local Resilience Forum (LRF).

- a) Fire at Wareham forest

During the weekend of 16 May, a heathland fire broke out in Wareham Forest which required a multi-agency response and a significant area of the forest was destroyed. Further fires flared up during the 3 weeks following this and significant public messaging was shared to discourage residents and visitors from using BBQs within woods and forests. These incidents have been responded to as concurrent major incidents alongside the response to COVID-19.

- b) Fires caused by out of control bonfires and barbeques

Throughout May there was an increase in the number of fires caused by barbeques and bonfires during a spell of dry weather. On 15 May, the fire Service were called to 18 fires caused by disposable barbeques and unattended bonfires. This has been compounded by the surge of visitors to Dorset and the concurrent heathland fire in Wareham Forest. Multi-agency public messaging continues to be shared to discourage people from having bonfires and using disposable barbeques, and Dorset Council have added signs to prohibit barbeques and fires in wooded areas. A separate report is included on this Cabinet agenda.

- c) Significant influx of local people and visitors from out of county to Dorset

A major incident was declared at Durdle Door, Lulworth over the weekend of 30 May, following incidents of people jumping from the top of Durdle Door and sustaining significant injuries. On that day, there was an estimated 9000 people on the beach and on the cliff, however due to the change in the national lockdown rules, Police no longer had powers to prevent people from travelling to Dorset.

A joined up communications campaign was run asking people to “Think Twice, is it safe? Is it fair?” to reduce the number of visitors. Cllr. Spencer

Flower, Leader of the Council wrote to the Prime Minister, Boris Johnson, and all Dorset MPs on 1 June requesting a review of the unrestricted travel guidelines. A response has not yet been received.

On 5 June, representatives from the council, Police, Lulworth Estate and the South West Ambulance Trust agreed a joined up approach to manage future visitor numbers through a pre-booked car parking scheme and for marshals to be on site to warn people of the dangers of tombstoning and to encourage visitors to take their litter home.

- d) Hazardous parking on roads and overwhelming of car parks
 During May there were several incidents of irresponsible parking on roads and of car parks being overwhelmed. This was a particular problem in Lulworth and in West Bexington where the decision was taken on more than one occasion to close the car parks and roads in response to major incidents. Traffic management measures were introduced from 6 June including an increase in marshalling and civil enforcement officers to issue fines to people who park illegally and dangerously.

Financial Support to Local Businesses

9.77 Dorset Council continues to distribute grants to qualifying businesses and as at 12 June the council has made 8,450 grant payments to businesses in the Dorset Council area. These payments total £100.7m.

9.78 Further to the business grants distributed by Dorset Council on behalf of the government, a secondary scheme was announced in the form of a £6m discretionary grant fund for Dorset. The funding is designed to help small businesses which did not meet the criteria for the first round of funding which targeted Small Businesses in the Retail, Hospitality and Leisure sector. Applications were invited from qualifying businesses from 1 - 14 June. In total, 2,126 applications were received and payment will be made to successful applications in late June and early July.

Financial Implications for the Council

9.79 The latest modelling indicates that the Council's response to COVID-19 will create a budget gap of £60m. Government has already provided additional non-ringfenced funding of £21.1m, which means that Dorset Council's forecast overspend is approximately £38.9m (13%).

	£'m	Notes
Estimated lost Income	28	Council Tax, Business Rates, car parking and other commercial income
Additional Expenditure	26	Adults & Children's social care buying more care placements at a higher price, PPE, chilled storage for excess deaths and staffing costs
Transformation and other Efficiencies not achieved	6	Management and change capacity has been refocused on responding with the COVID-19 crisis
Total	60	

- 9.80 It is anticipated that the majority of the £60m will be incurred in the first 4 months of the financial year, meaning that the budget gap is currently increasing at the rate of £15m per month.
- 9.81 The long term cost pressures faced by the Council are of real concern. The Council has made a time limited increase to the price it pays for Adult Care of 10% as instructed by MHCLG. The cost of this increase is initially being funded from the £21.1m allocated by Government. However, if this price increase were to be sustained beyond the immediacy of the COVID-19 crisis, the budget pressure would equate to a 4% increase on residents' annual council tax bills alone.
- 9.82 Dorset Council's 2020-21 budget included reserves of £28m and this is being used to underpin the council's financial position. The council will continue to meet its obligations but, like all councils in the country, is reliant on continued government financial support to ensure its viability in the medium term.
- 9.83 In addition to the non-ringfenced funding, the council has received ring-fenced funding of:
- £1.3m 'test and trace' funding to contribute to the costs incurred in relation to the mitigation and management of local outbreaks of COVID-19
 - £0.3m to support the recovery of the high street
- 9.84 The council is also administering the distribution of grant funding on behalf of government. The costs of administration are being met by the council. The two grants are:
- £133.8m of grants to local businesses in the retail, hospitality and leisure sectors
 - £5.1m of funding to the local care sector to contribute to the increased costs of infection control

10 Recovery Strategy and Plan

- 10.1 As referenced in the previous report to Cabinet on 5 May, the Dorset LRF Recovery Coordinating Group (RCG) is now established and is chaired by John Sellgren, Executive Director for Place. It has, according to the national LRF framework and guidance, produced its strategy setting out the aims and objectives for recovery in Dorset, and is now developing the multi-agency groups and action plans that will deliver these aims.
- 10.2 The RCG has taken the deliberate approach to be agile and dynamic, taking on board lessons learnt, experience and emerging policy as it develops. This is necessary because so much is unknown about how long the response phase will last and how recovery will develop at a national and local level.
- 10.3 The accepted definition of Recovery in LRF terms is the process of rebuilding, restoring and rehabilitating following an emergency and the plan to get back to 'normal' community functioning. However, it is also an opportunity to improve, and Reset for communities and organisations, making the most of the opportunities presented by the disruption and subsequent ways of working to create a new normal that aligns with and informs existing longer term strategic goals.

- 10.4 The published overarching aim of the RCG is that “after COVID-19 Dorset communities will be more cohesive, resilient and sustainable, and Dorset will remain a safe, vibrant and beautiful place to live, work and visit.
- 10.5 Having addressed the unprecedented impacts of the Coronavirus (COVID-19) through highly successful partnership and community cooperation, the aim of the recovery work is to define and achieve a new state of normality while living with COVID-19.
- 10.6 This new state of normality will have captured the lessons from the response phase and embedded them into our culture of empowered community focus, supported by effective partnership working across all sectors; public, private and voluntary.”
- 10.7 The RCG has created a set of sub groups which will develop detailed actions plans and deliver the work required, with the RCG overseeing overall progress, and in turn reporting into central government and regional recovery structures.
- 10.8 The sub groups established are; Welfare, Community, Economy, Environment, Communications & Engagement, and Information & Learning. Dorset Council officers are involved in all of these groups as a key member of the RCG.
- 10.9 The RCG does not replace individual agency recovery plans for their own organisations, instead there should be alignment of strategic objectives, which in turn should fit with the existing long term priorities for Dorset.
- 10.10 The Senior Leadership Team has therefore initiated work to develop the recovery plan for Dorset Council. On the one hand it will align with the RCG work focused on supporting Dorset’s communities in recovering from the effects of COVID-19, and on the other hand, it is the first of three stages for Dorset Council, as set out in the diagram below.

Recovery

A process which allows the organisation to attain its proper level of functioning



Reset

A process for adjusting to the current circumstances



Transformation

A shift in the business culture of an organisation resulting from a change in the underlying strategy and processes



- 10.11 An Executive Advisory Panel has been established to guide the officers’ work on recovery. This panel will consider plans, monitor implementation and ensure the work is completed to achieve normal operations. Like the RCG, the EAP will focus on the following workstreams, Community, Economy, Workforce, Partnerships,

Learning. Progress of the work on recovery will be reported back to Cabinet in future reports.

11 Organisational reset

- 11.1 Dorset Council is using the term organisational reset to describe the activities it is undertaking or has undertaken to comply with COVID-19 guidelines and regulations with regard to workspaces for staff and when reopening public facing services in line with easing of lockdown restrictions.
- 11.2 Work is well underway to prepare COVID-19 secure workspaces for the very small number of people who cannot work from home. Complying with these guidelines means implementing many changes, one example is that desks have to be allocated to an individual and cannot be shared or used as hot desks.
- 11.3 The vast majority of “pre-COVID office-based staff” approximately 2,500 are working out of their homes now daily. A process for distributing ICT and other equipment to support good home working practices has been put in place and requests for a monitor, mouse etc are being fulfilled.
- 11.4 Organisational reset is about processes and procedures to support staff and the public while we live with COVID-19. Having redeployed many staff into new roles to support additional or extended service provision, the council is now examining ways to maintain new digital service offerings implemented during lockdown alongside traditional service offers, whilst at the same time recognising that more resources are needed to operate services in COVID-19 compliant ways.
- 11.5 Updates from the transformation board about organisational reset will be reported back to Cabinet at future meetings.

12 Transformation

- 12.1 Before the pandemic, several transformation fund bids had successfully proceeded through gateway 1 and 2 and therefore had allocated funding to support their progress and deliver revenue savings. Progress with these projects such as the planning system convergence and others have continued and broadly remain on track.
- 12.2 During COVID-19, no new bids to the transformation fund have been progressed rather, the change team have been supporting the many transformations the council has undertaken to respond to the pandemic and support the communities of Dorset by providing alternative service offerings. Some examples of these are the creation of Skype video rooms to support the family courts process and the digitisation of many paper-based services.
- 12.3 The transformation board has been overseeing work within organisational reset and are beginning to examine how the council evolves from the COVID-19 response, rather than merely just return to a pre-COVID state. There is a huge opportunity to learn and build on the changes that have been made and over the coming weeks the original transformation plan agreed at Cabinet in November 2019 will be reviewed to check it is ambitious enough given the huge changes the organisation has undergone in the past 3 months. The output of this work will be brought back to Cabinet at a future meeting.

13 Update on delegated decisions

- 13.1 Between 16 March 2020 and 20 April 2020 as part of the Council's response to the COVID-19 pandemic officers took 32 urgent or emergency key decisions. These key decisions, along with other decisions not amounting to key decisions, were recorded in decision logs.
- 13.2 These 32 key decisions were published on the [Dorset Council website](#) and were reviewed at the [Resources Overview and Scrutiny Committee](#) on 2 June.
- 13.3 Between 21 April 2020 and 10 June 2020, a further 10 delegated decisions were taken and have been published on the [Dorset Council website](#) in accordance with the Constitution. These were in relation to:
- a) Closure of all public toilets
 - b) Implementation of DfE guidance
 - c) Reopening of household recycling centres
 - d) Coordination of schools and educational settings
 - e) Enforcement of the public space protection order on beaches
 - f) Reopening of some beach car parks
 - g) Reopening of public toilets
 - h) Closure of the two care hotels
 - i) Road closures at Durdle Door
 - j) Road closures at West Bexington.

14 Equality Impact Assessment

- 14.1 Equality implications of decisions taken as part of the emergency response have been considered for each decision and an equality impact assessment has been undertaken where a planned change was implemented to how a service is delivered. Completed EQIAs are published on the [Dorset Council website](#). Further detail on this is available in the separate equalities report on today's agenda.
- 14.2 In the case of urgent decisions taken in an emergency situation, such as the challenges at Durdle Door requiring immediate road closures, a full equality impact assessment was appropriately not completed. Instead, consideration of the implications were recorded as a part of the delegated decision taken during the emergency. Further detail on this is available in the separate equalities report on today's agenda.

Footnote:

Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

Cabinet 30 June 2020

COVID-19: How well has Dorset Council responded to meeting the needs of vulnerable groups during 'lockdown'?

For Decision

Portfolio Holder: Cllr P Wharf, Corporate Development and Change

Local Councillor(s): All

Executive Director: Aidan Dunn, Executive Director, Corporate Development

Report Authors: Paul Iggulden (Consultant, Public Health Dorset), Rupert Lloyd (Programme Coordinator, Public Health Dorset), Susan Ward-Rice (Corporate Policy & Performance Officer, Equalities)

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Report Status: Public

Recommendation: That Cabinet:

- Note the initial impact of the 'lockdown' phase of COVID-19 on vulnerable groups in Dorset (attached at appendix 1);
- Note the findings of a series of round-table discussions with Councillors (summarised at Appendix 2);
- Agree that the council needs an ongoing assessment of the impact on vulnerable groups through subsequent phases of the pandemic;
- Agree the action plan outlined at section 5 appendix 1; and
- Note that this initial assessment has been undertaken largely by staff 'released' from core roles to assist with the covid-19 response; the actions set out in section 5 will require appropriate resourcing and oversight.

Reason for Recommendation: To ensure that Cabinet is aware of the impact of COVID-19 on Dorset's vulnerable communities and responds accordingly.

1. Executive Summary

On 5 May 2020, Cabinet received a report on the Council's response to COVID-19, which referred to an equality impact assessment (EqIA) of the pandemic on Dorset's most vulnerable communities. Since that meeting, officers have undertaken an initial assessment of the 'lockdown phase' in Dorset, which has included local and national research, discussions with partners and round-table meetings with Councillors. The assessment is attached at appendix 1.

This initial review is very much a qualitative exercise, based on a constantly evolving situation. New evidence is emerging on a regular basis about the nature and extent of the pandemic, and feedback from Councillors on the situation in their wards as they develop have been hugely helpful. As such, this EqIA should be viewed as very much a 'live' document that is designed to inform decision-making during the coming phases of COVID-19.

Recent national research shows that the pandemic is having particularly adverse impacts on people with certain characteristics. Older people are at greater risk than younger people for example, and men are at greater risk than women. The risk of dying from COVID-19 is higher amongst those living in deprived areas than those living in more affluent areas, and higher in Black, Asian and Minority Ethnic (BAME) groups than in White ethnic groups¹.

Given this evidence, it is more important than ever that we look to understand the impacts of the pandemic on potentially vulnerable communities, and seek to mitigate those impacts where possible. An action plan is being developed and is summarised in the assessment at appendix 1, section 5.

2. Financial Implications

There are no financial implications as a result of this report. As reported at the Cabinet meeting in May, the full financial impact of the pandemic on Dorset Council is still being assessed. There will be a significant impact from the suspension of income generating services, additional expenditure and incurred, and planned transformation savings not achieved. These will require mitigation during 2020/21 (and beyond) once the full compensation package from central government is known.

3. Climate implications

¹ Public Health England; Disparities in the risk and outcomes of Covid-19 (June 2020)

There are no climate implications as a result of this report.

4. Other Implications

The public health implications of COVID-19 are ongoing, and Public Health Dorset has been central to the development of this assessment. The assessment has identified implications for all aspects of the Council's business, and its relationships with partners across the health and social care system, and within the voluntary and community sector.

5. Risk Assessment

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: HIGH

Residual Risk: MEDIUM

6. Equalities Impact Assessment

The assessment will be reviewed by the council's Equality and Diversity Action Group on 25 June.

7. Appendices

- i. Initial Equality Impact Assessment and Action Plan
- ii. Feedback from the Councillor Round-Table Meetings

8. Background Papers

- i. COVID-19 Response (Cabinet, 5 May 2020, item 7)

9. Introduction

- 9.1 As part of Dorset Council's response to COVID-19 several action groups (known as 'cells') have been established to manage the council's response. One of these is the Community Shield Cell, which is a multi-agency group responsible for ensuring vulnerable people in Dorset are cared for and supported during the pandemic.

- 9.2 The group is made up of several sub-groups, one of which is the Mental Health & Safeguarding Sub-Group. This Sub-Group initiated developing an Equality Impact Assessment. The assessment has two aims:
- To highlight groups of people in the Dorset Council area who are, or could be, vulnerable during the 'lockdown' period; and
 - To record how these people are being supported, identify any gaps in that support and identify possible actions for mitigation.
- 9.3 The Member Champion for Equalities and Diversity convened a meeting of Councillors on 28 April to discuss an initial draft of the assessment, and this conversation proved so useful it was proposed a series of round-table meetings be organised so that all Councillors could provide insights into the impact of COVID in their wards.
- 9.4 The meetings were an opportunity to:
- Share work that has been done on the Equality Impact Assessment; and
 - For officers to hear from Councillors about their experiences of the impact on their wards. A summary of the discussions is attached at appendix 2.
- 9.5 The key themes to emerge from the Councillor discussions were:
- The voluntary and community response:** How communities and organisations have responded to support vulnerable people is seen as overwhelmingly positive, and Members would like to explore how they and others can maintain some of the positive features of lockdown.
 - Mental health:** There is widespread concern about the impact of lockdown on mental health and wellbeing of vulnerable people and people who have or will be affected financially.
 - Young people:** Lockdown was viewed as having had a significant negative impact on young people, in particular on their mental health.
 - Hard to reach:** Many vulnerable people have been supported, but there is concern that some people who could benefit from help are reluctant to ask for help or 'admit' that they are in need.
 - Economic vulnerability:** There has been significant emergent impact on individuals and families who are economically vulnerable and have been affected by loss or reduction in their income e.g. furlough, redundancy. It is anticipated that this impact will grow. One councillor said *'I tour my patch regularly on foot ...and some young people I've spoken to are in a real mess. I'm seeing real evidence [of hardship]'*

- vi. **Digital exclusion:** Many services and organisations have been effective in engaging and supporting people online, but there is concern that a significant number of people are excluded from accessing digital services.
- vii. **'Hidden abuse':** There is concern about 'hidden' domestic abuse where victims have been at risk during long periods when they have been unable to leave their homes.

9.6 The meetings were also an opportunity to highlight some of the incredible support being delivered by a wide range of system partners. Numerous mentions were made of parish and town councils, local food banks, community pubs and shops, town-based organisations, and voluntary and community organisations operating at both local and county levels. Some of the comments made at the meetings were:

'Everybody has gone above and beyond ...there's been a real resurgence in community spirit. We need to look for a way to continue that. I hope that as Councillors we can encourage our residents to keep that spirit. People seem to have started liking each other again!'

'Big thanks to the community!'

'[Our response has] put a human face on the council'

'We need to get a bit more canny about how we encourage volunteers, particularly those that might not have been volunteers before'

'The lived experience is that there's been a real upsurge in community spirit and kindness. Long may that continue'

'As a community, we've really come together well'

'Could you call it a wartime spirit?! Whatever it is, it's been amazing'

10. Next steps

10.1 The impact assessment attached covers the lockdown phase of the pandemic. It will need updating as the phases change, and the findings influence how the council and its partners plan their recovery, and respond to any further outbreaks. It will be discussed by the People Overview Committee at its meeting in July, and an update will come back to Cabinet later this year.

Footnote:

Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

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Equality Impact Assessment (EqIA)

Before completing this EqIA please ensure you have read the guidance on the intranet.

Initial Information

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Date assessment started:	16 April 2020
Date of completion:	
Version Number:	1

Part 1: Background Information

Is this (please tick or expand the box to explain)

Existing	
Changing, updating or revision	
New or proposed	X
Other	

Is this (please tick or expand the box to explain)

Internal (employees only)	
External (residents, communities, partners)	X
Both of the above	

What is the name of your policy, strategy, project or service being assessed?

Covid 19 - How well has Dorset Council responded to meeting the needs of vulnerable groups?

What is the policy, strategy, project or service designed to do? (include the aims, purpose and intended outcomes of the policy)

<p>The purpose of this EqIA is to assess how well Dorset Council responded to meeting the needs of vulnerable communities in Dorset during the COVID-19 lockdown period.</p> <p>This impact assessment has been developed using the following methods:</p> <ul style="list-style-type: none"> • Desk-top analysis of current guidance, findings and research (both local and national). • Feedback and evidence from partners involved in the Community Shield Cell. • Feedback from councillors via virtual roundtable discussions. <p>This initial impact assessment is very much a qualitative review on a constantly evolving situation with new evidence emerging on a regular basis about the nature and extent of COVID-19. As a result, this EqIA should be viewed as very much a 'live' document and be used by the council and partners to inform decision-making during the different phases of COVID-19. Mitigating actions are being developed where necessary and are summarised in the action plan of this assessment under three themes:</p> <ul style="list-style-type: none"> • Short term improvements responding to lockdown phase • Areas where more information is required to inform actions • More work is required to shape action in response to medium/long term impacts of lockdown <p>These results of these actions should be considered in future planning of services in relation to COVID-19.</p> <p>As part of Dorset Council's response to COVID-19 several action groups (known as cells within the council) have been established, this includes the Community Shield Cell, who are responsible for ensuring vulnerable people in Dorset are cared for and supported during the COVID-19 pandemic. The Community Shield cell has worked both across the council and with community, voluntary and faith sector in responding to need.</p> <p>The Community Shield Cell is made up of several sub-groups, one of which is the Mental Health & Safeguarding Sub-Group, this group initiated developing an Equality Impact Assessment. The assessment has two aims:</p> <ul style="list-style-type: none"> • To highlight groups of people in the Dorset Council area who are, or could be, vulnerable during the 'lockdown' period. • To record how these people are being supported, to identify any gaps in that support and identify possible actions for mitigation. <p>This EqIA does not use the normal template for Dorset Council EqIAs, as the response to the pandemic is evolving, there is not enough information or data to comment on whether the impact is positive/negative/unclear or neutral, as such the following table has been devised and headings used to assess impact. In addition, the protected characteristic groups have also been broken down into sub-groups e.g. age includes children and young people, working age, older people etc.</p>	
Table heading	Definition
Protected Characteristic	Protected characteristics as listed in the Equality Act 2010 and additional characteristics that Dorset Council has identified as important when making decisions.
Vulnerable population sub-group	This is a more detailed description of some of the groups of people in Dorset who fall under the broader protected characteristic definitions
Why might they be vulnerable?	This is a description of how, and why, people could be vulnerable during the period of lock down and social distancing.
Description of current (DC/system partners) activity	This is a record of how vulnerable people in each category are being supported by Dorset Council and others.

Informing	This column records how we are doing at informing each group about our/others response and the support available to them.
Responding (to requests)	This column records how we are doing at responding to each group and dealing with requests for support to meet their particular needs.
Asking	This column records how we are doing at asking or engaging with each group on what support they might need in future
Mitigating action	This column is for suggesting any action that might be needed to enhance our response to the needs of group.

Also, a RAG (Red, Amber & Green) status has been used to assess the Informing, Responding and Asking boxes and the RAG status has been defined as:

- Red – a major concern
- Amber – potential issue and may need to be considered in the future
- Green – no concerns.

It should also be noted that coronavirus will affect people differently and existing inequalities may deepen, and some people may become even more marginalised especially those with multiple protected characteristics e.g. race and disability which is also known as intersectionality, at this present time, this EqlA has not considered the cumulative impacts on different groups, but this should be considered in future EqlAs.

This EqlA covers just the 'lockdown' period and that further EqlAs may need to be undertaken as the next phases of COVID-19 develop.

What is the background or context to the proposal?

Coronavirus disease 2019 (COVID-19) is an infectious disease caused by severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2). The disease was first identified in 2019 in Wuhan, China and has since spread globally, the first confirmed cases in the UK were recorded at the end of January 2020 and on the 12 March 2020, the World Health Organisation (WHO) declared the risk and spread of the disease as a pandemic.

On the 23 March, the UK government imposed a 'lockdown', banning all 'non-essential' travel and contact with people outside one's home and closing non-essential businesses, venues, amenities and places of worship.

COVID-19 can make anyone seriously ill, but for some people the risk is higher. The NHS have defined two levels of risk:

- very high risk (clinically extremely vulnerable)
- high risk (clinically vulnerable)

A full list of who is potentially included in each of these levels of risk can be found on [NHS.UK - people at higher risk from coronavirus](https://www.nhs.uk/conditions/coronavirus/high-risk/). Those who were considered vulnerable were asked to 'shield' by the NHS or Government, these people could register on the Gov.uk website and would be able to:

- get a weekly box of basic supplies
- get priority for supermarket supplies
- ask for support around basic care needs.

They were advised to shield and stay shielded for at least 12 weeks.

As the COVID-19 pandemic has evolved emerging data is starting to show that COVID-19 is having adverse impacts on people with certain characteristics. Public Health England in their recent [research](#) have found that:

- COVID-19 diagnosis rates increased with age for both males and females
- Working age males diagnosed with COVID-19 were twice as likely to die as females
- Among people with a positive test, when compared with those under 40, those who were 80 or older were seventy times more likely to die.
- People from Black ethnic groups were most likely to be diagnosed. Death rates from COVID-19 were highest among people of Black and Asian ethnic groups.
- An analysis of survival among confirmed COVID-19 cases and using more detailed ethnic groups, shows that after accounting for the effect of sex, age, deprivation and region, people of Bangladeshi ethnicity had around twice the risk of death than people of White British ethnicity. People of Chinese, Indian, Pakistani, Other Asian, Caribbean and Other Black ethnicity had between 10 and 50% higher risk of death when compared to White British
- People who live in deprived areas have higher diagnosis rates and death rates than those living in less deprived areas. The mortality rates from COVID-19 in the most deprived areas were more than double the least deprived areas, for both males and females.
- There were 54 men and 13 women diagnosed with COVID-19 with no fixed abode, likely to be rough sleepers., this estimate to represent 2% and 1.5% of the known population of women and men who experienced rough sleeping in 2019.

The results of this very recent research need to be considered and future work should consider that some population groups are more adversely affected by this virus.

On the 10 May 2020, the Government began a partial lifting of 'lockdown' with people who could not work from home being allowed to go to work and people being able to travel to destinations for exercise.

Following the global escalation of COVID-19, Dorset Council established a weekly Corporate Incident Management Team (IMT) on 26 February, the purpose of this group was to coordinate activity for the lifecycle of the incident.

The Community Shield Cell was established in mid-March and was responsible for the provision of food, medicine and emotional support to individuals and families on the Government shielded list.

The Community Shield Cell set up seven subgroups:

- COVID-19 support helpline and email hub
- Delivery network spoke model
- Medicine supply chain
- Food supply chain
- Mental Health Support and Safeguarding
- Volunteer Network
- Production and Management of Data

Further information about the work of each of these groups and Dorset Council's response to COVID-19 can be found in the following committee reports:

- [Dorset Council Cabinet - Covid 19](#) (Dorset Council Cabinet meeting held on the 5 May 2020)
- [Resources Scrutiny Committee - Covid-19 response](#) (Dorset Council Resources Scrutiny Committee held on the 2 June 2020).

Part 2: Gathering information

What sources of data, information, evidence and research was used to inform you about the people your proposal will have an impact on?

The following sources of data have been used:

- Census and Office for National Statistics (2011-2018) taken from [Dorset Insight](#) State of Dorset 2019
- Information collated by the sub-groups within the Community Shield Cell at Dorset Council
- Local Government Information Unit (LGIU) Briefing Note: Local government and COVID-19 - issues for disadvantaged groups (April 2020)
- Devon County Council: Equality, diversity & inclusion considerations for Pandemic Incident Management (April 2020)
- Dorset Race Equality Council: Covid-19 Dorset Ethnic Minority Communities Need Assessment (April 2020)
- Equality & Human Rights Commission - [response to Covid-19](#)
- The Women and Equalities Committee has launched an inquiry to [monitor the impact of the emergency legislation on people with protected characteristics](#)
- Public Health England; [Disparities in the risk and outcomes of Covid-19](#) (June 2020)
- The Equality Act 2010 and Public Sector Equality Duty - guidance notes
- Information gathered from roundtable discussions with councillors

What did this data, information, evidence and research tell you?

This data has helped to inform who are Dorset residents and who are some of more vulnerable groups within Dorset, this led to the development of information that is include in Part 4 of this assessment.

This information also helped to aid discussion both with the Community Shield group and the Councillors virtual roundtable discussions.

Is further information needed to help inform this proposal?

Yes, both Part 4 of this impact assessment and Part 5 - Action plan identify that there are population groups that we do not have information on and at present cannot assess the impact council response has had. In addition, the views of our stakeholders have not yet been sort. This is an initial impact assessment of a constant evolving situation with new evidence emerging regularly. As such, this impact assessment should be viewed as a 'live' document and be used during the different phases of COVID-19 to inform decision making and future planning.

Part 3: Engagement and Consultation

What engagement or consultation has taken place as part of this proposal?

The initial desktop analysis was developed during April 2020, this was shared with the following for information and feedback:

Date	Activity
April - ongoing	Mental Health & Safeguarding Sub-Group: Initiated the development of the EqIA, group members have assisted with scoping and populating Part 4 of this impact assessment and have also provided quality assurance.
28 April 2020	Virtual roundtable discussion with Dorset Council Councillors: Deputy Leader, Portfolio Holders for Adults & Social Care and Children, Education & Early Help and elected members from the Equality, Diversity & Inclusion (EDI) Executive Advisory Panel.
Mid-May 2020	Draft EqIA circulated to the different sub-groups of the Community Shield Cell for comments and feedback.
18 May- 3 June 2020	Virtual roundtable discussions with councillors. 6 virtual discussions took place, using NHS Dorset localities (East, North, Mid, Purbeck, West and Weymouth & Portland) to group councillors. All 82 councillors were invited to attend one of these sessions. The focus of these discussions was so that councillors could provide insights into the impact of COVID-19 in their wards and feedback on the draft EqIA.
9 June 2020	Discussion of final draft at Mental health & Safeguarding Sub-Group of the Community Shield Cell
10 June 2020	Discussion and feedback at Community Shield Cell meeting

How will the outcome of consultation be fed back to those who you consulted with?

Councillors have been sent notes from the roundtable discussions and a summary of all the session which included key themes has been circulated and is attached to this EqIA (Appendix 1).

Please refer to the Equality Impact Assessment Guidance before completing this section.

Not every proposal will require an EqIA. If you decide that your proposal does **not** require an EqIA, it is important to show that you have given this adequate consideration. The data and research that you have used to inform you about the people who will be affected by the policy should enable you to make this decision and whether you need to continue with the EqIA.

Please tick the appropriate option:

An EqIA is required (please continue to Part 4 of this document)	<input checked="" type="checkbox"/>
An EqIA is not required (please complete the box below)	<input type="checkbox"/>

Part 4: Analysing the impact

Protected characteristic	Vulnerable population sub-group	Why might they be vulnerable?	Description of current Dorset Council and/or partner activity	Assessment			Mitigating action
				Informing	Responding (to requests)	Asking	
Age	Children and Young People	<ul style="list-style-type: none"> · Children & young people (CYP) are likely to be experiencing worry, anxiety and fear and this can include types of fear experienced by adults e.g. fear of medical treatment, fear of dying. (WHO; 2020). · Children and young people's anxiety may be heightened by parents/other adults anxiety and discussion of COVID 19 · With the closure of schools and youth settings, CYP may no longer have a sense of structure and stimulation and less opportunity to be with friends to get social support. · Being at home can place some CYP at increased risk from safeguarding incidents including domestic abuse, online abuse, cyberbullying, access and concerns about not having access to food. · Some CYP don't see that they are particularly at risk and therefore may not keep themselves and others safe. · Homeless young people who don't see themselves at risk of the Coronavirus may not follow self-isolation guidelines, putting themselves, general public and support staff at risk. · The long-term impact of prolonged isolation and the potential loss of the school structure for such a significant period of time may lead to poor mental health and wellbeing. · The transition of moving from primary to secondary school and finishing secondary school may have an impact on mental health. · Insufficient ICT equipment in homes (especially low socio-economic) to access school support and education resources - Legal case taking place against LB of Southwark on local authorities to provide a suitable education for children, whether inside or outside school and provide access to equipment and the internet. · Children and young people who were not engaging with school before lockdown/school closure are difficult for teaching staff to reach or check-in with. - Young people leaving education may not be able to access opportunities to develop their CVs or support accessing employment opportunities 	<ul style="list-style-type: none"> · Schools & Childcare settings only open to the most vulnerable CYP or whose parents are critical workers. Government have defined both critical workers and vulnerable CYP and this is listed on the Dorset Council website. · Schools have stayed open for vulnerable CYP and CYP of critical workers. Redeployed Council employees are working in schools to supporting teaching staff with vulnerable CYP. · Dorset Council is working with local schools to provide meals to CYP who receive 'free school meals' - E-vouchers are now being provided to families. · Schools are contacting families directly with information on how to support CYP's learning. · Arts, crafts & games resources are available on Dorset Council website. · Over 270 laptops and tablets have been reconditioned and given to CYP to support on-line learning. · Over 30 mobile phones purchased and given to young people in care to enable them to have video contact with parents and friends. · Chat Health (11-19yrs) and Kooth provide online and text message mental Health support. · Dorset Council's Educational Psychology Service has launched a helpline for parents and carers supporting young people during lockdown. Targeted face to face support is being offered by youth workers to support children who are finding it difficult to isolate. · Communications campaign for parents and carers about staying safe online and reassurance that services are still here to help them both digitally and face to face · Successful bid to the DfE for laptops and 4G access for children who would most benefit in partnership with schools 				Working with schools and childcare settings to welcome as many children as they can back to school before the summer holidays, prioritising those who would benefit most and tracking contact that has been made with children and families.

				Assessment			
Working age adults	<ul style="list-style-type: none"> · COVID-19 is having an unprecedented effect on working life. Large numbers of the workforce are likely to be absent at any one time as the virus spreads. This will include not only those who become ill or must self-isolate but with the closure childcare settings and schools many workers may not be able to work or will be balancing work from home with caring responsibilities. · People having the digital skills to work remotely, digital use is busy in households. · People being furloughed for long periods of time and issues this brings in terms of social isolation, loss of structure and support networks and financial insecurity. · University students working from home, also a significant number have lost jobs · Working age men: National research indicates that this group is a known high risk group for suicide. Whilst less likely to be in the vulnerable category eligible for targeted support, the implications of mental ill health are high, particularly for those that have been negatively impacted by loss of earning. Social connecting activities such as Men in Sheds, Men's mental health support will be unable to meet. 	<ul style="list-style-type: none"> · Dorset Council set up a helpline (8am-7pm), 7 days a week along with an email address. The helpline is to support people of all ages with access to food shopping and delivery, medication collection, befriending and other volunteer support activities such as dog walking. · As of 19/05/20, 1,696 incoming calls received from vulnerable people, 3,838 proactive calls to see if vulnerable people were ok and determine their needs. Dorset Council webpages have had over 266,000 views. Over 40,000 people are receiving regular updates through different social media platforms. · Dorset Council sent Council postcards to all residents in Dorset with advice and contact information, including Helpline number and opening times. · Dorset HealthCare has set up website with specific information and advice on mental health & wellbeing, this also includes 24hour helpline - Connection for urgent mental health support. · 1/05/20 - letter to be sent all shielded and vulnerable residents with updates on where to get help and advice (Being sent to 15,000 people - 4,000 via post and 11,000 via email). Letter will also be distributed to Town and Parish Councils for them to distribute locally. As of 19/05/20 Dorset Volunteer Centre continue to coordinate 1,779 local volunteers to support vulnerable residents. · Age UK (North, West & South Dorset) have set up helpline taking calls from isolated people and signposting to agencies and linking with Adult Social Care when required. As of 19/05/20 Age UK have made 6,900 outbound phone calls to vulnerable people offering a befriending service and have received 3,800 incoming calls. · Dorset Digital Hotline has been established, a volunteer led helpline providing support to people to get online. Phone support available Mon-Fri 10am-12pm. As of 27/04/20 over 50 calls received. 					
Older people who live alone	<ul style="list-style-type: none"> · increased risk of loneliness and isolation if they choose to stay at home, because of the closure of social and leisure activities. · May have been advised to self-isolate by the government, immediate family/friends not able to visit. · May not have digital skills or afford to access digital provision to stay virtually in touch with friends and families. - Older people may be less able to use cashless 	<ul style="list-style-type: none"> · Age UK (North, West & South Dorset) have set up helpline taking calls from isolated people and signposting to agencies and linking with Adult Social Care when required. <p>Covid-19 Support groups developed across Dorset, information about these groups is shared on Help & Kindness website.</p>				<ul style="list-style-type: none"> - Make more use of local volunteer networks to provide befriending or 'check in' calls to people in their community. 	

				Assessment			
		<p>payment for parking, but still need to use car parks to access essential services.</p> <ul style="list-style-type: none"> - Older people may be reluctant to ask for help or tell others, particularly people and organisations they don't know, that they need help. 					
Older people being scammed - Average age of an adult being scammed is 75. High number of COVID-19 scams taking place. Older women are known to be particularly vulnerable.	<ul style="list-style-type: none"> - Higher levels of anxiety and lack of contact with friends/family leaves people more vulnerable to being scammed. - Many people may be wary of opening doors to strangers due to the risk of infection or scamming - this could impact on volunteer/ food delivery services 	<ul style="list-style-type: none"> - Dorset Council Trading Standards have produced regular communications around scams including Coronavirus related scams. - DC Trading Standards release monthly editorials to local publications and newsletters across Dorset, approx. 60 publications, which includes updates on scams. - All volunteers working on behalf of Dorset Volunteer Centre & Age UK received suitable ID badges and good practice advice on how to deliver food parcels etc. 					
Both working age adults and retired adults - people who are financially independent.	<ul style="list-style-type: none"> - Loss of social activities and contacts with people, potential feeling of loss of self-purpose, structure. 	<ul style="list-style-type: none"> - Dorset HealthCare has set up website with specific information and advice on mental health & wellbeing, this also includes 24hour helpline - Connection for urgent mental health support. - Age UK (North, West & South Dorset) have set up helpline taking calls from isolated people and signposting to agencies and linking with Adult Social Care when required. - Information about signing up to volunteer on DC website. - Dorchester Trust for Counselling & Psychotherapy offering free one-off listening service for 50 minutes, alternative to regular counselling & therapy to help regain a sense of control. Information could be shared. 				<ul style="list-style-type: none"> - Signposting this group to Volunteer Centre Dorset to encourage volunteering or to support local Covid-19 Support Groups. Information being shared through sub-groups of the Community Shield on the work of Dorset Volunteer Centre 	
Active retirees	<ul style="list-style-type: none"> - A group of people who post retirement participated in several social/leisure activities, which has now ceased. Reports of increased numbers of people in this group contacting primary care (GPs) around issues including loneliness, isolation, anxiety etc. 	<ul style="list-style-type: none"> - Dorset HealthCare has set up website with specific information and advice on mental health & wellbeing, this also includes 24hour helpline - Connection for urgent mental health support. - Age UK (North, West & South Dorset) have set up helpline taking calls from isolated people and signposting to agencies and linking with Adult Social Care when required. - Information about signing up to volunteer on DC website. - Dorchester Trust for Counselling & Psychotherapy offering free one-off listening service for 50 minutes, alternative to regular counselling & therapy to help regain a sense of control. Information could be shared. 				<ul style="list-style-type: none"> - Signposting this group to Volunteer Centre Dorset to encourage volunteering or to support local Covid-19 Support Groups. Information being shared through sub-groups of the Community Shield on the work of Dorset Volunteer Centre 	

				Assessment			
	Older people with dementia related illnesses	People with dementia may have difficulty coping with self-isolation, pressure on carers, confusion about services being closed or reduced, pressure to stay in.	<ul style="list-style-type: none"> Age UK (North, West & South Dorset) have set up helpline taking calls from isolated people and signposting to agencies and linking with Adult Social Care when required. Dorset Council has provided food parcels to those that are vulnerable. 				
	General (all ages)	<ul style="list-style-type: none"> There is potentially a generic issue of difficulty in getting prescriptions, accessing shopping slots, as some may not be recognised as a priority group. Routine hospital/screening appointments cancelled or delayed, can lead to stress & anxiety People discharged from hospital for non-COVID19 reasons: can they access the support they would normally be able to? 	<ul style="list-style-type: none"> Age UK (North, West & South Dorset) have set up helpline taking calls from isolated people and signposting to agencies e.g. COVID-19 Support Groups and linking with Adult Social Care when required. 				
Disability	Deaf/hearing impairment	<ul style="list-style-type: none"> Very little information about coronavirus has been made available in BSL - Government daily briefings only recently started to include a signer. D/deaf people have different levels of signing and literacy skills and utilise a variety of mechanisms for communicating. Poor literacy skills mean that video subtitles are not accessible to all. SMS texting / what's app are popular ways of communicating. The encouragement of phone contact during social isolation is not suitable for people with profound or severe hearing loss. For some D/deaf people, face to face visiting may be the only option, because they have no technology – e.g. no phone or computer and poor literacy skills Volunteer projects to make phone contact with residents to combat social isolation may not be suitable for D/deaf/hearing impaired people Facemasks are problematic for people who lip read. 	<ul style="list-style-type: none"> Links on the DC website to the deaf health charity - Sign Health - who are producing signed videos of the daily government briefings. Community information sent to Bridport Deaf Society on ad hoc basis. Children's Services - working with specifically with children diagnosed with hearing loss have continued to support CYP and families by: <ul style="list-style-type: none"> providing equipment to enable CYP to better access the audio component of some online learning from schools. creating and emailing out book themed resources for families of pre-schoolers ('virtual book bags') Liaising with families and Audiology Departments about their availability and how parents can access them e.g. to obtain batteries or repairs Continuing to accept new referrals and reports from Audiology and contacting families to discuss and plan future home visits Milbrook Sensory Team sending out information to service users and maintaining regular contact. Internal Skills Agency established within Dorset Council for staff to register to be re-deployed to COVID type activity. Skills list includes BSL knowledge 				<ul style="list-style-type: none"> Further work could be with Comms to share link to Sign Health via DC social media platforms. Survey with Citizens Advice to explore access issues amongst this community, specifically adults who are not accessing council services. Ensure council services have access to, and know how to use, telephone language and interpreting services - information to be made available on the intranet.
	Blind/visual impairment	<ul style="list-style-type: none"> Changes to the shopping environment. layout, queuing system both inside and outside, floor markings for social distancing, requests for contactless payments. Unease of using volunteers who are strangers 	<ul style="list-style-type: none"> Community information sent to Dorset Blind Association on ad hoc basis. Information on the Dorset Council website, council website fully accessible and we have avoided using PDFs instead using HMTLS 				<ul style="list-style-type: none"> Survey with Citizens Advice to explore access issues amongst this community, specifically adults who are not accessing council services.

				Assessment			
			<ul style="list-style-type: none"> · Volunteer good practice guidance includes information on communicating with residents. 				
	Dual sensory loss	<ul style="list-style-type: none"> · Those with dual sensory loss (loss of hearing and sight) use touch as their communication method. · Reduced ability to maintain social distancing 	<ul style="list-style-type: none"> · No information available as 9/06/20 				Further work required to understand this group and their needs.
	Neurodiversity (Neurodiversity relates to neurological differences including, for example, Dyspraxia, Dyslexia, Attention Deficit Hyperactivity Disorder, Autistic Spectrum and others).	<ul style="list-style-type: none"> · Lack of direct instruction and use of metaphors can be unhelpful, inconsistencies in messages can be confusing e.g. 7 day/14-day isolation. · Autism: changes to routine can be traumatic, restricted outings from the house can cause an impact on health and wellbeing. Some are selective eaters and panic buying has resulted in certain food items becoming unavailable, causing stress to individuals and parent/carers. Also selective about who they speak to and prefer the same care worker/SPOC. - Some people will need support to get back to old/adjusted routines and services after adapting to lockdown 	<ul style="list-style-type: none"> · Dorset Council uses plain English in its communications. · Weekly SEND newsletter to families on the SEND mailing list produced in partnership with Dorset CCG; newsletter includes latest updates, activities, resources etc. · Services still operating in Children's services via phone and email. 				Further work is required to understand how the impact and services on adults within this group.
	Learning disability	<ul style="list-style-type: none"> · Complex and changing information difficult to understand and follow, could result increased infections or being fined for not following guidance. · Lack of information in Easy Read both locally and from central government · Potentially more vulnerable to 'mate crime'/'cuckooing' as unusual behaviour may go unnoticed because no longer attending services/groups or because of social distancing. 	<ul style="list-style-type: none"> · Information on the Dorset Council website includes links to Easy read information on both Mencap and Gov.UK websites. · Dorset Council uses plain English in its communications · Learning Disability Child & Adolescent Service (LDCAMHS) still providing services by phone or other remote methods. · Community information sent out on an ad hoc basis to People First Dorset 				<ul style="list-style-type: none"> · Consider how comms could meet needs of this group and support other people to understand their needs when lockdown is relaxed, and social distancing measures change

				Assessment			
	Children with special education needs (SEN)	<ul style="list-style-type: none"> · Not all SEN children will be attending school provision, could have impact on families/parents & carers. 	<ul style="list-style-type: none"> · Children's Services teams are working with families and educational settings to look at different ways to support families. · Weekly newsletters to SEND families including advice, activities and resources. · Support still available to families via phone/email. · SEND families who are eligible for 'free school dinners' are receiving E-vouchers. 				
	People living with mental health problems	<ul style="list-style-type: none"> · Support services may change or be reduced e.g. face to face to appointments may be cancelled. · Constant news and social media feed about the COVID-19 could cause further stress and anxiety. · Restricted outing from home, could have an impact · The use of anti-psychotic medication (clozapine) which can cause white blood cells to drop, higher risk of infections. · Temporary changes to the Mental Health Act with Coronavirus Act could impact on people with severe mental health illnesses 	<ul style="list-style-type: none"> · Dorset HealthCare has set up website with specific information and advice on mental health & wellbeing, this also includes 24hour helpline - Connection for urgent mental health support. · Age UK (North, West & South Dorset) have set up helpline taking calls from isolated people and signposting to agencies and linking with Adult Social Care when required. 				<ul style="list-style-type: none"> · Explore and identify what mental health support is needed as lockdown/social distancing is eased.
	Generic	<ul style="list-style-type: none"> · Hospital appointments to Gender Identity Clinics may be cancelled or delayed, can lead to stress & anxiety · Issues with Hormone Replacement Therapy e.g. injections being administered, blood tests, changes to HRT. · May be living in unsafe conditions at home as their preferred gender may not be supported by family members. 	<ul style="list-style-type: none"> · Dorset HealthCare has set up website with specific information and advice on mental health & wellbeing, this also includes 24hour helpline - Connection for urgent mental health support. · Local support charity - Chrysalis providing virtual online support groups. · Community information sent to Chrysalis & Intercom Trust on ad hoc basis. · Space Youth Project facilitating online sessions, regular information being sent out. 				<ul style="list-style-type: none"> · Intercom Trust undertaken a COVID-19 survey across the southwest, would be useful if this information could be shared with the council.
	Gender reassignment						
	Generic: Following government guidance all wedding and civil partnership ceremonies are cancelled.	<ul style="list-style-type: none"> · Emotional and/or financial impact of delayed or cancelled ceremonies 	<ul style="list-style-type: none"> · Information on DC website about closure of registry offices 				
	Marriage & Civil partnership						

				Assessment			
Pregnancy & Maternity	Unplanned pregnancies Pregnant individuals with underlying health conditions	<ul style="list-style-type: none"> · Nationally incidents of pregnant individuals being discriminated because of self-isolation rules e.g. being told to self-isolate and not being paid, or terminating employment. · Inability to access sexual health clinics including dealing with unplanned pregnancies. · Pregnant individuals who contract respiratory conditions in their third trimester are more likely to become seriously unwell, given this risk the Government have identified this as a vulnerable group. · Women who are pregnant with significant heart disease 	<ul style="list-style-type: none"> · Information on DC website relating to Citizens Advice for support around discrimination cases /employment issues. · DC provided extra funding to Citizens Advice to run additional advice services. · Regular updated information on the NHS Dorset Maternity Matters website; this includes birth planning, home births, birth partners, birth locations. https://maternitymattersdorset.nhs.uk/covid19-updates/ 				
Race & Ethnicity	Generic	<ul style="list-style-type: none"> · There is an increased risk of hate incidents towards BAME people, particularly people who are perceived to be from countries with a high incidence of COVID-19 (e.g. China). · Public Health England are researching the impact of COVID-19 in BAME communities. There is emerging evidence that people from BAME backgrounds may be more vulnerable to the risk of COVID-19 than others. Research also suggests that people from BAME communities may have higher rates of some underlying health conditions which make them clinically vulnerable such as type 2 diabetes. · Some BAME people may be employed in sectors with an increased level of exposure to others (e.g. caring/social work/medical etc), or in the 'gig economy' or zero hours contracts, which means they may be particularly impacted financially by the lockdown. 	<ul style="list-style-type: none"> · Encourage victims of hate crimes/incidents to report incidents via the Police/on-line or through Dorset Race Equality Council 				How accessible is our information about reporting hate crimes/incidents?

				Assessment			
Gypsy & Traveller community	<ul style="list-style-type: none"> · May not to be registered with GP if living on unauthorised or roadside sites, national research indicates higher levels of poor health. · Travelling groups will be more visible and may be more vulnerable to hate crime. · May have cultural needs affected by social distancing e.g. definition of family is broad and can lead to travelling in large groups unable to visit family members in hospital or attend funerals · Restricted movement could lead to a loss of income · Traditional travelling season is due to start (May onwards) · No evictions should be taking place during the lockdown. · Unauthorised sites may not have access to water 	<ul style="list-style-type: none"> · Information circulated to 4 Dorset authorised sites and through the Gypsy & Traveller Liaison Group · Dorset Council have put any planned evictions planned on hold · D&I Officer & GLO at DC in regular contact with key contacts within the Gypsy & Traveller community, no evidence from local contacts of Roma community in Dorset. · Friends, Families & Travellers website has regularly updated information including audio version, this information is detailed on the DC website. · Local film made in partnership with Dorset CCG using members of the local community to share public health messages. · Temporary site for travelling Gypsies and Travellers has been opened and used. · Public Health advice has been shared on unauthorised encampments and private sites. 					
People whose first language is not English	<ul style="list-style-type: none"> · May face barriers to accessing information on COVID-19 and accessing support from the community or wider volunteer networks not equipped to meet their needs. · Some communities may have low literacy levels in their first language and struggle to understand translated documents. · Those whose first language is not English, it may be very difficult to understand their employment rights or to effectively challenge employers about any concerns regarding how to return safely to work. · Some people who may be newly arrived and have no or limited access to social media may feel particularly vulnerable and isolated. 	<ul style="list-style-type: none"> · DC website includes link to Google translate · Links on the DC website to alternative formats and other languages e.g. Doctors of the World which is updated regularly and has information in over 40 languages. · Community information shared with key community groups. · Dorset Race Equality Council share information through their contacts/networks 				<ul style="list-style-type: none"> · Dorset Race Equality Council undertook a recent survey of communities, which has several recommendations and to also check whether there are any gaps in information from the council. · Identify if/how MH support online and phone services in Dorset can cater for different language needs. 	
Syrian refugee families	<ul style="list-style-type: none"> · May face barriers to accessing information on COVID-19 and accessing support from the community or wider volunteer networks not equipped to meet their needs. · Some communities may have low literacy levels in their first language and struggle to understand translated documents. 	<ul style="list-style-type: none"> · Provided instructions on how to view the gov.uk website and coronavirus advice in Arabic · Provided a Covid-19 health information sheet in Arabic (from the British Red Cross) · Regular contact from programme staff, including an Arabic speaking caseworker · Continued English lessons via WhatsApp and online programmes · Provided dual language English / Arabic books to all families · Helped access learning materials and online lessons from the schools · Provided laptops to those in need · Volunteers have kept in touch with the families via phone, WhatsApp and video calls wherever possible, however the families know to contact a named caseworker for any issues relating to Covid-19. 					

				Assessment			
Religion & belief	Members of religious groups	<ul style="list-style-type: none"> · Excess death – ability to observe religious practice at end of life / funeral. · Social distancing policies might have different impacts e.g. in terms of end of life care for people in different religious groups, for example, where it is more important in some religions that the person sees either their family or a religious or spiritual leader or official when they are nearing death. · People's ability to observe religious festivals in the way they normally do (e.g. Ramadan) will be affected 	<ul style="list-style-type: none"> · Faith organisations were involved in the development of the temporary Mortality Support Facility, to ensure that religious practice was observed. A separate EqIA has been developed for this work. · Places of worship closed - faith groups have provided support online etc · Specific comms provided for religious communities e.g. PHE advice on observing Ramadan · Faith organisations have been involved in the Community Shield work and information has been circulated through faith networks. · Engagement is taking place with faith groups to find out more about how the restrictions may impact on their community 				
Sex		<p>General:</p> <ul style="list-style-type: none"> · Routine screening appointments for men and women (breast, cervical, AAA) may be postponed and could increase the risk of cancer in the future. <p>Women:</p> <ul style="list-style-type: none"> · Women still bear the majority of caring responsibilities for both children and older relatives, issues with combining caring with work - either from home or elsewhere if keyworker. With schools and nurseries closed, the need for this unpaid work will only increase in the weeks to come. · Evidence suggests that women are more likely to work in a sector that has been shut down e.g. retail, hospitality. <p>Domestic Abuse:</p> <ul style="list-style-type: none"> · Increase in rates of domestic violence and abuse during shielding/lockdown, could be fuelled by loss of income, increase in anxiety, increase in alcohol use. Evidence suggests both nationally and internationally domestic abuse increased during lockdown, calls to domestic abuse helplines have risen by 25%. · Coercive control - abusers could take advantage of a victim's reduced social interaction with others. · Lockdown/shielding can cause anxiety/fear for those who are experiencing or feel at risk of domestic abuse. · Domestic homicide could go unnoticed in cases of excess death. 	<ul style="list-style-type: none"> · Helpline numbers (local, national, LGBT+ specific, honour based violence etc) are on the DC Covid-19 pages. · Information is being shared from You Trust on the number of women accessing help and advice with DC Community Safety. · Info/links available via https://www.helpandkindness.co.uk · Domestic Abuse: Information on services available is on the COVID-19 pages on the Dorset Council website. <p>Local domestic abuse communications campaign developed to highlight the services available and focused on domestic abuse can affect anyone. Feedback from the police who are leading the campaign has identified that it has received a high level of engagement from the public, particularly those living in rural areas.</p> <p>Dorset Council has worked with partners to monitor the impact of COVID-19 on domestic abuse, at the start of lockdown, the Dorset Council area did not see an increase in domestic abuse issues, but as lockdown has progressed, there has been an increase in reports of family tensions and arguments and a recent increase in both domestic abuse incidents and crimes</p>				

				Assessment			
Sexual Orientation		<p>LGBT+ community:</p> <ul style="list-style-type: none"> · Evidence that some members of this group experience higher levels of loneliness and isolation and poor mental health. Closure of pubs, meeting groups could exacerbate this. · School/youth group closures could impact on LGBT+ young people, if not 'out' in the family, risks of isolation, self-harm and unsafe online activity to socialise. · Excess death: family tensions can arise at death where family members do not respect LGBT+ identity/partners. · Issues around domestic abuse - Increase in rates of domestic violence and abuse during shielding/lockdown. · Research suggests that some LGBT+ people may be more vulnerable to COVID-19: the prevalence of smoking in the LGBT+ community; higher rates of HIV and cancer; and barriers to healthcare that mean some LGBT+ people may be reluctant to seek medical treatment). 	<ul style="list-style-type: none"> · Information sent to known LGBT+ groups/organisations, D&I Officer in regular contact. · Space Youth Project providing online support to young people. · Chrysalis online/phone support http://chrysalisgim.org.uk/ Local campaign · Domestic Abuse: Information on services available is on the COVID-19 pages on the Dorset Council website. Local domestic abuse communications campaign developed to highlight the services available and focused on domestic abuse can affect anyone. Feedback from the police who are leading the campaign has identified that it has received a high level of engagement from the public, particularly those living in rural areas. · Dorset Council has worked with partners to monitor the impact of COVID-19 on domestic abuse, at the start of lockdown, the Dorset Council area did not see an increase in domestic abuse issues, but as lockdown has progressed, there has been an increase in reports of family tensions and arguments and a recent increase in both domestic abuse incidents and crimes. Specific campaigns are being developed by the Police e.g. LGBT+ domestic abuse campaign. 				<ul style="list-style-type: none"> · DC website could display links to LGBT+ organisations (local and national) · Intercom Trust undertaken a COVID-19 survey across the southwest. <p>How accessible is our information about reporting hate crimes/incidents?</p>
Dorset Council Characteristics							
Carers	<ul style="list-style-type: none"> · People who provide care for someone they live with. · Young people who provide care for someone they live with. · People who provide care for someone they don't live with. 	<ul style="list-style-type: none"> · Closure of day services (centres, schools etc) and the release of patients early from hospitals could put strain on carers, along a reduction in respite care. · The impact of self-isolating as a carer for 12 weeks could also have an impact on health and wellbeing including mental health, domestic abuse. · Being unable to care for a friend/relative who they can't visit could lead to increased anxiety and stress. 	<ul style="list-style-type: none"> · Carers are encouraged to put together an emergency plan · Respite being provided and day centres supporting people with very high needs · Support for young carers available by skype/by phone/chat 				
Single parents/ carers	<ul style="list-style-type: none"> · People living in single adult households with children 	<ul style="list-style-type: none"> · Face additional childcare challenges in the absence of school/nursery provision. Caring for children will pose barriers to completing other tasks e.g. food shopping, collecting medicines · May have to put children at risk by taking them to the supermarket & face criticism for doing so · Mental health impact of being unable to do 'one job well' when balancing childcare with other tasks · Lack of interaction with & support from other adults e.g. in usual workplace 	<ul style="list-style-type: none"> · Information available on Dorset Council website on school opening and childcare availability for key workers. · Schools: some schools are calling all families/families of children identified as vulnerable · Schools providing direct support and advice to parents · Support with home learning resources 				<ul style="list-style-type: none"> · Support promotion of resources and support for single parents/carers via schools and other networks · Practical support may be needed to complete tasks that are difficult to undertake while caring for children (e.g. food shopping).

				Assessment			
Armed Forces & families	<ul style="list-style-type: none"> · People who serve in the armed forces and their families · Armed forces veterans and their families 	<ul style="list-style-type: none"> · May face barriers accessing services and support · Foreign and commonwealth personnel may face barriers in communicating with and increased anxiety about family members living abroad · Blind veterans, a number will fall into the vulnerable group as over 70 and been advised to self-isolate 	<ul style="list-style-type: none"> · Support and liaison through DC Armed Forces Covenant Officer https://www.dorsetcouncil.gov.uk/your-community/supporting-the-armed-forces.aspx 				
	<ul style="list-style-type: none"> - Families with children who receive free school meals 	<ul style="list-style-type: none"> · More likely to be experiencing the impacts of financial stress and impacts of food poverty 	<ul style="list-style-type: none"> · E-vouchers are sent directly to parents · Post Easter holidays schools will be encouraged to join Government voucher scheme · Some schools are or will be distributing food parcels via suppliers · Business support team in Children's Services are contact point for queries csbusinesssupport@dorsetcc.gov.uk 				
Economic & Social Deprivation (poverty)	<ul style="list-style-type: none"> - People on low incomes and people who have lost their income 	<ul style="list-style-type: none"> · May experience stress and anxiety related to finances · Access to Government/DWP helpline is a significant issue at present. · Is there a need to gap fill between application and people receiving universal credit e.g. enhanced food parcels? · Some food banks struggled to meet high level of need 	<ul style="list-style-type: none"> · CAB are providing virtual advice and phone advice; information being shared via the Community Shield volunteers' group. · CAB Help to claim Tel. 0800 144 8 444 · Cash donations/sharing of resources between food banks and from the public. · Dorset Council provided funding to food banks · Wyvern Savings and Loans have supported access to financial services (e.g. in Dorchester) 				<ul style="list-style-type: none"> · Understand what support will be need by people in Dorset in medium to longer term as financial impacts develop.
	<ul style="list-style-type: none"> People who are homeless including young people 	<ul style="list-style-type: none"> · People who are already homeless will face barriers in accessing support, healthcare and self-isolating/social distancing · People could become homeless due to eviction · The number of households presenting as homeless has increased since the restrictions were introduced. These are a separate group of people to the rough sleeping community. The main reasons for the increase relate to persons who were sofa surfing or renting a room from a friend being asked to leave due to concerns about self-isolation. 	<ul style="list-style-type: none"> · 28 people were provided with accommodation by the Council. All are supported by daily visits from support workers and have been provided with a mobile phone from charities so they can call for further support if they need it. · 8 rough sleepers have declined the offer of accommodation but continue to be supported. · Over 60 households (mainly single persons) have been accommodated since the crisis began. The Housing Team are working to secure longer term temporary accommodation options for households to move to once restrictions are lifted. 				
	<ul style="list-style-type: none"> People who live in poor quality and/or overcrowded housing 	<ul style="list-style-type: none"> · May be vulnerable to emotional stress and reduced wellbeing as more time is spent in the home. · People who live in flats, or other accommodation types without private outdoor space, may find it more difficult to exercise or spend time outdoors. 	<ul style="list-style-type: none"> · Some are known to DC Housing team · May be receiving or have received advice from Healthy Homes Dorset · LiveWell Dorset promoting wellbeing support through Housing Associations 				<ul style="list-style-type: none"> · Identify whether this group requires specific comms or support for wellbeing during lockdown and any measures that can be put in place to tackle issues they face.
	<ul style="list-style-type: none"> People without access to a car 	<ul style="list-style-type: none"> · Lack of transport contributes to social isolation and imposes barriers to accessing essential services. · Reduced public and community transport services will exacerbate these issues for people who cannot access a car and do not live within a walkable distance of services they rely on. 	<ul style="list-style-type: none"> · Dorset Council public transport pages include links to support pages 				<ul style="list-style-type: none"> · Identify if and where lack of access to transport is impacting on people.

				Assessment			
	Working families with childcare responsibilities	<ul style="list-style-type: none"> · Balancing two jobs with childcare · Tension over who works/who is doing childcare · Food bill increase from having more people at home causing financial stress · Fear over job security · Increased risk of domestic abuse and child abuse from increased tension in household. 	<ul style="list-style-type: none"> · Information available on Dorset Council website on school opening and childcare availability for key workers. · Family Partnership Zones available to provide support by phone/email · Government advice published on home learning - linked from Dorset Council website 				
	Internet access/digital divide	<ul style="list-style-type: none"> · People with no or poor internet access · People who do not want to access digital support/services · People who cannot afford broadband equipment/services · People who do not have the skills to access digital support/services 	<ul style="list-style-type: none"> · People who face barriers accessing digital services/support are likely to face challenges accessing information, practical help (e.g. online shopping, access to benefits etc) and communicating with friends, family or other support networks that rely on online chat, voice or video call platforms. 	<ul style="list-style-type: none"> · Digital champions are providing support · Children's Services have distributed laptops to vulnerable families & young people · Government support for laptop/4G routers for vulnerable children 			<ul style="list-style-type: none"> · Understand how we can support people who face barriers (financial/skills/availability) to accessing digital services in medium to longer term. · Engage with people who don't wish to access digital services to understand how they can be supported to engage with them or access alternatives.
	Gender Identity	<ul style="list-style-type: none"> · People who feel that their gender identity is different from that which they were assigned at birth may face barriers accessing support. 	<ul style="list-style-type: none"> · Information sent to known LGBT+ groups/organisations, D&I Officer in regular contact. · Space Youth Project providing online support to young people. · Chrysalis online/phone support http://chrysalisgim.org.uk/ · Intercom Trust conducting impact survey of COVID across the LGBT+ community in South West England 				<ul style="list-style-type: none"> · Review results of Intercom Trusts impact survey for Dorset.
	Other vulnerable groups						
	People who have been recently bereaved	<ul style="list-style-type: none"> · People who lived with someone who has died during lockdown · People who know someone who has died during shielding period · People who live with a person/person who die during shielding period 	<ul style="list-style-type: none"> · Restrictions on grieving and access to support networks e.g. family who they would have had support from. · May have relied on a deceased person for support and social interaction 	<ul style="list-style-type: none"> · Death registration service offered by pre-booking · Bereavement support services/charities linked from Dorset Council website 			<ul style="list-style-type: none"> · Continue to promote bereavement support services Including National Bereavement COVID19 hub. · Identify longer term impact of bereavement on individuals and identify how support/services may need to respond to their needs e.g. befriending support.

				Assessment		
<p>Farming community & rural isolation</p>		<ul style="list-style-type: none"> · Social distancing may be easier to apply in a rural setting; however, this could have additional impact on people already experiencing isolation and loneliness. · Impact of COVID-19 on the farming community through emotional and financial stress · Concern that people may travel from urban areas/cities to rural locations to self-isolate · Potential increase in incidents of domestic abuse · Reported impact of increased/perceived increase in rural crime on mental health 	<ul style="list-style-type: none"> · NFU is providing COVID communications and advice online. · Advice from DAPTC and national association http://www.dorset-aptc.gov.uk/Home_26578.aspx 			<ul style="list-style-type: none"> · Identify how NFU and others are engaging with farming community. · Identify whether specific support is needed/being provided for farming community.
<p>Prisoners and their families</p>	<ul style="list-style-type: none"> · People in prison · People recently released from prison · Families of people in prison 	<ul style="list-style-type: none"> · People in prison won't have contact with visitors and will have increased levels of anxiety about friends and family · People released from prison with have less access to support services · Family and friends of people in prison will have less contact with them creating/adding to concern about their wellbeing 	<p>HMP Guys Marsh</p> <ul style="list-style-type: none"> • Telephone pin credit has been increased each week to ensure phoning friends and family is a priority. • issued letter writing packs and postcards to send home. • Twitter is being used to deliver messages to families as well as the NICCO website. • Barnardo's is still contacting family members and E-mail a prisoner has changed so that the men can also respond via e-mail. • Men are given a weekly families update which they can send out to their loved ones if they choose to. • There are some other things in the pipeline which will be determined by how long we remain in lockdown. <p>Those due to be released - Men are still being supported by Catch 22 on release although the PACT support system and Footprints are unable to mentor as they were. We supply a Resettlement folder which replaces the Academy and ensures men get the relevant information for release.</p> <p>HMP The Verne</p> <ul style="list-style-type: none"> • Not put in any extras at the moment, we are relying on the usual phone and letter contact • trying to get some signal access for a small number of mobile phones that may assist us for family contact. • have a couple of tablets coming to aid with family contact in the event of family crisis or bereavement. • Yet we are not picking up that our residents are struggling too much with our current arrangements. We are operating a limited regime, but this does mean that staff/resident contact, within social distancing guidelines is frequent. <p>Portland Prison & YOI - awaiting update</p>			<ul style="list-style-type: none"> - Add link to DC website https://www.gov.uk/guidance/coronavirus-covid-19-and-prisons (NB this is being added to CAB and Volunteer Centre websites).

Part 5: Action Plan

The action plan for EqIA is divided into three parts:

- Short term improvements responding to lockdown phase
- Areas where more information is required to inform actions
- More work is required to shape action in response to medium/long term impacts of lockdown

	Issue	Action to be taken	Person(s) responsible	Date to be completed by
Short term improvements responding to lockdown phase				
1	D/deaf & visual impairments and speakers of other languages	Work with Communications and the 'Warning and Informing Group' of the Local Resilience Forum to ensure key communications are available in alternative formats and reach a wider (national) audience. Develop guidance for translation and interpreting services including sign language.	Rebecca Forrester Susan Ward-Rice Kirsty Hillier Kirsty Snow	30 September 2020
2	Race & Ethnicity	Use both national (Public Health England) research and local (Dorset Race Equality Council - COVID-19 Dorset Ethnic Minority Communities Need Assessment) to inform how we can improve our response to the needs of BAME communities in Dorset. Liaise with Community Safety Team & Dorset Police to understand the extent of COVID-19 related hate crime/incidents.	Susan Ward-Rice Susan Ward-Rice	31 August 2020 31 August 2020
3	Understanding the financial Impacts on Dorset residents	Liaise with Citizens Advice /Wyvern Savings (credit union) to understand the impacts of COVID-19 to inform Community Shield work.	Susan Ward-Rice/ Volunteer Sub-Group of Community Shield	30 September 2020
4	Development of case studies	Scope approach for developing and sharing case studies capturing local initiatives that communities have put in place as a response to COVID-19 shared during virtual roundtable discussions with councillors.	Rupert Lloyd	30 September 2020
Areas where more information is required to inform actions				
5	D/deaf & visual Impairments	Survey to be undertaken in partnership with Citizens Advice to look at people's experience of advice & information delivered to date by DC and CAB and future needs.	Susan Ward-Rice	31 August 2020
6	Dual sensory loss	Identify how to engage with this community to ensure their needs are included in actions 1 and 2	Susan Ward-Rice	31 August 2020
7	Learning disability	Engage with this community to look at people's experience of lockdown and what support may be needed as lockdown is eased.	Susan Ward-Rice	30 September 2020
8	Gender Reassignment/ gender identity/ Sexual orientation	Engage with Intercom Trust to access COVID-19 survey data for Dorset and identify lessons to inform future working.	Susan Ward-Rice	31 August 2020
9	Data profiling & understanding how COVID-19 has affected communities	Use 2020 residents survey to fill gaps in our evidence base and improve of our understanding of COVID-19 on vulnerable communities. Commence collecting equality data of who is accessing COVID-19 helpline to inform future working.	Rebecca Forrester/ Susan Ward-Rice Claire Shiels/Anthony Palumbo	September/ October 2020 July 2020
10	Digital Exclusion	Use the 2020 residents survey to understand how we can engage with people who do not wish/face barriers to accessing services digitally.	Rebecca Forrester	September/ October 2020

More work is required to shape action in response to medium/long term impacts of lockdown

11	Neurodiversity (Neurodiversity relates to neurological differences including, for example, Dyspraxia, Dyslexia, Attention Deficit Hyperactivity Disorder, Autistic Spectrum and others).	Identify how we engage with this community to look at their experience of lockdown and how we can improve future communications on COVID-19.	Rebecca Forrester Susan Ward-Rice Kirsty Hillier	September 2020
12	Mental Wellbeing	Identify changing impact on mental wellbeing and support needed as lockdown is eased and resources that may be required.	Paul Iggulden/Mental Wellbeing & Safeguarding sub-group of Community Shield	October 2020
13	Digital Exclusion	Review results of 2020 residents survey and initiative working party with relevant officers to address issues identified.	Paul Iggulden/Rebecca Forester	November 2020

EqlA Sign Off

Officer completing this EqlA:	Paul Iggulden / Rupert Lloyd	Date:	18 June 2020
Equality Lead:		Date:	
Equality & Diversity Action Group Chair:		Date:	

Next Steps:

- Please send this draft EqlA to: [Diversity & inclusion Officer](#)
- The report author will be invited to an Equality & Diversity Action Group (these are held monthly - dates are available on the intranet)
- The Equality & Diversity Action Group will review the EqlA and you may be asked to make some alterations
- EqlAs are signed off and published
- The report author is responsible for ensuring any actions in the action plan are implemented.

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Covid -19 and community vulnerability --- Summary of Councillor discussions

1. Introduction

- This document provides a summary of the information gathered during six online 'roundtable' discussion sessions held with Dorset Councillors during May/June 2020.
- All Members were invited to attend one session organised around localities: East Dorset, North Dorset, Purbeck, Mid Dorset, Weymouth & Portland and West Dorset.
- Prior to the session Members were sent a document prepared by officers containing information on vulnerable groups and their perception of how they have been supported during the period of lockdown and social distancing.
- The sessions were facilitated by Paul Iggulden (Consultant, Public Health Dorset) and Susan Ward-Rice (Diversity & Inclusion Officer, Dorset Council) with support from Rebecca Forester (Business Partner: Policy, Research & Performance), Hayley Caves (Member Development & Support Officer) and Rupert Lloyd (Project Coordinator, Public Health Dorset).

The objectives of the roundtable sessions were:

- To share with Members the work that had been done on identifying vulnerable people and how they have been supported during lockdown (Equality Impact Assessment)
- To invite Members to share their experiences of the impact of COVID-19 on their ward.

2. Themes

The key themes that emerged from the sessions are set out below starting with general themes (that related to the whole population of Dorset for example) and moving on to more specific topics.

Issues relating to age (children & young people and older people) received the highest number of mentions by Members. Issues relating to disability, race, sex (including domestic abuse) and carers were mentioned less frequently and sexual orientation, gender reassignment, religion & belief, marriage & civil partnership mentioned least frequently or not at all.

2.1 How communities and organisations have responded to support vulnerable people is seen as overwhelmingly positive and Members would like to explore how they and others can maintain some of the positive features of lockdown

- The specifics of local responses have varied but typically with extensive involvement of Town & Parish Councils, Businesses (local shops & pubs), new community mutual aid groups, Age UK and Dorset Volunteer Centre.

- Concern and frustration were voiced over the interaction between Age UK, Dorset Volunteer Centre and a local community group delivering food by members in one ward, but with positive experiences identified in others
- Volunteers and many Members have been focussed on delivery of food, medicine and other services to date, but this 'need' will change as restrictions ease and the potential role of volunteers in befriending people who continue to self-isolate has highlighted.
- Nurturing of CVS and new mutual aid groups in particular; recognising Council role and learning needs around co-production
- Innovation and breadth of partnerships with examples of local groups partnership working with for example housing associations and credit unions

2.2 There is widespread concern about the impact of lockdown on mental health and wellbeing of vulnerable people and people who have or will be affected financially.

- Social isolation and loneliness of people who have been self-isolating or are too afraid to leave their homes was identified as a growing concern.
- For the future, the longer-term impacts of the pandemic (e.g. on people's finances) was expected to lead to an increase in anxiety and mental health issues in some wards.

2.3 Lockdown was viewed as having had a significant negative impact on young people, in particular on their mental health

- There was concern about the impact on young people transitioning between educational settings or from education to employment.
- Some members are concerned that children and young people may have been the victims of abuse which may become apparent as lockdown eases and more children return to school.
- Concern was expressed about the longer-term impact of lockdown and future measures on the economy and young people's lives.

2.4 Many vulnerable people have been supported, but there is concern that some people who could benefit from help are reluctant to ask for help or 'admit' that they are in need

- Older people were highlighted as a vulnerable group particularly likely to not actively seek support when in need
- Families reliant on self-employed/freelance people were noted as having to seek support from foodbanks.
- There was recognition that some people who did not ask for/accept help had reasons for doing so for example social contact with other people when buying food or collecting medicine.

2.5 There has been significant emergent impact on individuals and families who are economically vulnerable and have been affected by loss or reduction in their income e.g. furlough, redundancy. It is anticipated that this impact will grow.

- Crucial support has been provided by existing and newly set up foodbanks to a large number of people who did not access their services before. Some concerns were raised over the governance of some newly created groups.
- In some areas people living in rented accommodation are struggling to pay rent and have been put under pressure by landlords causing significant anxiety.
- Some local measures have been put in place e.g. Wyvern Savings and Loans supported access to money for people who are isolating, Sure Start supporting parents/carers.

2.6 Many services and organisations have been effective in engaging and supporting people online, but there is concern that a significant number of people are excluded from accessing digital services.

- Lack of equipment and skills present a barrier to accessing digital services, but there are a significant number of people who do not want to use digital services who should not be excluded, especially people who are lonely and need social interaction.
- In many locations local communication networks including letter/leaflet drops were a very effective ways of engaging with vulnerable people who needed support.

2.7 There is concern about 'hidden' domestic abuse where victim have been at risk during long periods when they have been unable to leave their homes.

- There was widespread concern that this would become more visible, particularly as children return to school.

2.8 Recognising and celebrating good practice

- There was widespread reference to an increase in community spirit and 'neighbourliness' with members noting that despite the need to maintain physical distancing many communities and neighbours had formed new connections and been drawn closer together by local efforts to support vulnerable people.
- There is an opportunity to learn from some of the local initiatives that communities have put in place to support vulnerable people both to respond over the past three months and are developing to increase resilience and support recovery. Case studies would be a helpful resource for sharing these between wards across Dorset Council area.

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Cabinet 30 June 2020 Statement of Licensing Policy 2021-2026

For Decision

Portfolio Holder: Cllr A Alford, Customer, Community and Regulatory Services

Local Councillor(s): Relevant to all Dorset Council Members

Executive Director: John Sellgren, Executive Director of Place

Report Author: John Newcombe
Title: Service Manager Licensing & Community Safety
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Email: john.newcombe@dorsetcouncil.gov.uk

Report Status: Public

Recommendations:

- 1) To agree that the draft Licensing Policy 2021-2026 (attached as Appendix A to this report) be published for a period of public consultation of not less than 12 weeks.
- 2) To agree that the proposed Cumulative Impact Area, as detailed in Appendix A of the Draft Licensing Policy, be published alongside the Cumulative Impact Assessment and Violent Crime Analysis from Dorset Police as part of the public consultation.
- 3) That, subject to their being no relevant representations that the Service manager for Licensing & Community Safety, in consultation with the Chairman of the Licensing Committee recommends to the Council adoption of the Draft Licensing Policy.
- 4) Should relevant representations be received, which require consideration of one or more significant amendments to the policy, instruct officers to bring a further report to the meeting of the Licensing Committee with the outcomes of the consultation.

Reason for Recommendations:

- 1) To comply with legislative requirements,
- 2) To ensure openness and transparency in the Council's decision making, and

- 3) To ensure that those persons affected by the policy are given the opportunity to have an input into it.

1. Executive Summary

The Council, as Licensing Authority under the Licensing Act 2003, is required to publish a Statement of licensing policy at least every five years. The purpose of the policy statement is to define how the Council will exercise its responsibilities under the Act. The draft policy has been prepared by officers and considered at an informal meeting of the Licensing Committee and is now ready to be published, in draft format, for a period of public consultation, of not less than 12 weeks.

2. Financial Implications

The funding for the preparation and consultation of the draft statement of licensing policy will come from existing budgets and there are no further financial implications arising from the recommendations of this report.

3. Climate implications

There are no implications arising from the recommendations contained within this report in terms of meeting the Council's climate change obligations.

4. Other Implications

There are no implications arising from the recommendations contained within this report in terms of impacts on other service areas within the Council.

5. Risk Assessment

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: Low

Residual Risk: Low

6. Equalities Impact Assessment

An Equalities Impact Assessment has been prepared and is attached as Appendix D to this report.

7. Appendices

Appendix A	Draft Statement of Licensing Policy 2021-2026
Appendix B	Dorset Council Cumulative Impact Assessment
Appendix C	Dorset Police Violent Crime Analysis
Appendix D	Equalities Impact Assessment

8. Background Papers

Licensing Act 2003

Revised guidance issued under section 182 of the Licensing Act 2003 April 2018

9. Background

9.1 The Licensing Act 2003 requires the Council, acting as the Licensing Authority under the Act, to determine and publish a Statement of Licensing Policy at least once every five years.

9.2 The Statement of Licensing Policy 2021-2026 can be reviewed and updated at any time during the life of the document. The council keeps the Statement of Licensing Policy under constant review and, from time to time, may commission research to inform changes to policy.

9.3 The Statement of Licensing Policy sets out how the council will carry out its functions under the Licensing Act 2003 with a view to promoting the licensing objectives namely:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

9.4 Activities regulated under the Licensing Act 2003 include:

- The sale of alcohol
- The supply of alcohol by or on behalf of a club, or to the order of a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment

9.5 The Statement of Licensing Policy has been prepared in line with the requirements of the Licensing Act 2003, as well as the Statutory Guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003.

9.6 The Statement of licensing policy has been prepared with regard to, and sought to integrate with, the following Council strategies:

- Dorset Council's Plan
- Dorset Council Community Safety Plan
- Dorset Council's Local Plan and Development Framework
- Dorset Council's Economic Growth Strategy
- Dorset Council's Enforcement Policy
- Dorset Council's Strategy for children and young people

- 9.7 This is Dorset Council's first Statement of Licensing Policy issued under the Licensing Act 2003 and is required to be in place by 1 April 2021 under the terms of the Local Government Reform Order issued by the Secretary of State for Housing, Communities and Local Government.
- 9.8 Prior to the formation of Dorset Council, each of the predecessor District and Borough Councils had their own Statement of Licensing Policy issued under the Licensing Act 2003.
- 9.9 In addition to setting out how the Licensing Authority intends to promote the licensing objectives, and the Authority's expectations of licensed premises operators and applicants, the Authority is also able to designate particular areas of stress amounting from a proliferation of licensed premises within a particular area. This specially designated area is known as a Cumulative Impact Area.
- 9.10 A Cumulative Impact Area can be integrated within a Council's Statement of Licensing Policy if it can be shown that the number or type of licence applications granted in a particular area are having a cumulative impact and this is leading to problems which are undermining the licensing objectives. There is a rebuttable presumption that any new applications, or applications to substantially alter existing permissions, will be refused unless the applicant can demonstrate to the Authority that the proposals will not add to the existing problems in the area.
- 9.11 A review of the predecessor Council's licensing policies showed that there was one Cumulative Impact Area in existence, that being in the centre of Weymouth, within the former Weymouth and Portland Borough Council area.
- 9.12 It is proposed to retain the existing Cumulative Impact Area from the previous Weymouth & Portland Borough Council Statement of licensing policy and up to date statistics have been included at Appendices B and C within this report which indicates that there remains a negative cumulative impact of licensed premises and licensable activities within the area as previously identified.
- 9.13 Consideration of the retention of the existing Cumulative Impact Area forms a part of the consultation on the wider policy and respondents will be asked specifically whether the Cumulative Impact Area should remain, be expanded, contracted or removed.
- 9.14 The draft Statement of Licensing Policy has been reviewed by the Licensing Committee via a remote informal meeting chaired by the Chair of the Licensing Committee Cllr Emma Parker on 28th May 2020. A number of minor amendments and clarifications were suggested by the Committee which have been integrated into the draft policy at Appendix A to this report.

9.15 It is proposed to carry out the public consultation for a period of not less than 12 weeks. The consultation includes consulting with and considering the views of a wide range of people and organisations including:

- Representatives of local business
- Local residents and their representatives
- Local Councillors
- Parish and town councils
- Local members of parliament
- Representatives of existing licence holders including
- The responsible authorities namely:
 - Dorset Police
 - Dorset Fire and Rescue Service
 - Dorset Council – Public Health (Primary Care Trust)
 - Dorset Council – Environmental Health
 - Dorset Council – Planning Authority
 - Dorset Council – Children’s Services, Social Care and Health
 - Dorset Council - Trading Standards
- Secretary of State (Home Office Immigration Enforcement)
- Charitable organisations that deal with the social impact of alcohol misuse
- Other charitable organisations
- Adjoining Councils
- The British Beer and Pub Association
- UK Hospitality
- The British Institute of Innkeeping
- CAMRA
- Licensing solicitors

9.16 Following the period of consultation officers will analyse any responses and should there not be any it is recommended that the Service Manager for Licensing & Community Safety, in consultation with the Chairman of the Licensing Committee recommends to Cabinet and to Council, adoption of the Draft Licensing Policy.

9.17 Should responses to the consultation be received, officers will recommend amendments to the draft policy where appropriate or give reasons why suggested alterations are not made and prepare a report for the Licensing Committee with a final draft policy for committee to recommend to Cabinet and full Council, for adoption.

Footnote:

Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

John Newcombe

Service Manager Licensing & Community Safety

8 June 2020



**Statement of Licensing Policy
2021 - 2026**

Licensing Act 2003

Draft Version 12

Further copies of this document can be obtained from:

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DT1 1UZ

Tel: 01305 251010

Email: licensingteamb@dorsetcouncil.gov.uk

Web: <https://www.dorsetcouncil.gov.uk/business-consumers-licences/licences-and-permits/alcohol-and-entertainment-licences/alcohol-licensing.aspx>

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Executive Summary

The Licensing Act 2003 came into effect in 2005.

Under Section 5 of the Licensing Act 2003 the Licensing Authority is required to prepare a statement of principles that they propose to apply in exercising their functions under this Act. This process is to be repeated every five years.

Any decision taken by the Council in regard to determination of licences, certificates and notifications should aim to promote the licensing objectives which are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

The policy covers the licensable activities as specified in the Act which are:

- Sale by retail of alcohol
- Supply of alcohol on behalf of a club
- Regulated entertainment
- Late night refreshment

The policy also has regard to the guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003. Additionally, the council has regard for a number of other local strategies such as Dorset Council's Plan, Economic Growth Strategy and Community Safety Plan.

The council has the ability to grant licences for premises and certificates for club premises. It also grants personal licences and accepts temporary event notices.

Applicants for premises licences should be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. In addition to this policy the council has included guidance specific to certain parts of the Dorset Council area to assist applicants in preparing their applications and operating schedules.

Where relevant, the council consults with the responsible authorities as described in the Act.

Local people and Members of the council are able to have their say and their opinion heard through public consultation on this policy and by making representations about applications for premises licences or requesting reviews of licences where problems arise.

The policy includes information on the area(s) that the council considers to be suffering from the cumulative impact of licensed premises.

Enforcement of the legislation is a requirement of the Act that is undertaken by the council. This policy describes the council's enforcement principles and the principles underpinning the right of review.

Section 1 The purpose and scope of the licensing policy

Purpose of the policy

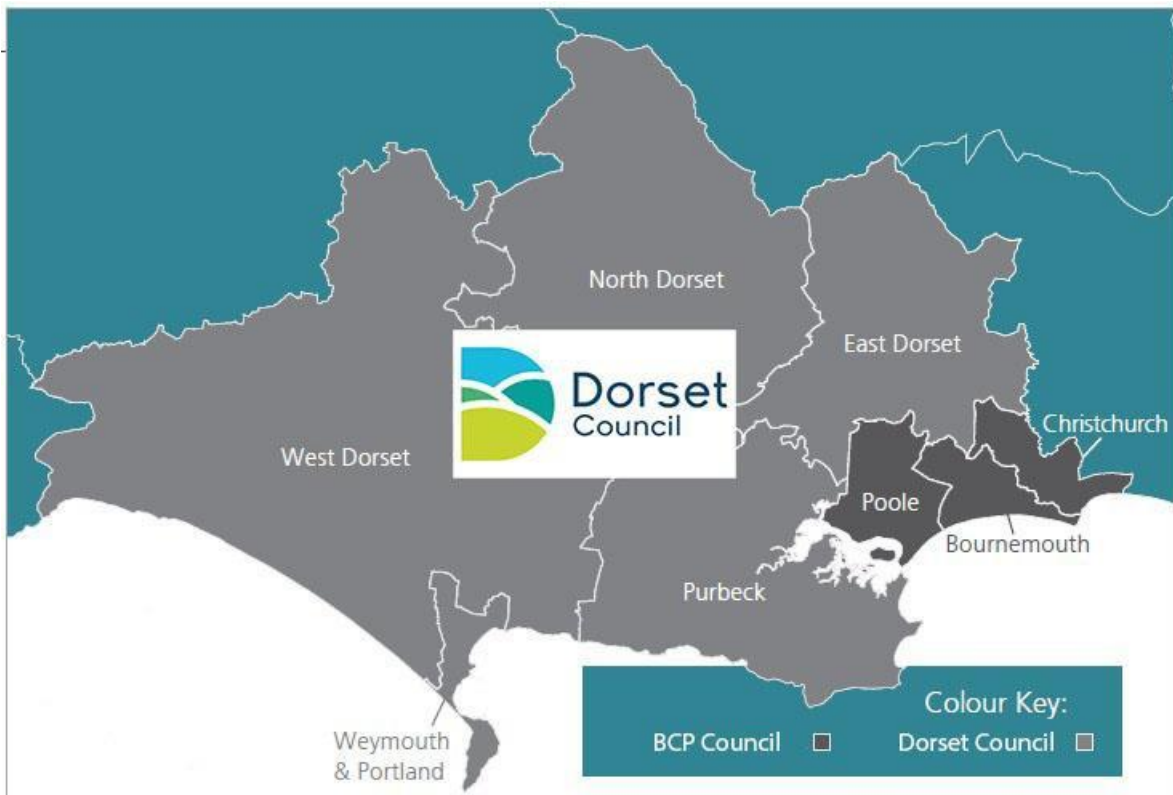
- 1.1 This policy is prepared under Section 5 of the Licensing Act 2003 and was approved by Dorset Council as Licensing Authority on XX.XXX.XXXX to come into effect on XX.XXX.XXXX. It will be kept under periodic review and as a minimum will be reviewed after a maximum of 3 years for any Cumulative Impact Areas and after a maximum of 5 years otherwise, unless statute changes. Unless otherwise stated any references to the council are to the Dorset Licensing Authority.
- 1.2 In preparing this policy the council has consulted with and considered the views of a wide range of people and organisations including:
- Representatives of local business
 - Local residents and their representatives
 - Local Councillors
 - Parish and town councils
 - Local members of parliament
 - Representatives of existing licence holders including
 - The British Beer and Pub Association
 - UK Hospitality
 - The British Institute of Innkeeping
 - CAMRA
 - Licensing solicitors
 - The responsible authorities namely:
 - Dorset Police
 - Dorset Fire and Rescue Service
 - Dorset Council – Public Health (Primary Care Trust)
 - Dorset Council – Environmental Health
 - Dorset Council – Planning Authority
 - Dorset Council – Children’s Services, Social Care and Health
 - Dorset Council - Trading Standards
 - Secretary of State (Home Office Immigration Enforcement)
 - Charitable organisations that deal with the social impact of alcohol misuse
 - Other charitable organisations
 - Adjoining Councils
- 1.3 This policy also has regard to the guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003.
- 1.4 The council will carry out its functions under the Licensing Act 2003 with a view to promoting the licensing objectives namely:
- The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm
- 1.5 The council adopts the overall approach of encouraging the responsible promotion of licensed

activities. However, in the interests of all its residents, it will not tolerate irresponsible licensed activity. Following relevant representations the council will refuse applications, restrict hours and activities or impose conditions where it is appropriate to do so to promote the licensing objectives and/or use effective enforcement to address premises, in partnership with key agencies such as Dorset Police, Dorset Fire and Rescue Service, Health and Safety Executive, Crime and Disorder Reduction Partnerships, Director of Public Health, and Dorset Council's Trading Standards and Environmental Health services.

- 1.6 This policy is concerned with the regulation of licensable activities on licensed premises, by qualifying clubs and at temporary events. The conditions that the council attaches to the various licences will focus on matters that are relevant to the four licensing objectives and will centre upon the premises that are being used for licensable activities.
- 1.7 The council will monitor the effect of this policy throughout the period it covers through licensing liaison meetings with representatives of licence holders such as PubWatch meetings and also by way of regular meetings with the responsible authorities.

Scope of the policy

- 1.8 This policy covers licensable activities within the Dorset Council district as defined by the Licensing Act 2003. These are:
 - The sale of alcohol
 - The supply of alcohol by or on behalf of a club, or to the order of a member of the club
 - The provision of regulated entertainment
 - The provision of late-night refreshment
- 1.9 Advice on whether a licence is required for premises or an event can be obtained from the Licensing Team.
- 1.10 Throughout this policy the wording will refer to 'applicants' for licences. However, it should be noted that the principles set out within this policy apply equally to new applications, applications for variations and consideration of any request to review a licence.
- 1.11 The scheme of the Licensing Act is that applicants should make applications and assess what matters, if any, need to be included within the operating schedule to address the licensing objectives. If an application is lawfully made and no relevant representations are received then the council must grant the application. Only if relevant representations are made will the council's discretion be engaged.
- 1.12 Applicants for premises licences should be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take in order to promote the licensing objectives. This policy seeks to provide advice to applicants about the approach they should take to making applications and the view the council is likely to take on certain key issues where representations have been made.



- 2.1 Dorset Council was formed on 1st April 2019 following a restructure of the previous local government arrangements. The Council is one of two unitary authorities formed from the predecessor district, borough and county councils and consists of the former authorities of West Dorset, Weymouth & Portland, Purbeck, East Dorset and North Dorset as well as the former Dorset County Council. The plan above shows the geographic boundary of the new Dorset Council area, along with the locations of the former district and borough councils.
- 2.2 Dorset (Council area) has a population of 375,000 residents, 28% of whom are aged 65 and older (compared to 18% in England and Wales).
- 2.3 Dorset is an attractive place for people to settle in their retirement – it has a large population of older people, and relatively low birth rates. Currently there are over 7,000 people in Dorset living with dementia, and the number is increasing. Younger people often move away from the area. The population continues to grow slowly, driven by people moving into the county and longer life expectancy. The greatest part of population growth is among over 65s. Dorset’s working age population is expected to see a marginal decline over the next 25 years.
- 2.4 The Dorset rural idyll can conceal hidden deprivation: there are pockets of deprivation, mostly in urban areas (mainly Weymouth and Portland). But there is also some rural deprivation due to isolation and difficulty accessing housing, transport and essential services. Crime is generally low in Dorset.
- 2.5 The population is predominantly white British, with 4.4% of our residents black and minority ethnic.

- 2.6 Dorset's natural environment is a great asset. 95 miles of coast in Dorset and Devon are classified as a UNESCO Natural World Heritage Site – the only one in England. Over half of Dorset is covered by the Area of Outstanding Natural Beauty designation; 7% of Dorset is protected as a Site of Special Scientific Interest; and Dorset has one of the largest areas of protected lowland heath in Europe. These designations together mark Dorset as a special place but also present challenges in terms of available land for delivering housing and employment development.
- 2.7 Dorset also has a rich historic environment, with one in twenty of all the protected ancient monuments in England, a well preserved pre-historic landscape and around 10,000 listed buildings.
- 2.8 Employment in Dorset is high but, like the UK, our economy has a productivity gap. Manufacturing, health, retail, education and hospitality are all big employers in Dorset. 20,000 businesses are based in Dorset: 86% are micro firms and fewer than 1% are large firms. Dorset's economy is worth around £7.1 billion and provides 143,000 jobs. Dorset has an above average number of advanced engineering and manufacturing businesses. But there is also a continuing seasonal, low skill, low wage economy with tourism and agriculture significant industries. The area is rich in valuable minerals, including stone, sand/gravel and oil.
- 2.9 Earnings are below average and house prices are high with affordability issues for many young people and keyworkers. In 2017, lower end house prices were more than ten times higher than lower end earnings in Dorset.
- 2.10 Dorset has no motorway but over 2,500 miles of roads. 95.1% of premises in the Dorset Council area have access to superfast broadband. 3.1% of premises in the Dorset Council area have access to full-fibre broadband.
- 2.11 Each part of the Dorset Council area has its own character and challenges. The council has provided general advice in this policy to assist applicants in preparing applications. Applicants are also expected to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. To assist them the council has provided links to data sources where information specific to localities in Dorset in which there is concern relating to impact of licensed premises on the four licensing objectives can be found. Applicants may also consult with the Licensing Team to ensure they have as much information as possible before making their application.

Cultural Activities in Dorset

- 2.12 Dorset has strong artistic and sporting traditions and has some of the best attended outdoor events in the country. the Dorset Council area also boasts a wealth of community based sports heritage and recreational facilities. There is a vibrant voluntary sector including hundreds of groups and societies.
- 2.13 Dorset Council is a major provider of facilities for public recreation. The Council has a tradition of promoting a wide range of cultural activity for the benefit of residents and visitors alike.
- 2.14 Commercially promoted events take place in a variety of locations throughout the Dorset Council area.
- 2.15 Within local communities, groups and associations use church and village halls and community centres for social and fund raising activities. Within the Dorset Council area there are a large number of church halls, village halls and schools licensed for regulated entertainment and/or the sale or supply of alcohol.
- 2.16 Dorset has a long established reputation for the encouragement of community and diverse cultural

events and public entertainment as an essential aid to community involvement and an increasing sense of common identity.

- 2.17 Weymouth has a particularly vibrant night time economy area and the council is keen to support businesses who operate responsibly. The council is proud to support the Purple Flag achievements of Weymouth and keen to acknowledge the benefits that a well run night time economy can bring to an area in terms of economic, cultural and community benefits.

Section 3 Integrating other guidance, policies, objectives and strategies

- 3.1 In preparing this licensing policy the council has had regard to, and sought to integrate the licensing policy with, the following strategies:
- Dorset Council's Plan
 - Dorset Council Community Safety Plan
 - Dorset Council's Local Plan and Development Framework
 - Dorset Council's Economic Growth Strategy
 - Dorset Council's Enforcement Policy
 - Dorset Council's Strategy for children and young people
- 3.2 The council (through its Licensing Committee) may, from time to time, receive reports on other policies, strategies and initiatives that may impact on licensing activity within the remit of the committee. Subject to the general principles set out in this policy and the overriding need to promote the four licensing objectives it may have regard to them when making licensing decisions.
- 3.3 The Committee may, after receiving such reports, make recommendations to the council or other bodies about the impact of the licensing policy on such policies, strategies and initiatives. Equally the Committee may make recommendations relating to the impact of such policies, strategies and initiatives on the licensing policy. This may include recommendations to amend the licensing policy itself.

Vision for Dorset

- 3.4 Dorset Council's vision for Dorset sets out 6 overarching priorities:
- Economic Growth
 - Unique Environment
 - Suitable Housing
 - Strong, Healthy Communities
 - Staying Safe and Well
 - Action on the Climate and Ecological Emergency
- 3.5 Dorset, like other national and international geographic areas, is faced with a number of key challenges. The district's ageing population is set to rise 31% over the next 10 years, its economy is still recovering from the effects of global recession and the consequences of a changing climate have become all too apparent. 12,900 Households are without work and by 2029 150,000 people will retire and 20,000 jobs will be created, leaving 173,000 jobs to be filled.
- 3.6 In addressing these challenges, Dorset must continue to be forward-looking and have a clear plan for the future, and this is why the Council's Plan is important.

3.7 This licensing policy seeks to promote the licensing objectives within the overall context of the priorities and aims set out in the Council's Plan 2020-24.

Dorset Council's Health and Wellbeing Strategy

3.8 Dorset Council's Health and Wellbeing Strategy focuses on three key priorities:

- Reducing inequalities
- Promoting healthy lifestyles and preventing ill health
- Working better together to deliver prevention and early intervention at scale, high quality care and better value

3.9 Whilst public Health is not one of the licensing objectives within the Licensing Act 2003, unlike in Scotland, the council does consider it important that alcohol dependency and alcohol abuse are considered within the context of the existing regulatory regime. Alcohol dependency and abuse can lead to crime and disorder and anti-social behaviour and can impact on community wellbeing. It is therefore important that the council considers the impact of licensed premises and the availability of alcohol on the community as a whole.

Dorset Council's Economic Growth Strategy

3.10 Dorset Council's Economic Growth Strategy sets out the Council's priorities for the Dorset Council area:

- Transportation Infrastructure
- Digital Infrastructure
- People – aspirations, skills, education and training
- Place – sustainable economic development and growth, vibrant towns and investment in coastal resorts / tourism
- Business environment – through business support services, attracting inward investment, delivering 'business friendly' services, developing visit Dorset
- Ideas – development of Dorset Innovation park, collaboration with partners and innovation

3.11 The council will encourage investment and growth within the leisure and retail industry within Dorset, and will seek to minimise any potentially negative impacts from existing and new licensed premises operating in the Dorset Council area.

3.12 The Licensing Act 2003 was meant to encourage the growth of a continental style café culture with staggered closing times and a light touch regulatory regime and the council will seek to support this ethos when encouraging new businesses to set up in the Dorset Council area and the expansion of existing businesses.

3.13 Where the Council considers that there has already been an unsustainable proliferation of licensed premises and that area is suffering from the effects of too many licensed premises, or an unbalanced mix of cultural offerings, then it will introduce a cumulative impact policy to attempt to limit the negative effects of such proliferation of premises. This does not mean that new premises will not be able to open within the proposed Area, if adopted, but will instead seek to ensure that the area has a cosmopolitan mix of activities to attract consumers.

Strategy for children and young people

3.14 The council is committed to ensuring that the experience of childhood and early adulthood in Dorset is a good one. The council and its partners want every child to have the opportunity to be confident

in their relationships, achieving personal success as they grow into adulthood. We believe that by working together as organisations and with families and communities we will achieve this.

3.15 The council's partner alliance works to the following priorities:

- Information & knowledge
- Early action & help
- Priorities that matter
- New models to deliver services
- Whole family working

3.16 This policy contributes to all these outcomes and also a number of the priorities within strategy for Children and Young People, including:

- Ensuring that the most vulnerable are protected
- Improving social, emotional, and mental health and wellbeing
- Supporting young people to make good choices and minimise risk-taking behaviours

Section 4 Promotion of the licensing objectives

4.1 The council will carry out its functions under the Licensing Act 2003 with a view to promoting four licensing objectives. These are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

4.2 Each objective is of equal importance, and the four objectives will be paramount considerations for the council at all times.

4.3 It is for the applicant to decide what, if any, measures to suggest in its operating schedule in order to address any potential concerns that might arise in the promotion of the licensing objectives. Applicants are reminded that measures proposed in the operating schedules will be converted into conditions on their licence.

4.4 The council recommends that applicants risk assess their operation against the four licensing objectives to identify potential areas of concern.

4.5 Applicants are reminded that responsible authorities or other people may make representations if they feel that the applicant's proposals do not adequately promote the licensing objectives. An applicant who proposes no measures to promote the licensing objectives may therefore face more representations than an applicant who risk assesses their operation and proposes necessary and proportionate measures.

4.6 The council recommends early consultation with responsible authorities. Many responsible authorities have produced guidance which applicants can take into account when assessing whether they need to include any measures in their application to promote the licensing objectives. In addition, responsible authorities are prepared to discuss matters with an applicant with a view to reaching agreement on measures to be proposed. Contact details for the responsible authorities are available from the Licensing Team. Guidance issued by the responsible authorities can be sourced by

contacting the relevant responsible authority direct or by contacting the licensing team.

Crime and Disorder

- 4.7 Under the Crime and Disorder Act 1998, the council must exercise its functions, having regard to the likely effect on crime and disorder in its area, and must do all it cantoprevent crime and disorder.
- 4.8 Where its discretion is engaged, the council will seek to promote the licensing objective of preventing crime and disorder in a manner which supports Dorset's Community Safety Plan.
- 4.9 There are many steps an applicant may take to prevent crime and disorder. The council will look to the Police for the main source of advice on these matters.
- 4.10 If relevant representations are received in relation to a premises licence or club premises certificate, the council will consider whether it is necessary to impose conditions to regulate behaviour on the premises, and access to them, where this relates to licensable activities and the licensing objectives. Any conditions attached will not seek to manage the behaviour of customers once they are beyond the direct management of the licence holder, their staff or agents, but may seek to impact on the behaviour of customers on or in the immediate vicinity of premises as they seek to enter or leave. Conditions will be targeted on deterrence and the prevention of crime and disorder. The council may consider:
- The need for and location of CCTV cameras
 - The need for door supervision
 - The need for a text or radio pager system allowing communication between premises and with the Police
 - Conditions setting capacity limits where this is necessary to prevent overcrowding likely to lead to disorder and violence
 - Membership of a recognised pub watch or similar scheme
- 4.11 Crime and disorder conditions will not seek to control adult entertainment involving striptease and lap dancing, which will be governed by laws in relation to indecency and obscenity, and will be licensed under the Local Government (Miscellaneous Provisions) Act 1982. However, conditions for such adult entertainment may be imposed for reasons of public safety, or the protection of children from harm if they relate to the occasional use of the premises for adult entertainment.

Public Safety

- 4.12 The public safety objective is concerned with the physical safety of people using the premises. Public safety includes safety of performers appearing at any premises.
- 4.13 On 1 October 2006 the Regulatory Reform (Fire Safety) Order 2005 replaced previous fire safety legislation. The council will not seek to impose fire safety conditions as conditions on licences where the Order applies.
- 4.14 Capacity limits will only be imposed where appropriate for the promotion of public safety or for reasons of crime and disorder. Capacity limits will not be imposed as a condition of the licence on fire safety grounds.
- 4.15 Applicants are advised to consult with the Environmental Health, Health and Safety Team, who can offer advice as to appropriate measures to be included in risk assessments, and potentially in operating schedules. On receipt of a relevant representation, the council will have regard to the views

of the Health and Safety Team. The team can also offer advice in relation to workplace health and safety matters, including compliance with the Health Act 2006 (smokefree).

- 4.16 Conditions requiring possession of certificates on the safety or satisfactory nature of equipment or fixtures on premises will not normally be imposed as those are dealt with by other legislation. However, if it is considered necessary in light of the evidence on each individual case, conditions may be imposed requiring checks on the equipment to be conducted at specified intervals, and evidence of the checks to be retained. Conditions may also seek to require equipment of particular standards to be maintained on premises.
- 4.17 Special events in the open air or temporary structures raise particular issues. Applicants are referred to other sections of this document where guidance on holding these types of event is given.

Public Nuisance

- 4.18 In considering the promotion of this licensing objective, applicants need to focus on the effect of licensable activities on people living and working in the area around the premises which may be disproportionate and unreasonable. The council is aware that the prevention of public nuisance is not narrowly defined in the Act and can include low-level nuisance perhaps affecting a few people living locally as well as major disturbance affecting the whole community. It may also include, in appropriate circumstances, the reduction of the living and working amenity and environment of other people living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and pests or where its effect is prejudicial to health.
- 4.19 Where applicants are completing operating schedules, the council encourages them to have regard to the location of the proposed or actual premises, and in particular whether proposals may have a disproportionate impact in dense residential areas or near to sensitive premises such as nursing homes, old people's accommodation, hospitals, hospices or places of worship.
- 4.20 Applicants are recommended to consult Environmental Health for advice on measures that may need to be incorporated into an operating schedule.
- 4.21 If relevant representations are made, the council will consider whether it is necessary to impose conditions to regulate behaviour on the premises and access to them where this relates to licensable activities, and the licensing objectives. Any conditions attached will not seek to manage the behaviour of customers once they are beyond the direct management of the licence holder, their staff or agents, but may seek to reduce the impact of the behaviour of customers entering or leaving the premises on people living or working near to the premises. The council considers that patrons who are using external smoking areas or shelters are there as a direct result of the licensed premises and are within the control of the licensee.
- 4.22 The council will consider whether issues relating to public nuisance can be effectively dealt with by necessary and appropriate conditions. These conditions will normally focus on the more sensitive periods, for example, noise from premises in the late evening or early morning when residents may be attempting to sleep.
- 4.23 When considering such matters, the council will have regard to representations made by responsible authorities including Environmental Health, and by local residents.
- 4.24 The council may consider the following matters:
- Whether doors and windows will or can be kept closed after a particular time.

- Whether other noise control measures such as acoustic curtains or other speaker mounts are required.
- The fact that lighting outside the premises may help to prevent crime and disorder, but may give rise to light pollution for neighbours.
- Signs placed at the exit to buildings can encourage patrons to be quiet until they leave the area, and to respect the needs of residents.
- The size and location of smoking areas and any facilities provided may encourage patrons to use the external areas more extensively than for just smoking.
- Provision of litter bins in the vicinity of premises serving hot food after 11pm.
- Display of contact details or a direct telephone link to a private hire/taxi firm.
- Emptying of bins and/or bottle receptacles and the times permitted.

4.25 The council recognises that it is necessary to balance the rights of local residents, businesses and others with those wishing to provide licensable activities, and those who wish to use such facilities.

4.26 Ultimately if it is necessary for the prevention of public nuisance where conditions do not adequately address the issues an application can be refused.

Protection of children from harm

4.27 The council recognises various responsible authorities are concerned with promoting the licensing objective of the protection of children from harm.

4.28 The protection of children from harm includes protection from physical and psychological harm.

4.29 The council notes that the admission of children to premises holding a premises licence or club premises certificate should be freely allowed unless there is good reason to restrict entry or exclude children completely.

4.30 Issues about access of children to premises may give rise to concern:

- Where adult entertainment is provided on an occasional basis and is not already licensed under other legislation;
- Where there have been convictions or warnings to the current management for serving alcohol to minors;
- Where the premises have experienced incidents of allowing under-age drinking;
- Where requirements of proof of age is not the norm;
- Where premises have a known association with drug taking or dealing;
- Where there is a strong element of gambling on the premises; and
- Where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided.

4.31 Such situations can be identified through a risk assessment of the operation. In these circumstances, applicants are advised to consider offering appropriate conditions through their operating schedule. In addition, licensees may identify that the access of children to particular parts of the premises poses more risk than others, and seek only to exclude children from areas of highest risk.

4.32 On receipt of relevant representations, the council will consider whether conditions are necessary. If conditions are necessary these may include:

- Limitations on the hours when children will be present
- Limitation on the presence of children of certain ages when specified activities are taking

place

- Limits on the parts of the premises to which children may have access
- General age limitations of access
- Limitations or exclusions only when certain activities are taking place
- Requirements for an accompanying adult
- Full exclusion of people under the age of 18, or higher when any licensable activities are taking place.

4.33 In such cases, representations by responsible authorities and the Police will be given considerable weight where they address issues regarding the protection of children from harm.

4.34 It is mandatory for premises which sell or supply alcohol to have an age verification policy in place. However, the council favours the Challenge 25 type scheme and such a scheme volunteered as part of an operating schedule will be given the appropriate weight when the council determines the licence application.

4.35 No condition will be imposed by the council requiring the admission of children to any licensed premises except in the case of exhibition of film where a mandatory condition is applied to all licences with this activity.

Section 5 General principles

5.1 In determining a licensing application the overriding principle will be that each application will be determined on its own merits, having regard to the need to promote the four licensing objectives and taking into account this licensing policy and the guidance issued under Section 182 by the Secretary of State. Where it is necessary to depart from the guidance or this policy the council will give clear and cogent reasons for doing so.

5.2 Nothing in this policy will undermine any person's right to apply for a variety of permissions under the Act.

Human Rights

5.3 The European Convention on Human Rights makes it unlawful for a public authority to act in a way that is incompatible with a Convention right. The council will have particular regard to the following relevant provisions of the European Convention on Human Rights:

- Article 6 that in determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.
- Article 8 that everyone has the right to respect for his home and private life.
- Article 1 of the first protocol that every person is entitled to the peaceful enjoyment of his or her possessions.

Protection of Privacy and Data

5.4 In line with General Data Protection Regulation and Data Protection Act 2018, the Council and Dorset Police are Joint Data Controllers of the information you provide as part of your licence application. The Council and the Dorset Police have a statutory duty to process and maintain licences and permissions and conduct enforcement activities in accordance with the Licensing Act 2003 as part of

a legal obligation to meet the statutory requirements for the licensing of the sale of alcohol, regulated entertainment and late-night refreshment.

- 5.5 We may share the following information with the third parties listed below: details of the licensed premises, licence status, the names, addresses and company numbers of persons and companies named on a licence. This may be shared with services in the Council, for example, Development Control, Environmental Health and Community Safety.
- 5.6 In addition we will share with external third party organisations including Government departments, Information Commissioners Office (for National Fraud Initiative), the Health and Safety Executive, Dorset Fire and Rescue Service to make further enquiries regarding your application under the Licensing Act 2003 or where required by law for the detection and prevention of crime.
- 5.7 The personal information you provide as part of your application for a premises licence, club premises certificate or personal licence will be held for a period of 6 years following the surrender, lapsing or expiry of the licence/permit. The personal information held for Temporary Event Notices will be held for a period of 2 calendar years following the event. Details of all transactions are recorded permanently as an entry on the licensing register.
- 5.8 The Council's corporate privacy notice, which includes details of the authority's Data Protection Officer and your information rights is available at: <https://www.dorsetcouncil.gov.uk/your-council/about-your-council/data-protection/data-protection.aspx>
- 5.9 Dorset Police's full privacy notice can be found here <https://www.dorset.police.uk/news-information/about-dorset-police/accessing-information/data-protection/>

Equality Act 2010

- 5.10 The council is committed to eliminating unlawful discrimination, harassment and victimisation, advancing equality of opportunity and fostering good relations within and between our communities.
- 5.11 It is recommended that licensees make themselves familiar with the requirements of this Act for the access and provision of services for persons within the protected groups identified by the legislation. The Act makes it unlawful to discriminate against anyone because of:
- Age
 - Being or becoming a transsexual person
 - Being married or in a civil partnership
 - Being pregnant or on maternity leave
 - Disability
 - Race including colour, nationality, ethnic or national origin
 - Religion, belief or lack of religion/belief
 - Sex
 - Sexual orientation.
- 5.12 In order to promote equality, and to fulfil its statutory duties under the Equality Act 2010, the council asks that applicants aim to achieve inclusive access to their venues and events. For example discrimination will be experienced if access to the venue is denied due to lack of a ramp or if the venue does not provide means for someone to book a ticket who cannot speak. Further guidance is available at <https://www.gov.uk/guidance/equality-act-2010-guidance#guidance-on-the-equality-act>

- 5.13 The council cannot enforce the Act but those who experience discrimination may take legal action following a complaints procedure. Where complaints are received by the council we advise the complainant of their rights under the Equality Act.
- 5.14 In addition, the planning process, which is likely to be relevant to new premises or events, will also seek to support the council's local plan and local development framework.
- 5.15 Further guidance on how the Equality Act affects pubs is available from the British Beer and Pub Association. <http://beerandpub.com/wp-content/uploads/2017/LicenseeGuidance/Accessibility-guide.pdf>

Impact of Licensed Activity

- 5.16 Where no representations are made the council will grant a licence subject to conditions consistent with the operating schedule.
- 5.17 When determining any application where relevant representations are made, the council will consider it in the light of the four licensing objectives and in order to support a number of other key aims and purposes as set out in this policy. The requirement to promote the licensing objectives will be the paramount consideration. The council will focus upon the impact of the activities taking place on members of the public living, working or engaged in normal activity near the premises. Where relevant representations are made in relation to a premises licence, club premises certificate or temporary event notice the following factors will normally be taken into account when the council is looking at the impact of the activities concerned:
- The style of operation, the numbers of customers and customer profile likely to attend the premises
 - The location of the premises and the proximity of noise sensitive properties
 - The proposed hours of operation
 - Any proposed methods for the dispersal of customers
 - The scope for mitigating any impact
 - The extent to which the applicant has offered conditions to mitigate the impact
 - How often the activity occurs.
- 5.18 In considering any application for a variation to a premises licence or club premises certificate where a relevant representation has been received, the council may take into account, in addition to the above matters, any evidence:
- Of past demonstrable adverse impact from the activity especially on local residents or businesses
 - That if adverse impact has been caused, appropriate measures have been agreed and put into effect by the applicant to mitigate that adverse impact.
- 5.19 Other relevant matters may be considered as the individual case dictates.

Special Events in the Open Air or in Temporary Structures

- 5.20 The promotion and the organisation of live musical and similar entertainment in the open air or in temporary structures like marquees etc. can provide opportunities for community involvement, civic pride and can attract visitors to the Dorset Council area.
- 5.21 However, the success of such events by way of contribution to the council's cultural and tourist strategies depends upon the quality, levels of safety and consideration for the rights of people who

live or work in the vicinity and the standard of provision of facilities for those coming to enjoy the event.

- 5.22 In recognition of the special factors that are relevant, particularly with respect to major open air events such as a concerts or festivals, the council has established a multi-agency safety advisory group to assist organisers in co-ordinating such events. This includes council departments who have an interest in, or legislative role relevant to, such events, together with representatives of the emergency services.
- 5.23 Members of the forum are notified about all proposals to hold such events and where necessary a special meeting will be organised in order to consider any issues that will require to be addressed and to open up lines of communication with organisers.
- 5.24 The Health and Safety Executive provide specialist guidance on event safety through their website at www.hse.gov.uk.
- 5.25 Guidance on the planning of such events is available to organisers but it is important that substantial notice is given so that proper preparations and precautions can be put in place for the event. This can also apply if the event is proposed under a Temporary Event Notice. Community Applicants
- 5.26 Whilst this policy is aimed at all licensable activities under the Licensing Act 2003 it should be noted that the council sees a distinction between large or permanent activities, such as those proposed by commercial operators, and small or temporary activities such as those which might be proposed by cultural or community groups.
- 5.27 Where events are proposed by cultural or community groups, it is recognised that those groups may not have the same resources in terms of skill or expertise or access to professional advice. Such groups may seek assistance and guidance from the council by contacting the Licensing team.
- 5.28 Whatever the nature of the applicant and activity proposed, the overriding matter is that the council will consider the individual merits of the application and act so as to promote the licensing objectives.

Other Regulatory Regimes

- 5.29 The licensing policy is not intended to be the primary mechanism for the general control of nuisance, anti-social behaviour and environmental crime but nonetheless is a key aspect of such control and the licensing policy and licensing decisions are intended to be part of an holistic approach to the delivery of the council plan and the management of the evening and night time economy of the Dorset Council area.
- 5.30 In preparing this policy the council has sought to avoid unnecessary duplication of existing legislation and regulatory regimes. However on occasions it has been necessary to set out some of the detail in this policy for ease of understanding. Nothing in this policy is intended to revoke or replace the need for applicants to act in accordance with other statutory requirements. All applicants are advised to seek proper advice to ensure that the activities they propose are within the boundaries set by existing legislation and regulations.

Application Process

- 5.31 Applications must be made to the council in the form prescribed by Regulations. Guidance is available to applicants setting out the detail of the process.

Licensing Committee

- 5.32 The council has appointed a licensing committee of 10-15 Councillors. Licensing functions will often be delegated to a licensing sub-committee of 3 Councillors or, in appropriate cases to officers of the council.
- 5.33 Local Councillors will not sit on a sub-committee which is dealing with an applicant or licence that is located within the ward that they represent.
- 5.34 Councillors will have regard to the Council Code of Conduct for Members. Where a Councillor who is a member of the Licensing Committee or sub-committee has a disclosable pecuniary interest in the application before them, in the interests of good governance they will disqualify themselves from any involvement in the decision making process in respect of that application.
- 5.35 A sub-committee may adjourn an application to another sub-committee or to the Licensing Committee where it is unable to deal with the application because of the number of members unable to vote on the matter in question.
- 5.36 The Licensing Committee will refer an application to the council where it is unable to deal with the application because of the number of members unable to vote on the matter in question.

Representations

- 5.37 Depending on the type of application representations may be made by a responsible authority or other people (as defined by the Licensing Act 2003). The council has agreed protocols with responsible authorities and issued guidance to other people making representations, setting out the detail of the process. Guidance is available on the council website or by contacting the Licensing team.
- 5.38 Members of the public who wish to submit a representation in regards to a premises licence or club premises certificate application should be aware that their personal details will be made available to the applicant. If this is an issue they may contact a local representative such as a ward, parish or town councillor or any other locally recognised body, such as a residents association about submitting the representation on their behalf. The council is not able to accept anonymous representations. In addition the council cannot accept petitions which do not follow the guidance on the council's website.
- 5.39 Where a representation is received which is not from a responsible authority the council will in the first instance make a judgement on whether it is relevant, i.e. based upon one or more of the four licensing objectives.
- 5.40 'Relevant representations' are representations which are;
- about the likely effect of the premises licence on the promotion of the licensing objectives, and
 - which have not been withdrawn and are not, in the opinion of the council, frivolous or vexatious.
- 5.41 Where relevant representations are received about an application the council will hold a hearing to consider them unless the council, the applicant and everyone who has made representations agree that the hearing is not necessary. Applicants and those making representations should seek, in advance of any hearing, to try to reach agreement or to narrow the areas in dispute, particularly where both are professionally represented.

5.42 Where hearings are required as a result of relevant representations, the council may extend the time limits involved in calling hearings in order to allow the parties to negotiate suitable conditions to be added to the operating schedule and avoid the need for a hearing. Such an extension of time is considered to be in the public interest.

Reasons for Decisions

5.43 Every decision made by the Licensing Committee, sub-committee or officers shall be accompanied by clear reasons for the decision.

The Role of Ward Councillors

5.44 Ward councillors play an important role in the local community. They can make representations in writing and speak at the hearing on behalf of an interested party such as a local resident or local business if specifically requested to do so. They can also make representations in their own right. For example, ward councillors may apply for a review of a licence if problems at a specific premises which justify intervention are brought to their attention.

5.45 Ward councillors may choose to consult with residents locally in addition to the statutory publication carried out by the applicant.

5.46 Local residents and businesses may wish to contact their local ward councillors in respect of a licence application. Details on how to contact ward councillors may be obtained from the Council's website or by telephoning 01305 251 000.

5.47 If a local resident or business makes a representation about an application it is often helpful to send a copy to the local Councillors. This helps them to gain an understanding of local feelings.

5.48 Ward councillors may attend hearings of licensing Sub Committees considering applications and speak on behalf of local residents and businesses, but only if:

- They have made a personal representation or
- They have made a representation on behalf of local residents or businesses as 'community advocates' or
- They have been nominated by (an objector) who cannot attend the hearing or prefers to be represented by them at the hearing.

Section 6 Premises licences and club premises certificates

6.1 A premises licence and club premises certificates authorises the sale or supply of alcohol, regulated entertainment and late night refreshment (sale of hot food and drink after 11pm). Businesses wishing to apply for a licence or certificate must use the prescribed form which includes details of the hours of operation, any hours for licensable activities and an operating schedule.

Planning

6.2 The use of premises for the sale or provision of alcohol, regulated entertainment or late night refreshment is subject to planning control. Such use will require planning permission or must otherwise be lawful under planning legislation. Planning permission is generally required for the establishment of new premises or the change of use of premises.

- 6.3 In line with the S182 Guidance the planning and licensing regimes involve consideration of different (albeit related) matters. Licensing committees are not bound by decisions made by a planning committee, and vice versa.
- 6.4 Where businesses have indicated, when applying for a licence under the Act, that they have also applied for planning permission or that they intend to do so, licensing committees and officers will consider discussion with their planning counterparts prior to determination with the aim of agreeing mutually acceptable operating hours and scheme designs.
- 6.5 Where relevant representations are received, any decision on a licence application will not consider whether any decision to grant or refuse planning permission or building consent was lawful and correct. It will take into account what the impact of granting the application will be on the four licensing objectives.

Licensing Hours

- 6.6 The Government acknowledges that different licensing approaches may be appropriate for the promotion of the licensing objectives in different areas. The Act gives the Council the power to make decisions regarding licensed opening hours based on local knowledge and in consultation with other responsible authorities.
- 6.7 In some circumstances, staggered licensing hours with regards to the sale of alcohol are important to ensure that the concentration of customers leaving premises simultaneously is effectively managed. The intention behind this is to reduce the friction at late night fast food outlets, taxi ranks and other sources of transport which currently lead to disorder and disturbance.
- 6.8 Providing the customers with greater choice is an important consideration in the development of a thriving and safe evening and night-time economy. However, any licensable activity has the potential to impact adversely on the surrounding area due to disturbance or crime and disorder. Customers may be noisy when leaving, leave litter or use on-street car parking. The impact of these activities can be particularly intrusive at night when ambient noise levels are much lower.
- 6.9 The council supports the development of a wide ranging and culturally diverse night-time economy. However, this must be achieved in conjunction with the promotion of the four licensing objectives and without compromising local services associated with the night-time economy such as street cleansing.
- 6.10 Under the Act there are no set 'permitted hours' for the sale of alcohol. Applicants are able to suggest in their operating schedule the hours they wish to open and to apply to vary their existing licences if they wish to open beyond their current permitted hours. However, there is no general presumption in favour of lengthening licensing hours and the four licensing objectives will be the paramount consideration at all times.
- 6.11 If relevant representations are made the council will only grant the hours of use proposed where the operating schedule and any risk assessment adequately demonstrates that:
- the applicant has properly considered what is appropriate for the local area in terms of hours and activities;
 - the potential effect on the licensing objectives is not significantly detrimental;
 - the agreed operating schedule demonstrates that the applicant is taking appropriate steps to minimise any adverse impact on local residents and businesses

- 6.12 Restrictions may be made to the proposed hours of use where, after receiving relevant representations, the council considers it appropriate for the promotion of the licensing objectives to do so. The council will take into account the existing pattern and operating times of other licensed premises in an area when considering what is appropriate to promote the objectives. Applications which are significantly out of character for a locality will need to demonstrate that granting the hours sought will not have a detrimental impact on the licensing objectives, given the potential for neighbouring premises to seek the same additional hours to prevent rivals gaining a commercial advantage.
- 6.13 As a general rule, shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at all times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours.

Local, national and international occasions

- 6.14 It should be possible for applicants for premises licences and club premises certificates to anticipate special occasions which occur regularly each year, for example bank holidays, and to incorporate appropriate opening hours for these occasions in their operating schedules.
- 6.15 Additional occasions for which extensions may be required may be covered by a Temporary Event Notice.
- 6.16 The Secretary of State also holds the ability to prescribe certain national occasions as special events and issue an order to permit licensable activities.

Drinking up time

- 6.17 The traditional 'drinking up time' was not carried over into the Licensing Act 2003 from the previous regime. However the hours during which applicants are licensed to sell or supply alcohol and the opening hours need not be identical and therefore applicants of premises licensed for the on-sale of alcohol are advised to consider a drinking up/cooling down period during which music volume may be reduced, customers may consume their drinks and make arrangements for transport from the premises. The council considers that a 30 minute drinking up time will assist in the gradual dispersal of customers and consequently reduce impact on the local area.
- 6.18 Where relevant representations are made the council will consider imposing a condition on drinking up time where such a condition is appropriate in order to promote the licensing objectives in any individual case.

Operating Schedules

- 6.19 Under the Licensing Act 2003 applicants are required to complete an 'operating schedule'. They are expected to have regard to this Statement of Licensing Policy. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives.
- 6.20 Operating schedules are the key to ensuring that the four licensing objectives are promoted. An operating schedule should include enough information to enable any responsible authority or other person to assess whether the steps to be taken to promote the licensing objectives are satisfactory.

- 6.21 Applicants should make their own enquiries and demonstrate how they have considered the following in their operating schedule:
- The layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children and young people may congregate;
 - Any risk posed to the local area by the proposed licensable activities; and
 - Any local initiatives (for example, local crime reduction initiatives or voluntary schemes such as local taxi-marshalling schemes, street pastors, purple flag, best bar none and other schemes), which may help mitigate potential risks.
- 6.22 Whilst applicants are not required to seek the views of responsible authorities before formally submitting their application, they may find them to be a useful source of expert advice on local issues that should be taken into consideration when making an application. The council encourages co-operation between applicants, responsible authorities and, where relevant, local residents and businesses before applications are submitted in order to minimise the scope for disputes to arise.
- 6.23 Applicants may find contacting their local ward councillor helpful. Dorset councillors provide a voice to the people living in the ward that they represent. They are aware of the needs of their community and are in touch with the issues that local people face. As well as influencing council decisions on funding and development, they work with other organisations, such as the police, local schools and health services to help bring about improvements to services and the environment for their local community.
- 6.24 Other publicly available sources which may be of use to applicants include:
- The Police.gov website;
 - Neighbourhood Statistics websites;
 - Websites or publications by local responsible authorities;
 - Websites or publications by local voluntary schemes and initiatives; and
 - On-line mapping tools.
- 6.25 The council expects individual applicants to complete the operating schedule in a manner that is specific to the application being made in respect of those premises and the licensable activity to be carried on rather than in general or standard terms. Information should be given to demonstrate how the individual application proposes to address and promote the licensing objectives. Applicants are referred to the paragraphs in this section which contain information on carrying out a risk assessment.
- 6.26 Any application or operating schedule not completed in accordance with the Act and the regulations may be returned to the applicant unprocessed with a request to complete the forms correctly before the application is accepted by council.

Risk assessments

- 6.27 The council recommends that applicants complete a risk assessment of their business in order to understand what steps are required to complete the operating schedule in a manner which enables the council and responsible authorities to assess how they will seek to promote the licensing objectives.
- 6.28 The council is aware that any risk assessment will vary according to the nature of the business. It is for applicants to decide what is appropriate in each case. To assist applicants in completing their operating schedules the council has devised a risk assessment proforma and suggested wording for

volunteered conditions. A copy may be obtained from the Licensing team. A special risk assessment proforma designed for outdoor events and broadly based on the 'Purple Guide' is also available.

- 6.29 The risk assessment contains many of the key factors which the responsible authorities will be expecting applicants to meet in order to fulfil the licensing objectives. The contents are not exhaustive but the risk assessment approach will reduce the likelihood of representations.
- 6.30 It is recognised that some areas of the risk assessment may duplicate issues which applicants have previously addressed in order to satisfy other legislation. Where this does occur the operating schedule may cross reference to alternative documents.
- 6.31 The council recognises that it cannot insist on a risk assessment. However, an applicant who decides not to complete or provide a risk assessment may face additional representations and the expense of hearings as a result. If a risk assessment is not completed then applicants will need to demonstrate how these matters have been addressed through the operating schedule provided.

Children's Safeguarding

- 6.32 If you are providing services to children/families and your staff may come in to contact with children in the course of their working day, there is an expectation that you will provide a safeguarding policy in line with the expectation of the Pan-Dorset Safeguarding Children Partnership. <https://pdscp.co.uk/>

Local Concerns

- 6.33 If you live in some of the more deprived areas of Dorset you can expect your life expectancy to be lower than that of residents in other parts of the Dorset Council area. The three contributory factors to a reduced life expectancy are alcohol, obesity and smoking. The Licensing Act 2003 authorises the activities of the sale by retail of alcohol and the provision of late night refreshment and therefore the question is whether reducing people's access to alcohol and high fat content takeaway food will have a positive outcome on life expectancy in these areas.
- 6.34 In these more deprived areas there is concern about:
- Sale of alcohol
 - The wide and obvious availability of alcohol in convenience stores, newsagents, corner shops and off licences.
 - The contributory factor and possible links between violent crime and domestic violence which may be exacerbated by the availability of alcohol sold in these areas.
 - The higher proportion of premises licensed for alcohol for consumption off the premises.
 - The ability for people with mental health or alcohol problems to easily obtain alcohol.
 - The ability for people who are already intoxicated to easily obtain more alcohol.
 - The pack size super strength white cider is sold in, which leads to people with alcohol dependency issues to drink more than they need to.

Protection of children

- The normalisation of alcohol abuse and the effect this has on children living in the area
- The sale and supply of alcohol to young people and children and the impact this has on the behaviour in the community and impact on their health.

Public nuisance

- The accumulation of premises providing takeaway food and off sales of alcohol

- Littering of food wrappers and waste food originating from takeaways
- Harassment of persons by those drinking in the streets

6.35 The availability of alcohol is a major concern, as harmful and hazardous drinking is a contributory factor in many of the concerns mentioned in this policy. As such the council would expect anyone wishing to open or extend premises that sell alcohol, or sell hot food to provide extra measures to ensure these problems are not exacerbated.

6.36 An application for premises in deprived areas which includes the sale by retail of alcohol or the sale of hot food and drink may attract representations from a number of interested people. Applicants are encouraged to contact the Licensing team, Dorset Police, Environmental Health and Public Health to see if there are any specific measures that can be included in the operating schedule to mitigate local concerns.

6.37 The Licensing team provides a Proforma Risk Assessment which is a list of suggested measures applicants may like to include in their operating schedule. Applicants in the deprived areas should carefully consider if the measures relating to the following concerns could be offered as part of their operating schedule:

Crime and disorder

- Measures that control the display of alcohol including proximity to the door, display of spirits and high strength alcohol
- The sale of high-strength lager and cider
- CCTV coverage of alcohol displays

Prevention of public nuisance

- Hourly checks of the surrounding area and removal of litter

Protection of children

- Display of alcohol, name of premises and windows advertising which normalise the availability of alcohol

Dispersal

6.38 There has been concern for many years that a lack of transport provision in the town centres during the early hours of the morning may contribute to an increase in disorder incidents and operators will be expected to consider suitable dispersal policies to address such concerns.

Excessive Consumption of Alcohol

6.39 The council is acutely aware of the link between the supply of alcohol, that is subject to certain promotions, and the possibility of resultant incidents of alcohol related crime and disorder arising and implications on the four licensing objectives

6.40 The council also recognises the impact that excessive or binge drinking can have on public health and that positive action on promoting the licensing objectives is equally likely to have an impact on public health.

6.41 The British Beer and Pub Association states that a promotion is irresponsible where it encourages or incites individuals to drink to excess, behave in an anti-social manner or fuels drunkenness. The council, as the licensing authority, will use the powers contained within the Licensing Act 2003 to ensure operators' promotional activities do not undermine any of the licensing objectives.

- 6.42 In April 2010 mandatory conditions came into effect which:
- Ban irresponsible promotions;
 - Ban the dispensing of alcohol directly into the mouth; and
 - Ensure that customers have access to free tap water so that they can space out their drinks and not get too intoxicated too quickly.
- 6.43 The legislation makes it clear that an irresponsible promotion is one that is “carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carried a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance or harm to children”.
- 6.44 As a consequence any on-trade premises that participates in irresponsible drinks promotions will be breaching licence conditions and will be dealt with in accordance with the council’s Enforcement Policy, which is available from the council’s website, and may also be subject to a review of their licence.

Conditions

- 6.45 The council may only impose conditions where relevant representations are made following an application to grant or vary a licence or where a review request is being considered.
- 6.46 The council recognises that the only conditions that should be imposed on a licence are those which are appropriate and proportionate to the promotion of the licensing objectives. There may be circumstances where existing legislation and regulations already effectively promote the licensing objectives and no additional conditions are required.
- 6.47 Where conditions are imposed they will be tailored to the individual style and characteristics of the premises and events concerned.
- 6.48 Applicants are strongly encouraged to make early contact with the appropriate responsible authorities to discuss proposed conditions in advance of the submission of their application to the council.
- 6.49 There is a pool of sample conditions attached to this policy at Appendix B. This is a generic resource which can be utilised by applicants, responsible authorities, persons making representations and committee members alike. The council will never attach any set of conditions as a matter of routine and would not expect applicants to do so either. Any conditions which are applied to a licence must be as a result of conducting a risk assessment or attached by committee following due consideration of the merits of each individual application, any representations received and the specific measures required to promote the licensing objectives.

Designated Premises Supervisor

- 6.50 An application for a premises licence which includes the sale and supply of alcohol must nominate a Designated Premises Supervisor (DPS). That person will normally have been given the day to day responsibility for running the premises. The DPS will also be required to hold a personal licence issued under the Licensing Act 2003.
- 6.51 The Act does not require the presence of the DPS at all times and the authorisation for the sale of alcohol may be made by another personal licence holder. The council would expect that this

authorisation is made in writing.

- 6.52 If a DPS is not specified on the licence no sale or supply of alcohol may be made. Similarly no sale or supply of alcohol can be made if the DPS does not hold a personal licence.

Staff Training

- 6.53 The council recommends that all people employed on licensed premises who are engaged in the sale and supply of alcohol be encouraged to attend training programmes to raise awareness of their responsibilities and particularly of the offences contained within the Act. Similarly, people employed at on-licensed premises should be encouraged to attend training programmes which will raise their awareness of the issues relating to drugs and violence in licensed premises, and that suitable training be extended to all staff involved in managing or supervising the premises.
- 6.54 It is also recommended that people employed on premises providing entertainment for children and youths attend training programmes in basic child protection and safety, and if appropriate have the necessary DBS checks.
- 6.55 All people employed on licensed premises should be provided with in-house training on basic public safety and the housekeeping arrangements relative to those premises.

Club Premises Certificate

- 6.56 The Act recognises that premises to which public access is restricted and where alcohol is supplied other than for profit, give rise to different issues for licensing law than those presented by commercial enterprises selling direct to the public. For this reason qualifying clubs may apply for a Club Premises Certificate as an alternative to a premises licence.
- 6.57 A Designated Premises Supervisor or Personal Licence Holder is not required where a Club Premises Certificate is in force. However, an applicant for a Club Premises Certificate is still required to act in a manner which promotes the licensing objectives. An application for a Club Premises Certificate must be in the form prescribed by regulations.
- 6.58 Any qualifying club may choose to obtain a Premises Licence if it decides that it wishes to offer its facilities commercially for use by the public, including the sale of alcohol. Any individual on behalf of the club may also provide Temporary Events Notices. The Licensing team can give further guidance regarding this process on request.

Community Halls

- 6.59 The management committees of community premises can apply to remove the requirement of a Designated Premises Supervisor and the authorisation of the sale of alcohol by a Personal Licence Holder. If they do so all sales of alcohol are authorised by the management committee. The Licensing team can give further guidance regarding this process on request.

Minor Variations

- 6.60 It is possible to make small changes to premises licences or club premises certificates through the minor variation process, which is cheaper, quicker and simpler than the full variation process. The test for whether a proposed variation is 'minor' is whether it could impact adversely on any of the four licensing objectives. The Licensing team can give further guidance regarding this process on request.

Alcohol Deliveries

- 6.61 An applicant seeking a licence that will enable them to provide alcohol as part of an alcohol delivery service should include in their operating schedule the procedures they intend to operate to ensure that:
- The person they are selling alcohol to is over the age of 18
 - That alcohol is only delivered to a person over the age of 18
 - That a clear document trail of the order process from order, despatch from the licensed premises and delivery to the customer is maintained (with times and signatures) and available for inspection by an authorised officer
 - The time that alcohol is sold on the website/over the phone and the time the alcohol is delivered is within the hours stated on the licence for the sale of alcohol.

Live Music Act & licensing deregulation

- 6.62 The Live Music Act 2012 came into force on 1st October 2012 and is designed to encourage more performances of 'live' music. The Act removes the licensing requirements for:
- Amplified 'live' music between 8am and 11pm before audiences of no more than 200 people on premises authorised to sell alcohol for consumption on the premises
 - Amplified 'live' music between 8am and 11pm before audiences of no more than 200 people in workplaces not otherwise licensed under the 2003 Act (or licensed only for the provision of late night refreshment)
 - Unamplified 'live' music between 8am and 11pm in all venues
 - The provision of entertainment facilities.
- 6.63 Where licensable activities continue to take place on premises any licence conditions relating to 'live' music will be suspended, but it will be possible to impose new, or reinstate existing conditions following a review.
- 6.64 When considering whether an activity constitutes the provision of regulated entertainment each case will be treated on its own merits. There will inevitably be a degree of judgement as to whether a performance is live music or not, so organisers are encouraged to check with the licensing authority if in doubt.
- 6.65 There was a further deregulation of entertainment licensing in June 2013 when the Licensing Act 2003 (Descriptions of Entertainment) (Amendment) Order 2013) came into force on 27 June 2013.
- 6.66 The effect of the order is that no authorisation is required for the following activities to the extent that they take place between 08:00-23:00 on any day:
- A performance of a play in the presence of any audience of no more than 500 people
 - An indoor sporting event in the presence of any audience of no more than 1000 people
 - A performances of dance in the presence of any audience of no more than 500 people.
- 6.67 Entertainment licensing requirements were further deregulated as a result of the Legislative Reform (Entertainment Licensing) Order 2014, which came into force on 6 April 2015.
- 6.68 The 2014 Order deregulated entertainment licensing in the following ways:
- The provision of regulated entertainment by or on behalf of local authorities, health care providers, or schools on their own defined premises became exempt from entertainment licensing between 08.00-23.00 on the same day, with no audience limit.
 - The audience limit for a performance of live amplified music in relevant alcohol licensed

premises or in a workplace between 08.00-23.00 on the same day was raised from 200 to 500.

- Local authorities, health care providers and schools are now exempt from entertainment licensing when making their own defined premises available to third parties for live and recorded music activities between 08:00-23:00 on the same day for audiences of up to 500. [Community premises not licensed to supply alcohol are now exempt from entertainment licensing requirements for live and recorded music between 08:00-23:00 on the same day for audiences of up to 500.
- Travelling circuses are now exempt from entertainment licensing in respect of all descriptions of entertainment, except an exhibition of a film or a boxing or wrestling entertainment, where the entertainment or sport takes place between 08:00-23:00 on the same day, with no audience limit.
- Greco-Roman and freestyle wrestling are now deregulated between 08:00-23:00 for audiences of up to 1000 people.
- An exhibition of film that is incidental to another activity (where that other activity is not itself a description of entertainment set out in paragraph 2 of Schedule 1 to the 2003 Act) is exempt now from licensing.

6.69 The exhibition of films in community premises has also been deregulated as a result of section 76 of the Deregulation Act 2015. No licence is required for an exhibition of film on community premises between 08:00 and 23:00 on any day provided that:

- The film entertainment is not provided with a view to profit;
- The film entertainment is in the presence of an audience of no more than 500 people;
- The admission of children is subject to such restrictions as are necessary to comply with the recommendation issued by the BBFC or relevant licensing authority regarding the admission of children; and
- A person concerned in the organisation or management of the exhibition of the film has obtained the prior written consent of the management committee of the premises, or if there is no management committee, a person who has control of the premises in connection with the carrying on by that person of a trade, business or other undertaking, or failing that a person with a relevant property interest in the premises.

Suspension of Licence for non-payment of annual fees

6.70 As a result of powers introduced under the Police Reform and Social Responsibility Act 2011, the Licensing Authority must suspend Premises Licences and Club Premises Certificates if the holder of the relevant authorisation fails to pay their annual fee.

6.71 However, this does not apply immediately if the payment was not made before or at the time of the due date because of an administrative error, or because the holder disputed liability for the fee. In either of these cases, there is a grace period of 21 days. This period will be used by the Licensing Authority to contact the licence or certificate holder in attempt to resolve the dispute or error. If the dispute or error is not resolved during this 21-day period, the licence or certificate will be suspended.

6.72 When suspending a licence or certificate a notice of suspension will be given in writing to the licence or certificate holder. The police and any other relevant responsible authorities will also be notified of the suspension at the same time.

6.73 A premises licence or certificate that has been suspended does not therefore authorise licensable activities. However, it can for example be subject to a hearing or, in the case of a premises licence, an application for transfer. The licence will nevertheless only be reinstated when the outstanding fee has been paid. Formally, the

debt is owed by the holder who held the licence at the time it was suspended. However, it may be more likely in practice that the new holder will actually make the payment.

- 6.74 Once payment has been received a written acknowledgement will be given to the licence/certificate holder and the suspension will be lifted. The police and any other relevant responsible authorities will be notified that the suspension has been lifted at the same time.

Section 7 Cumulative Impact

- 7.1 The concept of “cumulative impact” has been described in the Section 182 guidance issued by the Home Office since the commencement of the Licensing Act 2003. Cumulative impact assessments were introduced at Section 5A in the Licensing Act 2003 by the Policing and Crime Act 2017. Cumulative impact is the potential impact on the promotion of the licensing objectives of a number of licensed premises concentrated in one area.
- 7.2 In some areas, where the number, type or density of licensed premises, such as those selling alcohol or providing late night refreshment, is high or exceptional, serious problems of nuisance and disorder may arise outside or some distance from those premises. Such problems generally occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or when queuing at fast food outlets or for public transport.
- 7.3 Queuing in itself may lead to conflict, disorder and anti-social behaviour. Moreover, large concentrations of people may also attract criminal activities such as drug dealing, pick pocketing and street robbery. Local services such as public transport, public lavatory provision and street cleaning may not be able to meet the demand posed by such concentrations of drinkers leading to issues such as street fouling, littering, traffic and public nuisance caused by concentrations of people who cannot be effectively dispersed quickly.
- 7.4 Variable licensing hours may facilitate a more gradual dispersal of customers from premises. However, in some cases, the impact on surrounding areas of the behaviour of the customers of all premises taken together will be greater than the impact of customers of individual premises. These conditions are more likely to arise in town centres, but may also arise in other urban centres and the suburbs, for example on smaller high streets with high concentrations of licensed premises.
- 7.5 Once away from the licensed premises, a minority of customers will behave badly. Other mechanisms for addressing such concerns may be more appropriate than cumulative impact, or may work alongside licensing policy. For example:
- Planning controls
 - Positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local authority, including best practise schemes such as Purple Flag, Best bar None, Pubwatch or BIDs
 - Community Protection Orders
 - The provision of CCTV surveillance in town centres, taxi ranks, provision of public conveniences open late at night, street cleansing and litter patrols
 - Public Spaces Protection Orders
 - Police enforcement of the law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices
 - Prosecution for the offence of selling alcohol to a person who is drunk (or allowing such a sale)

- Late Night Levy
- Early Morning Restriction Orders
- Other licensing measures such as fixed closing times, staggered closing times and zoning.

Cumulative Impact Assessments

- 7.6 A cumulative impact assessment (CIA) may be published by a licensing authority to help it limit the number or type of licences granted in an area where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives.
- 7.7 Weymouth and Portland Borough Council, one of the predecessor councils which were merged into Dorset Council on 1st April 2019 had an existing Cumulative Impact Area (CIA) in Weymouth town centre, designated following consultation and consideration of a Cumulative Impact Assessment. The CIA applies to applications for new premises licences and club premises certificates and applications to vary existing premises licences and club premises certificates within the Area.
- 7.8 The initial assessment included a call for evidence from the responsible authorities, including crime statistic reports commissioned from Dorset Police and ASB/nuisance statistics provided by the council's Licensing, Community Safety and Environmental Health Services. Local residents were also given the opportunity to comment on the proposals through the consultation period and relevant elected ward councillors and Community Committees during the development of the cumulative impact assessment.
- 7.9 As required by the law, the council is conducting a formal consultation process on retaining the cumulative impact Area with:
- The responsible authorities
 - Licensees and those representing licensees
 - Local residents and businesses
 - Those representing local residents and businesses.
- 7.10 Responses from these consultations will be reviewed and reports are available from the Licensing team.
- 7.11 The council will review the cumulative impact policy area at least every three years, as required by the legislation. The Cumulative Impact Assessments are available on the council's website. Applicants should contact the Licensing team to ensure they are in possession of the latest information before making their application.

Cumulative Impact Areas

- 7.12 The cumulative impact assessment has shown that the number or type of licence applications granted in the following area(s) are having a cumulative impact and this is leading to problems which are undermining the licensing objectives.

Weymouth Town Centre

- 7.13 The council has considered the available data and has determined that there is an area that is suffering from the cumulative impact of licensed premises and as a consequence this is leading to problems which are undermining the licensing objectives.

- 7.14 Weymouth Town Centre is an area where the impact of the licensed premises is considered so severe that the council's position is that any application for a new licence or the variation of an existing licence within the area should be refused unless the applicant can show how their application would not lead to an increase in the detrimental impact of licensed premises in this area. Maps showing the exact geographical area can be found in the cumulative impact assessment at Appendix A to this Policy.
- 7.15 In this area the nature of the problems are alcohol related violent crime being perpetrated by people visiting and using this area during specific peak hours. More information on the evidence can be found in the cumulative impact assessment.
- 7.16 It would be inconsistent with the council's duty to promote the licensing objectives to grant new and variation application for any premises licence (on sales, off sales and late night takeaways) that seek to operate during the peak hours described in the cumulative impact assessment for the town centre.

Applications within a cumulative impact area

- 7.17 Applications for premises situated within a designated cumulative impact area for new premises licences or variations that are likely to add to the existing cumulative impact will normally be refused if relevant representations are received. It is for the applicant to demonstrate that their application would not add to the cumulative impact of such licensed premises in the area and so give good reason for the council to depart from its own policy.
- 7.18 An applicant wishing to obtain a new or varied licence for premises falling within the cumulative impact area must identify, through the risk assessment process (if used) and operating schedule, the steps that they intend to take so that the council and responsible authorities can be satisfied that granting a new licence will not add to the problems already being experienced.
- 7.19 To assist this process applicants are encouraged to submit a full and thoroughly considered application at the earliest opportunity. The onus is on the applicant to demonstrate to the responsible authorities the suitability and detail for their planned operation. The applicant is encouraged to make early contact with the responsible authorities to discuss their plans, and suggested control measures. Applicants should also have particular regard to the guidance issued by the Home Office under section 182 of the Act.
- 7.20 The existence of a cumulative impact assessment for a specific area does not relieve the responsible authorities or any other person of the need to make relevant representations where they consider it appropriate to do so for the promotion of the licensing objectives. Anyone making a representation may base it on the evidence published in the cumulative impact assessment, or the fact that a cumulative impact assessment has been published for that area. It remains incumbent on all responsible authorities and other people to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing. As with all licensing applications under the Licensing Act 2003, if there are no representations, the licensing authority must grant the application in terms that are consistent with the operating schedule submitted as part of the application.
- 7.21 The council recognises that cumulative impact policies should not be absolute. The circumstances of each application will be considered properly on its own merits and applications for licences that are unlikely to add to the cumulative impact on the licensing objectives may still be granted, depending on the individual circumstances. After receiving representations in relation to a new application or for a variation of a licence, the licensing authority will consider whether it would be justified in departing from its policy and cumulative impact assessment in the light of the individual

circumstances of the case. The impact can be expected to be different for premises with different styles and characteristics. If the council decides that an application should be refused, it will still need to show that the grant of the application would undermine the promotion of the licensing objectives and that appropriate conditions would be ineffective in preventing the problems involved.

7.22 When considering an application where the subject premises is in a cumulative impact area, the council will need to be satisfied that the grant of the licence or variation will not impact on the cumulative impact of existing licensed premises in the area and as the burden of proof is on the applicant, they will often suggest measures which they assert will demonstrate there will be no impact. Examples of factors the licensing authority may consider as demonstrating there will be no impact may include, though are not limited to:

- Small premises who intend to operate up to midnight.
- Premises which are not alcohol led and only operate during the day time economy
- Instances where the applicant is relocating their business to a new premises but retaining the same style of business.
- Conditions which ensure that the premises will operate in a particular manner such as a minimum number of covers or waiter/waitress service to secure a food led operation.
- Premises which will bring a variety of cultural activities to the area and expand the range of activities on offer for customers.

7.23 Examples of factors the licensing authority will not consider as meeting the standard of rebuttal include:

- That the premises will be well managed and run (as all licensed premises should meet this standard)
- That the premises will be constructed to a high quality standard
- That the applicant operates similar premises elsewhere, such as in another licensing authority area, without complaint

7.24 Any relevant representations submitted in support of an application will be taken into consideration by the council when making its determination.

Representations based on cumulative impact outside cumulative impact areas

7.25 In cases where either responsible authorities or other people seek to establish that an application should be refused on the grounds that it would result in or further contribute to a cumulative impact in an area not already designated as such, which would undermine one or more of the licensing objectives, they will be expected to:

- Identify the boundaries of the area from which it is alleged problems are arising
- Identify the licensing objective which it is alleged will be undermined
- Identify the type of licensable activity alleged to be causing the problem (e.g. sale of alcohol, late night refreshment)
- Provide full details and evidence to show the manner and extent to which it is alleged that the licensing objectives are being, or at risk of being, undermined in the area
- Provide evidence to show that the undermining of the objective is caused by the patrons of licensed premises in the area.

7.26 The reason for this is to ensure that there is an evidential basis for the licensing sub-committee to reach a decision and in the case of a representation submitted by persons other than responsible authorities, their objections are neither frivolous nor vexatious.

Section 8 Early Morning Alcohol Restriction Orders

- 8.1 The power conferred on licensing authorities to make, vary or revoke an EMRO is set out in section 172A to 172E of the Licensing Act 2003. This power was brought into force on 31st October 2012 and the Government has provided guidance as part of the S182 Guidance to Licensing Authorities.
- 8.2 An EMRO enables a licensing authority to prohibit the sale of alcohol for a specified time period between the hours of 12am and 6am in the whole or part of its area, if it is satisfied that this would be appropriate for the promotion of the licensing objectives.
- 8.3 EMROs are designed to address recurring problems such as high levels of alcohol related crime and disorder in specific areas at specific times; serious public nuisance and other instances of alcohol related anti-social behaviour which is not directly attributable to specific premises.
- 8.4 It is the council's intention to support businesses rather than hinder them whilst ensuring promotion of the licensing objectives. However where this has deemed to fail then an EMRO could be considered as a possible solution.
- 8.5 An EMRO:
- Applies to the supply of alcohol authorised by premises licences, club premises certificate and temporary event notices;
 - Applies for any period beginning at or after 12am and ending at or before 6am. It does not have to apply on every day of the week and can apply for different time periods on different days of the week;
 - Applies for a limited or unlimited period (for example, an EMRO could be introduced for a few weeks to apply to a specific event);
 - Applies to the whole or any part of the licensing authority's area
 - Will not apply to any premises on New Year's Eve (defined as 12am to 6am on 1 January every year);
 - Will not apply to the supply of alcohol to residents by accommodation providers between 12am and 6am, provided the alcohol is sold through mini-bars/room service; and
 - Will not apply to a relaxation of licensing hours by virtue of an order made under section 172 of the Licensing Act 2003.

EMRO Request

- 8.6 It is expected that the need for an EMRO may be identified by a number of different organisations. For example the request for an EMRO may originate at an area committee, residents association or the local Neighbourhood Policing Team. It may come via the Licensing Enforcement Group which is a group of partner agencies who meet regularly to discuss issues relating to the sale of alcohol and the provision of entertainment. It is likely that more than one organisation may be involved in the process.
- 8.7 It is anticipated that the request would be referred to the Licensing team where a designated procedure will be applied to determine if an EMRO is appropriate. If appropriate, the request would be referred to the Licensing Committee. Members would be supplied with evidence of the issues being experienced in the area in support of the EMRO. The Licensing Committee will decide if, on the strength of the evidence provided, that an EMRO is appropriate for the promotion of the licensing objectives and if further work is to be undertaken to support the case. Members may decide that other measures would be more effective in dealing with the problems, or that licence holders should engage with the authorities in an attempt to rectify matters before the request is considered further.

Evidence

8.8 The Section 182 Guidance to Licensing Authorities states that:

“The licensing authority should be satisfied that it has sufficient evidence to demonstrate that its decision is appropriate for the promotion of the licensing objectives. This requirement should be considered in the same manner as other licensing decisions, such as the determination of applications for the grant of premise licences. The licensing authority should consider the evidence from partners, including responsible authorities and local Community Safety Partnerships, alongside its own evidence, to determine when an EMRO would be appropriate for the promotion of the licensing objectives.”

8.9 The level of evidence Licensing Committee will consider to support an Early Morning Alcohol Restriction Order is:

- Police evidence of reported alcohol related crime
- Nuisance statistics compiled from complaints made to Environmental Health in relation to noise, odour and litter nuisance
- Data gathered from complaints made to the Licensing team on matters which affect the licensing objectives.
- Anecdotal evidence from residents organisations, ward members and other representatives of people living in a specific area
- Evidence obtained during the public consultation and associated public meetings

8.10 In addition the S182 guidance suggests other sources of evidence such as

- Health related statistics such as alcohol-related emergency attendances and hospital admissions

8.11 This should, in part be provided by the organisation or group who are proposing an EMRO should be in force.

8.12 Once the Licensing Committee is satisfied that an EMRO is required to address the issues in an area, and all other measures have been tried and failed to address these issues, the formal process of implementing an EMRO will begin. The design of the EMRO will include:

- The days (and periods on those days) on which the EMRO would apply
- The area to which the EMRO would apply
- The period for which the EMRO would apply
- The date from which the proposed EMRO would apply

Consultation

8.13 The proposed EMRO will be advertised for at least 42 days. The proposal will be published on the council’s website and in a local newspaper. A notice will be sent to all affected people in the area who hold a premises licence or club premises certificate, or people who use TENs or who hold a provisional statement. A notice will be displayed in the area, and sent to responsible authorities and adjacent licensing authorities.

8.14 Anyone affected by the EMRO has 42 days in which to make a representation on any aspect of the EMRO design. If relevant representations are received then a hearing will be held to consider them. If there are a number of representations, the licensing authority may consider whether to hold the hearing over several days. The hearing will be commenced within 30 working days of the end of the

notice period.

As a result of the hearing the licensing authority has three options:

- To decide that the proposed EMRO is appropriate for promotion of the licensing objectives
- To decide that the proposed EMRO is not appropriate and therefore the process should be ended
- To decide that the proposed EMRO should be modified. In this case it may be necessary to advertise again.

Formal Decision

- 8.15 Once the licensing authority is satisfied that the proposed order is appropriate for the promotion of the licensing objectives, its determination will be put to full Council for its final decision. Once the EMRO is made, the authority will send a notice to all affected people and make it available for 28 days on the website.
- 8.16 A variation or a revocation of an order will follow the same process. However, an order could be applied for a specified time and in this case the order ceases to apply on the final day.
- 8.17 Once an EMRO is in place, the licensing authority will update this policy as soon as possible to include reference to the EMRO in this section.
- 8.18 There are currently **no** EMROs in place in the Dorset Council area.

Section 9 Late Night Levy

- 9.1 The late night levy is a power, conferred on licensing authorities by provision in Chapter 2 of Part 2 of the Police Reform and Social Responsibility Act 2011. This enables licensing authorities to charge a levy to persons who are licensed to sell alcohol late at night in the authority's area, as a means of raising a contribution towards the costs of policing the late-night economy.
- 9.2 The levy is a power and the Government has recognised that some licensing authorities will not consider that it is appropriate to exercise it.
- 9.3 The licensing authority is **not** currently satisfied that it is appropriate to introduce a Late Night Levy.
- 9.4 At the present time this licensing authority does not have a large number of premises which are licensed to sell alcohol during the late night supply period.
- 9.5 The decision to introduce the levy is for the licensing authority to make. However the licensing authority will keep the need for a levy under review in consultation with the chief officer of police and police and crime commissioner ("PCC") for the police area.
- 9.6 When considering whether to introduce a levy the licensing authority notes that any financial risk (for example lower than expected revenue) rests at a local level and this will be fully considered prior to making any decision about local implementation.
- 9.7 The licensing authority will decide whether or not it believes it has a viable proposal to introduce the levy before incurring the costs of the formal consultation process.

- 9.8 If the licensing authority decides to give further consideration to the introduction of a levy in the future, it will do so in accordance with the relevant regulations and with reference to any relevant guidance issued by the Home Office.
- 9.9 Any decision to introduce, vary or end the requirement for the levy will be made by the full Council. Other decisions in relation to the introduction and administration of the levy would be delegated to the Licensing Committee.

Section 10 Power to deregulate late night refreshment premises

- 10.1 Section 71 of the Deregulation Act 2015 inserted paragraph 2A into Schedule 2 of the Licensing Act 2003 in relation to the provision of late night refreshment.
- 10.2 This amendment created a discretionary power to licensing authorities to exempt premises in certain circumstances, from the requirement to have a licence to provide late night refreshment.
- 10.3 The powers allow a relevant licensing authority to exempt the supply of late night refreshment if it takes place:
- on or from premises which are wholly situated in a designated area;
 - on or from premises which are of a designated description; or
 - during a designated period (beginning no earlier than 23.00 and ending no later than 05.00).
- 10.4 The licensing authority does **not** currently consider it appropriate to exercise the discretionary powers within paragraph 2A of Schedule 2 to the Licensing Act 2003.
- 10.5 If the licensing authority was going to consider exercising the powers in the future, it would only do so having carefully considered the risks to the promotion of the licensing objectives and the impact on the locality.

Section 11 Personal Licences

- 11.1 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a Personal Licence. The Act does not require the presence of a Personal Licence holder at all times but if any sales are made when a Personal Licence Holder is not present, then they must have been authorised by somebody who holds a Personal Licence. Regardless of whether a Personal Licence holder is present or not he will not be able to escape responsibility for the actions of those he authorises to make such sales.
- 11.2 The council would expect that authorisations for the sale of alcohol be made in writing to ensure that those authorised are clear what their legal responsibilities are. Any premises at which alcohol is sold or supplied may employ one or more Personal Licence holders.
- 11.3 The council recognises it has no discretion regarding the granting of personal licences where;
- the applicant is 18 or over and
 - possesses an accredited licensing qualification and
 - has not had a licence forfeited in the last five years and
 - has not been convicted of a relevant offence or foreign offence or been required to pay an immigration penalty and

- the applicant has the right to work in the UK.

- 11.4 An application for a personal licence to sell alcohol must be made in the form specified in Government guidance or regulations. The application form must be accompanied by the requisite fee. The applicant should also produce evidence of the relevant qualifications and their right to work in the UK.
- 11.5 Applicants should produce a basic disclosure certificate issued by the Disclosure and Barring Service along with the application form. The certificate must be recent (less than 30 days old) and comply with the regulations applicable to personal licence applications. Applicants are also expected to sign a declaration as to whether or not they have been convicted of a relevant offence or a similar offence outside England and Wales.
- 11.6 Where the application discloses relevant unspent convictions the council will notify the police of that application and the convictions. The police may make objection on the grounds of crime and disorder. If an objection is lodged a hearing must be held.
- 11.7 The council will, at such a hearing, consider carefully whether the grant of the licence will potentially compromise the promotion of the crime prevention objective. It will consider the seriousness and relevance of the conviction(s), the period that has elapsed since the offence(s) were committed and any mitigating circumstances. The council will normally refuse the application unless there are exceptional and compelling circumstances which justify granting it.

Suspension & revocation

- 11.8 Section 138 of the Policing and Crime Act 2017 amended the Licensing Act 2003 and gave the power to a Licensing Authority to suspend or revoke personal licences that it has issued with effect from 6 April 2017.
- 11.9 When a Licensing Authority has granted a personal licence and becomes aware that the licence holder has been convicted of a relevant offence or foreign offence or been required to pay an immigration penalty, a licensing authority may revoke the licence or suspend it for a period of up to six months. This applies to convictions received and civil immigration penalties which a person has been required to pay at any time before or after the licence was granted, as long as the conviction was received after 6 April 2017, or the requirement to pay the civil penalty arose after 6 April 2017. Prior to 6 April 2017 only magistrates' courts can order the forfeiture or suspension of a personal licence for convictions.
- 11.10 The process which must be undertaken by the Licensing Authority to suspend or revoke a personal licence is set out at section 132A of the 2003 Act. The decision to revoke or suspend a personal licence must be made by the licensing committee or sub-committee.
- 11.11 The Licensing Authority may not take action if the licence holder has appealed against the conviction or the sentence imposed in relation to the offence, until the appeal is disposed of. Where an appeal is not lodged, the Licensing Authority may not take action until the time limit for making an appeal has expired.
- 11.12 If a Licensing Authority is considering revoking or suspending a personal licence, the authority must give notice to the licence holder. This notice must invite the holder to make representations about the conviction, any decision of a court in relation to the licence, or any decision by an appellate court

if the licence holder has appealed such a decision. The licence holder may also decide to include any other information, for example, about their personal circumstances.

- 11.13 The licence holder must be given 28 days to make their representation, beginning on the day the notice was issued. Before deciding whether to revoke or suspend the licence the licensing authority must consider any representations made by the licence holder, any decisions made by the court or appellate court in respect of the personal licence of which the licensing authority is aware, and any other information which the licensing authority considers relevant.
- 11.14 The Licensing Authority may not be aware of whether the court considered whether to revoke or suspend the licence, and there is no obligation on the Licensing Authority to find this out before making a decision themselves. Where the court has considered the personal licence and decided not to take action, this does not prevent the Licensing Authority from deciding to take action itself. Licensing Authorities have different aims to courts in that they must fulfil their statutory duty to promote the licensing objectives, and therefore it is appropriate for the licensing authority to come to its own decision regarding the licence.
- 11.15 If the Licensing Authority, having considered a suspension and revocation and subsequently considered all the information made available to it, proposes not to revoke the licence it must give notice to the chief officer of police in the Licensing Authority's area, and invite the chief officer to make representations about whether the licence should be suspended or revoked, having regard to the prevention of crime. The chief officer may make representations within the period of 14 days from the day they receive the notice from the licensing authority.
- 11.16 Any representations made by the chief officer of police must be taken into account by the Licensing Authority in deciding whether to suspend or revoke the licence.
- 11.17 Convictions may come to light via police in another area, for example if the personal licence holder no longer lives in the area of the Licensing Authority which issued the licence, or if the offence took place in another police force area. In this instance it would be good practice for the police providing the information to notify the police force in the Licensing Authority area, because it is the local chief officer who must provide representations if the Licensing Authority proposes not to revoke the licence.
- 11.18 Where the licence holder is convicted of immigration offences or has been required to pay a civil penalty for immigration matters, the Licensing Authority should notify Home Office Immigration Enforcement and allow representations to be made in the same way.
- 11.19 In deciding whether to suspend or revoke a personal licence, the Licensing Authority will have regard to all of the circumstances including the following:
- The need to assess each case on its merits
 - The duty to promote the licensing objectives
 - The guidance issued by the Secretary of State under section 182 of the Licensing Act 2003
 - The seriousness of the relevant offence
 - The sentence or penalty imposed on the licence holder for the relevant offence
 - Any representations made by the Police or Home Office Immigration Enforcement
 - Any representations made by the holder of the licence
 - Any evidence as to the previous character of the holder of the licence.
- 11.20 The Licensing Authority must notify the licence holder and the chief officer of police of the decision made (even if the police did not make representations). The licence holder may appeal the Licensing Authority's decision to revoke or suspend their personal licence. A decision to revoke or suspend the

licence does not take effect until the end of the period allowed for appealing the decision (21 days); or if the decision is appealed against, until the appeal is disposed of.

11.21 If the personal licence holder is a DPS, the licensing authority may notify the premises licence holder once the decision to revoke or suspend the licence has been made if it becomes necessary to do so in order for the Licensing Authority to be able to carry out their functions.

11.22 The Licensing Authority may also notify any person who has declared an interest in the premises under section 178 of the 2003 Act if it becomes necessary to do so in order for the licensing authority to be able to carry out their functions.

Section 12 Temporary Event Notices

12.1 The system of permitted temporary activities is intended as a 'light touch' process, and as such, the carrying on of licensable activities does not have to be authorised by the licensing authority on an application. Instead a person wishing to hold an event at which such activities are proposed to be carried on (the "premises user") gives notice to the licensing authority of the event (a "temporary event notice" or TEN).

12.2 Temporary event notices are subject to various limitations. These are concerned with:

- The number of times a premises user may give a TEN – 50 times in a calendar year for a personal licence holder and five times in a calendar year for other people);
- The number of times a TEN may be given for any particular premises (15 times in a calendar year);
- The maximum duration of an event authorised by a TEN is 168 hours (seven days);
- The maximum total duration of the events authorised by TENs in relation to individual premises (21 days in a calendar year);
- The maximum number of people attending at any one time (fewer than 500); and
- The minimum period between events authorised under separate TENs in relation to the same premises (not including withdrawn TENs) by the same premises user (24 hours).

12.3 The most important aspect of the system of temporary event notices is that no permission is required for these events from the council. Only the police or Environmental Health may intervene to prevent such an event from occurring or modify the arrangements for such an event. The council will only intervene of its own volition if one or more of the specified limits listed above were to be exceeded.

12.4 Many premises users giving temporary event notices will not have a commercial background or ready access to legal advice. They will include, for example, people acting on behalf of charities, community and voluntary groups, and those which may stage public events to raise funds, at which licensable activities will take place. The council will ensure that local guidance about the temporary permitted activities is clear and understandable and will strive to keep the arrangements manageable and user-friendly for such groups.

12.5 Where a community event takes place and where TEN applications are submitted, time restrictions may be agreed to reduce the noise and ASB impact on the local community to support the safe running of the event and promote the licensing objectives.

12.6 There are two types of TEN; a standard TEN and a late TEN. These have different notice periods. A

standard TEN is given no later than ten working days before the event to which it relates; a late TEN is given not before nine and not later than five working days before the event. In both instances this does not include the date of the event or the date the council receives the notice.

- 12.7 The council encourages notice providers to give the earliest possible notice of events likely to take place. This is particularly relevant to events which are to take place in the open air or in a temporary structure. Assistance with the planning of events can be provided through multi agency forum meetings.
- 12.8 The council will provide local advice about proper respect for the concerns of local residents, of other legislative requirements regarding health and safety, noise pollution, the building of temporary structures, or other necessary permissions, and of the powers to close down events with no notice on grounds of disorder, the likelihood of disorder or noise emanating from the premises.

Police and Environmental Health Intervention

- 12.9 The Act provides that in exceptional circumstances, the police or Environmental Health may issue an objection notice because they believe the event would undermine the one or more of the four licensing objectives set out in the Act. The police or Environmental Health must issue an objection notice within three working days of being notified, but they can subsequently withdraw the notice. The issuing of such an objection notice requires the consideration of the objection by the council at a hearing in the case of a standard TEN. If an objection notice is issued in relation to a late TEN then the TEN is cancelled by way of serving a counter notice and licensable activities are not authorised.
- 12.10 The ability of police and Environmental Health to serve such a notice is a further reason why event organisers are strongly encouraged by the council not to rely on giving the minimum amount of notice and to contact the local police and Environmental Health at the earliest possible opportunity about their proposals.

Additional limitations

- 12.11 The council, on receiving temporary event notices, will also check that the requirements of the Act as to duration and numbers of notices are met. For these purposes, a notice is treated as being from the same premises user if an associate gives it.
- 12.12 The Act defines an associate as being:
- The spouse or civil partner of that person;
 - A child, parent, grandchild, grandparent, brother or sister of that person; or
 - An agent or employee of that person;
 - The spouse or civil partner of a person listed in either of the two preceding bullet points.
- 12.13 A person living with another person as his or her husband or wife is treated for these purposes as his or her spouse.

Section 13 Enforcement and reviews

- 13.1 The Licensing Act contains measures to ensure that the council, and responsible authorities, are able to deal with premises that wilfully and persistently undermine the licensing objectives. The council and responsible authorities are committed to encouraging a thriving day time and night time licensed

economy but will not tolerate those premises whose activities break the law or infringe upon the quality of life for local residents and businesses.

- 13.2 The council has established a multi-agency enforcement protocol which sets out the framework for the risk based enforcement of the Licensing Act 2003 following the principles of better regulation advocated by the Department for Business, Energy and Industrial Strategy (BEIS). The protocol allows for carrying out of joint inspections with the police, the fire authority and other relevant agencies.

Prosecution of breaches

- 13.3 In accordance with the enforcement protocol, the council adopts a multi-agency approach to the prosecution of offences under the Licensing Act.
- 13.4 Consideration will be given to the appropriate powers that should be used to address a problem where other agencies such as the police, fire authority, environmental protection, environmental health and trading standards also have their own powers.
- 13.5 The council has adopted the principles of the Hampton Report in its enforcement concordat. Formal enforcement will be a last resort and proportionate to the degree of risk. To this end the key principles of consistency, transparency and proportionality will be maintained.
- 13.6 The council has a zero tolerance to antisocial behaviour and environmental crime.

Reviews of Licences

- 13.7 The council recognises that the ability of the police, other responsible authorities and other people to apply for a review of a premises licence.
- 13.8 On receipt of a relevant request to carry out a review the council has a range of options available to it under the Act. These include:
- To modify the conditions of the licence including imposing new conditions, altering existing conditions or removing conditions (permanently or temporarily)
 - To exclude a licensable activity from the scope of the licence (permanently or temporarily)
 - To remove the Designated Premises Supervisor
 - To suspend the licence for a period not exceeding three months
 - To revoke the licence
- 13.9 The council will seek to establish the cause or causes of the concern and remedial action will be targeted at such causes. Any action will be proportionate to the problems involved.
- 13.10 The council has agreed protocols with responsible authorities and published guidance on the review process which is available from the Licensing team.
- 13.11 Where a Magistrates Court makes a Closure Order under part 8 of the Licensing Act 2003 (on grounds of disorder) the council must carry out a review of the licence.
- 13.12 Where a Magistrates Court makes a Closure Order under the Anti-Social Behaviour, Crime and Policing Act 2014 (on grounds of the use, supply or production of Class A drugs associated with disorder or serious nuisance) the police will usually ask the council to carry out a review of the licence.
- 13.13 Where a closure order has been made under the Anti-Social Behaviour, Crime and Policing Act 2014

(on grounds of noise) the council's Environmental Health section will normally request a review of the licence.

13.14 Where any agency provides evidence of the keeping of smuggled goods, such as counterfeit alcohol or tobacco, or the employment of persons who do not possess the right to work in the UK, the relevant agency may request a review of the premises licence.

Matters to be considered

13.15 When considering a review request or the possibility of enforcement action the council will take into account use of the premises for criminal activities such as the supply of drugs or money laundering

- failure to promptly respond to a warning properly given by a responsible authority
- failure to engage with the RAs in an effective manner
- previous convictions for licensing offences
- previous failure to comply with licence conditions

Summary reviews

13.16 The Violent Crime Reduction Act 2006 amended parts of the Licensing Act 2003 and now expands police and council powers to deal with problem premises in a more expedient manner.

13.17 A power to carry out summary reviews in serious cases of crime and disorder is brought in at section 53A of the Licensing Act 2003. Where a review application is accompanied by a certificate issued by a senior police officer, the Licensing Authority is required within 48 hours to consider whether it is necessary to take any interim steps pending the completion of the review process. This may include the immediate suspension of the premises licence.

Immigration Act 2016

13.18 The Immigration Act 2016 made a number of amendments to the Licensing Act 2003 to introduce immigration safeguards in respect of licensing applications made in England and Wales on or after 6 April 2017. The intention of these changes is to prevent illegal working in premises licensed for the sale of alcohol or late-night refreshment.

13.19 The statutory prevention of crime and disorder licensing objective in the Licensing Act 2003 includes the prevention of immigration crime and the prevention of illegal working in licensed premises. The Council will work with the Home Office (Immigration Enforcement) as well as the police, in respect of these matters.

13.20 Section 36 of and Schedule 4 to the Immigration Act 2016 (the 2016 Act) amended the 2003 Act to provide that in England and Wales:

13.21 Premises licences to sell alcohol or provide late night refreshment and personal licences cannot be issued to an individual who does not have permission to be in the UK, or is not entitled to undertake work relating to the carrying on of a licensable activity;

13.22 Licences issued to those with limited permission to be in the UK will lapse when their permission to be in the UK and work in a licensable activity comes to an end;

13.23 Immigration offences, including civil penalties, are 'relevant offences' as defined by the 2003 Act;

13.24 The Home Secretary (in practice Home Office (Immigration Enforcement)) was added to the list of responsible authorities in the licensing regime, which requires Home Office (Immigration Enforcement) to receive premises licence applications (except regulated entertainment only licences) and applications to transfer premises licences, and in some limited circumstances personal licence applications, and permits Home Office (Immigration Enforcement) to make appropriate representations and objections to the grant of a licence; and Immigration officers are permitted to enter premises which they have reason to believe are being used to sell alcohol or provide late night refreshment, to investigate whether immigration offences are being committed in connection with the licensable activity.

13.25 The Licensing Authority will have regard to any guidance issued by the Home Office in relation to the immigration related provisions now contained in the Licensing Act 2003.

13.26 The Licensing Authority will also work in partnership with the Home Office (Immigration Enforcement) and Dorset Police with a view to preventing illegal working in premises licensed for the sale of alcohol or late night refreshment.

Public Space Protection Order (PSPO)

13.27 Public Space Protection Orders were introduced in October 2014 by the Anti-social Behaviour, Crime and Policing Act 2014. They are designed to deal with a particular nuisance or problem in a specific area (a public place) that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. They are intended to help ensure public places can be enjoyed by all and kept free from anti-social behaviour (ASB).

13.28 A PSPO can cover multiple restrictions, so one order can prohibit several activities such as the drinking of alcohol and dog fouling. Enforcement will be undertaken by authorised officers, with the support of police officers.

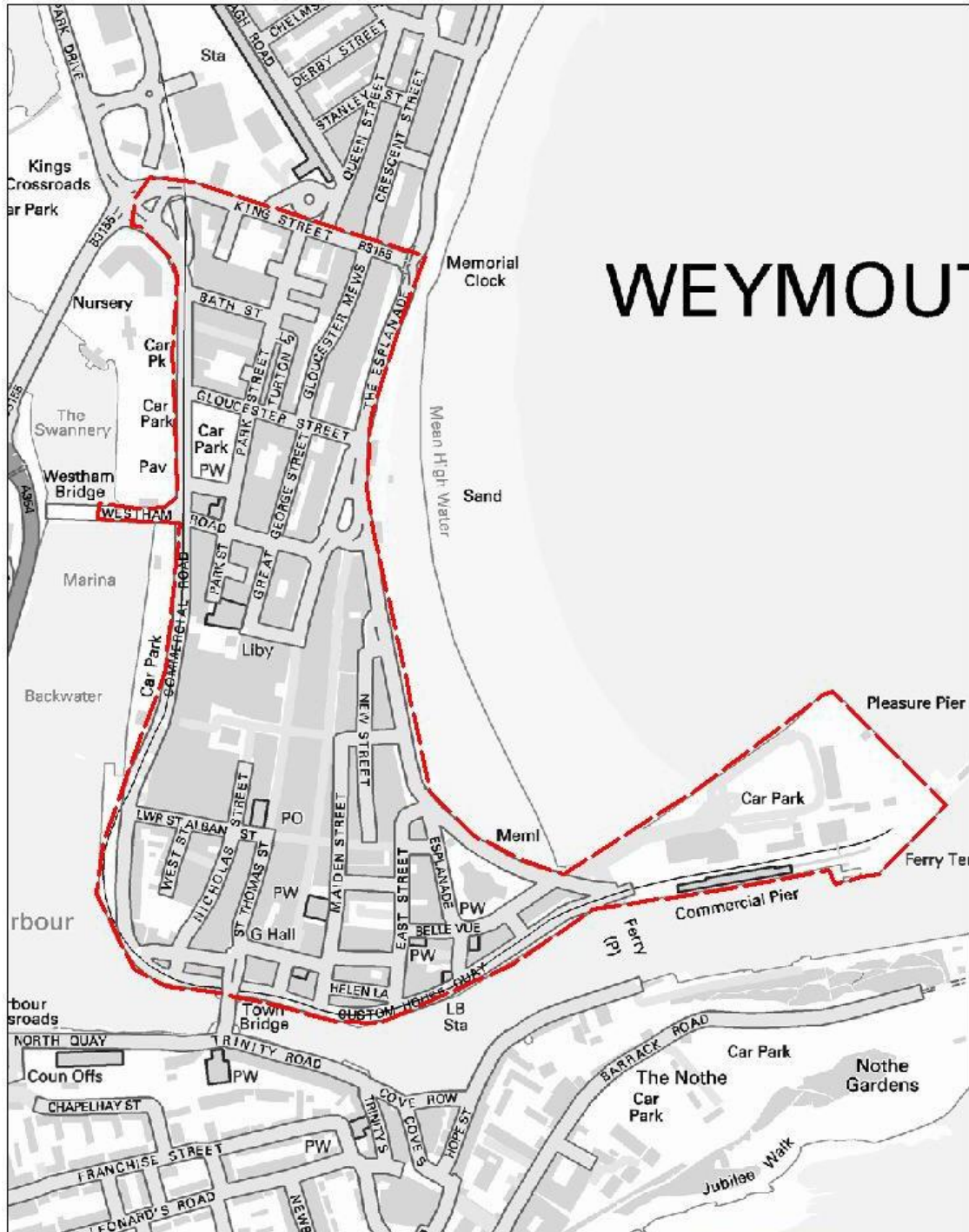
13.29 If anyone breaches the requirements of the PSPO, or fails to comply with a request from an authorised officer or Police Officer to cease the prohibited activity, they would be committing a criminal offence and may be issued a Fixed Penalty Notice of £100 or upon conviction a fine of up to £1000.

13.30 There is a current PSPO designated area for alcohol consumption in Weymouth. Full details of the Public Spaces Protection Order 2018, and related Schedules, (detailing the restricted areas), can be found here: <https://www.dorsetcouncil.gov.uk/your-community/community-safety/anti-social-behaviour/anti-social-behaviour-in-the-weymouth-and-portland-area.aspx>

Section 12 Table of Delegations

Matters to be dealt with	Sub Committee	Officers
Application for personal licence	If Police objection is made owing to unspent relevant convictions.	In all cases unless a Police objection is made owing to unspent relevant convictions.
Application for premises licence/club premises certificate	If a relevant Representation is made	If no relevant representation is made
Application for provisional statement	If a relevant representation is made	If no relevant representation is made
Application to vary premises licence/club premises certificate under sections 34 and 84 of the Act	If a relevant representation is made	If no relevant representation is made
<p>Application to vary premises licence/club premises certificate under sections 41A and 86A of the Act - minor variations</p> <p>1. To consider and determine applications for minor variations, whether representations have been made or not, when such applications relate to:</p> <ul style="list-style-type: none"> i) Changes to the layout and arrangements at premises ii) Reductions in the hours of licensable activities; iii) The removal of licensable activities from a licence. iv) The removal or alteration of defunct or unenforceable conditions on licences; v) Alterations to existing conditions and/or the imposition of new volunteered conditions when such an action has been recommended to the licence holder by a responsible authority. <p>2. All other minor variation applications</p>	If a relevant representation made	Officers in all cases
Application to vary designated premises supervisor	If a police objection is made	All other cases
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	If a police objection is made	All other cases
Applications for interim authorities	If a police objection is made	All other cases
Decision on whether a complaint is irrelevant, frivolous or vexatious etc		All cases
Determination of an objection to a temporary event notice	All cases	
Application to disapply the mandatory condition for a Designated Premises Supervisor at community premises	If a police objection is made	All other cases
Decision whether to consult other responsible authorities on minor variation application		All cases
To serve a counter notice for a 'late' Temporary Event Notice		All cases

Appendix A Weymouth Town Centre Cumulative Impact Area

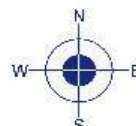


Map of proposed Cumulative Impact Area (CIA) for Weymouth.

THIS MAP IS NOT DEFINITIVE AND HAS NO LEGAL STATUS

Ref:
 Date: 15/08/2016
 Scale 1:5000
 Drawn By: 7889
 Cent X: 368161
 Cent Y: 79175

Dorset Police



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Licensing Act 2003

Pool of Sample Conditions

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INTRODUCTION

If an application is made for the grant or variation of a premises licence under the Licensing Act 2003 the authority can do so subject to conditions consistent with the operating schedule and mandatory conditions. However further conditions can be imposed if they are considered appropriate and necessary for the promotion of one or more of the four licensing objectives.

The authority must have regard to the Guidance issued under s182 of the Licensing Act 2003 by the Secretary of State which states licensing conditions should be tailored to the size, type, location, characteristics and activities taking place at the individual premises and standardised conditions should be avoided in all circumstances.

These model conditions have been produced to assist prospective licence holders, responsible authorities and other individuals where they consider they would promote the licensing objectives within individual applications. Following an application, all parties are encouraged to work together and where appropriate, utilise the attached list of model conditions to promote a consistent approach when proposing conditions on a premises licence.

Please note the attached model conditions are not an exhaustive list which can be added on a premises licence and there may be instances where alternative conditions are deemed appropriate for the promotion of the licensing objectives. For example specific conditions may be added to a premises licence for an open air event to meet the specific requirements of the Licensing Authority or the Responsible Authorities dependant on the site, the type of entertainment to be held and the anticipated audience.

(NB: Within the list of sample conditions, where a condition contains an instruction to insert any fact, that information must be supplied).

A CAPACITY, CONTROL AND MANAGEMENT OF CUSTOMERS	
A1	There shall be no entry or re-entry to the premises after <i>(Insert terminal hour for entry)</i> hours. Appropriate signage shall be clearly displayed at each exit from the premises advising patrons that re-entry to the premises after <i>(Insert terminal re- entry time)</i> hours is prohibited and that this prohibition also applies to people wishing to leave the premises to smoke.
A2	There shall be no entry or re-entry to the premises after <i>(Insert terminal hour for entry)</i> hours. Appropriate signage shall be clearly displayed at each exit from the premises advising patrons that re-entry to the premises after <i>(Insert terminal re- entry time)</i> hours on any morning is prohibited. Persons wishing to leave the building to smoke, may do so, provided that they go to an allocated and supervised outdoor area and they are issued passes which they return upon wishing to re- enter the premises that this prohibition also applies to people wishing to leave the premises to smoke.
A3	The occupancy shall be restricted to <i>(Insert number)</i> persons in the premises. <i>(Limits may be also be appropriate for different rooms or floors of premises)</i> The occupancy figure includes staff, performers and public. The Premises Licence Holder shall ensure that there are appropriate management controls to ensure that the occupancy figure is not exceeded at any time. Appropriate controls shall be put in place to ensure that the occupancy of the premises / specified areas are not exceeded at any time.
A4	There shall be no security passes for admission other than those issued to bona fide staff and to statutory authorities.
A5	Admission shall be by ticket only. When presented for admission, the ticket shall be retained by the organisers.
A6	Admission to the event shall be through the approved entrances <u>(or specify entrances)</u> . The entrances shall be manned by stewards who shall allow only persons with tickets or security passes into the concert area.
A7	Adequate procedures must be implemented to ensure overcrowding (such as that which may cause injury through crushing) does not occur in any part of the premises.
A8	The licence holder shall determine the occupant capacity of the premises on the basis of documented risk assessment(s). (i) The risk assessment(s) must take into account all relevant factors including space, audience density, means of access and egress, toilet provision, load- bearing capacity of floors, ventilation, etc and must be reviewed regularly, and if circumstances change. (ii) Where necessary separate occupancy levels must be set for different parts of the premises, and when necessary for different premises layouts and different types of events. (v) Measures must be put in place and documented to ensure that the capacity is not exceeded at any time. (vi) All documentation pertaining to the proposed figure must be kept on the premises and must be available immediately on request to any authorised officer of the Licensing Authority or a constable. (vii) The premises licence holder shall regularly review, update and amend any risk assessments particularly following any changes to the layout or operation of the venue. Such reviews etc shall be fully documented and form an integral part of the risk assessment.
A9	Manual <i>(and/or automatic)</i> electronic number control systems shall be installed, used and maintained at the premises at all times the premises is open to the public.
A10	An attendant shall be on duty in the cloakroom during the whole time that it is in use.
A11	Admission to the <i>specified function room</i> shall be through the premises lobby area only.
A12	There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.

A13	In relation to the <i>specified function room</i> there shall be no admission after (midnight) other than to (1) residents of the hotel and their bona fide guests, or (2) persons attending the pre-booked function
A14	No person on behalf of the premises or on behalf of a person carrying or attempting to carry on a licensable activity shall cause, permit, employ or allow, directly or indirectly, whether on payment or otherwise, any person(s) to importune, solicit or tout members of the public on any public highway within the specified area outlined below for the purpose of bringing customers to the premises. The distribution of leaflets or similar promotional material is also prohibited within the specified area. For the purpose of this section; ‘Directly’ means: employ, have control of or instruct. ‘Indirectly’ means allowing / permitting the service of or through, a third party. ‘Specified’ Area’ means the area encompassed within (insert name of boundary roads.)
A15	The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
A16	Queuing outside the premises shall be restricted to a designated area located at (<i>specify location</i>)

B CCTV	
B1	<p>A CCTV system shall be installed at the premises. The CCTV system shall be maintained in working condition and record the premises 24 hours every day. Recordings to be retained for a minimum of 28 days and be made available to the Police or officers of the Council upon request and be of evidential quality.</p> <p>The equipment MUST have a suitable export method i.e. CD/DVD/USB facility so that the Police and officers of the Council can make an evidential copy of the data they require. This data should be in the native file format to ensure that no image quality is lost when making the copy. If this format is nonstandard (i.e. manufacturers proprietary), then the licence holder shall within 14 days of being requested supply the replay software to ensure that the video on the CD can be replayed by the Police and officers of the Council on a standard computer. Copies MUST be made available to the police and officers of the Council upon request.</p> <p>Staff working at the premises will be trained in the use of the equipment and a log will be kept to verify this.</p> <p>Cameras on the entrances must capture full frame shots of the heads and shoulders of ALL people entering the premises, i.e. capable of identification.</p> <p>There shall be signs displayed in the customer area to advise that CCTV is in operation.</p> <p>Should the CCTV become non-functional this will be reported immediately to the Licensing Authority.</p>
B2	CCTV cameras shall monitor all areas used by premise patrons including any external area to monitor numbers and prevent crime and disorder.
B3	At the commencement of work security personnel should ensure that they are recorded on the CCTV system and that a clear head and shoulders image showing their face clear of any hat, glasses or other obstruction is recorded.

C CINEMATOGRAPHIC/FILM EXHIBITIONS (these conditions may not be appropriate for film exhibitions that are ancillary to the main purpose of an event)	
C1	There shall be prominently exhibited at each public entrance whenever the premises are open to the public a notice indicating in tabular form and in clear bold letters and figures- (i) the title of each film to be shown on that day, other than trailers and films of less than five minutes duration; (ii) the approximate times of commencement of each such film; (iii) whether each such film has received a 'U', 'PG', '12A', '15' or '18' certificate from the British Board of Film Classification, and (iv) the effect of such 'U', 'PG', '12A', '15' or '18' certificates in relation to the admission of persons under the age of eighteen years.
C2	The nature of any certificate received in respect of a film from the British Board of Film Classification shall be clearly indicated by the figure 'U', 'PG', '12A', '15' or '18' in any advertisement of the film displayed at the premises.
C3	No category 'R18' film shall be exhibited at the premises.

D CHILDREN	
D1	<p>1. "Challenge 25": The Licensee will adopt a "Challenge 25" policy where all customers who appear to be under the age of 25 and attempt to purchase alcohol or other age-restricted products are asked for proof of their age.</p> <p>The Licensee to prominently display notices advising customers of the "Challenge 25" policy.</p> <p>The following proofs of age are the only ones to be accepted:</p> <ul style="list-style-type: none"> • Proof of age cards bearing the "Pass" hologram symbol • UK Photo Driving licence • Passport <p>2. Staff Competence and Training: The Licensee will keep a written record of all staff authorised to sell alcohol, the record to contain the full name, home address, date of birth and national insurance number of each person so authorised. The staff record to be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police.</p> <p>The Licensee will ensure that each member of staff authorised to sell alcohol has received adequate training on the law with regard to age restricted products and that this has been properly documented and training records kept. The training record to be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police.</p> <p>The Licensee will ensure that each member of staff authorised to sell alcohol is fully aware of his /her responsibilities in relation to verifying a customer's age and is able to effectively question purchasers and check evidence of proof of age.</p> <p>The Licensee will ensure that each member of staff authorised to sell alcohol is sufficiently capable and confident to confront and challenge under - 18s attempting to purchase alcohol.</p> <p>3. Refusals Book: The licence holder will keep a register of refused sales of all age- restricted products (Refusals</p>

	<p>Book).</p> <p>The refusals book will contain details of time and date, description of the attempting purchaser, description of the age restricted products they attempted to purchase, reason why the sale was refused and the name/signature of the sales person refusing the sale.</p> <p>The Refusals book will be examined on a regular basis by the Licensee and date and time of each examination to be endorsed in the book.</p> <p>The Refusals Book will be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police.</p>
D2	All children under the age of (<i>insert age</i>) shall vacate the premises by (<i>Insert time</i>) hours.
D3	Children under the age of (<i>insert age</i>) must be accompanied by an adult.
D4	There shall be no events for persons under 18 years of age.
D5	A till prompt system shall be installed to assist staff by reminding them to challenge for ID when a sale is made.
D6	If the recipient of a delivery of alcohol or the collection or delivery of a takeaway meal which includes alcohol, appears under 25 years of age, recognised photographic identification will be requested before any intoxicating liquor is handed over. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport.
D7	When the premises are providing services to children/families and staff may come in to contact with children in the course of their working day, you shall prepare and put into force a suitable and sufficient safeguarding policy in line with the expectations of the Dorset Safeguarding Children Partnership. A copy shall be made available to the Licensing Authority upon reasonable request.

E CONTROLS FOR SALE OF ALCOHOL

E1	There shall be no supply of alcohol for consumption off the premises.
E2	There shall be no supply of alcohol for consumption off the premises except in sealed containers.
E3	All containers of alcohol sold from the premises under the licence shall be clearly and permanently marked with the name and post code of the premises.
E5	Alcohol may only be supplied to customers who are engaging in a sit-down table meal, as an ancillary to that meal.
E6	Beers, lagers, stout and ciders sold at the premises should not exceed (<i>insert e.g. 5.0 or 5.5 or 6%</i>) alcohol volume.
E7	Sprits should not be sold in bottles of less than 35cl/70cl.
E8	Beers, lagers, stout, ciders and alcholpops shall be sold in packs of no less than four. <i>or</i> No single cans or bottles beers, lagers stout, ciders and alcholpops shall be sold.
E9	A Personal Licence Holder is to be present at the premises at all times during licensing hours.
E10	A Personal Licence Holder, Premises Licence Holder, or the DPS is to be present at the premises at all times during licensing hours.
E11	Documented delegation of authorisations to sell alcohol shall be maintained at the premises and shall be available on request by an authorised officer of the Licensing Authority or the Police.

E12	Spirits shall be located (insert location). All other alcohol (e.g. beer, lager, cider) for sale are to be displayed in a position that is not obscured from the constant view of the cashier / staff by fixtures.
E13	<i>'off' licences, when the premises has longer opening hours than the times authorised for the sale of alcohol</i> All alcohol shall be made inaccessible to the public within (insert) minutes of the terminal hour for the sale of alcohol. The alcohol shall remain inaccessible until the next commencement time authorised for the sale of alcohol.
E14	There shall be no promotional sales of alcohol at the premises where alcohol is sold at a price lower than that at which the same or similar alcoholic drinks are sold, or usually sold, on the premises
E15	There shall be no self-service of spirits on the premises.
E16	Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
E17	The supply of alcohol shall be by waiter or waitress service only.
E18	With the exception of residents and their bona fide guests, no alcohol shall be consumed more than (XX) minutes after the permitted hour for the supply of alcohol.

F DRUG ACTION	
F1	Where there is reasonable suspicion that drugs, defined as Class A, B or C controlled substances under the Misuse of Drugs Act, or weapons are being carried, the premises licence holder shall ensure that the outer clothing, pockets and bags of those entering the premises are searched by door security personnel. In any event where controlled substances or weapons are found, the premises licence holder shall ensure that the designated premises supervisor or nominated person shall immediately inform the Police.
F2	The premises licence holder shall ensure that a clearly visible notice will be placed on the premises advising those attending, that the Police will be informed if anyone is found in possession of controlled substances or weapons.
F3	The premises licence holder shall ensure that documented security arrangements are implemented at the premises to discourage the sale and consumption of controlled substances. Security arrangements shall include having a member of staff regularly check toilet areas, the date and times of all checks are to be recorded in a bound book kept for that purpose and shall be produced upon request to an authorised officer of the Licensing Authority or a constable. Signage shall also be placed in the toilet areas advising patrons that checks are conducted regularly.
F4	The premises licence shall ensure that, with regard to controlled substances, harm reduction information is displayed within the venue and that there are suitably experienced members of staff, or outreach workers from a local drugs agency, dedicated to providing harm reduction information and to dealing with drug related incidents or emergencies appropriately.
F5	The premises licence holder shall ensure that adequate rest facilities are provided, which are cooler, quieter and preferably separate from the main dance area(s). These 'chill out' areas should offer adequate seating.

G DOOR CONTROL / STEWARDING/ SEARCHES & SECURITY	
G1	Door supervisors, shall be used to vet customers and maintain public order. The vetting process must include implementation of the premises' proof of age policy.
G2	There shall be a minimum of (insert number) door supervisors on duty from (Insert hours) hours on each trading day and who shall remain on duty until the premises closes and is empty of patrons.

G3	<p>[A] The premises licence holder shall ensure that the following details for each door supervisor, are contemporaneously entered into a bound register kept for that purpose:</p> <ul style="list-style-type: none"> (i) Full name, (ii) SIA Certificate number and or badge number, or registration number of any accreditation scheme approved by the SIA. (iii) The time they began their duty (iv) The time they completed their duty. <p>This register is to be kept at the premises at all times and shall be so maintained as to enable an authorised officer of the Licensing Authority or a constable to establish the particulars of all door stewards engaged at the premises during the period of not less than 28 days prior to the request and shall be open to inspection by authorised officers of the Licensing Authority or the Police upon request.</p>
G4	<p>The premises licence holder shall ensure that all door supervisors on duty at the premises wear a current identification badge, issued by the Security Industry Authority or under any accreditation scheme recognised by the Security Industry Authority, in a conspicuous position to the front of their upper body.</p>
G5	<p>The Premises Licence Holder shall ensure that an “Incident report register” is kept in a bound book, in which full details of all incidents are recorded. This shall be completed as soon as possible and in any case no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The register is to be kept on the premises at all times and shall be produced to an authorised officer of the Licensing Authority or the Police when required.</p>
G6	<p>Where queuing is allowed outside of a premises door supervisors shall maintain an orderly queue of patrons.</p>
G7	<p>Door supervisors shall be provided at the premises to a ratio of (<i>*insert ratio e.g. 1:2, 1:3 etc</i>) patrons. Where the premises incorporates a dedicated smoking area within its curtilage a minimum of (Insert number) door supervisors shall permanently monitor the smoking area during (Insert appropriate hours).</p>
G8	<p>A minimum of (<i>*insert number</i>) door supervisors shall be permanently stationed at each entrance/exit to the premise, excluding those exits used solely for the emergency evacuation of the premises.</p>
G9	<p>Door Supervisors shall be on duty at the premises on each trading day from (Insert commencement hours) until (Insert terminal hours).</p>
G10	<p>All door supervisors shall be capable of communicating instantly with one another by way of radio or other simultaneous system of communication.</p>
G11	<p>All door supervisors shall wear distinctive clothing or insignia to clearly identify them as door supervisors. Door supervisors on duty at the front door shall wear some form of 'high visibility' clothing (such as a jacket or waistcoat).</p>
G12	<p>The premises licence holder shall ensure that a documented search policy is implemented at the premises. Any searches shall only be conducted by same sex. Staff training is to be given in the correct procedures and records are to be kept in a bound book. All documentation shall be produced to an authorised officer of the Licensing Authority or the Police upon request.</p>

G13	Drugs and weapons seized will be placed in a locked receptacle set aside for this purpose. The means for securing or unlocking the receptacle will be retained by the premises licence holder or the designated premises supervisor or in their absence any other responsible person. A record shall be made of the seizure, the time, date and by whom, and to whom the items were handed on to in a bound book specifically kept for that purpose. Such a book to be produced to an authorised officer of the Licensing Authority or the Police upon request. The premises licence holder shall make suitable arrangements with the Police for the collection of any seized items.
G14	Hand held metal detecting scanners shall be in use at the premises during all trading hours, other metal detecting scanners may be used such as fixed metal detectors at all entrances. Detectors shall be operated by door supervisors or by suitably trained staff when no door supervisors are on duty, and such detectors shall be operative when any licensable activity is taking place. Fixed detectors shall be installed to the satisfaction of the Licensing Authority and the Police.
G15	The premises shall install and maintain a computer based identification entry system. The details of all persons, including staff are to be passed through the system prior to being permitted entry to the premises. The provision and maintenance of such equipment shall be to the reasonable satisfaction of Dorset Police. The details of persons recorded by the system to be made available to police upon reasonable request for the provision of preventing and detecting crime.

H EXTERNAL AREAS/SMOKING AREAS	
H1	The premises licence holder shall take appropriate measures to ensure that patrons using any outside areas (such as terraces and beer gardens) do so in a quiet and orderly fashion.
H2	The (insert name of area i.e. beer garden, upper patio, etc) shall only be open to customers (Insert days) from (insert commencement time) until (<i>*insert time</i>). Adequate notices shall be displayed in appropriate locations to ensure that this information is brought to the attention of patrons.
H3	All outside areas must be closed and cleared of customers by (<i>*insert time</i>). Adequate notices shall be displayed to inform patrons of this requirement.
H4	A risk assessment shall be conducted and regularly reviewed to assess the numbers of persons that the outside area can safely accommodate. The premises licence holder shall ensure that there are measures in place to monitor the external area to ensure that a safe occupancy figure is not exceeded.
H5	Smoking Area: If patrons are to be allowed to use an outside area for smoking then: <ul style="list-style-type: none"> (i) The area must be adequately monitored by door staff and CCTV to ensure that patrons do not cause a nuisance, patrons do not obstruct access to adjoining premises and risk of crime and disorder in this area is adequately controlled. (ii) If there is a risk that patrons may acquire illegal items such as drugs or weapons whilst in this area then they must be searched before being allowed to re- enter the premises. (iii) Patrons must not be allowed to take drinks to the smoking area. (iv) The area must be provided with suitable ashtrays/bins, the use of which is monitored by door staff. (v) The area must be regularly swept to remove cigarette ends (vi) Adequate arrangements must be made to prevent overcrowding or disorder in the area
H6	All tables and chairs shall be removed from the outside area by (XX.XX) each day.
H7	There shall be no sales of hot food or hot drink for consumption off the premises (after XX.00).

J GENERAL SAFETY AND EVACUATION	
J1	No person shall be permitted to sit or stand in any gangway, unless by express permission of the Licensing Authority who shall stipulate the space allowed for standing and the number of persons permitted to stand.

J2	All gangways, passages, staircases and exit ways must at all times be kept entirely free from chairs or any other obstructions and from any article or substance which may cause a person to slip, trip or fall.
J3	The premises licence holder shall provide training for all staff to ensure that they are familiar with all means of ingress and egress and the appropriate procedures in case of any emergencies that require an immediate evacuation of the premises. A record of the training shall be maintained and shall be available upon request by an authorised officer of the Licensing Authority or the Police.
J4	Predetermined arrangements shall be made for alerting staff in the event of any emergency. These arrangements shall be of such a nature as to not alarm the public.
J5	All employees or persons involved in the organisation and control of events shall have allotted to them specified duties to be performed in the event of emergencies. Such duties shall aim at the avoidance of panic and the safe evacuation of the premises where necessary.
J6	Arrangements must be in place to ensure that all parts of the premises that members of the public may use, whether this be regularly or only in case of emergency are suitably illuminated (this includes internal and external areas, for example such as corridors, lobbies, emergency exits, car parks, etc).
J7	Where the premises is part of a shared property and members of the public may require access through areas not under the direct control of the premises licence holder (such as escape routes), the premises licence holder must ensure that he has liaised with the appropriate persons and has in place such arrangements as are necessary to ensure that the safety of members of the public is not compromised by the use of these shared areas and that none of the other licensing conditions may be breached.
J8	Barriers for checking or controlling admission shall not be used save in accordance with a documented policy that includes the following (i) Risk assessments, (ii) Details of type to include design, construction materials, size – e.g. height (iii) Precise location of all elements of the barrier The said document shall kept at the premises and shall be made available to an officer of the Licensing Authority or the Police upon request.
J9	Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used when XX days prior notice has been given to the Licensing Authority where consent has not previously been given. <ul style="list-style-type: none"> • dry ice and cryogenic fog • smoke machines and fog generators • pyrotechnics including fire works • firearms • lasers • explosives and highly flammable substances. • real flame. • strobe lighting.
J10	A currently qualified first aider must be employed on the premises at all times that the premises are open to the public. The venue will also provide first aid facilities commensurate with the type of event and customers expected

K GLASS / BOTTLES	
K1	The License Holder shall ensure that any glass bottles or glass drink containers are removed from persons leaving the premises.
K2	All beverages (including alcoholic and non-alcoholic drinks) shall only be dispensed in polycarbonate, plastic, non-glass containers, or toughened or safety glass to the appropriate safety standard (in that they shall not produce sharp shards when broken). All glass bottles are to be retained behind the bar for safe disposal.
K3	Items of glass-wear (such as glasses, bottles, etc) shall not be permitted in the [*specify area].
K4	Glass bottles containing wine may only be sold in connection with a table meal to customers who are seated in an area for the consumption of food that is away from the main bar.

L NOISE PRECAUTIONS	
L1	Amplified music shall not be played at a level that will cause unreasonable disturbance to the occupants of any properties in the vicinity.
L2	Unless contrary to fire precautions/procedures, all access and egress doors and windows shall be kept closed whilst the licence is in use (*or specify time).
L3	No speakers for amplification of music shall be placed on the outside of the premises or on the outside of any building forming a part of the premises.
L4	Alarms shall be fitted to (*Specify location of external windows/fire doors) to alert staff when (they are) (it is) opened without authorisation.
L5	No music or speech shall be relayed via external speakers other than for events where the prior approval of the licensing authority has been obtained.
L6	A noise limiting device shall be used in relation to all sound amplification equipment used in conjunction with the premises licence.
L7	The noise limiting device shall be properly secured so that it cannot be tampered with.
L8	Monitoring The manager, licence holder or other competent person shall carry out observations in the vicinity of the properties at (<i>insert location</i>), on at least (<i>insert time period e.g. hourly</i>) intervals between (<i>insert start time</i>) and (<i>insert finish time</i>) whilst the Premises Licence is in use in order to establish whether there is a noise breakout from the premises. If the observation reveals noise breakout at a level likely to cause disturbance to the occupants of properties in the vicinity then the volume of music shall be reduced to a level that does not cause disturbance. A record of such observations shall be kept in a book for that purpose, such a book shall be completed immediately after the observation detailing the time, location and duration of the observation, the level of noise breakout and any action taken to reduce noise breakout. Such book to be made available at all times upon request to an authorised officer of the Licensing Authority or the Police.
L9	(i) A report shall be submitted to the Council detailing the potential for noise from (<i>insert - amplified music, refrigeration, heating, ventilation and air conditioning plant etc</i>) at the premises from affecting neighbouring noise sensitive properties at (<i>insert</i>). (ii) If the assessment indicates that noise from the premises is likely to affect neighbouring noise sensitive properties then it shall include a detailed scheme of noise mitigation measures to show that nuisance will not be caused to the occupiers of neighbouring noise sensitive properties by noise from the licensed premises. (iii) All recommended works shall be completed prior to the commencement of the premises licence and the Licensing Authority is to be notified at least 5 days in advance of the works being completed and the premises being used.
L10	A clear notice shall be displayed at every exit from the premises to instruct customers to respect the needs of local residents and leave the premises and the area quietly.

L11	Noise from plant & equipment Noise from any ventilation, refrigeration or air conditioning plant or equipment shall not cause nuisance to the occupants of any properties in the vicinity.
L12	Deliveries relating to the licensed activities shall only take place between (<i>insert hours and days as necessary</i>).
L13	A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.

M SANITARY FACILITIES

M1	Adequate sanitary accommodation shall be provided at the premises in accordance with the BS6465 standard for sanitary provisions or any British Standard replacing or amending the same.
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N PROMOTED EVENTS, SPECIAL EFFECTS, NOVEL AND ONE-OFF PROMOTIONS

N1	Where the premises, or parts of the premises are hired out to third parties or used by events promoters, the premises licence holder must ensure that the licence conditions and licensing objectives are not compromised.
N2	In respect of promoted events, that is, any events involving the conduct of licensable activities at the premises that are organised by persons other than the premises licence holder or those under his direct control, the premises licence holder shall ensure that a register is maintained in a bound book kept for that purpose. The register shall be kept at the premises and shall be produced by the designated premises supervisor (or his nominated deputy in his absence) to an authorised officer of the Licensing Authority or the Police upon request. The register shall record the following: (i) Date and time of event and brief description of it; (ii) Name of the promoter(s), that is, the person(s) responsible for organising the event; (iii) Where the promoter is a company, its registered number. (iv) The proper address of the promoter (v) Contact telephone number for promoter
N3	A documented risk assessment of promotional or one-off 'entertainment' events shall be conducted by the licence holder of the premises and such risk assessment shall be available upon request by an authorised officer of the Council or the Police. Promotional or one-off events shall be notified to the Licensing Authority and the Police at least one month prior to the proposed event.
N4	Prior to any "designated sporting event" (as defined in the Sporting Events Control of Alcohol Act 1985) the premises licence holder shall ensure that; (i) Alcohol sales in respect of cans of beer or cider are limited to no more than 4 cans per person for a minimum of four hours before the commencement of the relevant designated sporting event; (ii) No sales of alcohol in bottles or glass containers are made in the period four hours before the commencement of the designated sporting event; (iii) Alcohol sales cease for a period of one hour immediately before the commencement of the relevant designated sporting event; (iv) On any day where there is a relevant designated sporting event taking place, the premises will not externally advertise as a result of a local store promotion the availability of beer or cider in such a way as to be likely to be the sole inducement to attract persons to the premises who are either attending the designated sporting event or in the vicinity of the premises as a result of the designated sporting event;

	<p>(v) All members of staff working at the premises are informed of this condition prior to taking up employment;</p> <p>(vi) On the day of the relevant designated sporting event, upon the direction of a police officer, using the grounds of the prevention of crime and disorder or public safety, the premises will immediately cease to sell alcohol until further directed by the police or until the relevant designated sporting event has finished.</p>
N5	On any occasion in the premises, where a DJ or MC performs to recorded background music, at any time between 10pm and 6am, which is promoted in some form by either the venue or an outside promoter, where entry is either free, by invitation, pay on the door or by ticket, the premises shall be required to provide to police a completed promoted event risk assessment form not less than 14 days prior to the event.
N6	Any person promoting a music event at the premises will be required to hold the BIIAB award for Music Promoters (or equivalent).

P WASTE MANAGEMENT / ODOURS	
P1	No accumulation of combustible rubbish, dirt, surplus material or stored goods shall be permitted to remain in any part of the premises except in an appropriate place and of such quantities so as not to cause a nuisance, obstruction or other safety hazard.
P2	The premises licence holder shall ensure that adequate measures are in place to prevent the escape of odours from the premises. This includes odour from food preparation and refuse storage.
P3	The licence holder shall ensure that adequate measures are in place to remove litter or waste arising from their customers and to prevent such litter from accumulating in the immediate vicinity of their premises. In particular, where necessary the premises licence holder shall ensure that adequate measures are in place to provide customers with sufficient receptacles for the depositing of waste materials such as food wrappings, drinks containers, smoking related litter, etc.
P4	The premises licence holder shall ensure that a sufficient number of suitable receptacles are located in appropriate locations for the depositing of waste materials such as food wrappings, drinks containers, smoking related litter, etc. by customers.
P5	Activities relating to the onsite disposal (<i>including placing into external receptacles</i>) and collection of refuse, bottles and recyclable materials shall only take place between (<i>insert hours and days as necessary</i>).
P6	Deliveries relating to the licensed activities shall only take place between (<i>insert hours and days as necessary</i>).
P7	The premises licence holder shall ensure that all packaging provided with takeaway food is marked in some way as to show its point of origin.

Q MISCELLANEOUS	
Q1	As soon as possible, and in any event within 1 month from the grant of this licence, the premises shall join the local pubwatch or other local crime reduction scheme approved by the police, and local radio scheme if available.

Further copies of this document can be obtained from:

Licensing Team
Dorset Council
South Walks House
South Walks Road
Dorchester
DT1 1UZ

Tel: 01305 251010

Email: licensingteamb@dorsetcouncil.gov.uk

Web: <https://www.dorsetcouncil.gov.uk/business-consumers-licences/licences-and-permits/alcohol-and-entertainment-licences/alcohol-licensing.aspx>

Dorset Council Cumulative Impact Assessment May 2020

The Cumulative Impact Assessment draws on data from various sources, including Dorset Council's Licensing & Community Safety Teams, Environmental Protection Team and Public Health Team.

Proliferation of licensed premises.

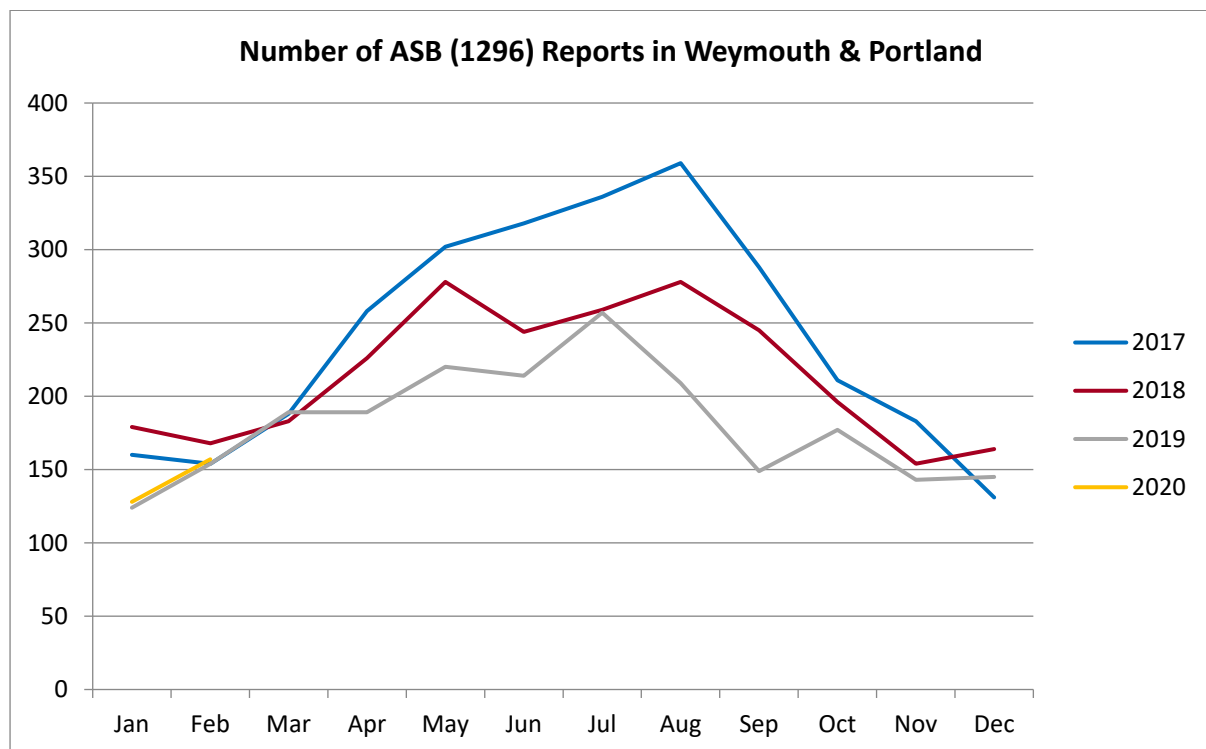
Data from the Licensing Authority register shows that there are currently 180 licensed premises within the Cumulative Impact Area. Data also shows that there were 15 enforcement Interventions during 2019 involving licensed premises from within the Cumulative Impact Area, including seven Multi-Agency interventions. Of the 180 Licensed premises within the Cumulative impact Area, 67 have licences which allow them to trade past midnight (37%).

Noise Complaints

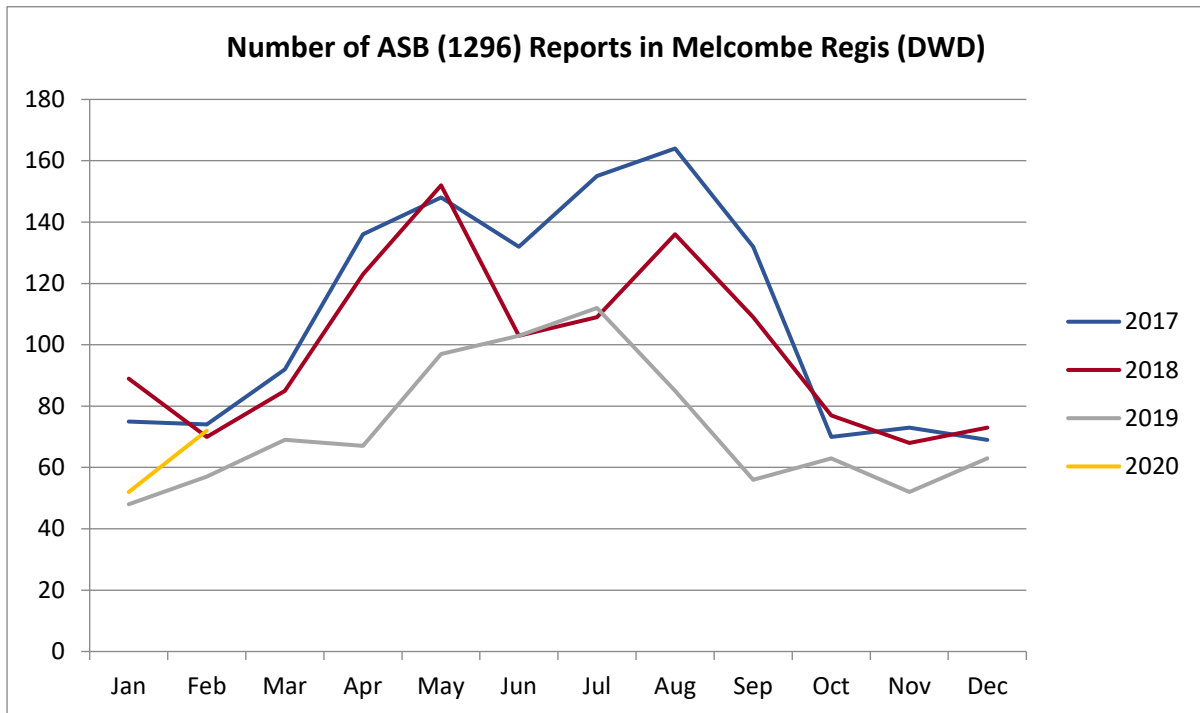
In 2019, the Council's Environmental Protection Team received a total of 57 noise complaints linked to licensed premises within the Cumulative Impact Area.

ASB Reports

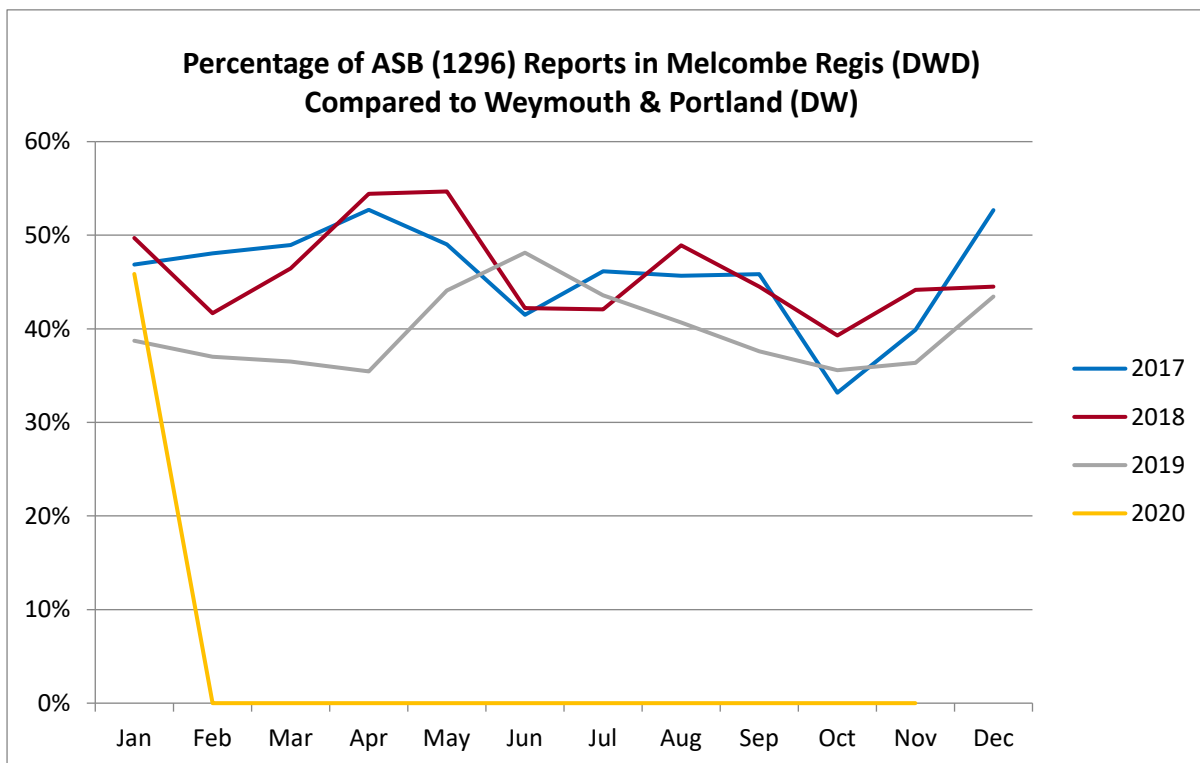
Data provided from Dorset Council's Community Safety Team shows that ASB reports over the last 3 years across the whole of the Weymouth & Portland area have reduced slightly however remain constant at around 180 per month throughout 2019.



ASB reports over the last 3 years have marginally decreased in Melcombe Regis year on year however remain at relatively high levels of an average of around 73 per month.



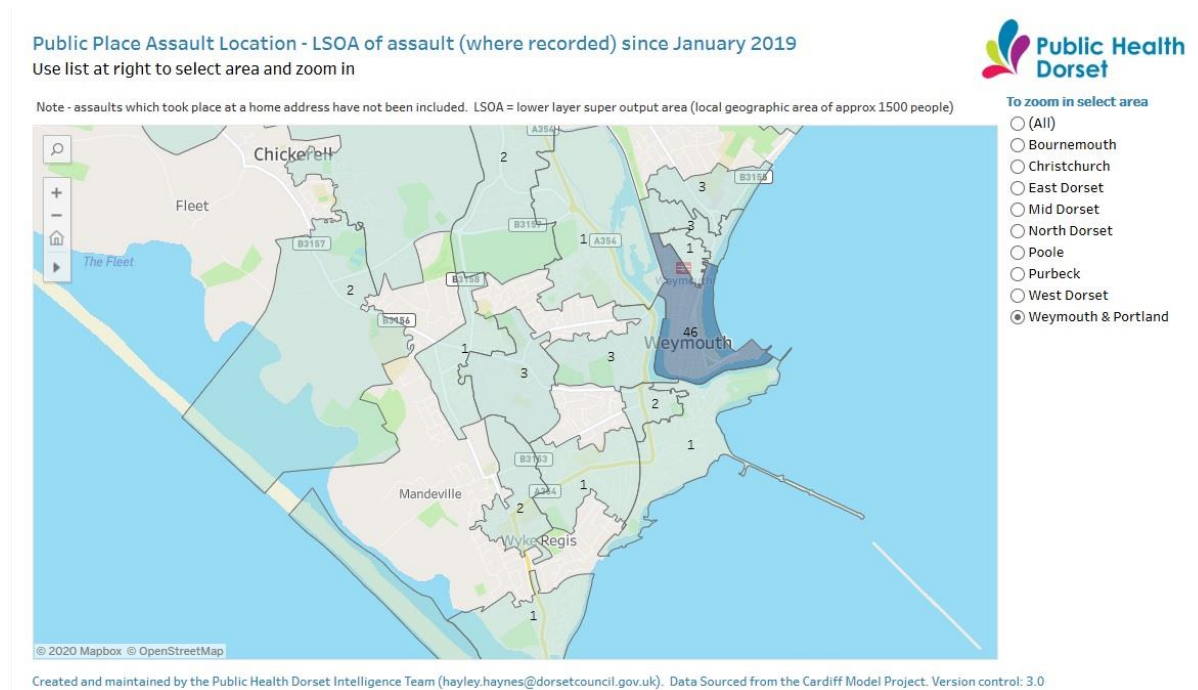
The percentage share of ASB reports arising from the Melcombe Regis area compared to across Weymouth & Portland remains relatively high however at around 40% of the total.



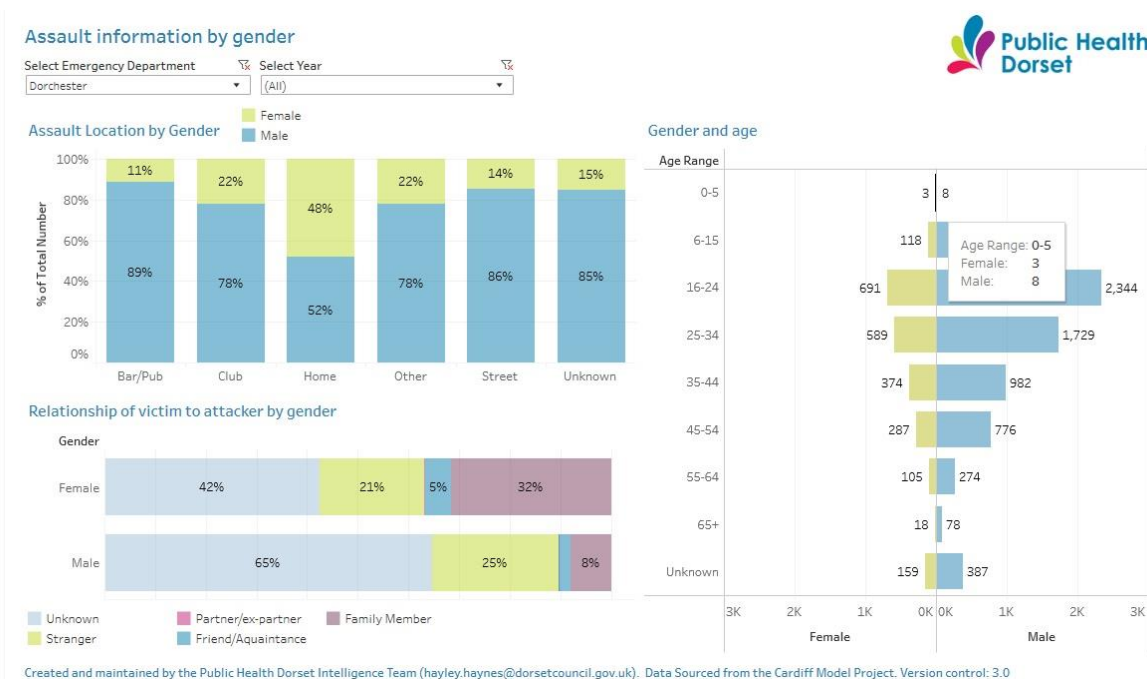
Public Health Data

Dorset’s Public Health Data Analyst reports that Weymouth street and pub incidents after midnight based on the Cardiff Model data extract reveals an average of around 2.3 incidents per month.

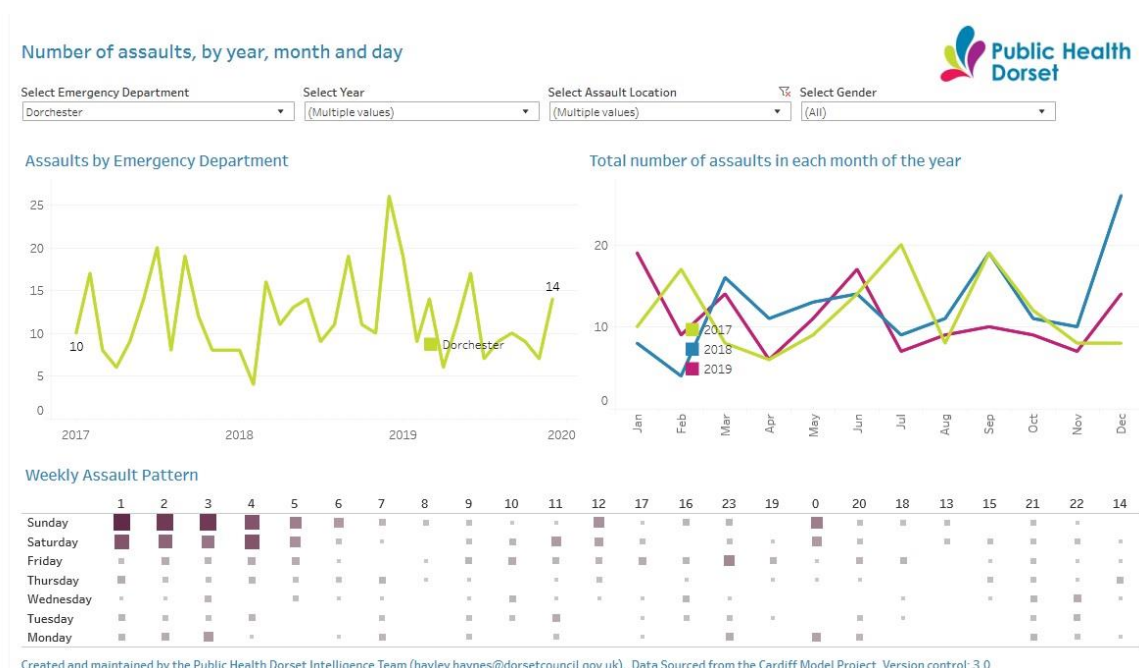
Public place assault location data also shows that the majority (46) of attendees at Dorset County hospital A+E arrived reporting an assault from within the Cumulative Impact Area.



The data also reveals that males aged 16-34 were the most likely to be assaulted;



The data also shows that the majority of incidents occurred at the weekends with peaks during holiday seasons;



This report has been compiled using data from Dorset Council’s Licensing & Community Safety Teams, Environmental Protection Team and Public Health Team.

References

Public Health Dorset – Cardiff Model

https://public.tableau.com/profile/public.health.dorset#!/vizhome/CardiffModel_ForPublic_0/CardiffModel_1

Report prepared by John Newcombe Service Manager Licensing & Community Safety

Dorset Council

May 2020

Melcombe Regis comparison with Weymouth and Portland.
Violent Crime Analysis

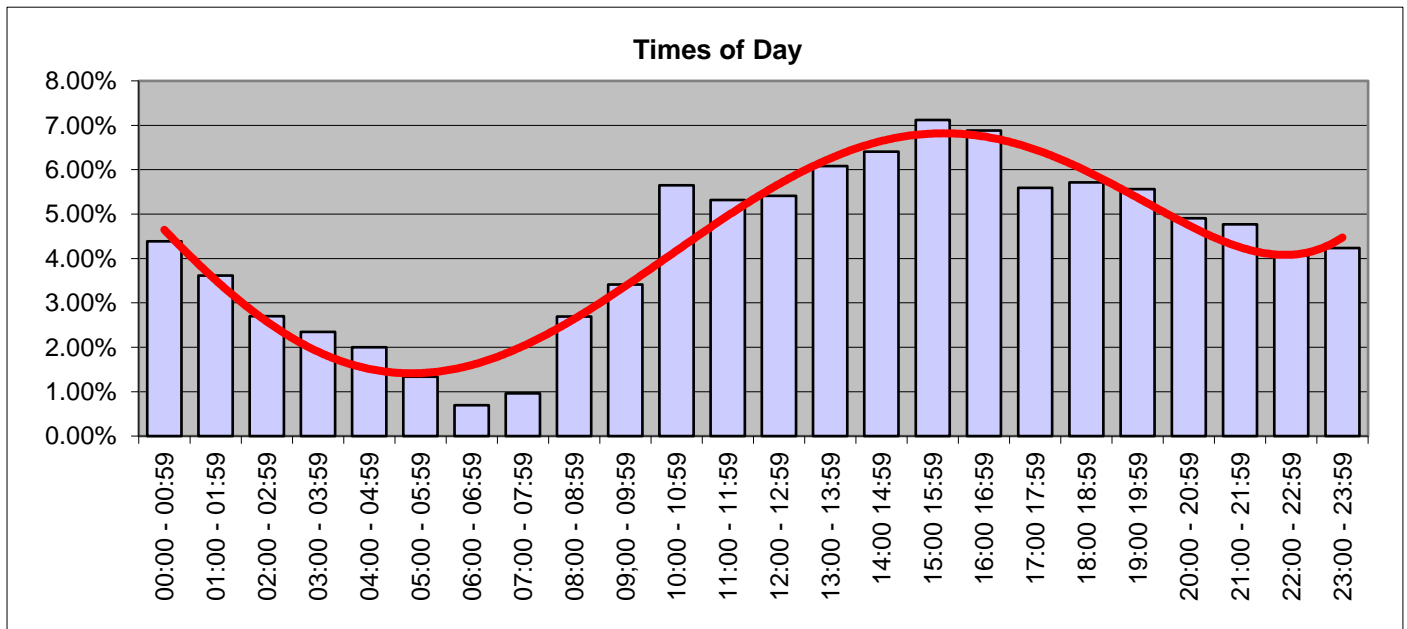
This brief paper has been commissioned with the aim of informing Cumulative Impact Area decisions in relation to the Weymouth night-time economy. The period covered by the data is 1 April 2019 to 31 March 2020. It should be noted that COVID-19 lockdown began on 23 March 2020 and so this will have affected crime rates in the last week of the financial year.

The full data is available in detail at Appendix 1 at the end of this report.

- Melcombe Regis beatcode (DWDA) has contributed 28.5% of total violent crime within Weymouth and Portland during the period 1 April 2019 to 31 March 2020. This includes 25.2% of sexual offences and 28.8% of violence against the person.
- 51.9% of alcohol related violent crimes¹ in Weymouth and Portland over this period were recorded in Melcombe Regis.
- Of the total violent crimes that have been recorded between 1 April 2019 and 31 March 2020, 32.3% within Weymouth and Portland have been flagged as domestic, compared to 26.9% within Melcombe Regis. Overall, Melcombe Regis contributes 23.8% of the domestic flagged violent crime within Weymouth and Portland.
- 53 of the 2,883 total violent crimes within Weymouth and Portland happened within Prisons during 1 April 2019 to 31 March 2020; equating to 1.8% of the total.

An analysis into the time of day and days of week has been completed and the results can be seen below².

Total Violent Crime within Weymouth and Portland.



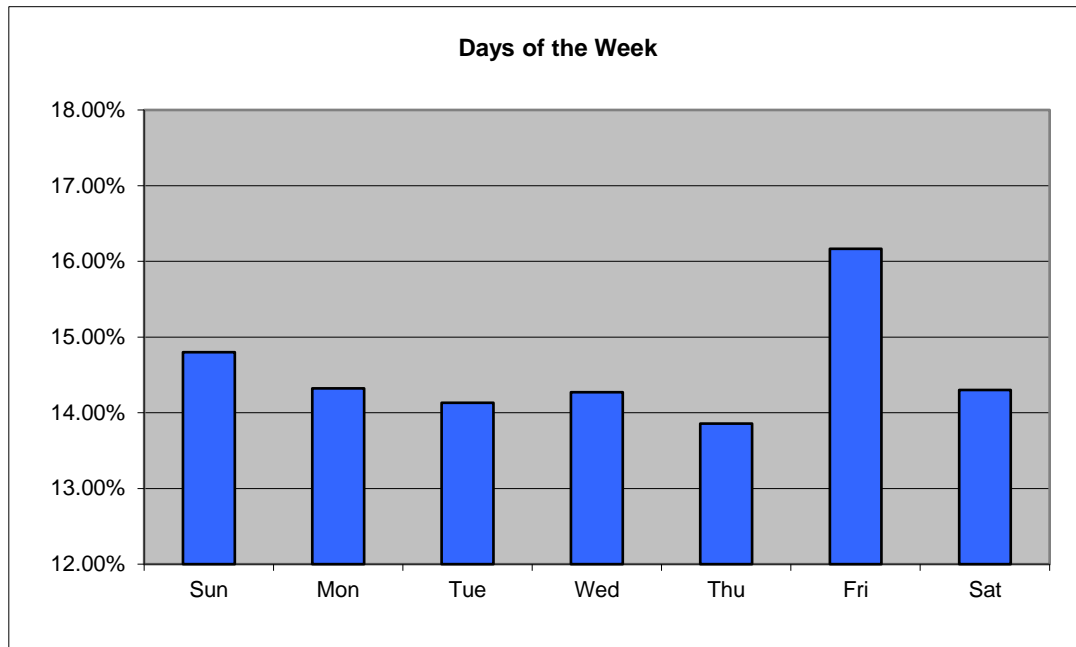
- Within Weymouth and Portland the peak time of day for violent crime falls between 15:00 and 15:59, accounting for just over 7% of the total violent crime recorded in this area. There

¹ Substance use by offender: Affected by alcohol OR affected by drink and drugs

² . Please note that the temporal analysis graphs below EXCLUDE a small number of offences reported over the period 1 April 2019 to 31 March 2020 but which were committed many years prior.

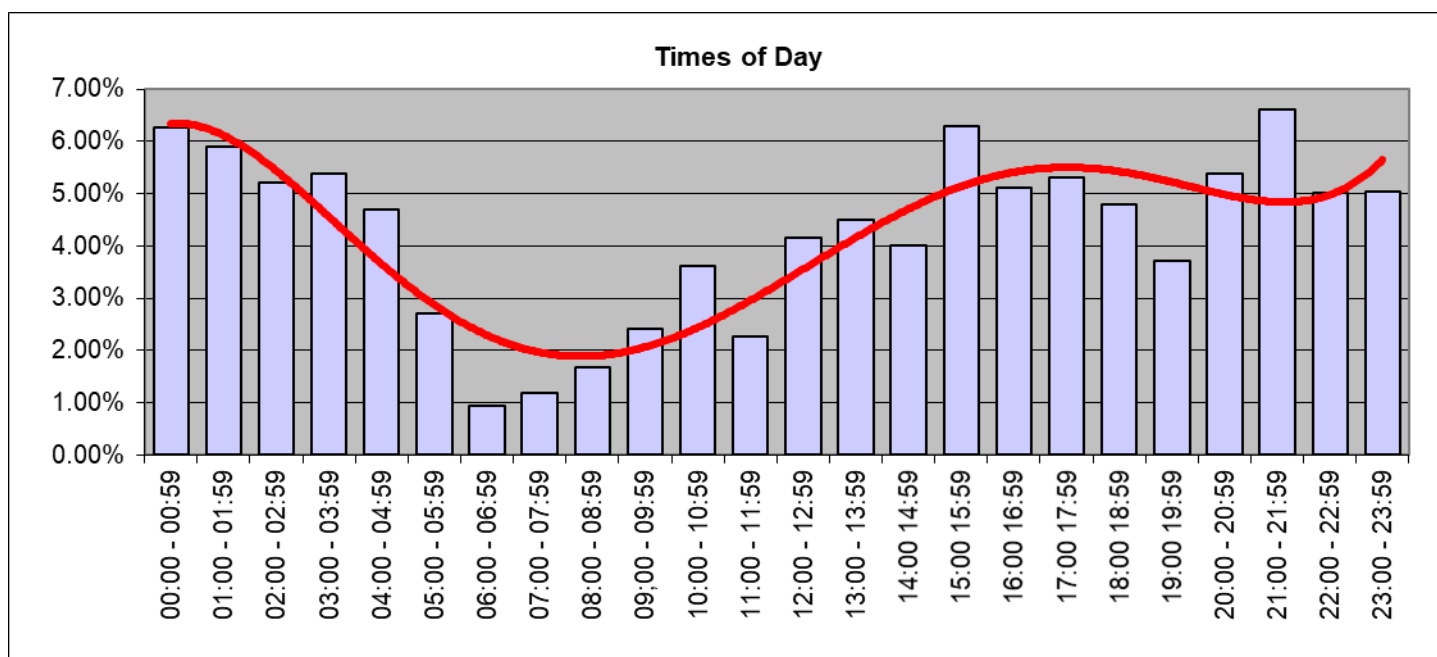
is also a prevalence of violent crimes both the preceding hour between 14:00 and 14:59 and the hour after, between 16:00 and 16:59.

- Whilst there is a slight upturn in the volume of violent crimes recorded overnight between the hours of 23:00 and 00:59, in the main, from 15:00 onwards violent crime levels tend to reduce. Crimes occurring between 23:00 and 00:59 are most prevalent on a Friday and Saturday night.

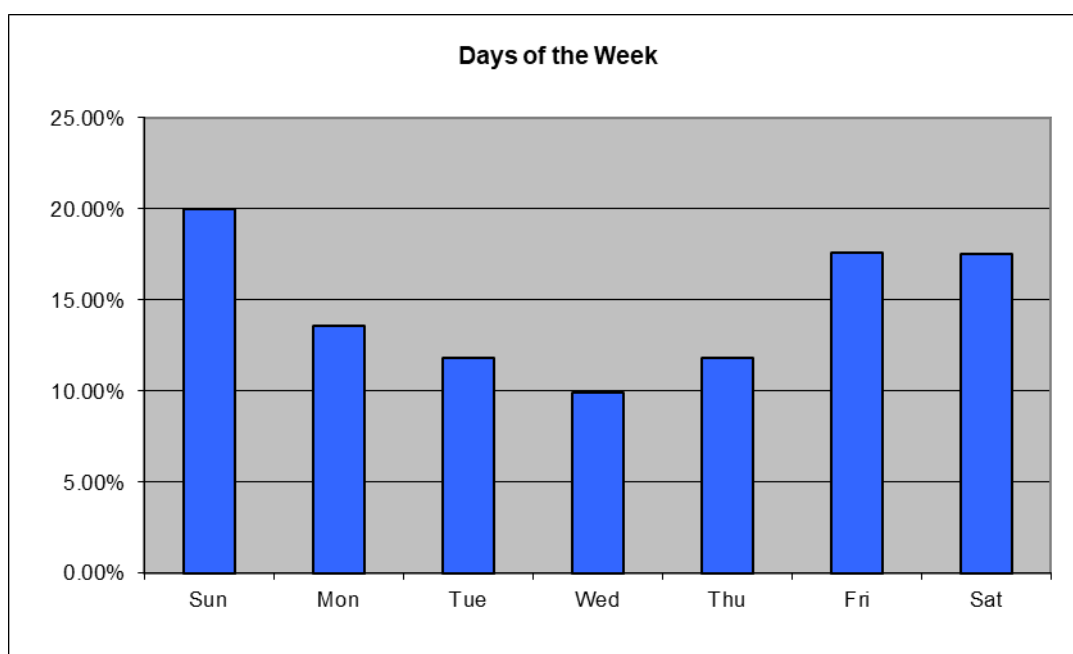


- The peak day of the week for violent crime within Weymouth and Portland is Friday, accounting for just over 16% of the total, followed closely by almost 15% on a Sunday (due to the early morning hours effect) and then just over 14% on a Saturday which is largely in line with the rest of the week.

Total Violent Crime within Melcombe Regis.



- Within Melcombe Regis, whilst 15:00 to 15:59 is a notable peak for volumes of violent crime as it was within the Weymouth & Portland section as a whole, the hour between 21:00 and 21:59 actually accounts for a slightly higher proportion of violent crime, particularly on a Sunday, Tuesday and Friday. There is also a noticeable difference in the profile of violent crime for the later hours of the day generally; rather than volumes simply reducing as the evening wears on, Melcombe Regis sees a second wave of violent crimes from 22:00 into the early hours of the next morning, suggesting a potential night-time economy influence within this beat area.
- The night-time offending is particularly noticeable in the early hours of a Sunday morning, especially between 01:00 and 04:59. This will be contributing to the fact that in Melcombe Regis, a Sunday accounts for the greatest proportion of violent crime; 20% compared to 18% on a Friday and Saturday and an average of 12% for Monday to Thursday.



Appendix 1

The data period covered by the figures below concerns 1 April 2019 to 31 March 2020.

VAP categories	Volume - W&P	Volume - DWDA
Assault With Injury	844	299
Common Assault	1044	334
Harassment	367	72
Most Serious Violent Crime	30	8
Violence Without Injury	376	54
Total Violence against the person	2661	767
Sexual Offence categories	Volume - W&P	Volume - DWDA
Other Serious Sexual	5	4
Other Sexual Offence	31	5
Rape Female	70	18
Rape Male	8	1
Sexual Activity Child Under 13	15	1
Sexual Assault Female	79	25
Sexual Assault Male	14	2
Total Sexual offences	222	56
Total Violent Crime	2883	823

	Volume - W&P	Volume - DWDA
Domestic flagged violent crime	930	221
% of total violent crime	32.3%	26.9%

Alcohol flagged violent crime	530	275
% of total violent crime	18.4%	33.4%

Prison violent crime	53	N/A
% of total violent crime	1.80%	N/A

Equality Impact Assessment - Statement of Licensing Policy 2021-26

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Approved by:	John Newcombe
Date approved:	21.02.2020
Next review date:	20/02/2021
Saved as:	Equality Impact Assessment – Licensing Policy 2021-26

1. Management of the EqIA

The EqIA has been prepared by John Newcombe, Service Manager, Licensing and Community Safety and Aileen Powell, Licensing Team Leader. It has been prepared as part of the policy drafting process prior to circulation of the draft policy for a period of consultation. It will be reviewed directly following the consultation period close and updated with reference to any feedback from consultees which may have a bearing on the assessment. The assessment has been circulated as part of the report clearance process and updated accordingly.

2. Identification of policy aims, objectives and purpose

Licensing authorities are required by the Licensing Act 2003 to publish a Licensing Policy that they propose to apply when exercising their functions under the 2003 Act. The Statement must be published at least every five years and can be reviewed from “time to time” with any amended parts re-consulted upon.

The 2021-2026 Statement will be circulated for consultation for a period of twelve weeks.

The objective of the Licensing Policy is to inform interested parties of the principles the licensing authority proposes to apply when exercising its functions under the Licensing Act 2003. The authority must have regard to the promotion of the licensing objectives as set out in the Act:

- The Prevention of Crime and Disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of Children from Harm

Licensable activities include:

- the retail sale of alcohol,
- the supply of alcohol in clubs,
- the provision of late night refreshment, and,
- the provision of regulated entertainment.

The Licensing Policy aims to align with the Council’s policy priorities of “staying safe and well”, “unique environment” and “economic growth” as found in the Dorset Council’s Plan 2020-2024 Alcohol Delivery Plan 2017-20 <https://www.dorsetcouncil.gov.uk/your-council/about-your-council/dorset-council-plan/dorset-council-plan.aspx>

The Statement of Licensing Policy aims to align with other objectives of the council to;

- Protect young people from harm
- Balance the needs of businesses and local residents
- Encourage tourism and a vibrant, diverse night time economy
- Reduce alcohol misuse
- Reduce unnecessary regulation

3. Scope / focus of the EqIA

The Equalities Impact Assessment has attempted to assess the likely impact of the revised policy on persons living, visiting and working within the County.

There are 2003 licensed premises within the Dorset Council area; these currently consist of 1874 Premises Licences and 129 Club Certificates. These are located across the County with concentrations in the market towns. There are also 6456 Personal Licence Holders currently registered with Dorset as their home authority.

The Licensing Policy has scope to advance equality by promoting good relations and reduce inequality/protect vulnerable persons. The Statement supports a culture of openness where appropriate information can be accessed by all parties, hearings are generally held in public and enforcement is in line with the principles promoted within the enforcement concordat.

Partnership working and the exchange of information (within legal constraints) is also supported by the Policy. In this way we hope to promote understanding between those providing licensable activities and those potentially affected by them. As with applications under other legislation, we will seek to mediate between applicants and objectors and reach negotiated settlements wherever possible.

The following identifies how specific groups may be affected by the revised policy;

Class or socio- economic disadvantage

Low (positive impact)

Deprivation has a significant impact on health and wellbeing. The Dorset Council areas of deprivation are largely located in the most urban areas - in particular the former borough of Weymouth & Portland - but many of Dorset's rural communities could also be considered deprived in terms of barriers to housing and essential services.

English Indices of Deprivation (2015), DCLG show

12,900 households are workless

There are ten areas (out of a total of 219) in Dorset within the top 20% most deprived nationally for multiple deprivation, down from 12 in 20101. Nine of these are within the former borough of Weymouth and Portland, one is in the former West Dorset District area.

46% of Dorset's population lives in rural areas. Barriers to housing and essential services are significant in Dorset reflecting rurality and distance from services. 66 Dorset neighbourhoods fall in the 20% most deprived nationally for this measure: in the former council areas, 21 are in West Dorset and 20 in North Dorset.

Seven neighbourhoods in Dorset fall into the top 20% nationally for income deprivation (up from five in 2010) - seven of these are in the former borough of Weymouth and Portland

Weymouth and Portland residence based weekly earnings are £503 per week compared with £571 in Great Britain (Annual Survey of Hours and Earnings (2018), ONS (full time gross weekly earnings))

It is widely recognised that alcohol is a major contributor to disease and health inequality, disproportionately affecting persons of lower socio-economic status. Analysis of alcohol use and harm within the population of different socio-economic groups consistently shows that drinkers of lower socio-economic status are caused more harm than those of higher socio-economic status.
[https://www.thelancet.com/pdfs/journals/lanpub/PIIS2468-2667\(17\)30089-0.pdf](https://www.thelancet.com/pdfs/journals/lanpub/PIIS2468-2667(17)30089-0.pdf)

The rapid proliferation of convenience stores and metro supermarkets has meant that, in the UK as a whole, access to pubs and bars has decreased by around 8%, whilst access to off trade alcohol has increased by over a third. Deprived postcode areas have around 3 times as many outlets selling alcohol within walking distance than the least deprived areas. Furthermore, cheap alcohol is easier to access now than at any other time in recent history.

<https://www.alcoholpolicy.net/2017/05/alcohol-availability-england-trends-patterns-policy.html>

The licensing policy aims to stem the rise of licensed premises within cumulative impact areas where there are already significant problems arising from alcohol use and dependency.

The policy also highlights the need for operators to not sell alcohol at below cost price or conduct any promotions which might be deemed irresponsible.

It is not however anticipated that the proposed policy will have a negative effect on the grounds of class or socio-economic disadvantage.

Age

Low (positive impact)

There are nearly 59,800 children (0-15) living in Dorset. This represents 15.9% of the total population and is lower than the 19.1% national average. The number of 0-15yr olds is expected to fall slightly over the next 25 years, continuing the trend in place since 2007.

There was also a net loss of 15-19 year olds from Dorset to other parts of the UK, with net gains mostly among those aged 30+

28% of Dorset's population is aged over 65

Over the period 2007-2017, the number aged 65+ grew by 22,500 – up by 27%.

<https://apps.geowessex.com/insights/AreaProfiles/UnitaryAuthority/dorset-council>

The protection of children from harm is a key licensing objective and relates to prevention of access to age restricted products such as alcohol by persons under 18.

Applicants are required to demonstrate how they will promote the four licensing objectives and the policy should therefore have a positive effect on the potential problems arising from consumption of alcohol by under 18's.

Actions and objectives are stated in the policy that will help protect vulnerable and young people and it is proposed to consult with head teachers of all schools within the Borough on the revised Licensing Policy.

There are a number of conditions suggested within the policy which can be offered up by applicants or applied by the Licensing Sub-Committee following representations which can assist with ensuring young people are prevented access to alcohol or adult entertainment, including Challenge 25 scheme, refusals books, staff training, notices and security etc.

It is not however anticipated that the proposed policy will have a negative effect on the grounds of age.

Disability

Low (positive impact)

According to 2011 Census data, 72,167 Dorset residents had a long-term health problem or disability, this means people whose day-to-day activities are limited a lot or a little by a disability or long term medical condition. <https://apps.geowessex.com/insights/Topics/Topic/Diversity>

In the policy applicants are requested to have regard to the type of people that are likely to visit their premises in their application when identifying the steps they will take to promote the licensing objectives. Applicants will be expected to propose steps to ensure that the physical layout of the premises does not present any risks to 'vulnerable' people, some of whom may be disabled.

During inspections, officers will refer any relevant details to planning if it is suspected there may be accessibility issues or a lack of planning permission.

It is not however anticipated that the proposed policy will have a negative effect on the grounds of disability.

Pregnancy and maternity

Low (positive impact)

Dorset has a lower number of births than deaths giving a net decline in natural population. <https://apps.geowessex.com/insights/Topics>

It is not however anticipated that the proposed policy will have a negative effect on the grounds of pregnancy and maternity/paternity.

Race

Low (positive impact)

Dorset has much lower levels (4.4%) of Black and Minority ethnic (BME) residents than the country as a whole (19.5%)². The highest proportion of Dorset's BME population are classified as 'White Other' who make up approximately 41% of Dorset's BME population. This classification includes people who identify as white but who do not have UK national identity (English, Welsh Scottish, Northern Irish and British). An example would be Polish. <https://apps.geowessex.com/insights/Topics>

The Local Authority has established procedures for engaging with the diverse range of businesses within the Council area.

Consultation on the new Statement of Licensing Policy will be undertaken with statutory consultees, including representatives from the business community.

It is not however anticipated that the proposed policy will have a negative effect on the grounds of

race.

Religion/belief

Low (positive impact)

2011 census data shows The five major non-Christian world religions Islam, Buddhism, Hinduism, Judaism and Sikhism constitute 1% of Dorset's residents' religious beliefs

Dorset's main non-Christian religious groups are concentrated in Dorset's towns. Weymouth has just over 300 residents of Muslim faith. There are also concentrations around military establishments such as Blandford Camp where the Gurkhas and their families live who are predominantly Hindu in their religious belief.

<https://apps.geowessex.com/insights/Topics>

The Local Authority has established procedures for engaging with the diverse range of businesses within the borough.

Consultation on the new Statement of Licensing Policy will be undertaken with statutory consultees, including representatives from the business community.

It is not however anticipated that the proposed policy will have a negative effect on the grounds of race.

Sex (gender)

Low

Men at all ages are more likely to drink above the recommended limits than women. There are 105 females for every 100 males in Dorset.

Women will benefit from a better managed Night Time Economy (NTE) environment when the various approaches set out in the policy to restrict alcohol related violence are applied. Women are more severely harmed, emotionally and physically, in alcohol related violence in the NTE and in the home and any activities to lessen such violence are of benefit to women. Better managed premises also benefit women who have drunk harmful amounts of alcohol because such premises will put in place measures to promote a safe drinking environment which restricts serving to people who have consumed harmful levels of alcohol. They will also have procedures in place to assist vulnerable people leaving venues.

Better management of licensed venues will also benefit men who may be deterred from alcohol related violence. Men are more likely to commit crimes when under the influence of alcohol. Nearly a fifth (19%) of all adult binge drinkers reported committing an offence in the previous year compared with 6% of other regular drinkers and 3% of those who occasionally or never drank alcohol (Source: General Lifestyle Survey, 2011)

[https://www.ons.gov.uk/peoplepopulationandcommunity/personalandhouseholdfinances/incomeandwealth/compendium/generallife stylesurvey/2013-03-07](https://www.ons.gov.uk/peoplepopulationandcommunity/personalandhouseholdfinances/incomeandwealth/compendium/generallife%20stylesurvey/2013-03-07)

The revised Statement of Principles would have a neutral impact on the protected characteristic of Sex (gender).

Sexual Orientation and Transgender

Low

There is no data available on the spatial distribution of lesbian, gay, bisexual, transgender and transsexual people in the area, and there are no obvious places of congregation of such groups equivalent to those elsewhere in the country. There are 1,866 people are living in a same sex

relationship. <https://apps.geowessex.com/insights/Topics>

According to the Stonewall “LGBT in Britain Health Report” one in six LGBT people (16 per cent) said they drank alcohol almost every day over the last year. Frequency of alcohol consumption increases with age; a third of LGBT people aged 65+ (33 per cent) say they drink almost every day, compared to just seven per cent of LGBT people aged 18-24. One in five GBT men (20 per cent) drank alcohol almost every day over the last year compared to 13 per cent of LGBT women and 11 per cent of non-binary people. According to the Office for National Statistics (ONS), one in ten adults in general (ten per cent) drink alcohol on five or more days in the week. https://www.stonewall.org.uk/system/files/lgbt_in_britain_health.pdf

The revised Statement of Principles would have a neutral impact on the protected characteristic of Sexual Orientation

Rural isolation

Armed forces background

Low

Research suggests that the rate of Armed Forces veterans with mental health conditions could be as high as 10%, compared to around 3% for the general population (House of Commons Defence Committee, Mental Health and the Armed Forces, Part One: The scale of mental health issues. 11th report 2017 – 19)

The council in partnership with Dorset Armed Forces Covenant Programme is working to ensure that the Armed Forces Community in Dorset has access to the services and assistance it requires.

4. Relevant data, research and consultation

In addition to the data sources contained within the assessment above, all relevant parties and organisations situated and operating within the area will be consulted on the draft policy and any responses will be fully considered by the licensing authority and licensing committee.

This assessment will be updated following the consultation period. The consultation will include;

- A draft Policy available at Libraries, Local Service Centres and the offices of the Licensing Team
- Emails to all Councillors, Mayors, and MPs
- Internal consultation process to relevant officers and Corporate Management Teams
- Public notices in the Dorset Echo
- Public consultation advertised on the Council website
- Letters to Premises licence holders and other interested parties
- Responsible Authorities– including Dorset Police, Wiltshire and Dorset Fire Brigade
- Letters to BCP Council, Wiltshire Council and South Somerset Council
- Letters to all Head teachers of schools and education establishments located within the Area
- Armed forces community

Assessment of Impact and outcomes

Protected characteristics	Issues taken from evidence	Judgement (positive	Recommendations
Class or socio-economic disadvantage	No adverse impact	Low (positive)	N/A
Age	No adverse impact	Low (positive)	N/A
Disability	No adverse impact	Low (positive)	N/A
Pregnancy and maternity	No adverse impact	Low (positive)	N/A
Race	No adverse impact	Low (positive)	N/A
Religion / belief	No adverse impact	Low (positive)	N/A
Sex (gender)	No adverse impact	Low	N/A
Sexual orientation	No adverse impact	Low	N/A
Transgender	No adverse impact	Low	N/A
Rural isolation	No adverse impact	Low	
Armed forces background	No adverse impact	Low	

Equality Impact Assessment Action Plan for Licensing Policy 2019-24							
Issues identified and groups affected	Actions to be taken	Timescales of actions	Who is responsible for delivery	Intended outcomes	Performance measures	Reference to service or other plans	
No gap identified with regards to equalities and diversity and the revised Licensing Policy 2021-26	Will ensure premises are considering their own impact on vulnerable persons such as young persons or street drinkers Continued engagement with the trade to ensure the four licensing objectives are being adequately promoted	Draft Policy consultation period of at least 12 weeks	J Newcombe	Policy Adopted for use	N/A	Corporate Plan Enforcement Policy	

6. Formal agreement
Date EqIA published on Council website (full or summary version)

7. Publication of results
Date EqIA published on Council website (full or summary version)

8. Monitoring and review
Set dates and mechanism for monitoring and reviewing

Cabinet

30 June 2020

Statement of Gambling Licensing Policy

2021-2024

For Decision

Portfolio Holder: Cllr A Alford, Customer, Community and Regulatory Services

Local Councillor(s): Relevant to all Dorset Council Members

Executive Director: John Sellgren, Executive Director of Place

Report Author: John Newcombe
Title: Service Manager Licensing & Community Safety
Tel: 01305 838027
Email: john.newcombe@dorsetcouncil.gov.uk

Report Status: Public

Recommendations

- 1) To agree that the draft Gambling Policy 2021-2024 (attached as Appendix A to this report) be published for a period of public consultation of not less than 12 weeks.
- 2) That, subject to their being no relevant representations that the Service manager for Licensing & Community Safety, in consultation with the Chairman of the Licensing Committee recommends to the Council adoption of the Draft Gambling Licensing Policy.
- 3) Should relevant representations be received, which require consideration of one or more significant amendments to the policy, instruct officers to bring a further report to the meeting of the Licensing Committee with the outcomes of the consultation.

Reason for Recommendations:

- 1) To comply with legislative requirements, and
- 2) To ensure openness and transparency in the Council's decision making, and
- 3) To ensure that those persons affected by the policy are given the opportunity to have an input into it.

1. Executive Summary

The Council, as Licensing Authority under the Gambling Act 2005, is required to publish a Statement of Gambling Licensing Policy at least every three years. The purpose of the policy statement is to define how the Council will exercise its responsibilities under the Act. The draft policy has been prepared by officers and considered at an informal meeting of the Licensing Committee and is now ready to be published, in draft format, for a period of public consultation, of not less than 12 weeks.

2. Financial Implications

The funding for the preparation and consultation of the draft Statement of Gambling Licensing Policy will come from existing budgets and there are no further financial implications arising from the recommendations of this report.

3. Climate implications

There are no implications arising from the recommendations contained within this report in terms of meeting the Council's climate change obligations.

4. Other Implications

There are no implications arising from the recommendations contained within this report in terms of impacts on other service areas within the Council.

5. Risk Assessment

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: Low

Residual Risk: Low

6. Equalities Impact Assessment

An Equalities Impact Assessment has been prepared and is attached as Appendix B to this report.

7. Appendices

Appendix A Draft Statement of Gambling Licensing Policy 2021-2024

Appendix B Equalities Impact Assessment

8. Background Papers

Gambling Act 2005

9. Background

- 9.1 The Gambling Act 2005 requires the Council, acting as the Licensing Authority under the Act, determine and publish a Statement of Gambling Licensing Policy at least once every three years.
- 9.2 The Statement of Gambling Licensing Policy 2021-2024 can be reviewed and updated at any time during the life of the document. The council keeps the Statement of Gambling Licensing Policy under constant review and, from time to time, may commission research to inform changes to policy.
- 9.3 The Statement of Gambling Licensing Policy sets out how the council will carry out its functions under the Gambling Act 2005 with a view to promoting the licensing objectives namely:
- Prevent gambling from being a source of crime and disorder, being associated with crime or disorder, or being used to support crime.
 - Ensuring that gambling is conducted in a fair and open way.
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 9.4 The Statement of Gambling Licensing Policy has been prepared in line with the requirements of the Gambling Act 2005, as well as the Statutory Guidance issued by the Gambling Commission (5th Ed).
- 9.5 The Statement of licensing policy has been prepared with regard to, and sought to integrate with, the following Council strategies:
- Dorset Council's Plan
 - Dorset Council Community Safety Plan
 - Dorset Council's Local Plan and Development Framework
 - Dorset Council's Economic Growth Strategy
 - Dorset Council's Enforcement Policy
 - Dorset Council's Strategy for children and young people
- 9.6 This is Dorset Council's first Statement of Gambling Licensing Policy issued under the Gambling Act 2005 and is required to be in place by 1 April 2021 under the terms of the Local Government Reform Order issued by the Secretary of State for Housing, Communities and Local Government.
- 9.7 Prior to the formation of Dorset Council, each of the predecessor District and Borough Councils had their own Statement of Gambling Licensing Policy issued under the Gambling Act 2005.

- 9.8 In addition to setting out how the Licensing Authority intends to promote the licensing objectives, and the Authority's expectations of licensed premises operators and applicants, the Authority is also able to direct licence holders and applicant to conduct Local Area Risk Assessments based on the risks present within the locality of the premises.
- 9.9 As required by The Gambling Act 2005 and guidance issued by the Gambling Commission, the Council, in carrying out its licensing functions under the Act will aim to permit the use of premises for gambling as long as it is considered to be:
- In accordance with any relevant code of practice issued by the Gambling Commission,
 - in accordance with any relevant guidance issued by the Commission,
 - reasonably consistent with the licensing objectives and
 - in accordance with this Policy Statement published under section 349 of the Act.
- 9.10 Nothing in the Statement of Gambling Policy will override the right of any person to make an application under the Act and have that application considered on its individual merits. Equally, nothing in the draft Statement of Gambling Policy will undermine the right of any person to make representations to an application or seek a review of a licence where there is a legal power to do so.
- 9.11 The draft Statement of Gambling Licensing Policy has been reviewed by the Licensing Committee via a remote informal meeting chaired by the Chair of the Licensing Committee Cllr Emma Parker on 28th May 2020. A number of minor amendments and clarifications were suggested by the Committee which have been integrated into the draft policy at Appendix A to this report.
- 9.12 Before the Statement of Gambling Policy can be adopted the Gambling Act 2005 requires the licensing authority to consult with:
- The Chief Officer of Police;
 - One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area;
 - One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Act.
- 9.13 It is proposed to carry out the public consultation for a period of not less than 12 weeks. The consultation process is laid out clearly in the Gambling Act 2005, the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006 and the Guidance to Licensing Authorities issued by the Gambling Commission. The consultation includes

consulting with and considering the views of a wide range of people and organisations including:

- The Gambling Commission
- Representatives of local businesses
- Local residents and their representatives
- Local Councillors
- Parish and town councils
- Local members of parliament
- Representatives of existing licence holders including Trade representatives and Licensing Solicitors
- Dorset Police
- Dorset Fire and Rescue Service
- Dorset Council – Public Health (Primary Care Trust)
- Dorset Council – Environmental Health
- Dorset Council – Planning Authority
- Dorset Council – Children’s Services, Social Care and Health
- Dorset Council - Trading Standards
- Charitable organisations that deal with the social impact of gambling addiction
- Gambling Support Services
- Other charitable organisations
- Adjoining Councils
- HMRC

9.14 Following the period of consultation officers will analyse any responses and should there not be any, it is recommended that the Service Manager for Licensing & Community Safety, in consultation with the Chairman of the Licensing Committee recommends to Cabinet and to Council, adoption of the Draft Licensing Policy.

9.15 Should responses to the consultation be received, officers will recommend amendments to the draft policy where appropriate or give reasons why suggested alterations are not made and prepare a report for the Licensing Committee with a final draft policy for committee to recommend to Cabinet and full Council, for adoption.

Footnote:

Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

John Newcombe
Service Manager Licensing & Community Safety

8 June 2020

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**Statement of Gambling Licensing Policy
2021 – 2024**

Gambling Act 2005

Draft Version 11

Further copies of this document can be obtained from:

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Email: licensingteamb@dorsetcouncil.gov.uk

Web: <https://www.dorsetcouncil.gov.uk/business-consumers-licences/licences-and-permits/alcohol-and-entertainment-licences/alcohol-licensing.aspx>

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Executive Summary

The Gambling Act 2005 obtained Royal Assent in 2005 and came into effect in 2007.

Under Section 349 of the Gambling Act 2005 the Licensing Authority is required to prepare a statement of principles that they propose to apply in exercising their functions under this Act. This process is to be repeated every three years from 31st January 2007.

The consultation process is laid out clearly in the Gambling Act 2005, the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006 and the Guidance to Licensing Authorities issued by the Gambling Commission (www.gamblingcommission.gov.uk).

The purpose of the Statement of Licensing Policy is to set out the principles that the Council propose to apply when determining licences, permits and registrations under the Gambling Act 2005.

Any decision taken by the Council in regard to determination of licences, permits and registrations should aim to permit the use of premises for gambling in so far as it is reasonably consistent with the licensing objectives, which are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

The principles to be applied specifically to the determination of premises licence applications include definition of premises, location, duplication with other regulatory regimes, conditions, door supervision, layout of the premises and supervision of gaming facilities. The policy also specifically mentions adult gaming centres, family entertainment centres, casinos, bingo premises, betting premises, tracks and travelling fairs.

The council has the ability to issue permits for prize gaming and unlicensed family entertainment centres. The council is able to specify the information it requires as part of the application process which will aid determination and this information is described in this Policy.

Club gaming and club machine permits are also issued by the council. The process for this is described, along with other processes specified in the legislation for example temporary use notices, occasional use notices and small society lotteries.

Enforcement of the legislation is a requirement of the Act that is undertaken by the council in conjunction with the Gambling Commission. The policy describes the council's enforcement principles and the principles underpinning the right of review.

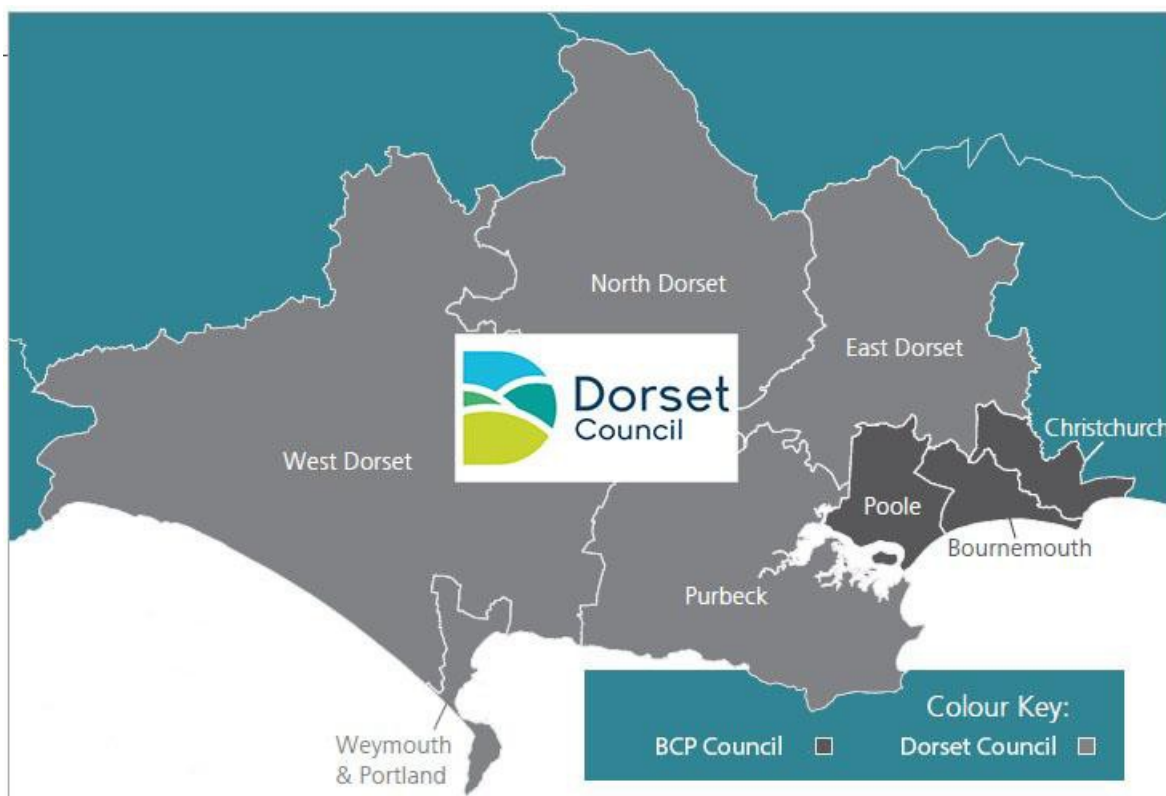
The policy has three appendices, describing the stakes and prizes which determine the category of a gaming machine, a glossary of terms and exempt gaming in pubs and clubs.

Part A - The Gambling Act 2005

1. The licensing objectives

- 1.1 Under the Gambling Act 2005 (the Act) Dorset Council is the licensing authority for the Dorset district and licences premises for gambling activities as well as granting various other gambling permits. In this document, unless otherwise stated, any references to the council are to the Dorset Licensing Authority.
- 1.2 The council will carry out its functions under the Act with a view to aiming to permit the use of premises for gambling in so far as it is reasonably consistent with the three licensing objectives set out at Section 1 of the Act. The licensing objectives are;
 - preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
 - ensuring that gambling is conducted in a fair and open way
 - protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 1.3 More information can be found about how the council will achieve this in Part B and C of this document.
- 1.4 The council will follow any regulations and statutory guidance issued in accordance with the Act and will have regard to any codes of practice issued by the national gambling regulator, the Gambling Commission.
- 1.5 The council is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it is;
 - in accordance with any relevant code of practice issued by the Gambling Commission
 - in accordance with any relevant guidance issued by the Gambling Commission
 - reasonably consistent with the licensing objectives and
 - in accordance with this document.
- 1.6 The Gambling Commission's Licence Conditions and Code of Practice (LCCP) require gambling premises to undertake a risk assessment taking into consideration their local information. Specific information about risk assessments is provided in this policy at Section 14.

2. Dorset Council area



- 2.1 Dorset Council was formed on 1st April 2019 following a restructure of the previous local government arrangements. The Council is one of two unitary authorities formed from the predecessor district, borough and county councils and consists of the former authorities of West Dorset, Weymouth & Portland, Purbeck, East Dorset and North Dorset as well as the former Dorset County Council. The plan above shows the geographic boundary of the new Dorset Council area, along with the locations of the former district and borough councils.
- 2.2 Dorset (Council area) has a population of 375,000 residents, 28% of whom are aged 65 and older (compared to 18% in England and Wales).
- 2.3 Dorset is an attractive place for people to settle in their retirement – it has a large population of older people, and relatively low birth rates. Currently there are over 7,000 people in Dorset living with dementia, and the number is increasing. Younger people often move away from the area. The population continues to grow slowly, driven by people moving into the county and longer life expectancy. The greatest part of population growth is among over 65s. Dorset’s working age population is expected to see a marginal decline over the next 25 years.
- 2.4 The Dorset rural idyll can conceal hidden deprivation: there are pockets of deprivation, mostly in urban areas (mainly Weymouth and Portland). But there is also some rural deprivation due to isolation and difficulty accessing housing, transport and essential services. Crime is generally low in Dorset.
- 2.5 Inclusive growth in Dorset should help reverse the worsening socio-economic position in many neighbourhoods, by focusing not just on quantity of growth but also quality; actions should reflect

people's experience of opportunities, barriers, skills and employment and living standards.

- 2.6 The population is predominantly white British, with 4.4% of our residents black and minority ethnic.
- 2.7 Dorset's natural environment is a great asset. 95 miles of coast in Dorset and Devon are classified as a UNESCO Natural World Heritage Site – the only one in England. Over half of Dorset is covered by the Area of Outstanding Natural Beauty designation; 7% of Dorset is protected as a Site of Special Scientific Interest; and Dorset has one of the largest areas of protected lowland heath in Europe. These designations together mark Dorset as a special place but also present challenges in terms of available land for delivering housing and employment development.
- 2.8 Dorset also has a rich historic environment, with one in twenty of all the protected ancient monuments in England, a well preserved pre-historic landscape and around 10,000 listed buildings.
- 2.9 Employment in Dorset is high but, like the UK, our economy has a productivity gap. Manufacturing, health, retail, education and hospitality are all big employers in Dorset. 20,000 businesses are based in Dorset: 86% are micro firms and fewer than 1% are large firms. Dorset's economy is worth around £7.1 billion and provides 143,000 jobs. Dorset has an above average number of advanced engineering and manufacturing businesses. But there is also a continuing seasonal, low skill, low wage economy with tourism and agriculture significant industries. The area is rich in valuable minerals, including stone, sand/gravel and oil.
- 2.10 Earnings are below average and house prices are high with affordability issues for many young people and keyworkers. In 2017, lower end house prices were more than ten times higher than lower end earnings in Dorset.
- 2.11 Dorset has no motorway but over 2,500 miles of roads. 95.1% of premises in the Dorset Council area have access to superfast broadband. 3.1% of premises in the Dorset Council area have access to full-fibre broadband.
- 2.12 Each area of the district has its own character and challenges. The council has provided general advice in this policy to assist applicants in preparing applications. Applicants are also expected to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. To assist them the council has provided links to data sources where information specific to localities in Dorset in which there is concern relating to impact of licensed premises on the three licensing objectives can be found. Applicants may also consult with the Licensing Team to ensure they have as much information as possible before making their application.
- 2.13 A worrying trend of an increasing number of suicides among men has been identified across the UK, with problem gamblers up to 15 times more likely to take their own life. Although we are unable to establish to what extent gambling addiction has contributed to the actual numbers of suicides in Dorset, there is evidence that the majority of problem gamblers have contemplated suicide. Furthermore people with poor mental health are at significantly high risk of problem gambling. (<https://www.theguardian.com/society/2019/mar/13/problem-gamblers-at-15-times-higher-risk-of-suicide-study-finds>)
- 2.14 For further health and deprivation information about the local area visit <https://apps.geowessex.com/insights>

Cultural Activities in Dorset

- 2.15 Dorset has strong artistic and sporting traditions and has some of the best attended outdoor events in the country. The district also boasts a wealth of community based sports heritage and recreational facilities. There is a vibrant voluntary sector including hundreds of groups and societies.
- 2.16 Sport is a passion for people in Dorset. There are a large number of sports clubs across the district, including football clubs, cricket clubs and rugby clubs.
- 2.17 Dorset Council is a major provider of facilities for public recreation. The Council has a tradition of promoting a wide range of cultural activity for the benefit of residents and visitors alike.
- 2.18 Commercially promoted events take place in a variety of locations throughout the district.
- 2.19 Within local communities, groups and associations use church and village halls and community centres for social and fund raising activities. Within the district there are a large number of church halls, village halls and schools licensed for regulated entertainment and/or the sale or supply of alcohol.
- 2.20 Dorset has a long established reputation for the encouragement of community and diverse cultural events and public entertainment as an essential aid to community involvement and an increasing sense of common identity.
- 2.21 Weymouth has a particularly vibrant leisure economy and the council is keen to support businesses who operate responsibly. The council is proud to support the Purple Flag achievements of Weymouth and keen to acknowledge the benefits that a well-run leisure economy can bring to an area in terms of economic, cultural and community benefits.
- 2.22 Over recent years Dorset has experienced significant levels of growth in entertainment use within the district coupled with a significant increase in residential development. The close proximity of a range of land uses and the creation of mixed-use schemes has many benefits including the creation of a vibrant entertainment economy area. Dorset Council has a policy promoting mixed use development including residential and evening uses throughout the district.

3. Integration with other guidance, policies, objectives and strategies

- 3.1 In preparing this licensing policy the council has had regard to, and sought to integrate the licensing policy with, the following strategies:
- Dorset Council's Plan
 - Dorset Council Community Safety Plan
 - Dorset Council's Local Plan and Development Framework
 - Dorset Council's Economic Growth Strategy
 - Dorset Council's Enforcement Policy
 - Dorset Council's Strategy for children and young people
- 3.2 The council (through its Licensing Committee) may, from time to time, receive reports on other policies, strategies and initiatives that may impact on licensing activity within the remit of the committee. Subject to the general principles set out in this policy and the overriding need to promote the three licensing objectives it may have regard to them when making licensing decisions.

3.3 The Committee may, after receiving such reports, make recommendations to the council or other bodies about the impact of the licensing policy on such policies, strategies and initiatives. Equally the Committee may make recommendations relating to the impact of such policies, strategies and initiatives on the licensing policy. This may include recommendations to amend the licensing policy itself.

Vision for Dorset

3.4 Dorset Council's vision for Dorset sets out 6 overarching priorities:

- Economic Growth
- Unique Environment
- Suitable Housing
- Strong, Healthy Communities
- Staying Safe and Well
- Action on the Climate and Ecological Emergency

3.5 Dorset, like other national and international geographic areas, is faced with a number of key challenges. The district's ageing population is set to rise 31% over the next 10 years, its economy is still recovering from the effects of global recession and the consequences of a changing climate have become all too apparent. 12,900 Households are without work and by 2029 150,000 people will retire and 20,000 jobs will be created, leaving 173,000 jobs to be filled.

3.6 In addressing these challenges, Dorset must continue to be forward-looking and have a clear plan for the future, and this is why the Council's Plan is important.

3.7 This licensing policy seeks to promote the licensing objectives within the overall context of the priorities and aims set out in the Council's Plan 2020-24.

Dorset Council's Health and Wellbeing Strategy

3.8 Dorset Council's Health and Wellbeing Strategy focuses on three key priorities:

- Reducing inequalities
- Promoting healthy lifestyles and preventing ill health
- Working better together to deliver prevention and early intervention at scale, high quality care and better value

3.9 Whilst public Health is not one of the licensing objectives within the Licensing Act 2003, unlike in Scotland, the council does consider it important that alcohol dependency and alcohol abuse are considered within the context of the existing regulatory regime. Alcohol dependency and abuse can lead to crime and disorder and anti-social behaviour and can impact on community wellbeing. It is therefore important that the council considers the impact of licensed premises and the availability of alcohol on the community as a whole.

Dorset Council's Economic Growth Strategy

3.10 Dorset Council's Economic Growth Strategy sets out the Council's priorities for the district:

- Transportation Infrastructure
- Digital Infrastructure
- People – aspirations, skills, education and training

- Place – sustainable economic development and growth, vibrant towns and investment in coastal resorts / tourism
- Business environment – through business support services, attracting inward investment, delivering ‘business friendly’ services, developing visit Dorset
- Ideas – development of Dorset Innovation park, collaboration with partners and innovation

3.11 The council will encourage investment and growth within the leisure and retail industry within Dorset, and will seek to minimise any potentially negative impacts from existing and new licensed premises operating in the district.

Strategy for children and young people

3.12 The council is committed to ensuring that the experience of childhood and early adulthood in Dorset is a good one. The council and its partners want every child to have the opportunity to be confident in their relationships, achieving personal success as they grow into adulthood. We believe that by working together as organisations and with families and communities we will achieve this.

3.13 The council’s partner alliance works to the following priorities:

- Information & knowledge
- Early action & help
- Priorities that matter
- New models to deliver services
- Whole family working

3.14 This policy contributes to all these outcomes and also a number of the priorities within strategy for Children and Young People, including:

- Ensuring that the most vulnerable are protected
- Improving social, emotional, and mental health and wellbeing
- Supporting young people to make good choices and minimise risk-taking behaviours

4. The purpose of the Gambling Act 2005 – Statement of Licensing Policy

4.1 Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions under the Act. This document fulfils this requirement. Such statement must be published at least every three years. The statement can also be reviewed from “time to time” and any amendments must be consulted upon. The statement must then be re-published.

4.2 Dorset Council consulted widely upon this policy statement before finalising and publishing it. The policy was presented for public consultation on the website, and by email and post to solicitors, licensees, support organisations, responsible authorities, ward members, MPs, trade associations, and parish councils. The consultation was also advertised via a press release.

4.3 The consultation took place between XX and XX and followed the Cabinet Office’s Code of Practice on Consultation. The consultation elicited X responses which are available on request. The policy was approved at a meeting of the Full Council on XX. The policy came into force on XX.

5. The licensing framework

- 5.1 The Gambling Act 2005 brought about changes to the way that gambling is administered in the United Kingdom. The Gambling Commission is the national gambling regulator and has a lead role in working with central government and local authorities to regulate gambling activity.
- 5.2 The Gambling Commission issues operators licences and personal licences. Any operator wishing to provide gambling at a certain premises must have applied for the requisite personal licence and operator licence before they can approach the council for a premises licence. In this way the Gambling Commission is able to screen applicants and organisations to ensure they have the correct credentials to operate gambling premises. The council's role is to ensure premises are suitable for providing gambling in line with the three licensing objectives and any codes of practice issued by the Gambling Commission. The council also issues various permits and notices to regulate smaller scale and or ad hoc gambling in various other locations such as pubs, clubs and hotels.
- 5.3 The council does not licence large society lotteries or remote gambling through websites. These areas fall to the Gambling Commission. The National Lottery is not licensed by the Gambling Act 2005 and is regulated by the Gambling Commission under the National Lottery Act 1993.

6. Declaration

- 6.1 This statement of licensing policy will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.
- 6.2 In producing this document, the council declares that it has had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission, and any responses from those consulted on the policy statement.

7. Responsible authorities

- 7.1 The Act empowers certain agencies to act as responsible authorities so that they can utilise their expertise in a particular area to help promote the licensing objectives. Responsible authorities are able to make representations about licence applications or apply for a review of an existing licence. Responsible authorities may also offer advice and guidance to applicants.
- 7.2 The council is required by regulations to state the principles it will apply to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are;
 - the need for the body to be responsible for an area covering the whole of the licensing authority's area
 - the need for the body to be answerable to democratically elected people, rather than any particular vested interest group etc.
- 7.3 In accordance with the regulations the council designates the Pan-Dorset Safeguarding Children Partnership for this purpose. Pan-Dorset Safeguarding Children Partnership can provide advice and training for operators and partners in children's safeguarding which can be found at <https://pdscp.co.uk/> Applicants may find this resource useful as a point of reference, a guide for good practice and the mechanism by which to make a referral to Social Care, when producing their own policies and procedures in relation to the objective of protection of children and vulnerable people.

7.4 The contact details of all the responsible authorities under the Gambling Act 2005 are available on the council's website within the guidance documents at <https://www.dorsetcouncil.gov.uk/business-consumers-licences/licences-and-permits/gambling-licences/gambling-licences.aspx>

8. Interested parties

8.1 Interested parties are people or organisations that have the right to make representations about licence applications or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

“For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications is made, the person-

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- b) has business interests that might be affected by the authorised activities, or
- c) represents persons who satisfy paragraph (a) or (b)”

8.2 The council is required by regulations to state the principles it will apply to determine whether a person is an interested party. The principles are:

- Each case will be decided upon its merits. The council will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance to local authorities.
- Within this framework the council will accept representations made on behalf of residents and tenants associations.
- In order to determine if an interested party lives or has business interests, sufficiently close to the premises to be likely to be affected by the gambling activities, the council will consider factors such as the size of the premises and the nature of the activities taking place.

8.3 The council will provide more detailed information on the making of representations in a separate guidance note. The guidance note has been prepared in accordance with relevant Statutory Instruments and Gambling Commission guidance.

9. Exchange of information

9.1 Licensing authorities are required to include in their policy statement the principles to be applied by the authority with regards to the exchange of information between it and the Gambling Commission, as well as other parties listed in Schedule 6 to the Act.

9.2 The principle that the council applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that applicable data protection legislation will not be contravened. The council will also have regard to any guidance issued by the Gambling Commission to local authorities on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

10. Licensing authority functions

10.1 Licensing authorities are responsible under the Act for:

- licensing premises where gambling activities are to take place by issuing premises licences

- issuing provisional statements
- regulating members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- issuing Club Machine Permits to commercial clubs
- granting permits for the use of certain lower stake gaming machines at Unlicensed Family Entertainment Centres
- receiving notifications from alcohol licensed premises (under the Licensing Act 2003) of the use of two or less gaming machines
- granting Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where more than two machines are required
- registering small society lotteries below prescribed thresholds
- issuing Prize Gaming Permits
- receiving and endorsing Temporary Use Notices
- receiving Occasional Use Notices (for tracks)
- providing information to the Gambling Commission regarding details of licences issued (see section above on 'Exchange of information')
- maintaining registers of the permits and licences that are issued under these functions.

10.2 The council will not be involved in licensing remote gambling at all. This will fall to the Gambling Commission via operator licences.

Part B – Promotion of the licensing objectives

11. Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime

11.1 The Gambling Commission will take a lead role in keeping gambling crime free through its vetting process for applicants for personal and operator licences. The council's main role is to try and promote this area with regard actual premises. Thus, where an area has known high levels of organised crime the council will consider carefully whether gambling premises are suitable to be located there (see paragraph 14.8 and 14.9) and whether conditions may be required such as the provision of door supervision (see paragraph 14.31).

11.2 There is a distinction between disorder, anti-social behaviour and nuisance. In order to make the distinction, when incidents of this nature occur, the council will consider a number of factors such as whether police assistance was required and how threatening the behaviour was.

11.3 Issues of nuisance cannot always be specifically addressed by the Gambling Act provisions however problems of this nature can be addressed through other legislation as appropriate.

11.4 Examples of the specific steps the council may take to address this area can be found in the various sections covering specific premises types in Part C of this document and also in Part D which covers permits and notices.

12. Ensuring that gambling is conducted in a fair and open way

12.1 The council is aware that except in the case of tracks (see section 18) generally, the Gambling Commission does not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences.

- 12.2 However, the council will familiarise itself with operator licence conditions and will communicate any concerns to the Gambling Commission about misleading advertising or any absence of required game rules or other matters as set out in the Gambling Commission’s Licence Conditions and Code of Practice.
- 12.3 Examples of the specific steps the council may take to address this area can be found in the various sections covering specific premises types in Part C of this document and also in Part D which covers permits and notices.

13. Protecting children and other vulnerable persons from being harmed or exploited by gambling

Protection of children

- 13.1 This licensing objective means preventing children from taking part in most types of gambling. The council will therefore consider whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/machines, segregation of areas or other conditions as appropriate.
- 13.2 The Act provides the following definition for a child and young adult in Section 45: Meaning of “child” and “young person”
- (1) In this Act “child” means an individual who is less than 16 years old.
 - (2) In this Act “young person” means an individual who is not a child but who is less than 18 years old.

For the purpose of this section protection of children will encompass both child and young person as defined by the Act.

- 13.3 The council will pay particular attention to any codes of practice which the Gambling Commission issues as regards this licensing objective in relation to specific premises such as casinos.
- 13.4 Examples of the specific steps the council may take to address this area can be found in the various sections covering specific premises types in Part C of this document and also in Part D which covers permits and notices.

Protection of vulnerable people

- 13.5 The council is aware of the difficulty in defining the term “vulnerable person”. In most recent literature it is not a term that is used, with the term “adults at risk of abuse or neglect” or “adults at risk” being the preferred terms.
- 13.6 The Gambling Commission, in its Guidance to Local Authorities, does not seek to offer a definition for the term “vulnerable people” but will, for regulatory purposes assume that this group includes people:
- “who gamble more than they want to, people who gamble beyond their means, elderly persons, and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, or because of the influence of alcohol or drugs.”
- 13.7 The Care Act 2014 imposes a requirement on a local authority to “make enquiries if it has reasonable cause to suspect that an adult in its area, whether or not ordinarily resident there, has needs for care and support, is experiencing, or is at risk of, abuse or neglect, and as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it”.
- 13.8 The local authority must make whatever enquiries it thinks necessary to enable it to decide whether any

action should be taken in the adult's case (whether under this Part or otherwise) and, if so, what and by whom. "Abuse" includes financial abuse; and for that purpose "financial abuse" includes having money or other property stolen, being defrauded, being put under pressure in relation to money or other property, and having money or other property misused.

13.9 Department of Health document "No Secrets" from 2000 offers a definition of a vulnerable adult as a person:

"who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation."

13.10 In 2016 Beckett University published research into Problem Gambling (*Kenyon, Ormerod, Parsons and Wardle, 2016*). This research looked specifically at identifying groups of the society that could be considered vulnerable to problem gambling:

13.11 **Young people** – rates of problem gambling among young people who gamble are higher than older adults and youth gambling behaviours are consistent with the harm paradox, whereby these age groups are less likely to gamble generally but those that do are more likely to experience difficulties with their behaviour (Wardle, 2015).

13.12 **Minority ethnic groups** – There is consistent evidence that those from Asian or Black backgrounds are more vulnerable to gambling problems and there is clear evidence of the harm paradox (Wardle, 2015).

13.13 **Unemployed and constrained economic circumstance** – generally those of lower income are less likely to gamble but those that do spend a higher proportion of their income on gambling. This is highlighted as a concern given the lesser ability of lower income households to protect themselves from financial instability (Brown et al, 2011).

13.14 There is evidence that those in debt and those using money lenders and/or pawnbrokers are more likely to be problem or at risk gamblers (Meltzer et al, 2012). The relationship between constrained economic circumstances and gambling problems is likely to be complex and multi-faceted. It may be mediated by other economic opportunities and personal feelings about how well off you are compared with others. Despite this complexity, there is a consistent body of evidence showing that, for whatever reason, those who are unemployed and who gamble are more likely to experience adverse outcomes from their gambling than those in paid employment.

13.15 **Area deprivation** – There are a number of British surveys that have consistently shown that those living in more deprived areas are more likely to experience problems with their gambling behaviour. This was despite having roughly the similar levels of past year gambling participation to those who live in less deprived areas.

13.16 Wardle (2015) looked at the distribution of machines and licensed betting offices and argues that there was clear and consistent evidence of a spatial skew, whereby high density machine zones or areas with licensed betting offices are more deprived than others. Recent research has shown that among gamblers who held loyalty cards, rates of problem gambling (28%) were higher among those who lived within 400 metres of a concentration of betting offices than those who did not (22%) (Astbury & Wardle, 2016).

13.17 **Homeless** – The rates of problem gambling are higher among those who are homeless than those who are not. Although studies are small, they show that there is a significant relationship with gambling preceding homelessness. Little is known about why rates of problem gambling among homeless population groups is higher than the general population but given associations with other mental health conditions, homeless people should be considered a vulnerable group.

- 13.18 **Mental ill health** – There is a strong association between mental ill health and problem gambling. Associations were found between problem gambling and general anxiety disorder, phobia, obsessive compulsive disorder, panic disorders, eating disorders, probably psychosis, attention deficit hyperactivity disorder, post-traumatic stress disorder, harmful and hazardous levels of alcohol consumption and drug addiction. Overall three quarters of problems gamblers seeking treatment also experience co-morbid mental health disorders.
- 13.19 Being a problem or at risk gambler is associated with latter onset of major depressive disorder, alcohol use and dependence, drug use and experience of any mental disorder. Illegal drug use and experience of any mental disorder is also associated with the subsequent onset of at risk and problem gambling. These findings seem to confirm the conclusion that the relationship between problem gambling and mental ill health may be cyclical.
- 13.20 **Substance abuse/misuse** – The evidence base relating to the relationship between substance abuse/misuse and experience of problem gambling broadly measures that of mental ill health. Evidence from British based surveys has shown that rates of problem gambling were higher among those with alcohol dependence (3.4%) or drug dependence (4.4%) than the general population (0.74%) (Wardle, 2015). A systemic review of those seeking treatment for gambling problems showed that 15% also experience alcohol dependence and 7% have other substance abuse disorders (Dowling et al, 2015). There is strong evidence that alcohol and substance misuse are associated with problem gambling. As with other mental health conditions, these conditions can occur at the same time.
- 13.21 **Personality traits/cognitive distortions** – There is a strong body of evidence highlighting the relationship between various personality traits, such as cognitive distortions or impulsivity, with problem gambling. Cognitive distortions, such as erroneous perceptions of gambling and illusion of control are well established risk factors for problem gambling (Johansson et al, 2009). However little research has been conducted to explore the complex interaction of personality traits with other factors and their combined influence on the experience of broader gambling harms. Certain personality traits and/or cognitive distortions are just one potential aspect of vulnerability which is likely to be affected by a range of other factors.
- 13.22 **Problem gamblers seeking treatment** – Because this group is in the process of attempting to recover from gambling problems they should be treated as a vulnerable group in their own right (Wardle, 2015).
- 13.23 Problem gambling can affect anyone at any time. Whilst rates of problem gambling among all adults in Britain tend to be less than 1% (1.4% in large metropolitan areas), there are some groups that are more likely to experience problems. These groups could all be considered vulnerable to gambling problems. Dorset Council already works with many of these groups however operators should consider these groups in their Local Risk Assessments, especially in relation to identifying the people in these groups, and mitigating harm experienced by them.
- 13.24 In the case of premises licences the council is aware of the extensive requirements set out for operators in the Gambling Commission’s Code of Practice regarding social responsibility. In this document the Gambling Commission clearly describe the policies and procedures that operators should put in place regarding:
- Combating problem gambling
 - Access to gambling by children and young people
 - Information on how to gamble responsibly and help for problem gamblers
 - Customer interaction
 - Self-exclusion

- Employment of children and young people

13.25 All applicants should familiarise themselves with the operator licence conditions and codes of practice relating to this objective and determine if these policies and procedures are appropriate in their circumstances. The council will communicate any concerns to the Gambling Commission about any absence of this required information.

13.26 Applicants may also like to make reference to documentation published by Dorset Safeguarding Adults Board which provides extensive guidance on identifying vulnerable people and what can be done to reduce risk for this group. This guidance can be accessed via <https://www.dorsetcouncil.gov.uk/care-and-support-for-adults/information-for-professionals/dorset-safeguarding-adults-board.aspx>

13.27 Applicants should consider the following proposed measures for protecting and supporting vulnerable people, for example:

- leaflets offering assistance to problem gamblers should be available on gambling premises in a location that is both prominent and discreet, such as toilets
- training for staff members which focuses on building an employee's ability to maintain a sense of awareness of how much (e.g. how long) customers are gambling, as part of measures to detect people who may be vulnerable (see 12.4.1).
- trained personnel for the purpose of identifying and providing support to vulnerable people
- self-exclusion schemes
- operators should demonstrate their understanding of best practice issued by organisations that represent the interests of vulnerable people
- posters with GamCare Helpline and website in prominent locations
- windows, entrances and advertisements **not** to be positioned or designed to entice children or vulnerable people.

13.28 It should be noted that some of these measures form part of the mandatory conditions placed on premises licences.

13.29 The council may consider any of the above or similar measures as licence conditions should these not be adequately addressed by any mandatory conditions, default conditions or proposed by the applicant.

Part C – Premises licences

14. General Requirements

14.1 Premises licences are subject to the permissions/restrictions set-out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach other conditions, where it is believed to be necessary and proportionate.

14.2 The council will issue premises licences to allow those premises to be used for certain types of gambling. For example premises licences will be issued to amusement arcades, bingo halls, bookmakers and casinos.

14.3 Premises licences are subject to the permissions/restrictions set-out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach other conditions, where it is believed to be necessary and proportionate.

14.4 Applicants should also be aware that the Gambling Commission has issued Codes of Practice for each operational area for which they must have regard. The council will also have regard to these Codes of Practice.

Definition of “premises”

14.5 Premises is defined in the Act as “any place”. Different premises licences cannot apply in respect of a single premises at different times. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact in the circumstances.

14.6 The council will take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular the council will assess entrances and exits from parts of a building covered by one or more licences to satisfy itself that they are separate and identifiable so that the separation of different premises is not compromised and that people do not ‘drift’ into a gambling area.

14.7 The council will pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). Issues that the council will consider before granting such applications include whether children can gain access, compatibility of the two establishments; and the ability to comply with the requirements of the Act. In addition, an overriding consideration will be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act.

14.8 An applicant cannot obtain a full premises licence until they have the right to occupy the premises to which the application relates.

Location

14.9 The council is aware that demand issues (e.g. the likely demand or need for gambling facilities in an area) cannot be considered with regard to the location of premises but that considerations, in terms of the licensing objectives, can. The council will pay particular attention to the protection of children and vulnerable people from being harmed or exploited by gambling, as well as issues of crime and disorder.

14.10 With regards to these objectives, it is the council’s policy, upon receipt of any relevant representations, to look at specific location issues including:

- the possible impact a gambling premises may have on any premises that provide services to children or young people, for example a school, or vulnerable adult centres in the area
- the possible impact a gambling premises may have on residential areas where there may be a high concentration of families with children
- the size of the premises and the nature of the activities taking place
- levels of organised crime in the area.

14.11 In order for a specific location to be considered as inappropriate for a premises licence to be issued, the council will need to be satisfied that there is sufficient evidence that the granting of a premises licence at the proposed location would be detrimental to the licensing objectives.

14.12 Although the council cannot consider if there is a need or demand for the gambling facilities applied for,

applicants should consider the proximity of other gambling premises in the Local Risk Assessment and the cumulative impact this will have on residents, including children and other vulnerable groups.

Local Risk Assessments

14.13 From 6 April 2016, it is a requirement of the Gambling Commission's Licence Conditions and Codes of Practice (LCCP), under section 10, for licensees (except for those which hold betting licences for tracks) to assess the local risks to the licensing objectives posed by the provision of gambling facilities at their premises and have policies, procedures and control measures to mitigate those risks. In making risk assessments, licensees must take into account relevant matters identified in this policy.

14.14 The LCCP goes on to say licensees must review (and update as necessary) their local risk assessments:

- a. to take account of significant changes in local circumstance, including those identified in this policy;
- b. when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
- c. when applying for a variation of a premises licence; and
- d. in any case, undertake a local risk assessment when applying for a new premises licence.

14.15 The council will expect the local risk assessment to consider the urban setting:

- The proximity of the premises to schools.
- The commercial environment.
- Factors affecting the footfall.
- Whether the premises is in an area of deprivation.
- Whether the premises is in an area subject to high levels of crime and/or disorder.
- The ethnic profile of residents in the area.
- The demographics of the area in relation to vulnerable groups.
- The location of services for children such as schools, playgrounds, toy shops, leisure centres and other areas where children will gather.
- The range of facilities in the local area such as other gambling outlets, banks, post offices, refreshment and entertainment type facilities.
- Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activity, etc.
- The proximity of churches, mosques, temples or any other place of worship.

14.16 The local risk assessment should show how vulnerable people, including people with gambling dependencies, are protected:

- The training of staff in intervention when customers show signs of excessive gambling, the ability of staff to offer intervention and how the manning of premises affects this.
- Information held by the licensee regarding self-exclusion schemes and incidences of underage gambling.
- Arrangements in place for local exchange of anonymised information regarding self-exclusion and gambling trends.
- Gambling trends that may mirror financial payments such as pay days, pay day loans or benefit payments.
- Arrangements for monitoring and dealing with underage people and vulnerable people, which may include:
 - dedicated and trained personnel,

- leaflets and posters,
- self-exclusion schemes,
- window displays and advertisements designed to not entice children and vulnerable people.
- The provision of signage and documents relating to game rules, gambling care providers and other relevant information be provided in both English and the other prominent first language for that locality.
- The proximity of premises that may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor surgeries, council community hubs, addiction clinics or help centres, places where alcohol or drug dependent people may congregate.

14.17 The local risk assessment should show how children are to be protected:

- The proximity of institutions, places or areas where children and young people frequent such as schools, youth clubs, parks, playgrounds and entertainment venues such as bowling allies, cinemas, etc.
- The proximity of place where children congregate such as bus stops, cafes, shops.
- Areas that are prone to issues of youths participating in anti-social behaviour, including activities such as graffiti, tagging, underage drinking etc.

14.18 Other matters that the assessment may include:

- Details as to the location and coverage of working CCTV cameras, and how the system will be monitored.
- The layout of the premises so that staff have an unobstructed view of people using the premises and in particular the gaming machines and fixed odds betting terminals.
- The number of staff that will be available on the premises at any one time. If at any time that number is one, confirm the supervisory and monitoring arrangements when that person is absent from the licensed area or distracted from supervising the premises and observing those people using the premises.
- Where the application is for a betting premises licence, other than in respect of a track, the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence.
- Provisions to ensure the health and welfare of staff engaged in lone working.

14.19 Such information may be used to inform the decision the council makes about whether to grant the licence, to grant the licence with special conditions or to refuse the application.

14.20 This policy does not preclude any application being made and each application will be decided on its own merits, with the onus being upon the applicant to show how the concerns can be mitigated.

Local Area Profile

14.21 Each locality has its own character and challenges. In order to assist applicants, where there is an issue in a local area which impacts on how the applicant should complete their risk assessment, the council may publish a local area profile. This profile, compiled in conjunction with key partners and approved by the Licensing Committee, can be obtained from the Licensing Team.

14.22 The local area profiles should be given careful consideration when making an application. Applicants may be asked to attend a meeting with licensing officers to discuss the profiles, appropriate measures to mitigate risk in the area and how they might be relevant to their application. The local area profiles will be presented to any subsequent licensing sub-committee when they determine an application that

has received representations.

14.23 The council recognises that it cannot insist on applicants using the local area profiles when completing their risk assessments. However an applicant who decides to disregard the profiles may face additional representations and the expense of a hearing as a result.

Duplication with other regulatory regimes

14.24 The council will seek to avoid any duplication with other statutory/regulatory systems where possible, including planning. The council will not consider whether a premises is likely to be awarded planning permission or building regulation approval, in its deliberations. It will though, listen to, and consider carefully, any concerns about proposed conditions which are not able to be met by the applicant due to planning restrictions, should such a situation arise.

Conditions

14.25 The council is aware that the Secretary of State has set mandatory conditions and default conditions and the Gambling Commission has set Licence Conditions and Codes of Practice which are necessary for the general good conduct of gambling premises, therefore it is unlikely that the council will need to impose individual conditions imposing a more restricted regime in relation to matters that have already been dealt with.

14.26 Where there are specific risks or problems associated with a particular locality, or specific premises, or class of premises, the council will attach specific conditions to address this.

14.27 Any conditions attached to a licence issued by the council will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for, and/or related to the area where the premises is based;
- fairly and reasonably related to the scale, type and location of premises;
- consistent with the licensing objectives, and;
- reasonable in all other respects.

14.28 Decisions about individual conditions will be made on a case by case basis, although there will be a number of control measures the council will consider using, such as supervision of entrances, supervision of adult gaming machines, appropriate signage for adult only areas etc. There are specific comments made in this regard under each of the licence types in this policy. The council will also expect the applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively

14.29 Where certain measures are not already addressed by the mandatory/default conditions or by the applicant, the council may consider licence conditions to cover issues such as:

- Proof of age schemes.
- CCTV.
- Supervision of entrances.
- Supervision of machine areas.
- A reduction in the number of betting machines (betting premises).
- The manning of premises.
- Physical separation of areas.
- Location of entrance points.

- Notices/signage.
- Specific opening hours.
- A requirement that children must be accompanied by an adult (in premises where children are allowed).
- Enhanced DBS checks of the applicant and/or staff.
- Staff training in brief intervention, conflict resolution, basic knowledge of mental health, learning disabilities and addiction, including substance misuse.
- Support to people with gambling addiction, including brief intervention.
- Policies to address seasonal periods where children may more frequently attempt to gain access to premises and gamble such as pre and post school hours, half term and school holidays.
- Policies to address the problems associated with truant children who may attempt to gain access to premises and gamble.
- Obscuring windows where appropriate and labelling premises so it's clear that they are gambling premises.

14.30 The list provided above is not mandatory or exhaustive and is merely indicative of examples of certain measures which may satisfy the requirements of the licensing authority and the responsible authorities, depending on the nature and location of the premises and the gambling facilities to be provided.

14.31 There are conditions which the council cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible for the applicant to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated) and
- conditions in relation to stakes, fees, winnings or prizes.

Door supervision

14.32 The council will consider whether there is a need for door supervision in terms of the licensing objectives of protection of children and vulnerable people from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime. It is noted though that the Gambling Act 2005 has amended the Private Security Industry Act 2001 and that door supervisors at casinos or bingo premises are not required to be licensed by the Security Industry Authority. Where door supervisors are provided at these premises the operator should ensure that any people employed in this capacity are fit and proper to carry out such duties. Possible ways to achieve this could be to carry out a criminal records (DBS) check on potential staff and for such personnel to have attended industry recognised training.

15. Adult gaming centres

15.1 Adult gaming centres are a category of premises introduced by the Act that are most closely related to adult only amusement arcades.

15.2 Under the Act a premises holding an adult gaming centre licence will be able to make category B, C and D gaming machines available and no one under 18 will be permitted to enter such premises.

15.3 The council will specifically have regard to the need to protect children and vulnerable people from harm or being exploited by gambling in these premises. The council will expect applicants to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to

the premises.

- 15.4 Where certain measures are not already addressed by the mandatory and default conditions and the Gambling Commission Codes of Practice or by the applicant, the council may consider licence conditions to address such issues.

16. Licensed family entertainment centres (FECs)

- 16.1 Licensed family entertainment centres are those premises which usually provide a range of amusements such as computer games, penny pushers and may have a separate section set aside for adult only gaming machines with higher stakes and prizes. Licensed family entertainment centres will be able to make available unlimited category C and D machines where there is clear segregation in place so children do not access the areas where the category C machines are located (see Appendix 1).

- 16.2 Where category C or above machines are available in premises to which children are admitted then the council will ensure that;

- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance. For this purpose a rope, floor markings or similar provision will not suffice and the council may insist on a permanent barrier of at least 1 meter high
- only adults are admitted to the area where the machines (category C) are located
- access to the area where the machines are located is supervised at all times
- the area where the machines are located is arranged so that it can be observed by staff; and
- at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to people under 18.

- 16.3 The council will specifically have regard to the need to protect children and vulnerable people from harm or being exploited by gambling in these premises. The council will expect applicants to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

- 16.4 The council will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

- 16.5 The efficiency of such policies and procedures will each be considered on their merits, however, they may include;

- appropriate measures and training for staff as regards suspected truant children on the premises
- measures and training covering how staff would deal with unsupervised very young children being on the premises
- measures and training covering how staff would deal with children causing perceived problems on or around the premises
- the arrangements for the supervision of the premises either by staff or the use of a suitable CCTV system. Advice regarding the suitability of a CCTV system can be obtained from Dorset Police.

- 16.6 Due to the nature of these premises, which are attractive to children, applicants who employ staff to supervise the premises should consult with the Disclosure and Barring Service to determine if their staff

need to undertake a DBS check.

- 16.7 The council will refer to the Commission's website to familiarise itself with any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. The council will also make itself aware of the mandatory or default conditions and any Gambling Commission Codes of Practice on these premises licences.

17. Casinos

- 17.1 The Gambling Act states that a casino is an arrangement whereby people are given the opportunity to participate in one or more casino games whereby casino games are defined as a game of chance which is not equal chance gaming. This means that casino games offer the chance for multiple participants to take part in a game competing against the house or bank at different odds to their fellow players. Casinos can also provide equal chance gaming and gaming machines. Large and small casinos can also provide betting machines.
- 17.2 The Dorset Council area does not have any casinos which were licensed under the Gaming Act 1968, which have been subsequently converted into Gambling Act 2005 Converted Casino Premises Licences.

Licence considerations / conditions

- 17.3 The Gambling Commission has provided Guidance for Licensing Authorities and Licence Conditions and Code of Practice which are applied to Operator's Licences. The council will take this into consideration when determining licence applications for converted casino licences.
- 17.4 The council will specifically have regard to the need to protect children and vulnerable people from harm or being exploited by gambling in these premises. The council will expect applicants to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the premises.
- 17.5 Where certain measures are not already addressed by the mandatory/default conditions, Gambling Commission Licence Conditions and Codes of Practice or by the applicant, the council may consider licence conditions to cover certain issues.
- 17.6 Detailed information on the Large Casino Application Process can be found in Appendix 4.

18. Bingo premises

- 18.1 There is no official definition for bingo in the Gambling Act 2005 however there is a category of premises licence specifically for bingo premises which is used by traditional commercial bingo halls for both cash and prize bingo. In addition this premises licence will authorise the provision of a limited number of gaming machines in line with the provisions of the Act (see Appendix 1).
- 18.2 The council is aware that it is important that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted then the council will expect that;
- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance. For this purpose a rope, floor markings or similar provision will not suffice and the council may insist on a permanent barrier of at least one meter high
 - only adults are admitted to the area where the machines are located
 - access to the area where the machines are located is supervised at all times

- the area where the machines are located is arranged so that it can be observed by staff
- at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to people under 18
- children will not be admitted to bingo premises unless accompanied by an adult.

18.3 The Gambling Commission has provided Guidance for Licensing Authorities and Licence Conditions and Code of Practice which are applied to Operator’s Licences. The council will take this into consideration when determining licence applications for bingo premises.

18.4 Where certain measures are not already addressed by the mandatory/default conditions, the Gambling Commission Code of Practice or the applicant, the council may consider licence conditions to address such issues.

19. Betting premises

19.1 Betting premises are premises such as bookmakers where various types of gambling are authorised to take place. The Act contains a single class of licence for betting premises however within this single class there are different types of premises which require licensing such as high street bookmakers, bookmakers located in self-contained facilities at race courses as well as the general betting premises licences that track operators will require.

19.2 The council will specifically have regard to the need to protect children and vulnerable people from harm or being exploited by gambling in these premises. The council will expect applicants to satisfy the authority that there will be sufficient measures in place to ensure that under 18 year olds do not have access to the premises.

Betting machines

19.3 The council is aware that Section 181 of the Act contains an express power for licensing authorities to restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence. When considering whether to impose a condition to restrict the number of betting machines in particular premises, the council, amongst other factors, will take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines.

19.4 Where an applicant for a betting premises licence intends to offer higher stake category B gaming machines (categories B2-B4) including any Fixed Odds Betting Terminals (FOBTs), then applicants should consider the control measures related to the protection of vulnerable people, highlighted in section 13.

19.5 Where certain measures are not already addressed by the mandatory/default conditions, Gambling Commission Code of Practice or the applicant, the council may consider licence conditions to address such issues.

20. Tracks

20.1 Tracks are sites (including racecourses and dog tracks) where races or other sporting events take place. Betting is a major gambling activity on tracks, both in the form of pool betting (often known as the “totaliser” or “tote”), and also general betting, often known as “fixed-odds” betting. Multiple betting outlets are usually located on tracks such as ‘on- course’ betting operators who come onto the track just on race days to provide betting for the races taking place on that track. There can also be ‘off-course’ betting operators who may operate self-contained facilities at the tracks which offer customers the chance to bet on other events, not just those taking place on the track.

- 20.2 All tracks will require a primary 'general betting premises licence' that the track operator will hold. It should be noted that track operators do not require an operating licence from the Gambling Commission although they may apply for one. This is because the various other gambling operators offering betting at the track will each hold an operating licence.
- 20.3 Tracks may also be subject to one or more premises licences, provided each licence relates to a specified area of the track. This may be preferable for any self-contained premises providing off-course betting facilities at the track. The council will however assess each individual case on its merits before deciding if this is necessary. Where possible the council will be happy for the track operator to decide if any particular off-course operators should apply for a separate premises licence.
- 20.4 If any off-course operators are permitted to provide betting facilities under the authorisation of the track operator's premises licence, then it will be the responsibility of the premises licence holder to ensure the proper conduct of such betting within the premises boundary.
- 20.5 Gambling Commission guidance also indicates that it would be possible for other types of gambling premises to be located at a track under the authorisation of separate premises licences, e.g. a casino premises licence or adult gaming centre premises licence. If you require further guidance on this provision please contact the Licensing Team.
- 20.6 Children and young people will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, although they are still prevented from entering areas where gaming machines and betting machines (other than category D machines) are provided.
- 20.7 The council will consider the impact upon the protection of children licensing objective and the need to ensure that entrances to each type of betting premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

Betting machines

- 20.8 The council is aware that Section 181 of the Act contains an express power for licensing authorities to restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence. When considering whether to impose a condition to restrict the number of betting machines in particular premises, the council, amongst other things, will take into account the size of the premises, the number of counter positions available for person-to-person transactions and the location of the machines, in order to ensure they are in a properly segregated area where children are not permitted.
- 20.9 Where certain measures are not already addressed by the mandatory/default conditions, the Gambling Commission's Licence Conditions and Code of Practice or the applicant, the council may consider licence conditions to address such issues.

21. Travelling fairs

- 21.1 Travelling fairs have traditionally been able to provide various types of low stake gambling without the need for a licence or permit provided that certain conditions are met and this provision continues in similar fashion under the 2005 Act.
- 21.2 Travelling fairs have the right to provide an unlimited number of category D gaming machines and/or equal chance prize gaming (without the need for a permit) as long as the gambling amounts to no more than an ancillary amusement at the fair (see Appendix 1).

21.3 The council will consider whether any fairs which take up the above entitlement fall within the statutory definition of a travelling fair.

21.4 The council is aware that the 27 day statutory maximum for the land being used as a fair is per calendar year and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. The council will work with its neighbouring authorities to ensure that land which crosses the council boundary is monitored so that the statutory limits are not exceeded.

22. Provisional statements

22.1 A provisional statement application is a process which allows a developer to examine the likelihood of whether a building which they expect to be constructed, to be altered or to acquire a right to occupy would be granted a premises licence under the Act. A provisional statement is not a licence and merely gives the holder some form of guarantee that a premises licence would be granted so the developer can judge whether a development is worth taking forward in light of the need to obtain a premises licence. An applicant may also apply for a provisional statement for premises which already hold a premises licence (either for a different type of gambling or the same type).

22.2 In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from responsible authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances. In addition, the council may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters;

- a) which could not have been raised by objectors at the provisional licence stage; or
- b) which in the authority's opinion reflect a change in the operator's circumstances.

22.3 When determining a provisional statement application the council will operate in accordance with the Act and will not have regard to any issues related to planning consent or building regulations, e.g. the likelihood that planning consent will be granted.

Part D – Permits, notices and lottery registrations

23. Unlicensed family entertainment centre gaming machine permits (UFECs)

23.1 The term 'unlicensed family entertainment centre' is one defined in the Act and refers to a premises which provides category D gaming machines along with various other amusements such as computer games and penny pushers. The premises is 'unlicensed' in that it does not require a premises licence but does require a permit to be able to provide category D machines. It should not be confused with a 'licensed family entertainment centre' which requires a premises licence because it contains both category C and D gaming machines.

23.2 The Gambling Act 2005 contains provision for local authorities to prepare a "Statement of Principles" that they propose to consider in determining the suitability of an applicant for a permit. Schedule 10, Para 7 of the Act states "In preparing this statement, and/or considering applications, it [the council] need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission.

23.3 In line with the above provision the council has prepared a 'Statement of Principles' in relation to

unlicensed family entertainment centre gaming machines as follows:

Statement of Principles

- 23.4 The council will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.
- 23.5 The efficiency of such policies and procedures will each be considered on their merits, however, they may include;
- appropriate measures and training for staff as regards suspected truant children on the premises
 - measures and training covering how staff would deal with unsupervised young children being on the premises
 - measures and training covering how staff would deal with children causing perceived problems on or around the premises.
 - the arrangements for supervision of premises either by staff or the use of CCTV. Any CCTV system installed should both the interior and the entrance working to the latest Home Office and ACPO standards and to the satisfaction of Dorset Police and the licensing authority. The system must record images clearly and these recordings be retained for a minimum of 31 days. If the equipment is inoperative the police and licensing authority must be informed as soon as possible and immediate steps taken to make the system operative. Notices must be displayed at the entrances advising that CCTV is in operation.
- 23.6 Due to the nature of these premises, which are attractive to children, applicants who employ staff to supervise the premises should consult with the Disclosure and Barring Service to determine if their staff need to undertake a DBS check.
- 23.7 The council will also expect, as per the Gambling Commission Guidance, that applicants demonstrate:
- A full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs
 - That the applicant has no relevant conviction (those that are set out in Schedule 7 of the Act), and
 - That staff are trained to have a full understanding of the maximum stakes and prizes.
- 23.8 In line with the Act, while the council cannot attach conditions to this type of permit, the council can refuse applications if they are not satisfied that the issues raised in the “Statement of Principles” have been addressed through the application.
- 23.9 Applicants only need to address the “Statement of Principles” when making their initial applications and not at renewal time.

24 Gaming machine permits in premises licensed for the sale of alcohol

- 24.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have two gaming machines, of categories C and/or D. The premises merely need to notify the council. The council can remove the automatic authorisation in respect of any particular premises if;
- provision of the machines is not reasonably consistent with the promotion of the licensing objectives;
 - gaming has taken place on the premises that breaches a condition of Section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a

fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with)

- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

24.2 If a premises wishes to have more than two machines, an application for a permit will be required and the licensing authority must consider the application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “*such matters as they think relevant.*” The council considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable people from harm or being exploited by gambling. The council will also expect the applicant to satisfy the authority that there will be sufficient measures to ensure that children and young people under the age of 18 do not have access to the adult only gaming machines.

24.3 All alcohol licensed premises with gaming machines must have regard to the need to protect children and vulnerable people from harm or being exploited by gambling and provide sufficient measures to ensure that under 18 year olds do not use the adult only gaming machines.

24.4 Measures which may satisfy the council that people under 18 years will be prevented from using the machines may include the machines being in close proximity to the bar, or in any other area where they are capable of being adequately supervised. Notices and signage may also help. As regards the protection of vulnerable people, applicants may wish to consider the provision of information leaflets and or helpline numbers for organisations such as GamCare.

24.5 The council can decide to grant the permit with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

24.6 The holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine(s).

24.7 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would need to be dealt with under the relevant provisions of the Act.

24.8 Alcohol licensed premises are able to provide some limited equal chance gaming. Licensees are referred to the advice provided by the Gambling Commission and Appendix 3 of this document.

25. Prize gaming permits

25.1 Section 288 defines gaming as prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The prizes will be determined by the operator before play commences. Prize gaming can often be seen at seaside resorts in amusement arcades where a form of bingo is offered and the prizes are displayed on the walls.

25.2 A prize gaming permit is a permit issued by the licensing authority to authorise the provision of facilities for gaming with prizes on specified premises.

25.3 The Gambling Act 2005 contains provision for local authorities to prepare a “Statement of Principles” that they propose to consider in determining the suitability of an applicant for a permit. Schedule 14, Para 8 of the Act states, “in preparing this statement, and/or considering applications, it [the council] need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under Section 25.

25.4 In line with the above provision the council has prepared a Statement of Principles in relation to prize gaming permits as follows:

Statement of Principles

25.5 The council will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

25.6 The efficiency of such policies and procedures will each be considered on their merits, however, they may include;

- appropriate measures and training for staff as regards suspected truant children on the premises
- measures and training covering how staff would deal with unsupervised very young children being on the premises
- measures and training covering how staff would deal with children causing perceived problems on or around the premises.
- the arrangements for supervision of premises either by staff or the use of CCTV. Any CCTV system installed should both the interior and the entrance working to the Home Office and ACPO standards as described PSDB leaflet 09/05 and to the satisfaction of Dorset Police and the local authority. The system must record images clearly and these recordings be retained for a minimum of 31 days. If the equipment is inoperative the police and local authority must be informed as soon as possible and immediate steps taken to make the system operative. Notices must be displayed at the entrances advising that CCTV is in operation.

25.7 Due to the nature of these premises, which are attractive to children, applicants who employ staff to supervise the premises should consult with the Disclosure and Barring Service to determine if their staff need to undertake a DBS check.

25.8 The council will also expect, as per the Gambling Commission Guidance, that applicants demonstrate:

- A full understanding of the maximum stakes and prizes of the gambling that is permissible
- That the gaming offered is within the law.

25.9 In line with the Act, while the council cannot attach conditions to this type of permit, the council can refuse applications if they are not satisfied that the issues raised in the “Statement of Principles” have been addressed through the application.

25.10 Applicants only need to address the “Statement of Principles” when making their initial applications and not at renewal time.

25.11 There are conditions in the Gambling Act 2005 by which the permit holder must comply. The conditions in the Act are;

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises

- on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

26. Club gaming and club machine permits

26.1 Members clubs and miners' welfare institutes may apply for a 'club gaming permit' or a 'club machine permit'. The 'club gaming permit' will enable the premises to provide gaming machines (three machines of categories B4, C or D), equal chance gaming. i.e. poker, bingo etc. A 'club machine permit' will enable the premises to provide gaming machines (three machines of categories B4, C or D).

26.2 Commercial clubs may apply for a 'club machine permit' only.

26.3 To qualify for these special club permits a members club must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of the Royal British Legion and clubs with political affiliations.

26.4 Clubs must have regard to the protection of children and vulnerable people from harm or being exploited by gambling. They must provide sufficient measures to ensure that under 18 year olds do not use the adult only gaming machines. These measures may include;

- the machines being in close proximity to the bar, or in any other area where they are capable of being adequately supervised
- notices and signage
- the provision of information leaflets / helpline numbers for organisations such as GamCare.

26.5 Before granting the permit the council will need to satisfy itself that the premises meets the requirements of a members' club and that the majority of members are over 18.

26.6 The council may only refuse an application on the grounds that;

- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which they have applied;
- (b) the applicant's premises are used wholly or mainly by children and/or young people;
- (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Commission or the police.

26.7 There is also a 'fast-track' procedure available for premises which hold a club premises certificate under the Licensing Act 2003. Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which the council can refuse a permit is reduced. The grounds on which an application under the process may be refused are;

- (a) that the club is established primarily for gaming,
- (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming;

- or
- (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

27. Temporary use notices

- 27.1 Temporary use notices allow the use of premises on not more than 21 days in any 12 month period for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be useful for a temporary use notice would include hotels, conference centres and sporting venues.
- 27.2 Temporary Use Notices allow the use of premises for any form of equal chance gambling where those participating in the gaming are taking part in a competition which is intended to produce a single, overall winner.
- 27.3 Only people or companies holding a relevant operating licence can apply for a temporary use notice to authorise the particular class of gambling permitted by their operating licence.
- 27.4 A temporary use notice must be lodged with the licensing authority not less than three months and one day before the day on which the gambling is due to take place. Detailed information about how to serve a temporary use notice will be available in a separate guidance note.
- 27.5 The Act makes a special reference, in the context of temporary use notices, to a “set of premises” to try and ensure that large premises which cannot reasonably be viewed as separate are not used for more temporary use notices than permitted under the Act. The council considers that the determination of what constitutes “a set of premises” will be a question of fact in the particular circumstances of each notice that is given. In considering whether a place falls within the definition of a “set of premises”, the council will look at, amongst other things, the ownership/occupation and control of the premises. The council will be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises.

28. Occasional use notices (for tracks)

- 28.1 There is a special provision in the Act which provides that where there is betting on a track on eight days or less in a calendar year, betting may be permitted by an occasional use notice without the need for a full premises licence. Track operators and occupiers need to be aware that the procedure for applying for an occasional use notice is different to that for a temporary use notice. The application may be made in writing, to the council by the person responsible for the administration of the events on a track or by an occupier of the track.
- 28.2 The council has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The council will however consider the definition of a ‘track’ and whether the applicant is entitled to benefit from such notice.

29. Small society lottery registrations

- 29.1 A lottery generally refers to schemes under which prizes are distributed by chance among entrants who have given some form of value for their chance to take part.
- 29.2 The Act creates two principal classes of lotteries: Licensed lotteries and exempt lotteries. Licensed lotteries are large society lotteries and lotteries run for the benefit of local authorities. These will be

regulated by the Gambling Commission. Within the class of exempt lotteries there are four sub classes, one of which is small society lotteries.

- 29.3 A small society lottery is a lottery promoted on behalf of a non-commercial society as defined in the Act which also meets specific financial requirements set out in the Act. These will be administered by the council for small societies who have a principal office in Dorset and want to run such lottery.
- 29.4 A lottery is small if the total value of tickets put on sale in a single lottery is £20,000 or less and the aggregate value of the tickets put on sale in a calendar year is £250,000 or less.
- 29.5 To be 'non-commercial' a society must be established and conducted;
- for charitable purposes,
 - for the purpose of enabling participation in, or supporting, sport, athletics or a cultural activity; or
 - for any other non-commercial purpose other than that of private gain.
- 29.6 The other types of exempt lotteries are 'incidental non-commercial lotteries', 'private lotteries' and 'customer lotteries'. If you require guidance on the different categories of lotteries please contact the council.
- 29.7 The National lottery is not licensed by the Gambling Act 2005 and continues to be regulated by the National Lottery Commission under the National Lottery Act 1993.

Part E - Enforcement

30. Enforcement principles

- 30.1 The council will work closely with the responsible authorities in accordance with a locally established joint enforcement protocol and will aim to promote the licensing objectives by targeting known high risk premises following government guidance around better regulation. Specifically the council is subject to the Regulators' Code which provides the following six provisions which the Council should follow in its enforcement activities, unless it concludes, on the basis of material evidence, that a specific provision of the Code is either not applicable or outweighed by another relevant consideration.
1. Regulators should carry out their activities in a way that supports those they regulate to comply and grow
 2. Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views
 3. Regulators should base their regulatory activities on risk
 4. Regulators should share information about compliance and risk
 5. Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply
 6. Regulators should ensure that their approach to their regulatory activities is transparent
- 30.2 In carrying out its enforcement duties with regards to the inspection of premises; and the powers to institute criminal proceedings in respect of certain offences under the Act the council will endeavour to be:

- Proportionate:** regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
- Accountable:** regulators must be able to justify decisions, and be subject to public scrutiny;
- Consistent:** rules and standards must be joined up and implemented fairly;
- Transparent:** regulators should be open, and keep regulations simple and user friendly; and
- Targeted:** regulation should be focused on the problem, and minimise side effects.

30.3 The council will endeavour to avoid duplication with other regulatory regimes so far as possible.

30.4 Where there is a Primary Authority scheme in place, the council will seek guidance from the Primary Authority before taking any enforcement action. At the time of the publication of this policy there were three Primary Authority arrangements with host local authorities:

William Hill	City of Westminster
Ladbrokes/Coral	Milton Keynes
Paddy Power	Reading

30.5 Further information, including an index of all Primary Authority arrangements can be found at <https://primaryauthorityregister.info/par/index.php/home>

30.6 The council will also adopt a risk-based inspection programme in line with government recommendations around better regulation and the principles of the Hampton Review.

30.7 The main enforcement and compliance role for the council in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for the operator and personal licences. Concerns about the manufacture, supply or repair of gaming machines will not be dealt with by the council but will be notified to the Gambling Commission. In circumstances where the council believes a premises requires a premises licence for gambling activities and no such licence is in force, the council will alert the Gambling Commission.

30.8 The council will also keep itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.

30.9 The council's enforcement/compliance protocols/written agreements will be available upon request.

31. Reviews

31.1 A review is a process defined in the legislation which ultimately leads to a licence being reassessed by the Licensing Committee with the possibility that the licence may be revoked, suspended or that conditions may amended or new conditions added.

31.2 Requests for a review of a premises licence can be made by interested parties or responsible authorities; however, it is for the council to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is;

- i) in accordance with any relevant code of practice issued by the Gambling Commission
- ii) in accordance with any relevant guidance issued by the Gambling Commission
- iii) reasonably consistent with the licensing objectives and
- iv) in accordance with this authority's Gambling Act 2005 – Statement of Licensing Policy.

31.3 In addition the council may also reject the application on the grounds that the request is frivolous, vexatious, will certainly not cause this authority to wish to alter, revoke or suspend the licence, or is substantially the same as previous representations or requests for review.

31.4 The council can also initiate a review of a licence on the basis of any reason which it thinks is appropriate.

Appendix 1 – Gaming Machines

This appendix describes the categories of gaming machine as set out in the Act (and in regulations) and the number of such machines that may be permitted in each type of gambling premises.

- Table 1 below sets out the current proposals for the different categories with the maximum stakes and prizes that will apply. This table will be updated as soon as the proposals are confirmed.
- Table 2 overleaf shows the maximum number of machines permitted and in the case of casinos the ratios between tables and machines.

Table 1

Category of machine	Maximum Stake	Maximum Prize
A	Unlimited	Unlimited
B1	£5	£10,000 (with the option of a max £20,000 linked progressive jackpot on a premises basis only)
¹ B2	£100	£500
B3	£2	£500
B3A	£2	£500
B4	£2	£400
C	£1	£100
D – money prize	10p	£5
D – non-money prize (other than a crane grab machine)	30p	£8
D – non-money prize (crane grab machine)	£1	£50
D – combined money and non-money prize (other than a coin pusher or penny falls machine)	10p	£8 (of which no more than £5 may be a money prize)
D – combined money and non-money prize (coin pusher or penny falls machine)	20p	£15 (of which no more than £8 may be a money prize)

¹ The category B2 is not actually a traditional slot machine. It refers to a type of gaming machine known as a fixed odds betting terminal (FOBTs). These are a new type of gaming machine which generally appear in licensed bookmakers. FOBTs have ‘touch-screen’ displays and look similar to quiz machines familiar in pubs and clubs. They normally offer a number of games, roulette being the most popular. The Government has announced a reduction in the stakes of B2 machines to £2 in April 2018.

Table 2

Premises Type	Machine category							
	A	B1	B2	B3	B4	C	D	
Large casino (machine/table ratio of 5-1 up to maximum)		Maximum of 150 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)						
Small casino (machine/table ratio of 2-1 up to maximum)		Maximum of 80 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio)						
Pre-2005 Act Casinos (no machine/table ratio)		Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead						
Betting premises and tracks operated by pool betting		Maximum of 4 machines categories B2 to D (except B3A machines)						
Bingo Premises ¹					Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4*	No limit C or D machines		
Adult gaming centre ²					Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4*	No limit C or D machines		
Licensed family entertainment centre ³							No limit C or D machines	
Family entertainment centre (with permit)							No limit on category D machines	
Clubs or miners' welfare institutes with permits ⁴					Maximum of 3 machines in categories B3A or B4 to D*			
Qualifying alcohol licensed premises							1 or 2 machines of category C or D automatic upon notification	
Qualifying alcohol licensed premises with licensed premises gaming machine permit						Number of category C-D machines as specified on permit		
Travelling fair						No limit on category D machines		
	A	B1	B2	B3	B4	C	D	

1. Bingo premises licence are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines on the premises. Where a premises licence was granted before 13 July 2011, they are entitled to make available eight category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Category B machines at bingo premises are restricted to sub-category B3 and B4 machines, but not B3A machines.
2. Adult gaming centres are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises and any number of category C or D machines. Where a premises licence was granted before 13 July 2011, they are entitled to make available four category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Category B machines at adult gaming centres are restricted to sub-category B3 and B4 machines, but not B3A machines.
3. Only premises that are wholly or mainly used for making gaming machines available may hold an unlicensed FEC gaming machine permit or an FEC premises licence. Category C machines may only be sited within licensed FECs and where an FEC permit is in force. They must be in a separate area to ensure the segregation and supervision of machines that may only be played by adults. There is no power for the licensing authority to set a limit on the number of machines under the FEC permit.
4. Members' clubs and miners' welfare institutes with a club gaming permit or with a club machine permit, are entitled to site a total of three machines in categories B3A to D but only one B3A machine can be sited as part of this entitlement.
5. Commercial clubs with club machine or gaming permits are entitled to a total of three machines in categories B4 to D.

Appendix 2 – Glossary of terms

Term	Description
ATM	Auto teller machine or cash machine.
Betting	Betting is defined as making or accepting a bet on the outcome of a race, competition or other event or process or on the outcome of anything occurring or not occurring or on whether anything is or is not true. It is irrelevant if the event has already happened or not and likewise whether one person knows the outcome or not. (Spread betting is not included within this definition).
Betting Machines / Bet Receipt Terminal	Betting machines can be described as automated betting terminals where people can place bets on sporting events removing the need to queue up and place a bet over the counter.
Bingo	There are essentially two types of bingo: cash bingo, where the stakes paid make up the cash prizes that can be won and prize bingo, where various forms of prizes can be won, not directly related to the stakes paid.
Book	Running a 'book' is the act of quoting odds and accepting bets on an event. Hence the term 'Bookmaker'.
Casino games	A game of chance, which is not equal chance gaming. Casino games includes Roulette and black jack etc.
Chip	Casinos in the UK require you to use chips to denote money. They are usually purchased and exchanged at a cashier's booth.
Coin pusher or penny falls machine	A machine of the kind which is neither a money prize machine nor a non-money prize machine
Crane grab machine	A non-money prize machine in respect of which every prize which can be won consists of an individual physical object (such as a stuffed toy) won by a person's success in manipulating a device forming part of the machine so as to separate, and keep separate, one or more physical objects from a group of such objects.
Default condition	These are prescribed in regulations and will be attached to all classes of premises licence, unless excluded by the council.
Equal Chance Gaming	Gaming which does not involve playing or staking against a bank.
Fixed odds betting	If a gambler is able to establish what the return on a bet will be when it is placed, (and the activity is not 'gaming' see below), then it is likely to be betting at fixed odds.
Fixed Odds betting terminals (FOBTs)	FOBTs are a type of gaming machine which generally appear in licensed bookmakers. FOBTs have 'touch-screen' displays and look similar to quiz machines familiar in pubs and clubs. They normally offer a number of games, roulette being the most popular.
Gaming	Gaming can be defined as 'the playing of a game of chance for winnings in money or monies worth, whether any person playing the game is at risk of losing any money or monies worth or not'.
Gaming Machine	Any type of machine allowing any sort of gambling activity including betting on virtual events but not including home computers even though users can access online gaming websites.

Term	Description
Licensing Objectives	<p>The licensing objectives are three principal goals which form the basis of the Act. Stakeholders who have an interest in the Act need to try and promote these objectives: The licensing objectives are:</p> <ul style="list-style-type: none"> • Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime. • Ensuring that gambling is conducted in a fair and open way. • Protecting children and other vulnerable people from being harmed or exploited by gambling.
Lottery	<p>A lottery generally refers to schemes under which prizes are distributed by chance among entrants who have given some form of value for their chance to take part. A lottery is defined as either a simple lottery or a complex lottery. A simple lottery is one where people are required to pay to participate and one or more prizes are allocated to one or more members of a class and the prizes are allocated by a process which relies wholly on chance. A complex lottery is where people are required to pay to participate and one or more members of a class and the prizes are allocated by a series of processes where the first of those processes relies wholly on chance. Prize means money, articles or services provided by the members of the class among whom the prize is allocated. (It should be noted that the National Lottery is not included in this definition of lottery and is regulated by the National Lottery Commission).</p>
Mandatory condition	<p>A condition which will be set by the Secretary of State (some set out in the Act and some to be prescribed by regulations) which will be automatically attached to a specific type of premises licence. The council will have no discretion to alter or remove these conditions.</p>
Money prize machine	<p>A machine in respect of which every prize which can be won as a result of using the machine is a money prize.</p>
Non-money prize machine	<p>A machine in respect of which every prize which can be won as a result of using the machine is a non-money prize. The winner of the prize is determined by:</p> <ol style="list-style-type: none"> (i) the position in which the coin or token comes to rest after it has been inserted into the machine, together with the position of other coins or tokens which have previously been inserted into the machine to pay a charge for use, or (ii) if the insertion of a single coin to pay the charge for use enables the person using the machine to release one or more tokens within the machine, the position in which such tokens come to rest after being released, together with the position of other tokens which have previously been so released.
Odds	<p>The ratio to which a bet will be paid if the bet wins, e.g. 3-1 means for every £1 bet, a person would receive £3 of winnings.</p>
Off-course betting operator	<p>Off-course betting operators may, in addition to premises away from the track, operate self-contained betting premises within a track premises. Such self-contained premises will provide facilities for betting on both events taking place at the track (on-course betting), as well as other sporting events taking place away from the track (off-course betting). In essence such premises operate like a traditional high street bookmakers. They will however only normally operate on race days.</p>
On-course betting operator	<p>The on-course betting operator is one who comes onto on a track, temporarily, while races are taking place, and operates at the track side. On-course betting operators tend to offer betting only on the events taking place on the track that day (on-course betting).</p>

Term	Description
Pool Betting	For the purposes of the Gambling Act, pool betting is made on terms that all or part of the winnings: 1) Shall be determined by reference to the aggregate of the stakes paid or agreed to be paid by the people betting 2) Shall be divided among the winners or 3) Shall or may be something other than money. For the purposes of the Gambling Act, pool betting is horse-race pool betting if it relates to horse-racing in Britain.
Regulations or Statutory instruments	Regulations are a form of law, often referred to as delegated or secondary legislation. They have the same binding legal effect as Acts and usually state rules that apply generally, rather than to specific people or things. However, regulations are not made by Parliament. Rather, they are made by people or bodies to whom Parliament has delegated the authority to make them, such as a minister or an administrative agency.
Representations	In the context of the Gambling Act representations are either positive statements of support or negative objections which are made in relation to a licensing application. Representations must be made in time, e.g. during a designated notice period.
Responsible authority (authorities)	Responsible authorities (RAs) are agencies which have been appointed by the Gambling Act or regulations to fulfil a designated role during the licensing process. RAs must be sent copies of all licensing applications and have the power to make representations about such applications. RAs also have the power to ask for licences to be reviewed. For Dorset the RAs include Dorset Police, The local Safeguarding Children Board, Dorset Council's Planning Department as well as several others.
Skill machine / Skill with prizes machine	The Act does not cover machines that give prizes as a result of the application of pure skill by players. A skill with prizes machine is one on which the winning of a prize is determined only by the player's skill – any element of chance imparted by the action of the machine would cause it to be a gaming machine. An example of a skill game would be trivia game machines, popular in pubs and clubs, which require the player to answer general knowledge questions to win cash prizes.
Spread betting	A form of investing which is more akin to betting, and can be applied either to sporting events or to the financial markets. Spread betting is regulated by the Financial Services Authority.
Stake	The amount pledged when taking part in gambling activity as either a bet, or deposit to the bank or house where the house could be a gaming machine.
Statement of principles document	A document prepared by the council which outlines the areas that applicants need to consider before applying for gaming permits.
Table gaming	Card games played in casinos.
Tote	"Tote" is short for Totaliser, a system introduced to Britain in 1929 to offer pool betting on racecourses.
Track	Tracks are sites (including horse tracks and dog tracks) where races or other sporting events take place.

Appendix 3 – Summary of gaming entitlements for clubs and pubs

	Members' club or MW institute with club gaming permit	Bridge or whist club	Members' club or commercial club with club machine permit	Members' club, commercial club or MW institute without a club gaming permit	Pubs and other alcohol-licensed premises
Equal chance gaming	Yes	Bridge and/or whist only	Yes	Yes	Yes
Limits on stakes	No limit	No limit	Poker £1000 per week £250 per day £10 per person per game Other gaming No limit	Poker £1000 per week £250 per day £10 per person per game Other gaming No limit	Cribbage & dominoes No limit Poker £100 per premises per day Other gaming £5 per person per game
Limits on prizes	No limit	No limit	Poker £250 per game Other gaming No limit	Poker £250 per game Other gaming No limit	Poker £100 per game Other gaming No limit
Maximum participation fees – per person per day	<u>Bridge and/or whist*</u> £20 <u>Other gaming</u> £3	£18 (without club gaming permit) £20 (with club gaming permit)	<u>Bridge and/or whist*</u> £18 <u>Other gaming</u> £3 (commercial club) £1 (members club)	<u>Bridge and/or whist*</u> £18 <u>Other gaming</u> £1	None permitted
Bankers or unequal chance gaming	Pontoon Chemin de Fer	None permitted	None permitted	None permitted	None permitted
Limits on bingo	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	No bingo permitted	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.

* On a day when no other facilities for gaming are provided

Further copies of this document can be obtained from:

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Web: <https://www.dorsetcouncil.gov.uk/business-consumers-licences/licences-and-permits/alcohol-and-entertainment-licences/alcohol-licensing.aspx>

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Equality Impact Assessment – Gambling Policy 2021-24

Version number	DRAFT Version 4
Date last reviewed:	June 2020
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Next review date:	16.6.21
Saved as:	Equality Impact Assessment – Gambling Policy 2021-2024

1. Management of the EqIA

The EqIA has been prepared by John Newcombe, Service Manager, Licensing and Community Safety and Aileen Powell, Licensing Team Leader. It has been prepared as part of the policy drafting process prior to circulation of the draft policy for a period of consultation. It will be reviewed directly following the consultation period close and updated with reference to any feedback from consultees which may have a bearing on the assessment. The assessment has been circulated as part of the report clearance process and updated accordingly.

2. Identification of policy aims, objectives and purpose

Licensing authorities are required by the Gambling Act 2005 to publish a Statement of Principles that they propose to apply when exercising their functions under the 2005 Act. The Statement must be published at least every three years and can be reviewed from “time to time” with any amended parts re-consulted upon.

The 2021-2024 Statement will be circulated for consultation for a period of 12 weeks.

The objective of the Statement of Principles is to inform interested parties of the principles the licensing authority proposes to apply when exercising its functions under the Gambling Act 2005. The authority must have regard to the licensing objectives as set out in section 1 of the Act:

- Preventing gambling from being a source of crime and disorder, being associated with crime or disorder or being used to support crime.
- Ensuring gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

The Licensing authority aims to permit the use of premises for gambling:

- In accordance with any relevant Code of Practice issued by the Gambling Commission.
- In accordance with any guidance issued by the Gambling Commission
- Reasonably consistent with the licensing objectives
- In accordance with the Authority’s Statement of Licensing Principles.

3. Scope / focus of the EqIA

The Equalities Impact Assessment has attempted to assess the likely impact of the revised policy on persons living, visiting and working within District.

There are 56 licensed gambling premises within the district; these currently consist of 5 bingo premises, 26 adult gaming centres and 25 betting shops. These are located across the District with concentrations in certain areas.

The Gambling Statement of Principles has scope to advance equality by promoting good relations and reduce inequality/protect vulnerable persons. The Statement supports a culture of openness where appropriate information can be accessed by all parties, hearings are generally held in public and enforcement is in line with the principles promoted within the enforcement concordat.

Partnership working and exchange of information (within legal constraints) is also supported by the Statement. In this way we hope to promote understanding between those providing gambling opportunities and those potentially affected by them. As with applications under other laws such as the Licensing Act 2003, we will seek to mediate between applicants and objectors and reach negotiated settlements wherever possible.

From April 2016 gambling operators must conduct local risk assessments for their premises to demonstrate that they understand local issues and to show what measures they propose to introduce to mitigate against the risk of harm to children and vulnerable persons. (Gambling Commission's Licensing Conditions and Codes of Practice responsibility code provision 10.1.1)

Vulnerable people should be protected from harm. Who 'vulnerable people' are or the ways in which they may be vulnerable is not defined by the 2005 Act, though the Gambling Commission states that for regulatory purposes this is likely to include: *"people who gamble more than they want to, people who gamble beyond their means and people who may not be able to make informed or balanced decisions about gambling due to, for example, mental health, a learning disability or substance misuse relating to alcohol or drugs."* (GC, 2012)

The Gambling Commission's Licence Conditions and Codes of Practice and Social Responsibility Code Provisions state that licensees must review (and update as necessary) their local risk assessments:

- a. to take account of significant changes in local circumstance, including those identified in this policy;
- b. when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
- c. when applying for a variation of a premises licence;
and
- d. in any case, undertake a local risk assessment when applying for a new premises licence.

The council will expect the local risk assessment to consider the urban setting:

- The proximity of the premises to schools.
- The commercial environment.
- Factors affecting the footfall.
- Whether the premises is in an area of deprivation.
- Whether the premises is in an area subject to high levels of crime and/or disorder.
- The ethnic profile of residents in the area.
- The demographics of the area in relation to vulnerable groups.
- The location of services for children such as schools, playgrounds, toy shops, leisure centres and other areas where children will gather.
- The range of facilities in the local area such as other gambling outlets, banks, post offices, refreshment and entertainment type facilities.
- Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activity, etc.
- The proximity of churches, mosques, temples or any other place of worship.

The local risk assessment should show how vulnerable people, including people with gambling dependencies, are protected:

- The training of staff in brief intervention when customers show signs of excessive gambling, the ability of staff to offer brief intervention and how the manning of premises affects this.
- Information held by the licensee regarding self-exclusions and incidences of underage gambling.
- Arrangements in place for local exchange of information regarding self-exclusion and gaming trends.

- Gaming trends that may mirror days for financial payments such as pay days or benefit payments.
- Arrangements for monitoring and dealing with under age persons and vulnerable persons, which may include dedicated and trained personnel, leaflets, posters, self-exclusion schemes, window displays and advertisements not to entice passers-by etc.
- The provision of signage and documents relating to games rules, gambling care providers and other relevant information,
- The proximity of premises that may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor surgeries, council one stop shops, addiction clinics or help centres, places where alcohol or drug dependent people may congregate etc.

The local risk assessment should show how children are to be protected:

- The proximity of institutions, places or areas where children and young people frequent such as schools, youth clubs, parks, playgrounds and entertainment venues such as bowling allies, cinemas, etc.
- The proximity of places where children congregate such as bus stops, cafes, shops etc.
- Areas that are prone to issues of youths participating in anti-social behaviour, including activities such as graffiti, tagging, underage drinking etc.

Other matters that the risk assessment may include:

- Details as to the location and coverage of working CCTV cameras, and how the system will be monitored.
- The layout of the premises so that staff have an unobstructed view of persons using the premises.
- The number of staff that will be available on the premises at any one time. If at any time that number is one, confirm the supervisory and monitoring arrangements when that person is absent from the licensed area or distracted from supervising the premises and observing those persons using the premises.
- Where the application is for a betting premises licence, other than in respect of a track, the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence.

Such information may be used to inform the decision the council makes about whether to grant the licence, to grant the licence with special conditions or to refuse the application.

The policy does not preclude any application being made and each application will be decided on its merits, with the onus being upon the applicant to show how the concerns can be overcome.

The following identifies how specific groups may be affected by the revised policy;

Class or socio- economic disadvantage

Low (positive impact)

Deprivation has a significant impact on health and wellbeing. The Dorset Council areas of deprivation are largely located in the most urban areas - in particular the former borough of Weymouth & Portland - but many of Dorset's rural communities could also be considered deprived in terms of barriers to housing and essential services.

English Indices of Deprivation (2015), DCLG show

12,900 households are workless

There are ten areas (out of a total of 219) in Dorset within the top 20% most deprived nationally for multiple deprivation, down from 12 in 2010. Nine of these are within the former borough of Weymouth and Portland, one is in the former West Dorset District area.

46% of Dorset's population lives in rural areas. Barriers to housing and essential services are significant in Dorset reflecting rurality and distance from services. 66 Dorset neighbourhoods fall in the 20% most deprived nationally for this measure: in the former council areas, 21 are in West Dorset and 20 in North Dorset.

Seven neighbourhoods in Dorset fall into the top 20% nationally for income deprivation (up from five in 2010) - seven of these are in the former borough of Weymouth and Portland

Weymouth and Portland residence based weekly earnings are £503 per week compared with £571 in Great Britain (Annual Survey of Hours and Earnings (2018), ONS (full time gross weekly earnings))

Statistics for the Gambling Commission contained within the NatCen "Gambling behavior in Great Britain" show that adults in employment or training were most likely to have gambled in the past 12 months, with almost two thirds (63%) having spent money on any gambling activity. Over half of retirees (53%) and those who were unemployed (54%) had gambled in the past year, closely followed by adults who were otherwise economically inactive (49%). Those in full time education had the lowest levels of participation with around a third (32%) having gambled in the past 12 months. Excluding participation in National Lottery draws only, there was a different pattern of participation; in particular, unemployed adults had similar rates of gambling to those in employment or training (45% and 48% respectively). Those in employment were again the most likely group to gamble online, with 13% having done so in the past year. However, around one in ten (9%) full time students and those who were unemployed had gambled online in the past 12 months. Retirees were the least likely group to have gambled online, with 2% having done so. <https://www.gamblingcommission.gov.uk/PDF/survey-data/Gambling-behaviour-in-Great-Britain-2016.pdf>

Age

Low (positive impact)

There are nearly 59,800 children (0-15) living in Dorset. This represents 15.9% of the total population and is lower than the 19.1% national average. The number of 0-15yr olds is expected to fall slightly over the next 25 years, continuing the trend in place since 2007.

There was also a net loss of 15-19 year olds from Dorset to other parts of the UK, with net gains mostly among those aged 30+

28% of Dorset's population is aged over 65

Over the period 2007-2017, the number aged 65+ grew by 22,500 – up by 27%.

<https://apps.geowessex.com/insights/AreaProfiles/UnitaryAuthority/dorset-council>

Statistics for the Gambling Commission contained within the NatCen "Gambling behavior in Great Britain" show overall, the highest participation rates in any form of gambling activity were among adults aged between 25 and 64 (between 60% and 62%), while the lowest rates were found among the youngest and oldest age groups; 46% of 16 to 24 year olds and 47% of those aged 75 and over had gambled in the past year. <https://www.gamblingcommission.gov.uk/PDF/survey-data/Gambling-behaviour-in-Great-Britain-2016.pdf>

Actions and objectives are stated in the policy that will help protect vulnerable and young people and it is proposed to consult with head teachers of all schools within the District on the revised Licensing Statement of Principles.

It is not however anticipated that the proposed policy will have a negative effect on the grounds of age.

Disability

Low (positive impact)

According to 2011 Census data, 72,167 Dorset residents had a long-term health problem or disability, this means people whose day-to-day activities are limited a lot or a little by a disability or long term medical condition. <https://apps.geowessex.com/insights/Topics/Topic/Diversity>

In the policy applicants are requested to have regard to the type of people that are likely to visit their premises in their application when identifying the steps they will take to promote the licensing objectives. Applicants will be expected to propose steps to ensure that the physical layout of the premises does not present any risks to 'vulnerable' people, some of whom may be disabled.

During inspections, officers will refer any relevant details to planning if it is suspected there may be accessibility issues or a lack of planning permission.

It is not however anticipated that the proposed policy will have a negative effect on the grounds of disability.

Pregnancy and maternity

Low (positive impact)

Dorset has a lower number of births than deaths giving a net decline in natural population. <https://apps.geowessex.com/insights/Topics>

It is not however anticipated that the proposed policy will have a negative effect on the grounds of pregnancy and maternity/paternity.

Race

Low (positive impact)

Dorset has much lower levels (4.4%) of Black and Minority ethnic (BME) residents than the country as a whole (19.5%)². The highest proportion of Dorset's BME population are classified as 'White Other' who make up approximately 41% of Dorset's BME population. This classification includes people who identify as white but who do not have UK national identity (English, Welsh Scottish, Northern Irish and British). An example would be Polish. <https://apps.geowessex.com/insights/Topics>

Statistics for the Gambling Commission contained within the NatCen "Gambling behavior in Great Britain" show gambling participation was highest among White adults; six in ten (59%) White adults had gambled in the past 12 months, compared with 46% of Black adults, 45% of adults in other minority ethnic groups and 32% of Asian adults. A similar pattern was evident among those who gambled on activities other than the National Lottery draws only. For online gambling the pattern was slightly different; similar proportions of adults in the White group and other minority ethnic groups had gambled online (both 10%), compared with 5% of Black adults and just 2% of Asian adults. <https://www.gamblingcommission.gov.uk/PDF/survey-data/Gambling-behaviour-in-Great-Britain-2016.pdf>

The Local Authority has established procedures for engaging with the diverse range of businesses within the Council area. Consultation on the new Statement of Licensing Principles will be undertaken with statutory consultees, including representatives from the business community.

It is not however anticipated that the proposed policy will have a negative effect on the grounds of race.

Religion/belief

Low (positive impact)

2011 census data shows The five major non-Christian world religions Islam, Buddhism, Hinduism, Judaism and Sikhism constitute 1% of Dorset's residents' religious beliefs

Dorset's main non-Christian religious groups are concentrated in Dorset's towns. Weymouth has just over 300 residents of Muslim faith. There are also concentrations around military establishments such as Blandford Camp where the Gurkhas and their families live who are predominantly Hindu in their religious belief. <https://apps.geowessex.com/insights/Topics>

The Local Authority has established procedures for engaging with the diverse range of businesses within the borough.

Consultation on the new Statement of Licensing Policy will be undertaken with statutory consultees, including representatives from the business community.

It is not however anticipated that the proposed policy will have a negative effect on the grounds of race.

Sex (gender)

Low

Statistics for the Gambling Commission contained within the NatCen "Gambling behavior in Great Britain" show overall, men were more likely to participate in most forms of gambling than women. Offline bingo was the only activity where men were less likely to participate than women (3% and 7%, respectively). Men were significantly more likely than women to have used an online bookmaker (13% and 2%, respectively) and to have placed an offline bet on a horse (12% and 7%, respectively) in the past year. Slot machines were also more popular among men than women (8% and 4%, respectively). And men were also more likely to have bet on sports events offline than women, with 9% of men and 1% of women. <https://www.gamblingcommission.gov.uk/PDF/survey-data/Gambling-behaviour-in-Great-Britain-2016.pdf>

The revised Statement of Principles would have a neutral impact on the protected characteristic of Sex (gender).

Sexual Orientation and Transgender

Low

There is no data available on the spatial distribution of lesbian, gay, bisexual, transgender and transsexual people in the area, and there are no obvious places of congregation of such groups equivalent to those elsewhere in the country. There are 1,866 people are living in a same sex relationship. <https://apps.geowessex.com/insights/Topics>

The revised Statement of Principles would have a neutral impact on the protected characteristic of Sexual Orientation

Rural isolation

Low

46% of Dorset's population lives in rural areas. Barriers to housing and essential services are significant in Dorset reflecting rurality and distance from services. 66 Dorset neighbourhoods fall in

the 20% most deprived nationally for this measure: in the former council areas, 21 are in West Dorset and 20 in North Dorset.

Armed forces background

Low

Research suggests that the rate of Armed Forces veterans with mental health conditions could be as high as 10%, compared to around 3% for the general population (House of Commons Defence Committee, Mental Health and the Armed Forces, Part One: The scale of mental health issues. 11th report 2017 – 19)

The council in partnership with Dorset Armed Forces Covenant Programme is working to ensure that the Armed Forces Community in Dorset has access to the services and assistance it requires.

3. Relevant data, research and consultation

In addition to the data sources contained within the assessment above, all relevant parties and organisations situated and operating within the area will be consulted on the draft policy and any responses will be fully considered by the licensing authority and licensing committee.

This assessment will be updated following the consultation period. The consultation will include;

- A draft Policy available at Libraries, Local Service Centres and the offices of the Licensing Team
- Emails to all Councillors, Mayors, and MPs
- Internal consultation process to relevant officers and Corporate Management Teams
- Public notices in the Dorset Echo
- Public consultation advertised on the Council website
- Letters to Premises licence holders and other interested parties
- Responsible Authorities– including Dorset Police, Wiltshire and Dorset Fire Brigade
- Letters to BCP Council, Wiltshire Council and South Somerset Council
- Letters to all Head teachers of schools and education establishments located within the Area
- Armed forces community
- The Gambling Commission

In order to assist applicants when completing or reviewing their risk assessments, the Council may publish a local area profile. The Council has commissioned a local area profile which is expected to be completed during 2021 and once approved by the Licensing Committee, it will be made available through the licensing team.

The local area profile should be given careful consideration when making an application. Applicants may be asked to attend a meeting with licensing officers to discuss the profiles, appropriate measures to mitigate risk in the area and how they might be relevant to their application. The local area profiles will be presented to any subsequent licensing subcommittee when they determine an application that has received representations.

The Council recognises that it cannot insist on applicants using the local area profile when completing their risk assessments. However an applicant who decides to disregard the profile may face additional representations and the expense of a hearing as a result.

The local area profile will include the following data (where available);

Index	Criteria	Indicator/measure	Data source	Date
People at home	Ethnic groups	Number of residents from Asian/Asian British, Black/African/Caribbean/Black	Census 2011 table KS201UK Ethnic Group	2011
	Unemployment	Number of economically active unemployed residents	Census 2011 table QS601UK Economic Activity	2011
	Youth	Emerging adults and younger children - number of residents aged 10-24 years	Census 2011 table QS103UK Age by single	2011
	Poor mental health	Number of patients recorded on the GP register with schizophrenia, bipolar affective disorder and other psychoses, and other patients on lithium therapy or with depression	Quality Outcomes Framework (QOF)	2018
People away from home	Problem gamblers	Gamblers Anonymous meetings	Gamblers Anonymous UK	2018
		Gamcare locations	Gamcare	2018
	Unemployment	Job centre locations	Department for Work and Pensions	2018
	Youth	Education institutions with students of 13-24 years	Edubase2	2016/2017
	Substance abuse/misuse	Accommodation for persons who require treatment for substance misuse	Care Quality Commission	2018
People at home	Homelessness	Accommodation for vulnerable people/homeless	Local Authority lists	2018
	Poor mental health	Number of resident outpatient attendances to acute hospitals relating to treatment function specialities 710 (adult mental illness), 722 (liaison psychiatry), 723 (psychiatric intensive care)	HSCIC hospital episode statistics via Local Authority Public Health teams	2015/2016
People away from home	Substance abuse/misuse	Drug and alcohol treatment and recovery centres/clinics	Local Authority lists	2018
		Needle exchanges	Local Authority lists	2018
		Accommodation for persons who require treatment for substance	Local Authority lists	2018
		Alcoholics and narcotics anonymous meetings	Alcoholics and narcotics	2018
	Financial difficulties/de	Payday loan shops	Local Authority lists	2018
		Food banks	Local Authority lists	2018

4. Assessment of Impact and outcomes

Protected characteristics	Issues taken from evidence	Judgement (positive / negative)	Recommendations
Class or socio-economic disadvantage	No adverse impact	Low (positive)	N/A
Age	No adverse impact	Low (positive)	N/A
Disability	No adverse impact	Low (positive)	N/A
Pregnancy and maternity	No adverse impact	Low (positive)	N/A
Race	No adverse impact	Low (positive)	N/A
Religion / belief	No adverse impact	Low (positive)	N/A
Sex (gender)	No adverse impact	Low	N/A
Sexual orientation	No adverse impact	Low	N/A
Transgender	No adverse impact	Low	N/A
Rural isolation	No adverse impact	Low	N/A
Armed forces background	No adverse impact	Low	N/A

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Equality Impact Assessment Action Plan for [insert name of policy]						
Issues identified and groups affected	Actions to be taken	Timescales of actions	Who is responsible for delivery	Intended outcomes	Performance measures	Reference to service or other plans
No gap identified with regards to equalities and diversity and the Statement of Licensing Principles under the Gambling Act 2005	Will ensure premises are considering their own impact on vulnerable persons such as persons with disabilities or with gambling addictions Continued engagement with the trade to ensure local area risk assessments are undertaken and these are suitable. Equality monitoring forms will be distributed in these instances	Draft Policy consultation weeks	12 J Newcombe Licensing Team	Policy Adopted for use	N/A	Corporate Plan Enforcement Policy

6. **Formal agreement**
7. **Publication of results**
 - a. Date EqIA published on Council website (full or summary version)
8. **Monitoring and review**
 - a. Set dates and mechanism for monitoring and reviewing

Cabinet - 30 June 2020 Full Council - 3 September 2020

Community Safety Plan 2020-2023

For Recommendation to Council

Portfolio Holder: Cllr G Carr-Jones, Housing and Community Safety

Local Councillor(s): All Councillors

Executive Director: Vivienne Broadhurst, Acting Executive Director
People - Adults

Report Author: Andy Frost
Title: Service Manager for Community Safety (Strategic Lead)
Tel: 01305 224331
Email: andy.frost@dorsetcouncil.gov.uk

Report Status: Public

Recommendation:

That the Community Safety Plan 2020-23 be recommended to Dorset Council for adoption.

Reason for Recommendation:

To ensure Dorset Council meets its duties as set out in relevant legislation.

1. Executive Summary

Dorset Council is under a legal duty to work with the following partners (responsible authorities) to identify and tackle community safety issues in its area:

- Dorset Police
- Dorset Clinical Commissioning Group
- Dorset & Wiltshire Fire & Rescue Authority
- National Probation Service (Dorset)

- Dorset, Devon and Cornwall Probation Services

Partners come together through the Dorset Community Safety Partnership (CSP). The CSP must produce three-year community safety plans that are revised annually. The plans should set out partners' priorities (informed by their latest Partnership Strategic Assessment (PSA)) and how they will address them in broad terms.

The Dorset CSP agreed its latest three-year plan at its meeting on 9 March 2020 (appended). The Plan was developed using an analysis of local data and statistics and findings from public consultation.

The Council's Place Scrutiny Committee (which is the Council's formal Crime & Disorder Scrutiny Committee) considered the process by which the CSP would develop the 2020-2023 plan at its meeting on 30 January 2020.

It is a legal requirement for the Community Safety Plan to be adopted by Dorset Council.

2. Financial Implications

The Dorset CSP does not receive funding, however partners' plans and strategies clarify where they will focus their time and effort and their broad activity to meet priorities.

From time to time, central government makes available one off funding opportunities to support community safety work such as tackling domestic abuse. When possible, partners apply for such funds.

3. Climate implications

It is not anticipated that partners' work to tackle community safety, including through the Community Safety Plan, will have an adverse effect on the environment or climate change.

4. Other Implications

The CSP works closely with other partnership bodies on areas of mutual interest, including safeguarding boards and partnerships. This work includes having joint approaches to learning lessons and good practice in relation to Serious Case Reviews and Domestic Homicide Reviews (DHRs).

5. Risk Assessment

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: Low
Residual Risk: Low

6. Equalities Impact Assessment

An Equalities Impact Assessment (EqIA) was completed whilst drafting the plan. The EqIA highlighted a positive impact on several protected characteristics.

The EqIA is available on the Council's website [HERE](#)

7. Appendices

Appendix – Community Safety Plan 2020-2023

8. Background Papers

Community Safety Plan 2020-2023 – Report to Place Scrutiny Committee, 30 January 2020 – available [HERE](#)

9. Background

- 9.1 Community Safety Partnerships (CSPs) are required to produce three-year Community Safety Plans that are revised annually. The Dorset CSP agreed it's 2020-2023 Plan at its meeting on 9 March 2020.
- 9.2 The Plan had been developed by analysing information and data and was informed by the findings of public consultation. Members of the Council's Place Scrutiny Committee considered the process by which the CSP would develop the Plan at their meeting on 30 January 2020.
- 9.3 The Plan sets out the priority community safety issues for the area and how, in broad terms, the Council and its partners will address them.
- 9.4 It is a legal requirement for the plan to be formally adopted by Dorset Council.

10. Partnership Work

- 10.1 CSPs were first established over twenty years ago and during this period partners have developed strong working relationships. Community Safety Plans set the framework for their activity.
- 10.2 Some examples of partners' work driven by previous community safety plans include:
- Developing partners' collective response to tackling domestic abuse including how different services can work better together to support victims, developing pathways for support services, improving multi-agency approaches to supporting high risk victims and running numerous awareness raising campaigns.
 - Conducting reviews into homicides relating to domestic abuse and ensuring the learning from these is used to improve practice and reduce risk and harm.
 - Working together to tackle County Lines (where gangs and organised criminals transport illegal drugs across Police and local authority boundaries) including identifying and supporting young and vulnerable people who may be exploited as part of the process.
 - Running various initiatives to tackle rural crime, an issue that is important to many residents in the Dorset Council area.
 - Tackling neighbourhood issues including anti-social behaviour through locality based multi-agency Partnership Coordinating Groups.

11. Developing the 2020-23 Community Safety Plan

Partnership Strategic Assessment (PSA)

- 11.1 CSPs are required to complete an annual PSA. The assessment uses a range of data and information to consider community safety issues and provide suggestions for priority work areas for inclusion in partners' community safety plan.
- 11.2 The purpose of the PSA is to provide an objective evidence base for partners to work from. In Dorset, a scoring tool called 'MoRiLE' (Management of Risk in Law Enforcement) is used to inform and guide the annual PSA.
- 11.3 MoRiLE is a national project that was created in 2014 to develop an approach to risk prioritisation that could be used by law enforcement agencies in a structured and consistent way. Many CSPs now use MoRiLE in the production of their PSAs.
- 11.4 MoRiLE uses a matrix of statistics, trends, impacts and forecasts to score issues and organise them in order of priority.

- 11.5 The latest PSA was agreed by the Dorset CSP at its meeting on 9 March 2020. The findings of the PSA have informed the Community Safety Plan 2020-2023.

Consultation and Engagement

- 11.6 Community safety plans should be informed by members of the public's views on community safety issues.
- 11.7 As part of the development of the new Plan, questions relating to how safe people felt in their neighbourhood were included in the Council's last residents survey and more detailed questions were sent to members of the Dorset People Panel.
- 11.8 The findings were used to determine the priorities in the Community Safety Plan. The priorities were then made available for public comment on the Council's website prior to the Plan being agreed by the CSP.

12. Community Safety Plan 2020-2023

- 12.1 The new Community Safety Plan includes the following priorities:
- Domestic Abuse
 - Serious Sexual Offences
 - Rural Crime
 - Modern Slavery and Human Trafficking
 - County Lines
 - Fraud
 - Public Place Violence
 - Anti-Social Behaviour
- 12.2 Partners will also monitor and address Hate Crime including in the wider context of community cohesion.
- 12.3 Reducing re-offending remains a cross cutting area of work for partners and they have a separate strategy to address this issue. There is also a separate Alcohol & Drugs Strategy that covers the pan-Dorset area.
- 12.4 The new Community Plan sets out in broad terms how partners will address priorities. More detailed delivery plans are being developed to complement the Plan.
- 12.5 The Dorset CSP will consider progress against the plan and deal with any performance management issues at its quarterly meetings. The CSP must

also provide annual reports on progress to the Council's Crime & Disorder Committee.

12.6 The Plan will be refreshed annually based on the findings of the latest PSA.

13. Partnership Work on Domestic Abuse During the Covid 19 Pandemic

13.1 At the start of the lockdown period, partners began holding weekly community safety teleconferences to develop their understanding of issues (for example community tensions such as neighbour disputes and noise complaints, domestic abuse, rural crime issues etc.) and ensure a coordinated response to them. The meetings continue but are now held fortnightly.

13.2 Tackling domestic abuse is one of the key priorities in the new Community Safety Plan and has been a key focus for partners during the lock down period.

13.3 At the start of lockdown, partners in Dorset did not see an increase in domestic abuse issues. As lockdown progressed, there were increasing reports of lower risk issues such as arguments, family tensions and disputes. In more recent weeks, partners have reported increases in domestic abuse and general enquiries to local domestic abuse helplines have increased.

13.4 Partners' work to respond to domestic abuse issues during the pandemic includes:

- Support services for victims of domestic abuse have continued to operate although some have needed to be delivered differently due to government restrictions.
- Services have been able to manage demand including for outreach support and refuge provision though the more recent increase in general enquiries to helplines has created some pressures.
- Council officers have been in daily contact with front line services to understand issues and help develop solutions to problems. These include making sure there is adequate refuge provision.
- Partners have run a public communications campaign since the start of lockdown to raise awareness of domestic abuse issues and make sure people know about the support services available to help. Communication messages have been assessed weekly and adapted to address any emerging issues or trends. Posters have been placed in key locations including GP surgeries and pharmacies.

- A communications campaign has also been run to raise awareness of healthy relationships and support services to help address tensions before they escalate into more serious issues.

13.5 Partners continue to meet regularly to respond to issues and plan for any further increases in domestic abuse following the easing of lockdown measures.

Footnote:

Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

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Community Safety Plan 2020-2023

Dorset Community Safety Partnership



Introduction

The Dorset Community Safety Partnership (CSP) aims to:

- Reduce crime and the fear of crime;
- Address risk, threat and harm to victims and local communities; and
- Facilitate the strengthening of Dorset's communities in the delivery of local initiatives.

Find out more about the CSP here: [Dorset Community Safety Partnership](#)

CSPs are required to have three-year Community Safety Plans that are refreshed annually. This latest Plan sets out partners' current priorities based on the most recent assessment of community safety issues.

The Community Safety Plan should be read in conjunction with partners' annual work plans which can be found here: [Annual Work Plans](#)

Crime in the Dorset Community Safety Partnership Area

Total crime in the Dorset Community Safety Partnership area is a lot lower than the average rate across the UK. Although total recorded crime has risen in recent years, this is largely due to improved crime recording practices and changes to Home Office recording standards. These help to provide a better picture of crime levels and issues.

Crime levels are usually higher across the summer months and crime rates vary according to location.

Detailed information can be found here: [Dorset Statistics Crime Statistics](#)

Consultation and Engagement

Partners use the findings of consultation and engagement exercises to help inform their understanding and work to tackle community safety issues.

Dorset Council undertakes a residents survey every year. The survey includes questions on how safe residents feel in their local area. The latest survey was completed in the autumn 2019. 2,635 surveys were completed. The results showed that:

- 93% of respondents felt either very safe or fairly safe when outside in their local area during the day
- 77% of respondents felt either very safe or fairly safe when outside in their local area after dark

In January 2020, a series of questions were given to members of Dorset Council's People Panel. 155 responses were received. They showed that:

- The vast majority of respondents felt that crime where they lived did not have a significant impact on their daily life (approx. 89% of respondents said that either 'crime isn't an issue where I live and doesn't affect my daily life' or 'there are some issues but they don't have much impact on my daily life'. None of the respondents felt that crime was a big issue where they lived and had a serious impact on their daily life).
- In relation to anti-social behaviour, 32% of respondents felt anti-social behaviour wasn't an issue where they lived and didn't affect their daily life. 48% of respondents felt there were some issues where they lived but they didn't have much impact on their daily life.
- 8% of respondents had been a victim of crime in the last 12 months.
- The issues that respondents were most concerned about were rural crime and anti-social behaviour.

The National Rural Crime Survey is organised by the National Rural Crime Network which was formed in 2014 to bring greater recognition and understanding of impact and problems of crime in rural areas. The Network brings together 30 Police and Crime Commissioners from across the country along with a number of other interested bodies.

Although the National Rural Crime Survey is not specific to Dorset, it includes 654 responses from the Dorset Police Force area and aims to reflect the views of rural communities. The 2018 National Rural Crime Survey can be found here: [National Rural Crime Survey 2018](#)

The findings include:

- That the perception of policing in rural communities is poor, and much worse than in urban areas
- Some of the most common concerns are not solely policing matters, like flytipping and speeding – too many partners, like local authorities, are less able to respond to the needs of rural communities
- Crime is not just an inconvenience - crime, and the fear of crime, is leading to emotional strain and a loss of confidence within rural communities, particularly among young people, families and farmers
- Communities believe crime in rural areas is a big problem – and is getting worse
- Many crimes in rural communities go unreported – especially by business owners, because they don't feel the offence will be taken seriously or anything will be done
- Residents and businesses in rural communities believe they are being specifically targeted – and, on balance, most believe the crime is organised
- Farmers and agricultural businesses are facing huge challenges – and they don't feel there is enough being done to support them
- The financial impact of crime is substantial – for residents and, particularly, for businesses who are the lifeblood of the rural economy
- Rural victims feel angry and annoyed that they are not taken seriously by those in positions of power – and the extent of crime is making communities feel vulnerable
- Ultimately, rural communities are not understood and services do not match need – if nothing is done there is a risk of a wholesale loss of trust in rural policing

Members of the public were encouraged to provide feedback on priorities for inclusion in this plan via the Dorset Council website. There was overwhelming support for the priorities with several respondents emphasising the importance of preventative work.

Findings from further consultation exercises undertaken over the course of the year, including with the People Panel for Dorset Council, will be used to inform future revisions of this plan.

Community Safety Priorities

Partners carry out an annual Partnership Strategic Assessment (PSA) using evidence from a variety of sources to assess crime and disorder issues in the area. The assessment is used to set and review partners' priorities. When setting and reviewing priorities consideration is also given to the local Policing objectives in the area. Priorities are reviewed regularly.

The following priorities have been agreed by partners for 2020/21:

- Modern Slavery and Human Trafficking
- County Lines
- Serious Sexual Offences
- Domestic Abuse
- Rural Crime
- Fraud
- Public Place Violence
- Anti-Social Behaviour

Partners have also agreed to monitor and address Hate Crime including in the wider context of community cohesion.

Reducing re-offending remains a cross cutting area of work for partners and they have a separate strategy to address this issue. There is also a separate Alcohol & Drugs Strategy that covers the pan-Dorset area.

A summary of the type of activity partners will take to address priorities is provided below. Full details are included in partners' annual work plans.

Modern Slavery and Human Trafficking
<p>Summary of Activity:</p> <ul style="list-style-type: none"> • Develop our understanding of modern slavery in Dorset and raise awareness of the issues. • Ensure there are effective processes in place to identify and support victims and people vulnerable to modern slavery. • Work together to stop perpetrators of modern slavery.

County Lines
<p>Summary of Activity:</p> <ul style="list-style-type: none"> • Use work already completed to raise awareness of issues, focusing on specific groups and organisations that may come into contact with those vulnerable to County Lines exploitation. • Further develop our knowledge and understanding of County Lines issues locally including areas that are vulnerable to County Lines activity. • Ensure support is available for victims and people vulnerable to County Lines exploitation.

Serious Sexual Offences
<p>Summary of Activity:</p> <ul style="list-style-type: none"> • Undertake training and awareness raising focusing on those most vulnerable. • By working with partners including the Children's Safeguarding Partnership, ensure children and young people have access to education on healthy relationships. • Work with male and female victims to ensure we have the right services in place. • Ensure support is available for historical victims of sexual violence. • Work with partners, including those in the criminal justice system, to ensure offenders are brought to justice. • Explore opportunities to reduce offending and reoffending by perpetrators.

Domestic Abuse

Summary of Activity:

- Develop initiatives that focus on prevention, early help and education.
- Develop interventions for perpetrators to reduce offending and prevent risk and harm.
- Further develop the whole systems approach to domestic abuse to ensure services are working together effectively.
- Continue to develop partners’ response for high risk victims including implementing learning from the High Risk Domestic Abuse (HRDA) pilot.
- Respond to any legislative requirements emerging from the Domestic Abuse Bill.
- Implement learning from Domestic Homicide Reviews.

Rural Crime

Summary of Activity:

- Communicate and engage with rural communities, building on the work already undertaken.
- Increase awareness of the need to report rural crimes.
- Further develop intelligence gathering to enhance understanding of rural crime issues.

Fraud

Summary of Activity:

- Raise awareness of fraud and cyber-crime issues focusing on those most vulnerable and / or at risk.
- Develop initiatives that aim to prevent fraud from happening.
- Work with businesses to understand and help address the issues they are facing.

Public Place Violence

Summary of Activity:

- Develop our understanding of public place violence issues including working with Public Health and using intelligence from the Cardiff Model project.
- Respond to any requirements emerging from the government’s Serious Violence Strategy and any related legislation.
- Partnership Coordinating Groups to develop specific actions and initiatives in response to local public place violence issues.

Anti-Social Behaviour**Summary of Activity:**

- Undertake work to respond to offenders who will not engage with services.
- Develop initiatives that respond to people with lower level support needs who don't meet thresholds for statutory services.
- Partnership Coordinating Groups to develop specific actions and initiatives in response to local anti-social behaviour issues.

Performance Management

Partners use performance information and data coupled with an assessment of progress against their agreed actions at each meeting, to determine whether they are delivering against their priorities.

Partners' intend to gather a wide range of information and data to complement Police statistics and develop a comprehensive understanding of community safety issues.

Governance

The Dorset CSP is the statutory Community Safety Partnership for the local area. It brings together senior officers and elected members from:

- Dorset Police
- Dorset Council
- Dorset & Wiltshire Fire & Rescue Authority
- National Probation Service
- Dorset, Devon and Cornwall Probation
- Dorset Clinical Commissioning Group

Many other partners such as Public Health Dorset, the Office of the Police and Crime Commissioner, the Dorset & Wiltshire Fire & Rescue Service and the Dorset Combined Youth Offending Service also contribute to the work of the CSP.

At a local level, there are Partnership Co-ordinating Groups (PCGs) that come together to identify solutions to local issues. The PCGs feed into the Dorset CSP.

Cabinet **30 June 2020** **Options for Prohibiting the Use of** **Disposable Barbeques**

For Decision

Portfolio Holder: Cllr R Bryan, Highways, Travel and Environment

Local Councillor(s): All

Executive Director: John Sellgren, Executive Director of Place

Report Author: Grace Evans
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Report Status: Public

Recommendation:

That working with Dorset and Wiltshire Fire and Rescue and other partners the Cabinet:

1. Authorise officers to proceed with detailed work to establish an options paper that looks at both the legislative as well as other alternatives available to control or prohibit barbeques and other fire related activities relating to Dorset Council area.
2. Continue to support, until any further formal measures are put in place, the ongoing publicity campaign throughout the summer months in conjunction with partners. This will include the continued use of targeted signage at certain locations as well as supporting a range of social media campaigns

Reason for Recommendation:

To protect:

- Dorset's habitat, ecology and wildlife
- Human health
- Dorset Council's and private property
- And to support the safety of Dorset's emergency services and DC staff

1. Executive Summary

There have been a number of incidents of fire damage across Dorset as a result of the use of and/or disposal of barbeques or other social activity and of people having bonfires close to dry wooded and heathland areas.

The most serious of these incidents has been the [recent fire at Wareham Forest](#) which affected 180 hectares of heathland and was declared a major incident by the Fire and Rescue Service.

Concern about these fires has resulted in questions being raised about the Council's role in helping to prevent incidents like this occurring.

This report seeks approval for a group of Dorset Council officers, linking with the Fire and Rescue Service and other key stakeholders to proceed with detailed work to look at the range of options to prohibit or control the use of BBQ's and other sources that cause fire. This work will establish grounds and ensure legislative criteria can be met for each option, for example the introduction of a Public Spaces Protection Order (PSPO) or other measure to prohibit or control the use of barbeques, outdoor cooking on gas or charcoal fuelled facilities and other forms of fire on designated land within Dorset.

A summer communication campaign, co-ordinated with the Fire and Rescue Service, will help in the interim and spread the message regarding the risks around the use of disposable barbeques and of lighting fires and the potential wider impact in the Dorset Council area throughout the summer months.

2. Financial Implications

There are no direct financial implications as a result of carrying out this initial work however there will be both financial and staff resource implications for the development and implementation of a PSPO or alternative measures and its subsequent enforcement. These will be detailed in the future options report.

3. Climate implications

Wildfires emit carbon dioxide and other greenhouse gases that contributes to climate change. They also damage forests, woodlands and scrub that would otherwise remove CO2 from the air.

4. Other Implications

None

5. Risk Assessment

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: Low

Residual Risk: Low

There is little risk associated with carrying out the proposed options report. However, once options for the control of fire risk are chosen the desired outcome would be to significantly reduce or stop the potential for accidental fire starting. The risk of not doing this are potentially high with a threat to life, and significant financial and environmental implications. A concerted communications effort is low risk and would provide an opportunity to increase awareness of the issue providing an interim measure over the next few months.

6. Equalities Impact Assessment

- Not required for the options paper

7. Appendices

- Legislative definitions on options in moving forward

8. Background Papers

None

9. Introduction

9.1 This report has been prepared in response to a number of incidents of fire damage across Dorset as a result of the use of and/or disposal of barbeques; in particular the fires in Wareham Forest, on heathland and in public waste bins across Dorset.

9.2 [Statutory responsibility for promoting fire safety](#), including the provision of information, publicity and encouragement in respect of the steps to be taken to prevent fires and death or injury by fire rests with the Dorset and Wiltshire Fire and Rescue Authority. With its wider responsibilities the Council also has a role to play in helping to protect the public and Dorset's environment. The development of the options paper which this report recommends will enable us to understand how the range of powers open to the Council can work most effectively alongside those available to the Fire and Rescue Service and our other partners.

9.3 Elected members have requested a report to set out the options and legal process to prohibit the use of barbeques, which officers have expanded to include outdoor cooking and other forms of fire in the Dorset Council area. Certain provisions may be extendable to land not in council ownership to which the public have access.

9.4 This report outlines current legislation and prohibitions already in place and options which are available to the Council to prohibit or control the use of barbeques, outdoor cooking facilities and other forms of fire on Council owned land and other land to mitigate risk to the public, damage to property and the environment.

9.5 Safe alternatives for barbeques will need to be explored. People will still want to eat outdoors and some people will seek quieter more remote areas to have barbeques where they feel less likely to be seen. These areas are likely to be higher risk fire areas such as heathlands.

9.6 Any ban could lead to an increase in barbeques on land managed by some of the smaller charities such as Dorset Wildlife Trust or the Amphibian and Reptile Conservation Trust where PSPOs may not be in place and they may not have resources to enforce no barbeques. A consistent approach across the area is needed to find a range of solutions rather than concentrate the problem into smaller areas.

9.7 The Urban Heath partnership and Litter Free Dorset (two partnerships hosted by Dorset Council within the Environment Advice Team) are running a barbeque campaign to help reduce fires on Dorset Heathlands. The campaign provides shops and supermarkets near heathlands with resources to put with disposable barbeques as well as running a social media posts across a number of platforms - <http://www.litterfreedorset.co.uk/current-projects-and-campaigns/bbqs-burn-more-than-bangers/>

10. Current Legislation and other prohibitions

10.1 The Countryside and Rights of Way Act 2000 (CROW Act) Schedule 2 prohibits activities including that “a person cannot light or tend a fire or undertake any act which is likely to cause a fire.” The majority of heathland in Dorset is open access land. Dorset Council, (or where relevant the national park authority) oversees access rights under the CROW Act and may prohibit people from accessing land for 72 hours for failing to comply with Schedule 2 provisions.

10.2 The Wildlife and Countryside Act 1981 covers damage to a SSSI and a person found to have intentionally or recklessly caused destruction or damage can be prosecuted and fined. Dorset Council and/or Natural England may enforce these provisions and institute proceedings for any offence.

10.3 Existing Byelaws - Three Byelaws are currently in place, covering specified areas of Dorset only, which ban lighting of flames, fires and stoves; including the Forestry Commission, National Trust and Weymouth and Portland

area. Those organisations can monitor compliance. Non-compliance is an offence under each Byelaw, which can be enforced by the organisations and/or the Police and those found guilty can be fined. These could be actively enforced by the Council and those other organisations who have Byelaws in place. Natural England are currently consulting on a new Byelaw to protect areas of SSSI, which includes a prohibition on use of barbeques and stoves in those areas.

10.4 The Council's options for prohibiting or controlling the use of barbeques, outdoor temporary cooking facilities and other forms of fire on Council owned and other designated land include:

- Designation of a Public Spaces Protection Order
- Creation of a new Dorset Council Policy
- Creation of a new Dorset Council Byelaw

10.5 These and any other options which are identified, will be discussed in detail in the options paper which will also address the financial and staff resource implications and establish the pros and cons for each.

10.6 Alternatives to legislation will also be addressed in the options paper examples of which may include, having controlled barbeques areas at different locations, landowner civil law powers to control and influence behaviour and, in conjunction with the emergency services and landowners, promotion of community fire-watch schemes at sensitive locations for example Urban Heath Partnership's, Dorset FireWise programme.

10.7 In preparing an options paper Dorset Council officers will engage with other stakeholders, landowners, partner organisations, emergency services, organisations with existing byelaws, interested groups and organisations including neighbouring local authorities.

11. Recommendation/Conclusion

Working with Dorset and Wiltshire Fire and Rescue and other partners the Cabinet is asked to:

- Authorise officers to proceed with detailed work to establish an options paper that looks at both the legislative as well as other alternatives available to control or prohibit barbeques and other fire related activities relating to Dorset Council area.
- Support until any further formal measures are put in place, an extensive publicity campaign throughout the summer months in conjunction with

partners. This may include the use of targeted signage at certain locations as well as supporting a range of social media campaigns.

Footnote:

Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

Appendix 1

Legislative definitions on options in moving forward

The following provides details on:

a) Public Spaces Protection Order (PSPO)

1. PSPO's are made under Section 59 Anti-social Behaviour, Crime and Policing Act 2014.
2. Officers consider that a PSPO could be the most effective method of formal control that the Council could put in place to control the use of barbecues and open fire cooking in Dorset. An Order can be made if a Council is satisfied, on reasonable grounds, that two conditions are met, that:
 - a. activities carried out in a public place within the council's area have had a detrimental effect on the quality of life of those in the locality; or,
 - b. it is likely that activities will be carried on in a public place within that area and that they will have such an effect.
3. And, the effect, or likely effect, of the activities—
 - a. is, or is likely to be, of a persistent or continuing nature,
 - b. is, or is likely to be, such as to make the activities unreasonable, and
 - c. justifies the restrictions imposed by the notice.
4. A PSPO may apply to all persons, to persons in a specified category or to all persons except those in specified categories. They can prohibit specified things being done in the restricted area, specify things to be done by persons carrying on specified activities in that area, or do both of those things.
5. Unlike Policies, non-compliance with a PSPO amounts to an offence. PSPOs are enforceable by the council by the issue of fixed penalty notices or prosecution. Authorised council officers may issue FPN's and the council may authorise suitably trained officers from other bodies to enforce the provisions.
6. PSPO's expire after three years but can be extended for a further three years if the Council considers it necessary to prevent the original behaviour from occurring or recurring.
7. Before making a PSPO, the Council must consult the police and any community representatives the Council considers appropriate. Legislation

does not specify the period of consultation for a PSPO. Earlier PSPO consultations have tended to be for a period of 3 months.

8. The Council will need to consider the resources required to enforce the provisions of a PSPO whether declared on council land; other land to which the public have access or both. Land can be extensive and the ability of the council to resource this activity will be an issue that needs consideration.
9. A PSPO can only impose prohibitions in an area where the activities have had a detrimental effect. The Council may make a whole Dorset PSPO and within it identify each specific public place which together would form the restricted area. The alternative approach would be, to make a separate PSPO for each defined restricted area such as:
 - Woodland
 - Heathland
 - Country Parks
 - Beaches
10. PSPO Relationship with existing Byelaws - three Byelaws are currently in place across areas of Dorset, which already ban lighting of flames, fires etc. A PSPO could sit side by side with an existing Byelaw if they cover different areas. Where a PSPO overlapped with the area of an existing Byelaw, covering the same prohibited activity, the Byelaw would have no effect while the PSPO is in place. If a PSPO expired and was not renewed, the Byelaw that had been “suspended” would come back into effect.

b) Policies

11. DC do not have a policy regarding barbeques and fires. A policy would only typically apply to council owned land. Other policies might also be appropriate for example a sky lantern policy.

c) Bylaws

12. The accepted view is that Byelaws are the option of last resort. The process for approval is particularly lengthy, requiring consultation, submission to the Secretary of State for approval, further consultation and decision of Full Council. Confirmation is normally granted, but not necessarily quickly. The ‘fast track’ process, can only be used after satisfying specific and extensive requirements on consultation. Byelaws do not automatically expire.
13. A Council Byelaw can create an offence for non-compliance, which can be prosecuted in the Magistrates Court, and result in a fine on conviction.

Cabinet 30 June 2020 Capital funding of embankment improvements to the River Brit at West Bay

For Decision

Portfolio Holder:	Cllr T Ferrari, Finance, Commercial and Assets
Portfolio Holder:	Cllr R Bryan, Highways, Travel and Environment
Local Councillor(s):	Cllr Bolwell, Cllr Clayton & Cllr Williams
Executive Director:	John Sellgren, Executive Director of Place

Report Author: Mark Osborne
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Report Status: Public/Part Exempt (Appendix 1)

Appendix 1 is not for publication by virtue of paragraph 3 of Schedule 12A, Part 1 of The Local Government Act 1972, as amended. The public interest in maintaining the exemption outweighs the public interest in disclosing it.

Recommendation:

- 1 That Cabinet approves the implementation of riverbank improvements to the River Brit to commence in October 2020.
- 2 That Cabinet instructs officers to complete an extension of the lease to the site operator of the Campfield Holiday Park at West Bay until 31st January 2074 on terms described in the confidential appendix which will fund the cost of the project works.

Reason for Recommendation:

A decision is required to progress the riverbank reinforcement project to the River Brit in West Bay, to address the risk of river flooding to the Campfield Holiday Park and adjacent properties in Forty Foot Way.

The Council is the freehold owner of the Campfield Holiday Park which is leased to Parkdean Resorts who have been the Council's tenant for 53 years. Parkdean Resorts are prepared to fund the estimated project costs from a capital premium in return for granting a 50 year lease extension that will encourage the tenant to continue to invest in a sustainable business in West Bay.

1. Executive Summary

This report seeks authority to implement riverbank improvements to the River Brit with the work planned to commence in October 2020. This report presents a funding proposal for the project at no significant cost to the Council whilst also producing an enhanced annual rent payable by a tenant of good covenant thereby creating an improved investment asset for the Council and an improved and sustainable business opportunity for the tenant.

2. Financial Implications

The estimated cost of the riverbank improvement works are £1.5 million. The works will be specified, tendered and managed directly by the Council. The financial implications of the lease extension proposal are detailed in the confidential appendix.

The Council will receive a capital premium to fund the estimated project costs and an enhanced revenue stream from its existing tenant in return for granting a 50 year lease extension. The Council is incentivised to complete the riverbank improvement works as soon as possible as the enhanced revenue stream commences upon practical completion of those works.

Alternative funding options have been considered including disposal of the site and the Council investing in and undertaking the works in return for an increased annual rental premium both of which are not recommended.

Last year the Council Opted to Tax the Campfield Site for VAT purposes to enable it to recover VAT expended on the site.

3. Statutory Authority

Local Government Act 1972 – section 123. S.123 of the LGA 1972 is the statutory power for councils to dispose of property – such as a lease extension.

Land Drainage Act 1991 Part II – provides powers for local authorities for drainage and for flood risk management works

4. Climate implications

The Report addresses a significant river flooding risk at West Bay that is in part arising from climate change. The riverbank improvement project has been formulated by the Environment Agency (EA).

5. Other Implications

Sustainability: The EA have modelled the project to give protection over the next 50 years based on current data and its implementation will reduce the prospect of river flooding to a 1 in 200 year event.

Property and Assets: Considered in detail in the Report and Confidential Appendix.

Community Safety: The recommendations assist reducing the risks identified above.

Human Resources: Estates, Legal and Engineering Project Teams are required to deliver the recommendations.

6. Risk Assessment

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: HIGH/MEDIUM

Residual Risk: LOW

There is an increasing prospect of flooding affecting properties in the Campfield Holiday Park and in Forty Foot Way. These potential events are described in detail in The West Bay Coastal Improvements Business Case that assesses the risk of flooding at 1 in 50 in 2018 increasing to 1 in 20 by 2023 and 1 in 1 by 2038 with consequential financial, health and safety and reputational risks.

It is proposed that the project commences in October 2020 with completion by Easter 2021.

7. Equalities Impact Assessment

Not applicable

8. Appendices

Confidential Appendix 1 identifies the financial implications of the proposal together with the draft Heads of Terms and site plan.

9. Background Papers

None

10. Background and Reason Decision Needed

- 10.1 The coastal defence phases of the West Bay Coastal Improvements Project led by the Environment Agency have been completed. The Project, however, identified a requirement to undertake riverbank improvements to the River Brit. The former West Dorset District Council made a £3 million capital contribution to the cost of coastal defences but the riverbank improvements were excluded.
- 10.2 The riverbank improvement works extend along the river frontage of Council owned land known as the Campfield Holiday Park in West Bay which is leased to Parkdean Resorts the UK's largest holiday park operator who own and operate 67 holiday parks across England, Scotland and Wales.
- 10.3 The investment property and part of the surrounding area at West Bay is at risk of river flooding and in partnership with the Environment Agency a project to reinforce the riverbank has been identified that will cost about £1.5 million to implement but will then offer 1 in 200 year protection for the area from river flooding.
- 10.4 The West Bay Coastal Improvements Business Case states that 'The structural integrity of the Parkdean embankment along the River Brit is low, with damage to the toe causing localised slip failures in several locations. Breaching of this embankment would lead to widespread flooding of the caravan park and backdoor flooding of properties in the town.' Without the improvements a 1 in 200 year event is currently predicted to flood much of the Campfield site to a depth of 1 metre.
- 10.5 Councillors will be aware that a Report was brought to committee in July 2019 proposing to secure a capital funding contribution towards works forming part of the West Bay Coastal Improvements Project from the tenant of the Campfield Holiday Park in exchange for granting a lease extension. Councillors deferred the decision seeking consideration of alternative options.
- 10.6 Officers have since obtained independent valuation and marketing advice and have initiated a confidential and targeted marketing exercise to determine by sealed informal tender the best offers from a range of prospective purchasers. This approach has generated highly competitive

tender offers for the Council's freehold interest alongside a significantly improved offer from the current tenants for a lease extension.

- 10.7 The Confidential Appendix details the enhanced offer from the tenant and the offers received from the marketing exercise concluding that the lease extension secures the funding required alongside an increased revenue stream while enabling the Council to then retain its improved investment. While an investment disposal would generate a significant net capital receipt it is unlikely on reinvestment to create a comparable revenue stream. Officers believe that the lease extension terms are unlikely to be bettered by deferring the matter until the lease renewal in 2024. An option previously considered of funding the works as part of the capital programme is no longer required because the capital premium receivable with the lease extension will fund the project costs.

Footnote:

Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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