



# Place and Resources Overview Committee

**Date:** Tuesday, 19 October 2021

**Time:** 10.00 am

**Venue:** MS Teams Live Event

**Membership: (Quorum 3)**

Daryl Turner (Chairman), Les Fry (Vice-Chairman), Mike Barron, Pauline Batstone, Ryan Hope, Sherry Jespersen, Carole Jones, Val Potheary, Andrew Starr and Roland Tarr

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**Chief Executive:** Matt Prosser, County Hall, Dorchester, Dorset DT1 1XJ

**For more information about this agenda please contact Democratic Services on 01305 252209 / [lindsey.watson@dorsetcouncil.gov.uk](mailto:lindsey.watson@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 online by using the following link: [Link to view Place and Resources Overview Committee live at 10.00am on 19 October 2021](#)

**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 DECLARATIONS OF INTEREST

To disclose any pecuniary, other registrable or non-registrable interests as set out in the adopted Code of Conduct. In making their declaration councillors are asked to state the agenda item, the nature of the interest and any action they propose to take as part of their declaration.

If required, further advice should be sought from the Monitoring Officer in advance of the meeting.

## 3 CHAIRMAN'S UPDATE

To receive any updates from the Chairman of the Place and Resources Overview Committee.

## 4 PUBLIC PARTICIPATION

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

Public speaking has been suspended for virtual committee meetings during the Covid-19 crisis and public participation will be dealt with through written submissions only.

Members of the public who live, work or represent an organisation within the Dorset Council area, may submit up to two questions or a statement of up to a maximum of 450 words. All submissions must be sent electronically to [lindsey.watson@dorsetcouncil.gov.uk](mailto:lindsey.watson@dorsetcouncil.gov.uk) by the deadline set out below. When submitting a question please indicate who the question is for and include your name, address and contact details. Questions and statements received in line with the council's rules for public participation will be published as a supplement to the agenda.

Questions will be read out by an officer of the council and a response given by the appropriate Portfolio Holder or officer at the meeting. All questions, statements and 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 Wednesday 13 October**

2021.

**5 QUESTIONS FROM MEMBERS**

To receive questions submitted by councillors. The deadline for receipt of questions is **8.30am on Wednesday 13 October 2021**

**6 TAXI LICENSING POLICY** 5 - 84

To consider a report of the Service Manager for Licensing and Community Safety Operations and to provide comments to the Licensing Committee.

**7 HOUSEHOLD RECYCLING CENTRE (HRC) VEHICLE ACCESS POLICY** 85 - 94

To consider a report of the Contracts Team Leader.

**8 REVIEW OF THE RECYCLE FOR DORSET POLICY** 95 - 160

To consider a report of the Service Development Manager and to provide comments to the Portfolio Holder for Customer and Community Services.

**9 REVIEW OF COMMUNITY INFRASTRUCTURE LEVY (CIL) EXPENDITURE** 161 - 180

To consider a report of the Infrastructure and Delivery Planning Manager.

**10 PHASE 2 PARKING CHARGES TRANSFORMATION PROJECT** 181 - 252

To consider a report of the Strategic Parking Project Manager.

**11 DORSET HIGHWAYS POLICIES** 253 - 272

To consider the following policies and provide comments to the Portfolio Holder for Highways, Travel and Environment:

- Code of Practice for the classification of highway safety hazards and defects (Link to appendix 1 included in cover report)
- Highways Inspectors' Guidance Manual (appendix 2 appended to report)

**12 PLACE AND RESOURCES OVERVIEW COMMITTEE FORWARD PLAN**

273 - 288

To review the Place and Resources Overview Committee Forward Plan.

To review the Cabinet Forward Plan.

**13 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.

**14 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 x 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.

**There is no exempt business.**

## Place and Resources Overview Committee 19 October 2021 Taxi Licensing Policy

### For Recommendation to Licensing Committee

**Portfolio Holder:** Non-Executive Function  
**Local Councillor(s):** Relevant to all Dorset Council Members  
**Executive Director:** J Sellgren, Executive Director of Place

Report Author: John Newcombe  
Title: Service Manager for Licensing & Community Safety Operations  
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Email: [john.newcombe@dorsetcouncil.gov.uk](mailto:john.newcombe@dorsetcouncil.gov.uk)

**Report Status:** Public

#### **Recommendation:**

- 1) To review the draft Taxi Licensing Policy and provide any comments to the Licensing Committee.

#### **Reason for Recommendation:**

- 1) To ensure openness and transparency in the Council's decision making, and
- 2) 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 Town Police Clause Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976, requires a single policy to provide consistency across the whole Council area. The purpose of the policy is to define how the Council will exercise its responsibilities under both Acts. The draft policy has been prepared by officers after consideration of responses from several focus groups. The draft policy has been considered by the Licensing Committee and published, in draft format, for a period of public consultation, which ran for

12 weeks, starting on Monday 28 June and closing on Sunday 19 September 2021.

## **2. Financial Implications**

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

## **3. Health and Well-being Implications**

The Taxi trade performs an important role in the health and wellbeing of Dorset residents, providing essential transport, particularly for disabled persons and children with special educational needs who do not have access to other forms of public transport and these matters are addressed within the draft policy.

## **4. Climate implications**

Encouragement of electric and low emission vehicles have an important role to play in the Council's climate emergency aspirations and both are addressed within the draft policy. There are therefore no negative implications arising from the recommendations contained within this report in terms of meeting the Council's climate change obligations.

## **5. 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.

## **6. Risk Assessment**

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

## **7. Equalities Impact Assessment**

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

## **8. Appendices**

Appendix A Draft Taxi Policy January 2022  
Appendix B Draft Equalities Impact Assessment

## 9. Background Papers

[Town Police Clauses Act 1847](#)

[Local Government Miscellaneous Provisions Act 1976](#)

[Department for Transport Statutory Taxi and Private Hire Guidance \(July 2020\)](#)

[Institute of Licensing - Safe and Suitable](#)

[Department for Transport Taxi and Private Hire Best Practice Guidance \(March 2010\)](#)

[FTA National Inspection Standards \(August 2012\)](#)

### 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.

## 10. Background

- 10.1 The Department for Transport (DfT) recommends that Licensing Authorities have a publicly available document that brings together all the procedures on taxi and private hire licensing.
- 10.2 The overriding objective of the policy is to protect the public.
- 10.3 The DfT recommends that taxi policies are reviewed every five years, with interim reviews carried out if significant issues arise during the five years.
- 10.4 The activities that are regulated cover the licensing of: -
- Hackney carriage vehicles
  - Hackney carriage drivers
  - Private hire vehicles
  - Private hire drivers
  - Private hire operators
- 10.5 The taxi policy has been prepared with regard to, and sought to integrate with, the following Council strategies:
- Dorset Council Plan
  - Dorset Council Community Safety Plan
  - Dorset Council's Economic Growth Strategy
  - Dorset Council's Enforcement Policy
- 10.6 This is Dorset Council's first Taxi Licensing Policy and Officers have prepared the draft policy with reference to the predecessor council policies

and also through engagement with key stakeholders and interested parties through focus groups carried out through March 2021.

- 10.7 Prior to the formation of Dorset Council, each of the predecessor District and Borough Councils had their own Taxi Licensing Policies setting out how they would process hackney carriage and private hire matters. Due consideration of these policies has been taken when drafting the Dorset Council Taxi Policy and areas of good practice have been retained and developed.
- 10.8 The new policy will be supported by a new fee structure for applications that will look to consolidate the current fees to ensure the income raised covers the cost of the taxi licensing function.
- 10.9 The public consultation ran for a period of 12 weeks, starting on Monday 28 June and closing on Sunday 19 September 2021. The consultation included consulting with and considering the views of a wide range of individuals and organisations including:
- All current licence holders
  - Local residents
  - Local Councillors
  - Parish and town councils
  - Local members of parliament
  - Dorset Police
  - Dorset Council – Adults Services
  - Dorset Council – School Contracts Service
  - Dorset Council – Highways
  - Dorset Council – Children’s Services
  - Dorset Council – Legal Services
  - Dorset Council - Fleet
  - Neighbouring Authorities
  - Dorset Disability Forum
- 10.10 The consultation team are currently preparing a report containing all of the responses received as part of the consultation and a summary of the responses received will be given verbally by officers at the meeting. Officers will analyse each of the responses and 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 consider for adoption.
- 10.11 The draft policy is before the committee today for review and consideration with a recommendation that any observations, concerns or areas for clarification are passed on to the Licensing Committee for consideration prior to approval of the policy.





## **Taxi Licensing Policy**

**2022 – 2027**

**Draft Version 8.1**

### **Abstract**

A policy to cover the Licensing of Hackney Carriage Vehicles and Drivers and Private Hire Vehicles, Drivers and Operators under the Town Police Clause Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976

**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/taxi-private-hire-vehicle-licences/taxi-and-private-hire-vehicle-licences.aspx>

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## Section 1 - Purpose and Scope of the Taxi Licensing Policy

### Purpose

- 1.1. The purpose of licensing drivers, vehicles and operators for public or private hire is for the protection of the public who use this form of public transport. A member of the public stepping into a motor vehicle driven by a stranger must be able to trust that the driver is honest, competent, safe and trustworthy, that the car being used is suitable, safe and well maintained. Passengers should also be confident that the people who take the bookings for those cars are trustworthy and will safeguard confidential information.
- 1.2. This policy will set out how Dorset Council will manage applications, make decisions about who can drive and what vehicles will be licenced, what is expected from those that are licenced and how the Council will deal with complaints. The policy will be used to assist officers, the Licensing Committee and Sub-Committees to make decisions that are fair, clear and consistent. It will also inform the travelling public of what they can expect from a vehicle, driver or operator licensed by Dorset Council.
- 1.3. This policy takes effect from ~~XXXXXX~~

### Formulating the Policy

- 1.4. In creating this policy, and in all matters relating to the licensing of taxis and private hire vehicles Dorset Council will have regard to:
  - The law<sup>1</sup>
  - The Department for Transport Statutory Taxi & Private Hire Vehicle Standards July 2020 (DfT Standards)<sup>2</sup>
  - The Department for Transport Taxi and Private Hire Vehicle Best Practice Guidance March 2020 (DfT Best Practice)<sup>3</sup>
  - Freight Transport Association Hackney Carriage and Private Hire Vehicles National Inspection Standards August 2012 (FTA National Standards)<sup>4</sup>
  - Institute of Licensing Guidance on Determining the Suitability of Applicants April 2018 (IoL - Safe and Suitable)<sup>5</sup>
  - Dorset Council's Plan 2020 to 2024<sup>6</sup> (DC Plan)
- 1.5. The Policing and Crime Act 2017 enabled the Secretary of State for Transport to issue statutory standards in July 2020 which contains several recommendations that the Department for Transport (DfT) expects Councils to incorporate in their taxi licensing policies unless there is a compelling

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<sup>1</sup> [Town Police Clauses Act 1847](#), [Local Government Miscellaneous Provisions Act 1976](#), [Transport Act 1980](#)  
[Equalities Act 2010](#)

<sup>2</sup> [Statutory & Best Practice Guidance for taxi and PHV licensing authorities \(publishing.service.gov.uk\)](#)

<sup>3</sup> [Taxi and Private Hire Vehicle Licensing: Best Practice Guidance \(publishing.service.gov.uk\)](#)

<sup>4</sup> [GetFile.aspx \(logistics.org.uk\)](#)

<sup>5</sup> [Guidance on Suitability Web Version \(16 May 2018\).pdf \(instituteoflicensing.org\)](#)

<sup>6</sup> [Dorset Council's Plan](#)

reason not to. This policy has been prepared incorporating all the recommendations contained within the DfT Standards.

- 1.6. Dorset Council was formed on 1 April 2019 from four District Councils, one Borough Council and the County Council. The policies of the five predecessor District and Borough Councils have been considered and areas of good practice within them is contained within the Dorset Council Tax Licensing Policy.
- 1.7. Several small focus groups consisting of Councillors, the trade, officers and Equality Groups have helped formulate this draft policy and the policy will be put out to public consultation for 12 weeks. All consultation responses will be considered before the final version of the Policy is presented to Full Council for adoption.
- 1.8. Any reference to “Taxi” in this policy includes both Hackney Carriages and Private Hire Vehicles.
- 1.9. This policy will be subject to a full review during 2026 with a view to a revised Policy being implemented at the beginning of 2027. There will also be an annual interim review of the Policy to incorporate any emerging issues that may need to be addressed.

## Consultation

- 1.10. In preparing this policy the council has consulted with and considered the views of a wide range of people and organisations including:
  - Existing licence holders and their representatives
  - Representatives of local business
  - Local residents and their representatives
  - Local Councillors
  - Parish and town councils
  - Local members of parliament
  - Dorset Police
  - Dorset Council – Children’s Services
  - Dorset Council – Adults Services
  - Dorset Council – School Contract Service
  - Dorset Council – Highways
  - Dorset Council - Fleet
  - Adjoining Councils
  - Dorset Disability Forum

## Process for Adoption of the Policy

- 1.11. The draft policy will go through a number of committee meetings for consideration prior to adoption;
  - i. Licensing Committee
  - ii. Consultation
  - iii. Place and Resources Overview Committee
  - iv. Licensing Committee



## Section 2 - General Principles

### Importance of the Taxi Trade

- 2.1. Dorset Council recognises that the taxi trade is a fundamental component of the public transport network, especially in more rural areas of Dorset where it can be the only form of public transport. It is a heavily regulated industry for good reason, but Dorset Council will look to reduce the burden to licence holders where possible but only when the primary aim of the regulation, which is the safety of passengers, is not compromised to any degree.
- 2.2. The Council will hold meetings with the taxi trade at least twice a year and will send out regular newsletters to the taxi trade and to the Councillors sitting on the Licensing Committee.
- 2.3. Dorset Council is committed to providing online application processes across all areas to enable interactions with the Council to be completed at a time and in a place that suits the user. Currently applications for licences can be completed online in most areas already, and it is planned that this will be available across the whole area as soon as practicable.

### Protection of Children

- 2.4. Whilst the safety of everyone who uses licensed vehicles is of paramount importance, there are special concerns around children after well publicised cases of Child Sexual Exploitation (CSE) in other areas of the country. Most licensed drivers have completed a classroom-based form of CSE training. Dorset Council will continue to support specialised training in this area for all new applicants to ensure they are aware of how to identify, and how to report any concerns they have that may indicate child exploitation, including County Lines involvement, Female Genital Mutilation or children being groomed. For any licensed drivers who have not completed any classroom based CSE training this will need to be completed during the term of their next licence. Training will be regularly updated to incorporate any emerging trends. The licensing team will liaise with both the police and Dorset Council's children's service teams to ensure there is a joined-up approach to protecting young people, and we will undertake to advise drivers and operators of any areas of concern that they need to be aware of. As training evolves and becomes available, it may be incorporated into requirements for the renewal of driver's licences. Before any changes to mandatory training are made, all current drivers and all operators who may take on new drivers will be consulted, and enough time will be allowed for any current licence holder to complete the training during their next licence term.

### Adults at Risk

- 2.5. The DfT Standards were brought in to protect adults who are at risk as well as children. Adults at risk are defined in section 42 of the Care Act 2014 and apply to any adult who;
  - a. has needs for care and support (whether or not the Authority is meeting any of those needs),
  - b. is experiencing or is at risk of abuse or neglect and
  - c. As a result of those needs is unable to protect themselves against the abuse or neglect or the risk of it.

Dorset Council and Dorset Police have a joined-up approach to safeguarding and have a Multi-Agency Safeguarding Group which will both pass on and receive information relating to any complaints concerning vulnerable adults and taxis. All complaints that relate to a Vulnerable Adult will be referred to the MASH and there will be a co-ordinated response to any such matters. Taxis are such a vital method of transport for Vulnerable Adults that swift action may be taken if the safety of any Vulnerable Adult is in any way put at risk. It is important that every person travelling in a taxi not only is safe but feels safe as well.

## Equalities

- 2.6. Dorset Council is committed to building strong, healthy communities which will support inclusivity<sup>7</sup>. Addressing equality issues has historically involved keeping lists of Wheelchair Accessible Vehicles (WAVs). However not all people with disabilities use wheelchairs and so in formulating this policy Dorset Council is looking to undertake its duty under the Equalities Act by encouraging training in a diverse range of disabilities, creating a rating system based on the completion of training courses which will be advertised on the Council's web site and introducing an Equality Charter to inform drivers and operators of the standards that are expected of them, and to inform the travelling public of what standard of service they may expect.
- 2.7. It is estimated that around 1 in 5 people have one or more disabilities, many of which will be hidden. Rather than thinking in terms of specific disability this policy seeks to set an expectation that ALL people no matter what challenges they face have the same opportunity to access this form of public transport that is vital to being able to travel about in and out of Dorset. We want to ensure that equality is not a matter of treating everyone the same way, it is a matter of making sure that everyone can use a taxi safely and in comfort and that drivers and operators will take actions to ensure that anyone with a disability of any kind does not feel disadvantaged. This goes beyond allowing anyone using a dog to sit with them in a licensed vehicle to actively assisting elderly passengers with frames or walkers, to treating blind people with extra consideration when they exit a vehicle to ensure they are aware of where they are.
- 2.8. The "Equality Charter" (found at appendix A) will be used as a measure to judge complaints by. Dorset Council commit to robustly enforcing compliance with the Charter and driving out the inequality and the treatment of the disabled as 'second class' citizens and will deal with any reported incidents of either direct or in-direct discrimination by written warning if it is a first complaint or if it is a repeat complaint, by referral directly to a Sub-Committee.
- 2.9. The Council will work with third party providers to create training modules which will be made available that will lead to accreditation and a star rating system. These will be developed to include specific disabilities or types of disabilities and may also expand to training courses in additional areas for example, in suicide awareness. These courses are introduced to improve the quality of service and it will be a prerequisite that anyone signing up for the course may promote their services via their contact details being included in lists that are available to potential passengers.
- 2.10. We will provide a directory of drivers or operators who have passed specific training modules on our web site and make available in a written or other suitable format to anyone who requests it.

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<sup>7</sup> [Strong, healthy communities \(dorsetcouncil.gov.uk\)](http://dorsetcouncil.gov.uk)

## Suitable Vehicles

- 2.11. Dorset Council recognises that action needs to be taken to protect the environment and the Licensing Team will work with the DC Highways Team to ensure a joined-up approach for any policies or strategies based on sustainability, such as the Electric Vehicle Charging Strategy. The Council will encourage the use of electric vehicles, and other Ultra Low Emission Vehicles by exploring the potential for reduced fees for applications for these types of vehicles. Any fees, or any changes to those fees will be subject to a separate consultation.
- 2.12. There are different approaches that can be taken to ensuring that vehicles are suitable to be licensed either by age, mileage or type. The area covered by Dorset Council is varied and the work carried out by licensed vehicles is equally varied. Therefore, the Council will not stipulate what types of vehicles may be licensed but will only licence a vehicle to carry the number of full-sized adult seats.
- 2.13. The work with focus groups suggest that it is the maintenance and upkeep of vehicles that is the most important consideration to assess the suitability of a vehicle rather than assigning an arbitrary age or mileage limit. For that reason, all vehicles will be inspected twice yearly by an approved garage to ensure compliance with the FTA Inspection Standards<sup>8</sup>, or any subsequent National Standard.
- 2.14. Vehicles may also be subject to spot checks by licensing officers, with or without partner agencies, to ensure they comply with the Vehicle Code of Practice found at appendix C.

## Insurance Write Offs

- 2.15. Insurance write offs will not be licensed if they fall in categories A, B or S as these vehicles will have been written off after suffering structural damage. Vehicles written off under class N may be licensed as they will not have been written off for sustaining any structural damage and will have to undergo comprehensive mechanical safety checks<sup>9</sup>.

## Zones

- 2.16. It is the Dorset Council's ambition that all licences should be aligned with the area covered by Dorset Council, in line with the recommendation in the DfT Best Practice<sup>10</sup>. It is recognised that this may cause issues, particularly in the one area where there is a limit on the number of hackney carriages that are licensed. The Unmet Demand Survey carried out in 2020 for Weymouth found that there was no unmet demand in general, although there was some unmet demand for wheelchair accessible vehicles (WAVs). Hackney Carriage owners in Weymouth pay an additional premium over three years to cover the cost of the survey, which is in the region of £12K.
- 2.17. Zoning will be removed from all the Dorset Council Areas where there are currently no limits to the number of vehicles. In the area formerly covered by Weymouth and Portland Borough Council the

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<sup>8</sup> [GetFile.aspx \(logistics.org.uk\)](#)

<sup>9</sup> [What is an insurance write-off? Your Guide to Cat A, B, S \(C\) & N \(D\) | RAC Drive](#)

<sup>10</sup> [Paragraphs 89 – 91 DfT Best Practice](#)

limit of 80 Hackney Carriages will remain in place for a period of three years. The consequence of having a limit is that it enables an authority to refuse any application if it would result in the limit being exceeded. However, because the Survey did find some unmet demand for WAVs, any application for a WAV will not be refused on the basis that the limit would be exceeded.

- 2.18. In addition, to support the climate emergency and to encourage ultra-low emission vehicles (ULEVs) any application for a fully electric hackney carriage will also not be refused on the basis that the limit would be exceeded. This policy will be reviewed in 2023 and affected licence holders will be consulted on any proposals to carry out (and pay for) another survey or to remove the limit of hackney carriages in the Weymouth area instead.
- 2.19. The effect of retaining this zone for Weymouth will mean that for hackney carriages only, those vehicles plated with a Weymouth Plate will be the only vehicles allowed to stand for hire on Weymouth Ranks. Weymouth hackney carriages will only be able to ply for hire within the Weymouth Zone. All other hackney carriages will be able to use ranks in any other area of Dorset, apart from Weymouth.

## Types of Licence

- 2.20. Hackney carriages and private hire vehicles are covered by different Acts of Parliament, with hackney carriages covered by the Town Police Clauses Act 1847 (TPCA47) and the Local Government Miscellaneous Provisions Act 1976 (LGMPA76)<sup>11</sup> and private hire vehicles covered only by the LGMPA76. Both hackney carriages and private hire vehicles can be booked over the phone or via a Booking App, but only hackney carriages can stand for hire on a rank or be hailed in the street.
- 2.21. Dorset Council is committed to cutting unnecessary bureaucracy. The predecessor Councils dealt with licensing drivers in a variety of ways with some of the Councils opting to issue combined driver's licences. As the same standards are applied to test the suitability of driver whether they drive a hackney carriage or a private hire vehicle this seems to be a sensible approach especially as driver's licences typically last for three years and drivers may change the type of vehicle they drive during that three years. Dorset Council will therefore issue all drivers with one combined badge and licences to drive both types of vehicle.

## Decisions

- 2.22. This Policy enables officers to grant and issue licences to drivers, vehicles and operators where the criteria of this Policy are fully met, under delegated authority. Any matters that fall outside of the Policy will be referred to a Sub-Committee of three trained Councillors from the Council's Licensing Committee<sup>12</sup>. All decisions will be taken with reference to the following, and any new version of them;-

- applicable law,
- this policy
- DfT Standards

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<sup>11</sup> [Town Police Clauses Act 1847](#), [Local Government Miscellaneous Provisions Act 1976](#),

<sup>12</sup> [Committee details - Licensing Committee - Dorset Council](#)

- DfT Best Practice Guidance
- NTA National Standards
- IoL - Safe and Suitable

- 2.23. Applicants, drivers, vehicle owners or operators who are referred to a Sub-Committee will be given a copy of the officer's report containing all the information that the Sub-Committee will consider at least five working days prior to the hearing. Applicants or licensed holders will be invited to attend the hearing and give any information they believe is relevant to the Sub-Committee, and they can expect to be asked questions relating to the information contained in the report. Anyone appearing at a Sub-Committee may submit a statement for the Sub-Committee to consider prior to the hearing or at the hearing itself. Applicants and licence holders can bring legal representatives or any other person who will give them support to the hearing. All Sub-Committees will be held in private and will not be open to the public or the press, however decisions that are made may be reported anonymously in a general newsletter. Organising Sub-Committees takes considerable resources and so in the event of an applicant or licence holder not attending a hearing, the Sub-Committee will decide whether to continue in their absence or to adjourn the hearing to another time. If an applicant, driver or operator fails to attend for a second hearing officers will normally recommend that there is no further adjournment and the matter is heard.
- 2.24. There may be circumstances where immediate decisions need to be taken on matters of importance, in which case, they will be taken by the Service Manager or Licensing Team Leader in liaison with the Chair or Vice Chair of the Licensing Committee. This will only occur in cases where there is an immediate threat to the safety of the public and any delay would be of such a high risk that normal processes do not apply, such circumstances could be in cases of potential sexual exploitation or any other matter that in the Team Leader or Service Manager's opinion pose an imminent threat to the safety of the travelling public.

## Fares

- 2.25. Dorset Council must balance the ability of drivers to earn a living with ensuring fair access to this important mode of transport for all. Because there will be no zones, apart from the Weymouth and Portland Zone, there will be one maximum tariff set for all hackney carriages across the whole of the Council area. It is recognised that different areas may suit different tariffs and there is a need to allow an open market so there will only be a maximum limit set over which it will be an offence to charge. Vehicle proprietors are free to set their meters to a level that is equal or less than each element of the maximum allowed.
- 2.26. Vehicle proprietors are encouraged to clearly display the rates that they charge in a manner that can be viewed from the outside of vehicles so that customers are aware what they can expect to be charged.

## Licensed Vehicles should be easily identifiable.

- 2.27. It is imperative for safety reasons that licensed vehicles are easily recognisable as bona fide, licensed vehicles. All vehicles will be required to have plates on the outside rear of the vehicle, that are clearly visible to anyone travelling behind the vehicle, and smaller internal plates displayed in the windscreen of a vehicle, so they are identifiable from the front as they approach customers.

- 2.28. Door stickers will be required for private hire vehicles stating “Pre-Booked Only. These stickers must remain on the private hire vehicle at all times unless, and in exceptional circumstances where they are operating under a plate exemption when they can be removed for the time that the exemption applies.
- 2.29. There may very occasionally be exceptional circumstances where exemptions from the display of private hire vehicle plates will be considered but this will only be in exceptional circumstances, for example where the safety of the passenger(s) being transported in a plated vehicle would be compromised. Any request to obtain an exemption for the display of plates will need to be supported by evidence such as a contract or letter explaining why the passenger’s safety is compromised by the display of a plate. Any vehicle with an exemption certificate will be required to retain their plate in the boot, or other safe place if there is no boot, at all times.

### Advertising.

- 2.30. Previous predecessor Council policies have included restricting third party advertisements on licensed vehicles, however it is the Council’s view that these vehicles form part of the public transport network and other providers are permitted to have advertisements for third parties both inside and outside of vehicles, so taxis should also, within specific parameters.
- 2.31. Advertisements can provide alternative sources of income to taxi proprietors which will be allowed as it means that proprietors do not have to rely solely on fares for their earnings.
- 2.32. This must be balanced with the requirement to ensure that taxis are easily identifiable to any hirer and to ensure the safety and comfort of passengers. Therefore, third party advertisements are permissible, but they must be restricted to areas of the vehicle that do not contain important information such as the name of the operator or any identifying licence plates, signs or numbers.
- 2.33. Any vehicle proprietor should send pictures or diagrams of any proposed advertisements and where they will be placed on the vehicle into the Licensing Team. Officers will only object to their placement if they interfere with the identification of the vehicle or obscure window screens or back windows enough to cause a potential hazard or block the view of passengers.
- 2.34. Any advertisement must comply with the British Code of Advertising Practice issued by and amended from time to time by the Advertising Standards Agency so all advertisements must be legal, decent, honest, and truthful.

### Codes

- 2.35. In addition to the Equality Charter Dorset Council has set out “codes of practice” which all licensed drivers are expected to adhere to, and which will be used when drivers and vehicles are inspected, when complaints are received and investigated and to assist with decision making. There are codes to cover vehicle cleanliness and the appearance and behaviour of drivers to other drivers, other road users, passengers and officers of the Council.

## Complaint Handling

- 2.36. All complaints that are received by Dorset Council will be investigated, but not all will result in any action being taken. Records will be kept of all complaints made and any action taken. Any patterns identified in relation to a company or a particular driver may result in actions such as written warnings or referrals to a Sub-Committee to consider whether the licence holder remains a “fit and proper person” to hold a licence.
- 2.37. If a complaint is found to be justified, that the driver, operator or vehicle owner has not complied with either a condition of licence or a code of practice, they may receive a verbal warning for a first complaint. Should a second complaint be investigated and upheld the licence holder could normally expect to be issued with a written warning. Any further complaints would normally be reported to Committee to consider whether the licence holder remains a “fit and proper person” to hold a licence. However, there may be times when a matter will remain at a verbal warning stage, equally there may be occasions when a matter is so serious it needs to be escalated straight to a Sub-Committee hearing without either a verbal or written warning having been issued.
- 2.38. Any complaints about discrimination, inappropriate sexual behaviour or language involving children will be treated particularly robustly and where there is a credible and immediate threat to a child or other passengers an immediate suspension of a licence will be considered by the Licensing Team Leader or the Service Manager in consultation with the Chair or Vice Chair of the Licensing Committee.

## Inspections

- 2.39. All vehicles will have to comply with scheduled mechanical inspections every six months. Any failure to present a vehicle to a booked appointment may result in the suspension of the vehicle licence, unless there are exceptional circumstances, or the vehicle is re-booked and re-presented at the garage within 14 days.
- 2.40. Vehicle licences may also be suspended if they fail the mechanical inspection if the failure is, in the professional opinion of the mechanic carrying out the inspection, likely to affect the safety or suitability of the vehicle.
- 2.41. Drivers, vehicles and operators may be inspected on an ad hoc basis by officers of the Council. Licence holders will be expected to co-operate with these inspections it is not intended that these inspections will be overburdensome.

## Sharing Information

- 2.42. Dorset Council may share information about drivers, vehicles and operators with the Police, other teams within the Council, HMRC and other Government Departments and other Local Authorities.
- 2.43. Dorset Council will record any revocations or any decisions to refuse to licence on the Local Government National Register of Taxi and Private Hire Licence Revocations and Refusals (NR3)<sup>13</sup>.

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<sup>13</sup> [National Register of Taxi and Private Hire Licence Revocations and Refusals \(NR3\) | Local Government Association](#)

## CCTV and Dash Cams

- 2.44. Dorset Council covers a large and diverse area and there is no evidence available to suggest that the use of CCTV should be made mandatory, suitable evidence would relate to the prevention of crime and to consider a mandatory requirement there would need to be large numbers of complaints or reported incidents of violence towards drivers.
- 2.45. However, the value of CCTV and Dash Cams are recognised as is the footage they capture. Dorset Council encourages any use of cameras that comply with the Data Protection Principles as laid out by the Information Commissioners Office (ICO)<sup>14</sup>. Officers may ask to see the Data Protection Impact Assessment (DPIA) that should be completed before installing any CCTV.
- 2.46. Proprietors should inform the Licensing Team when any cameras are fitted. Where it is installed, officers will expect to receive any data relating to a complaint that is requested and any failure to supply the data will be taken into consideration and may result in a matter being referred to a Sub-Committee.

## Criminal Convictions and Rehabilitation

- 2.44. The Council takes its responsibilities very seriously and welcomes the national guidance on determining the suitability of applicants and licence holders that was produced in April 2018 by the Institute of Licensing in partnership with the Lawyers in Local Government (LLG), National Association of Licensing Enforcement Officers (NALEO) and the Local Government Association (LGA). Dorset Council adopts this guide as its Criminal Conviction Policy, the full version can be found at Appendix G.

## Disclosure and Barring Service Checks (DBS checks)

- 2.45. Previous policies have required that Enhanced Disclosure and Barring Service Checks (DBS checks) will be carried out every three years for drivers, with annual Basic DBS Checks being required for any private hire operator or vehicle proprietor who does not hold a taxi driver's licence. In line with the Statutory Guidance, drivers will now be required to sign up to the update service or have DBS checks completed every six months. Vehicle proprietors and Operators without drivers licences will continue to need a basic check completed when they initially licence and Operators will also be required to evidence they have seen Basic DBS checks for all their booking and dispatch staff. Further details about the DBS checks can be found in paragraphs 3.8 – 3.13 for drivers, 4.16 for vehicle proprietors and 5.2 and 5.7 for operators and their staff.

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<sup>14</sup> [Installing CCTV? Things you need to do first | ICO](#)



## Approved Garages

- 2.46. Inspections will be able to be carried out at any garage that the Council has approved. Only garages authorised to carry out MOTs may apply to be on the list of approved garages, and they will have to sign an agreement to; -
- inspect vehicles to the standard as set out in the FTA National Inspection Standards
  - inspect the exterior and interior of the vehicle for cleanliness and damage,
  - test any meters or signs,
  - send information to the Council electronically, and
  - inform the Licensing Team immediately of any failures.
- 2.47. Contracts for approved garages will be issued annually and will automatically lapse if the garage is no longer authorised by DVSA to carry out MOT Inspections. Any complaints will be investigated, and the Licensing Team may carry out testing of approved garages for quality control purposes to ensure that standards are maintained throughout the term of the contract.

## Section 3 - Drivers

### Introduction

- 3.1. Dorset Council will only grant any driver's licences to an applicant who is over 18, has held a driving licence for at least 12 months and the Council are satisfied is a "fit and proper person" to hold such a licence.

### Fit and Proper

- 3.2. To assist the Council to decide whether a person is fit and proper the following checks will be made-
  - Right to work in the UK
  - UK driving licence
  - Criminal record
  - Medical history
  - Driving ability
  - Ability to speak and understand English
  - Knowledge of the law and this DC Taxi Policy
  - Knowledge of the area
  - Understanding and awareness of CSE
- 3.3. The application form must be completed accurately and honestly as if evidence is found that an applicant or licence holder has provided false information or omitted any relevant information in any application or submission to the Council, the application may be refused or any licence issued as a consequence of the incorrect or omitted information may be revoked.
- 3.4. This policy has been produced following the Statutory Taxi and Private Hire Vehicle Standards produced by the Department of Transport in July 2020. In every consideration of an application Dorset Council will take regard to these standards, the DfT Best Practice Guidance and IoL - Safe and Suitable, and any updated versions, when making any decisions relating to drivers.

### Right to work in the UK

- 3.5. Applicants must provide proof that they have a statutory right to work in the UK and checks will be made with the relevant agencies. Any applicant who has a limited right to work will not be issued a driver licence for a period longer than that limited period. The current list of documents that are acceptable for ID checks is available on the web page<sup>15</sup> as this list may be subject to change in line with any Government requirements.
- 3.6. National insurance numbers will be recorded and shared yearly with the Government as part of the National Fraud Initiative.

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<sup>15</sup> [Taxi web page address](#)

## UK Driving Licence

- 3.7. Applicants must be over 18 years of age and have held a full driving licence issued in the UK for at least 12 months. Drivers holding only foreign driving licences must obtain a GB counterpart document, if it is available, or obtain a Full UK driving licence.

## Criminal Record Check

- 3.8. A criminal record check on a driver is seen as an important safety measure. Dorset Council require an Enhanced Disclosure and a check of the Adults and Children's Barring Lists to be completed by all applicants for driver's licences. The Council is an approved Disclosure and Barring Service registered body; therefore, applicants must deal with the Disclosure and Barring Service through the Council and the required fee incorporated within the application fee.
- 3.9. The Rehabilitation of Offenders Act 1974 does not apply to applicants for drivers' licences and applicants are required to disclose all convictions, including those that would normally be regarded as spent, as well as arrests, charges or cautions on their application form. Applicants with relevant offences, cautions, charges or arrests or who have failed to declare them on their forms will be referred to a Licensing Sub-Committee for consideration.
- 3.10. Dorset Council is bound by rules of confidentiality and will not divulge information obtained to any third parties or keep copies of any completed criminal record checks after a decision has been made. An applicant for a DBS disclosure will be sent a DBS Certificate to their home address. If there is any content disclosed, they will be required to present the original Certificate to the Licensing Team within 14 days. The DBS Certificate will be used to process the application and then returned to the driver after a decision has been made.
- 3.11. Because of the very strict need for confidentiality for an enhanced check this information cannot be shared with any other department within the Council. If an applicant will be undertaking any School Contract work, they will have to complete checks with that department, this is because the coding under which the DBS check is undertaken is different for a general taxi licence and one for working with children or adults.
- 3.12. Applicants who have been resident in another country for more than three consecutive months will be required to provide a certificate of good conduct from each country within which they have resided.
- 3.13. New DBS disclosures will be required every 6 months once a licence is granted, unless the licence holder subscribes to the DBS update service. If the update service is not subscribed to, Dorset Council will require a new check within 2 weeks either side of the 6-month anniversary of the granting of a licence. These checks will be undertaken by Dorset Council and will subject to a fee.

## Driver Knowledge and Suitability Test

- 3.14. A Knowledge and Suitability Test (KaST) will be used to consider the suitability of an applicant for a licence. The content will vary from time to time to reflect any emerging issues. The test will consist of; -
  - a discussion about why the applicant wishes to become a driver and how and where they will be working,
  - a formal question and answer element testing that they have a good understanding of the law covering both types of licence, the Highway Code, the conditions that will be attached

to licences, and anything else contained within this policy including the contents of the appendices,

- a geographical element to ensure that they have a good knowledge of the area that they will be working in,
- an English language element to ensure that the driver can communicate with passengers, and,
- a numerical element to ensure that a driver can give the correct change in cash transactions.

3.15. If a person has previously completed a knowledge test and subsequently surrenders the licence and they decide to apply again, a new test will not be required if they re-apply for a licence within 12 months. If more than 12 months has elapsed since the licence was surrendered, or the licence was refused or revoked a new test will have to be undertaken and passed if a new licence is applied for.

### Child Sex Exploitation Awareness Training

3.16. All new applicants for a driver licence will have to have completed a training course as specified by the Council on spotting and reporting signs of child sexual exploitation (CSE).

3.17. The training programme will cover the key areas of responsibility for licenced drivers with the overall aim of equipping them with the skills and knowledge to spot the signs of CSE and know what to do if they come across anything that may give rise to concerns. The exact nature of the training may change from time to time or if the current provider becomes unavailable.

### Driving Proficiency

3.18. The Driving Standards Agency (DSA) provides a driving test specifically designed for hackney carriage and private hire drivers, if an applicant has passed this test or holds an advanced driving qualification, they will not be required to undertake any further test or assessment.

3.19. If an applicant does not hold an advanced driving qualification, they will be required to undertake, and pass, a driving assessment with an approved instructor at their own expense. A full list of approved instructors can be found on the web site<sup>16</sup>, and may be updated and changed from time to time.

3.20. If a person has previously completed a driving assessment and subsequently surrenders the licence and then they decide to apply again, a new assessment will not be required if they re-apply for a licence within 12 months. If more than 12 months has elapsed since the licence was surrendered, or the licence was refused or revoked a new assessment will have to be undertaken and passed if a new licence is applied for.

### Medical Examination

3.21. Dorset Council requires all applicants to meet the Group 2 Standards of Medical Fitness (as applied by the DVLA to the licensing of lorry and bus drivers) as this is the appropriate standard for licensed hackney carriage and private hire drivers. This is a higher standard of fitness than is required because drivers will be driving for a living and this is the standard that is required for other public transport drivers.

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<sup>16</sup> [List of Approved driving instructors](#)

- 3.22. The medical must be completed using the Council form and must be submitted at the initial application. A fresh medical will be required at every subsequent renewal. All fees for the medical must be met by the applicant. Any medical certificate submitted must be less than one month old.
- 3.23. The medical must be either at the applicant's normal medical practice or by another doctor if, and only if they have access to the applicants full medical record, a summary of that record provided by the applicants doctor or access to an 'App' which holds the medical record. If the medical is carried out by another doctor, we will require applicants to sign a declaration to say they have disclosed all relevant information relating to their health, and the Doctor or health professional completing the form to declare they have had access to the relevant health records.
- 3.24. Licence holders must advise Dorset Council, in writing and within 48 hours, of any deterioration in their health that may affect their driving capabilities.

#### Cost of a licence

- 3.25. The fee for a licence will be made up of two parts, the application fee which covers the Council's costs in considering the application. This fee is payable in all circumstances and must be made at the time of applying. If a licence is granted there will be an additional licence fee which covers the costs of compliance. Applicants may pay both fees at the time of application and if they are unsuccessful the licence fee element will be refunded, or, they may just choose to pay the application fee initially until a decision has been made regarding the licence, however the licence will not be issued until the remainder of the required fee is received.
- 3.26. Payments should be made by card either online or over the phone. Cheques may be accepted but this may cause delays in issuing licences to allow the funds to clear.
- 3.27. All licences issued will be for a "Combined Driver Licence" that will incorporate licences to drive both types of vehicles. This is because the tests for both type of licence are the same and as licences are issued for three years it allows a licence holder who has been considered as safe and suitable to drive both types of vehicle they wish to during the life of the licence. Dorset Council may grant licences for a lesser period if necessary.

#### Procedure for applying for a licence.

- 3.28. Applicants for licences will need to complete all the relevant forms, tests, assessments and training before a decision will be taken as to whether they are 'Fit and Proper persons' to hold a licence.

#### Decisions on Applications

- 3.29. Once the application has been made and all the additional checks and information have been received and if there is no adverse information that is revealed on any of the checks the application will be decided by Licensing Officers under delegated authority.
- 3.30. In any circumstance when information is revealed on checks, or assessments are failed the Council will consider each case on its merits. It will take account of cautions and convictions, whether spent or unspent, but only as far as they are relevant to an application for a licence. If there is content on a DBS or medical form, or when a test has been failed the application will be referred to the Licensing Team Leader or Service Manager in the first instance.
- 3.31. An applicant with a single historical spent conviction or a single motoring offence will be considered by the Licensing Team Leader or the Service Manager with the discretion to refer to a Sub-

Committee if they are not certain whether the revealed conviction poses a threat to the safety of the travelling public.

- 3.32. Any application where more than one relevant offence is revealed or where more than one current motoring conviction exists will be referred to a Sub-Committee for a decision.
- 3.33. Where there is any doubt as to the medical fitness of the applicant or licensed driver, the Council may request more information from the applicant's doctor or may require the applicant or licensed driver to undergo and pay for a further medical examination by a medical professional appointed by the Council.
- 3.34. If there are still concerns about the fitness of any applicant or licensed driver following the first medical or a further medical examination the Licensing Sub-Committee will review the medical evidence and make any final decision considering the medical evidence available.
- 3.35. Licences will normally be granted subject to the model set of conditions; however, these may be supplemented on a case-by-case basis by a Sub-Committee.

### Length of Licence

- 3.36. Drivers' licences will be issued for three years unless an applicant specifically requests a one-year licence. Driver's licences will not be issued for shorter periods or for a probationary period.

### Refusals

- 3.37. Any refusal to issue a licence will be recorded on the Local Government Association National Register (NR3)<sup>17</sup>.

### Licensed Drivers

- 3.38. Dorset Council expect that drivers will continue to be 'Fit and Proper Persons' throughout the time that they are licenced. Licenced drivers are expected to
  - Inform us within 48 hours of any criminal charges, convictions, arrests, or cautions
  - Inform us within 48 hours of any motoring convictions (points, fines or bans)
  - Inform us within 48 hours of any significant changes to their health
  - Comply with the conditions of their licence,
  - Always have their ID badges clearly visible whilst they are working,
  - Comply with the Driver's Code of Practice at appendix B covering conduct, dress and cleanliness.
- 3.39. If a licensed driver fails to inform the Licensing Team within 48 hours of any of the above, that failure will be taken into consideration by officers or Sub-Committees when they are required to make decisions about retaining or renewing their licence(s).

### DBS check every 6 months or update service

- 3.40. The Statutory Guidance states that DBS checks on drivers should be undertaken every six months so if an applicant or licence holder has not signed up to the DBS update service and fails to complete

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<sup>17</sup> [National Register of Taxi and Private Hire Licence Revocations and Refusals \(NR3\) | Local Government Association](#)

a DBS re-check after 6 monthly, then unless there are exceptional circumstance their licence will be suspended on the 7-month date and they will be unable to drive until the check is completed and the certificate returned.

### Conditions of Licence

- 3.41. Drivers' licences will be issued with the model conditions attached, these can be found in Appendix D.
- 3.42. Any breaches of the conditions of a licence can be dealt with by a verbal warning, a written warning or being reported to a Sub-Committee. Usually, a stepped approach would be taken. The action that is deemed by officers to be appropriate will take into account the severity of the breach and any history of previous breaches by the licence holder. If the matter is referred to the Sub-Committee, this will take the form of a hearing when the licence holder will be offered the opportunity to address the Sub-Committee before any decision is made.

### Drivers Badges

- 3.43. Once granted, a badge will be issued which shall remain the property of Dorset Council and must be surrendered if the licences are suspended or revoked by the Council. The badge shall be always displayed on the driver's person when they are acting as a licensed driver. The display may be around the driver's neck, attached to clothing by a clip, displayed on the dashboard in a holder or worn on the arm of the driver.

### Notification of Convictions/Charges/Arrests

- 3.44. Any convictions that are obtained whilst a driver holds a licence will be treated in line with the criminal conviction policy for new drivers. If the taxi team have not been informed of any arrest or charge relating to the conviction this will be considered when considering the offence and may lead to a stronger sanction.
- 3.45. Drivers who are convicted of any criminal or motoring offence or issued with a police caution during the period of their licence must disclose the conviction and the penalty imposed, in writing to the Licensing Team within 48 hours of receiving the caution or conviction. This also applies if drivers are arrested and released.
- 3.46. Each case will be dealt with on its individual merits and in line with the IOL Safe and Suitable which Dorset Council has adopted as it's Criminal Convictions Policy and will normally result in an appearance before a Sub-Committee to decide whether the driver remains a fit and proper person to hold a licence.
- 3.47. Any revocations will be entered on LGA NR3 Register

### Notification of Changes to Health

- 3.48. If a licensed driver has any significant changes to their health relating to any of the health conditions that are contained within the current Group 2 Standards contained in the DVLA "Fitness to Drive"<sup>18</sup> they must inform the Licensing Team within 48 hours. The Council will consider any information in line with the medical criteria for licensing group 2 drivers that is current at the time and if that

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<sup>18</sup> [Fitness to drive](#)

means that the driver is no longer fit to the Group 2 standard their licence will be suspended until they can meet the standard, as evidenced by information from their doctor or specialist, or have a new medical undertaken by a doctor with full knowledge of the medical history.

- 3.49. Failure to advise the Licensing Team of any medical change may be viewed as evidence of dishonesty and be referred to a Licensing Sub-Committee.

### Driver Code of Practice

- 3.50. Anything that serves to enhance the professional image of the hackney carriage and private hire trade and promotes the concept that drivers of licensed vehicles are vocational drivers is to be welcomed. To support this Dorset Council has a Driver Code of Practice, found at Appendix B, this should be read in conjunction with the other statutory and policy requirements set out in this document.
- 3.51. The code sets out the minimum standards Dorset Council considers appropriate in the drivers' licences and includes appearance, behaviour and hygiene.
- 3.52. Any breaches of this code will be treated on its merits and failure to observe the code may lead to a verbal warning, a written warning or a hearing before a Licensing Sub-Committee where consideration will always be given to any history of complaints when the decision as to the course of action that is appropriate in the circumstances.

### Renewal of Licences

- 3.53. Although every effort will be made to remind licence holders in the month preceding their expiry, when their licences are due to be renewed, it remains the responsibility of the licence holder to ensure that applications to renew are made at least five working days before the expiry date. Application forms, appropriate fees, and supporting documentation, must be submitted at the time of application. Applicants for renewals will need to ensure appointments for medicals are made well before the expiry date to ensure they are completed in the month before the expiry date.
- 3.54. At every renewal the Council will need to consider whether a driver remains a fit and proper person. For that reason, at every renewal application an applicant will have to undertake:-
- a fresh DBS check unless they have previously signed up to the DBS update service,
  - a new medical,
  - a check of DVLA licence for validity and points and a check of the history of complaints or any warnings that have been issued will be made.
- 3.55. It may be that drivers who were previously considered to be fit and proper under previous policies will need to have their applications scrutinised under the new policy. In these cases, consideration will be given to the length of time they have held a licence with the Council.
- 3.56. Any refusals to renew a licence will be entered on the LGA NR3 Register.



## Section 4 - Vehicles

### Introduction

- 4.1. Under section 47(2) of the Local Government (Miscellaneous Provisions) Act 1972 a council may require any hackney carriage licensed by them under the Town Police Clauses Act of 1847 to be of such design or appearance or bear such distinguishing marks as shall clearly identify it as a hackney carriage. Vehicle licences will be issued for one year and may be transferred between proprietors on the production of an updated V5 Registration document. Licences are specific to one vehicle and may not lawfully be transferred to a different vehicle.

### Type of Vehicle

- 4.2. Dorset Council do not make any stipulation regarding the design and size, or appearance of the vehicles they will licence as either hackney carriages or private hire vehicles. This is due to the large and varied geographical nature of the Council's area.
- 4.3. Dorset Council has signed a climate emergency motion and will welcome applications for any vehicle that is either hybrid or fully electrically powered. In the Weymouth area where there is a restriction on the number of vehicles licensed as hackney carriages, licences for vehicles that are fully electrically powered will not be refused on the grounds that the limit would be exceeded.
- 4.4. Comfort in the vehicles is important and we will therefore licence a vehicle for the number of seats that an average adult can comfortably fit into. Each seat must meet the following criteria; -
- the distance from the top of the seat cushions to the roof at its lowest point must not be less than 800 millimeters (31.5 inches)
  - each seat must allow at least 400 millimeters (15.8 inches) in width per person.
  - the distance between the rear of the front seats and the squab of the back seat must not be less than 750 millimeters (29.5 inches) to allow enough leg room
- 4.5. The Council will plate the vehicle for the number of adults that can comfortably sit in it and this may be any number between 1 passenger and 8 passengers.
- 4.6. Any vehicle that has previously been licensed for seats that do not meet the seat measurements will have the number of passengers they are licensed for reduced when they are renewed.

### Applications for Vehicle Licences

- 4.7. The suitability and safety of a vehicle will be checked to the same standard whether it is the first time it is licensed or whether it has been licenced before. Applicants will have to complete an application form or complete an online application, submit the current MOT, Insurance Certificate and V5 document and pay the relevant fee. No decision will be made until a mechanical Inspection form has been completed by Dorset Council mechanics and all the documentation has been supplied.
- 4.8. Any changes or renewals to these documents must be sent by post or email to Dorset Council. Officers may also require sight of such documents during the life of the licence to ensure continuous compliance.

## Identification of Licensed Vehicles

- 4.9. The Council does require that there are specific distinguishing marks to ensure that a vehicle can be clearly identified by any person approaching it or using it.
- 4.10. Hackney carriages are required to have; -
- a roof sign that must be capable of being lit,
  - a rear plate displayed on the outside of the vehicle and
  - an internal plate, either on the windscreen in a suitable holder or fixed to the dashboard that is clearly visible from the nearside front of the vehicle
- 4.11. Private hire vehicles be required to have; -
- a door sticker with the words “pre-booked only”
  - a rear plate affixed to the outside of the vehicle
  - an internal plate either on the windscreen in a suitable holder or fixed to the dashboard that is clearly visible from the nearside front of the vehicle
- 4.12. Private hire vehicles will not be permitted to have a roof sign of any description as this could lead a person to believe they were a hackney carriage.

## Mechanical Safety

- 4.13. All vehicles will have to be mechanically sound, safe and comfortable. Before a licence is considered it will have to have a valid MOT if it is to be a hackney carriage and is more than one year old or more than three years old if it is to be a private hire vehicle.
- 4.14. Because licensed vehicles will normally do higher mileages than a domestic use vehicle it will have to be inspected and certified by an approved garage within 2 weeks of an application being submitted and before it is licensed. It will thereafter be inspected by an approved garage at the midway point of the licence, and prior to any renewal of the licence being granted.
- 4.15. All inspections will be carried out to the FTA National Standards<sup>19</sup> or any subsequent National Standards.

## Non-driver Proprietors

- 4.16. Most vehicles will be owned and driven by licensed hackney or private hire drivers, however there is nothing in law to prevent an unlicensed person from applying to hold a vehicle licence. In such circumstances the Council will require the applicant to produce a suitable DBS check to ensure that they are a suitable person to hold such a licence and that public safety is not compromised.

## Renewals of Licenses for Vehicles

- 4.17. All vehicle licences will be issued for one year and the Council will treat a renewal of a vehicle licence in the same way as a new licence and will require the same proof of mechanical soundness, insurance and ownership before a licence will be renewed.

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<sup>19</sup> [GetFile.aspx \(logistics.org.uk\)](#)

- 4.18. Renewal applications must be made before the current licence expires, any late renewals will be treated as new applications and the vehicle must not be driven whilst the application is being processed and until the new plate and/or paper licence is issued.

### Transfers of Licences

- 4.19. Transfers of ownership of vehicles must be notified to the Council within 48 hours. There can be no transfer of licences between vehicles as there is no legislative provision for this.

### Condition of Vehicles

- 4.20. The Council expects all vehicles to be kept clean in good condition throughout their life as a licensed vehicle. It is expected that all vehicles will remain compliant and if there is any fault with the vehicle that would be likely to cause it to fail an inspection it will not be used.
- 4.21. Licensing Officers may carry out periodic ad-hoc inspections of vehicles and the Council has adopted a Vehicle Code of Practice, which can be found at Appendix C to assist both proprietors of vehicles and the Officers to make decisions about vehicle standards at this type of inspection.

### Accidental Damage

- 4.22. From time to time any vehicle can be involved in an accident. Proprietors of vehicles that have been in accidents must inform the Council within 48 hours of any accident that results in damage that needs to be repaired or is significant.
- 4.23. If the repair is for a prolonged period and when a replacement vehicle will be required, the Council may issue a licence for a temporary vehicle. Replacement vehicles need to be of the same standard as any other vehicle and will therefore be subject to the same process as any new vehicle. However, as they will only be required for a brief time the licence will only be subject to the application fee and will only be valid for 1 month. Should the repair take longer than 1 month, but no more than 6 months, temporary licences will be extended free of charge.

### Plate Exemptions

- 4.24. Plate exemptions will only be granted by exception and only if there is a need to remove a plate for matters relating to the safety of the occupant. Exemptions will only be granted if there has been evidence produced that satisfies the Council that there is a real and credible threat to safety of the person(s) travelling.

### CCTV

- 4.25. Dorset Council encourages any use of cameras that complies with the Data Protection Principles as laid out by the Information Commissioners Office (ICO)<sup>20</sup>.
- 4.26. Proprietors should inform the Licensing Team when any cameras are fitted and where it is installed officers may ask to see the Data Protection Impact Assessment (DPIA) that should have been completed before the installation any CCTV and will expect to receive any data relating to any

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<sup>20</sup> [Installing CCTV? Things you need to do first | ICO](#)

complaint. Any failure to supply footage that is requested may result in a verbal or written warning or the matter may be referred to a Sub-Committee.

## Trailers

- 4.27. Trailers are permitted to be used with a licensed vehicle as long as they have been tested by the Council's mechanics and found to be suitable in line with the FTA National Standards<sup>21</sup> or any subsequent National Standards issued by the DfT.

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<sup>21</sup> [GetFile.aspx \(logistics.org.uk\)](#)

## Section 5 - Operators

### Introduction

- 5.1. As with any other licence the overriding concern is the safety of the travelling public. An Operator's Licence is required to allow a person to take bookings for private hire vehicles. All private hire vehicles must be linked to a licensed operator and owners of vehicles should inform the Licensing Team of any changes to the operator they are affiliated with.

### Applications for Operators Licences

- 5.2. Often applicants for private hire operators licences already hold private hire or hackney carriage drivers licences and so have been subject to a number of tests to determine whether they are a fit and proper person, a currently licensed driver who applies to become an operator will not normally be subject to any further DBS checks. If the applicant does not hold a current private hire or hackney carriage licence with Dorset Council, they will be required to produce a basic disclosure certificate from the DBS which will have to be re-checked annually in line with the Statutory Guidance.
- 5.3. Licences will be granted for a period of five years, however they may be suspended if the annual DBS check is not supplied. Applicants may only require a licence for a year and the Council will consider applications for shorter periods on request.
- 5.4. All applicants for operator licences, whether new or renewal, will be asked to produce a copy of their record keeping facilities prior to a licence being issued.

### Record Keeping

- 5.5. By law (section 56 LGMP76) operators must keep records and in line with the Statutory Guidance Dorset Council requires that records are kept of:-
  - Name of the passenger
  - Time of the request
  - Pick up point
  - Destination
  - Name of the driver
  - Licence number of driver
  - Vehicle registration
  - Name of person who took the booking
  - Name of dispatcher of the vehicle
- 5.6. New applicants will be expected to demonstrate their record keeping facilities to the Council before a licence is granted and Licensing Officers will routinely inspect the record keeping of all operators. All records will be kept for a minimum of six months and must be produced within 48 hours of any request for production by an authorised officer.

## Booking and Dispatch Staff

- 5.7. Operators must keep a register of all their booking staff and all booking staff will be required to have an annual basic disclosure check (DBS).

## Use of a Passenger Carrying Vehicle driver or Vehicle to fulfil a booking

- 5.8. The Statutory Guidance clearly states that private hire bookings should not be undertaken by PCV vehicles and drivers as they are not subject to the same level of checks as private hire drivers, any operator found to be using a vehicle that is not a licensed private hire vehicle or a hackney carriage may receive a verbal or written warning or may be referred to a Sub-Committee for consideration of their continuing suitability to hold a licence.

## Renewal of Operators Licences

- 5.9. Only a current licence can be renewed so it is imperative that any application to renew a licence is received before the existing licence expires. Any applications received after the expiry date of the previous licence will be treated as a new application and the operator will have to cease operating until such time as the new licence is granted. Renewal notices may be sent out as a courtesy, but it is the responsibility of the licence holder to ensure they renew on time.

## Complaints against drivers

- 5.10. Operators are expected to keep a written or computerised record of all complaints in a format that can be produced and shown to a visiting authorised officer on demand, or in a format that can be easily read if the request is by letter or email. We expect operators to report any serious complaints, any complaints that relate to inappropriate behaviour, or any complaints that lead to disciplinary measures. Complaints falling into these categories must be reported to the Licensing Team within 48 hours. All dismissals or any driver leaving their operation should also be reported within 48 hours.

## Section 6 - Appendices

### Appendix A - Equality Charter

#### Introduction

This charter has been drafted as a result of stakeholder engagement received when the new Taxi Policy was being developed. We were told that there were still instances, sadly too frequently, of people being refused travel, for example if they had guide dogs or walking aides, this is clearly unacceptable and feedback was that it made those affected feel like “second class citizens”.

This charter will set out the behaviours relating to equality issues that people using taxis in Dorset can expect to see. Any instances where this behaviour is not exhibited by a hackney carriage or private hire driver, or operator will be taken very seriously, and Dorset Council may take any driver falling short of this charter to Committee to consider whether they are a “fit and proper” person to continue to hold a licence.

#### Equality

Equality is not about treating everyone the same – it is about giving everyone the same opportunity to use the taxi service. This means that some people will need more assistance in booking a vehicle, getting into a vehicle and alighting from a vehicle.

Dorset Council will take a three-staged approach to tackling inequality issues in taxis: -

1. Creating a Charter to set out expectations.
2. Working with providers to build a suite of training modules.
3. Developing a small accessibility toolkit to assist people travel comfortably.

This Charter will fulfil the first stage.

#### Expectations

Simply that anyone who needs some extra help or attention will receive it.

#### Guide and Assistance Dogs

Drivers must take all guide dogs unless they have a medical exemption certificate. There are currently zero exemptions issued in Dorset so no one should be refused because they need their dog to accompany them. This is the same for any “assistance dog”. All customers should be able to decide how and where their dog travels with them and which location within the vehicle is better for them.

#### Curtesy

Every customer should be treated with curtesy and according to their needs, so service providers will be expected to ask them what they need and; -

- a. If passengers take longer to get into or out of a taxi, they must be given this time.
- b. If passengers are struggling with steps or bags help should be offered.
- c. Walkers and sticks should be accommodated and placed where the customer needs them.

## Appendix B – Driver’s Code of Practice

The Council recognises the valuable service provided by licensed drivers and operators. The following Code of Conduct will be used as a reference when any complaints are received that relate to the conduct of a licensed driver or operator. A driver or operator will always be given an opportunity to respond to any complaint before officers make a decision as to whether a warning is warranted. Serious substantiated reports may result in a hearing before a Licensing Sub-Committee. The Sub-Committee will consider the severity of the misconduct, this code, any previous appearances before them and any other information put to them.

### Customer Care

Passengers are entitled to expect a vehicle that is odour free and clean inside and out. This includes the boot or any luggage space.

A vehicle should be kept free of any rubbish.

The driver should always drive in an appropriate manner for their passengers, taking special care if they are vulnerable, old, young, nervous or disabled.

In the event of a pre-booked vehicle being unable to fulfil a booking the driver or operator will be expected to let the customer know as soon as possible to allow for alternative arrangements to be made.

Treating people with courtesy and having a sympathetic manner is very important - especially when dealing with complaints from customers. Drivers and operators are always expected to remain polite and well-mannered towards customers.

### Nuisance

Drivers should do their best not to cause a nuisance to their passengers, other drivers or other members of the public. This can include, but is not limited to, sounding a horn to attract a passengers attention, this may annoy others especially if it is early in the morning or repeated every day.

Radios should only be played with the consent of the hirer and should not cause a nuisance to anyone either inside or outside of the vehicle.

Leaving car engines running can cause fumes and noise nuisance, particularly in the middle of a town at quiet times, or if several cars are sitting at the same place at the same time.

If parking a licensed vehicle when it is not in use due consideration should be given to the potential impact on neighbours. Care should be given not to annoy neighbours by blocking other cars in or obstructing the road or driveways.



## Inappropriate behaviour

The following behaviours are unacceptable;

- Rude gestures or aggressive or threatening behaviour to other drivers or members of the public,
- Road rage,
- Rude or offensive notes on windows of premises or vehicles,
- Swearing at other drivers or members of the public.

## Inappropriate behaviour towards other licensed drivers

It is important that drivers have respect for each other and treat other members of their profession fairly. Complaints of cutting up or blocking other licensed drivers on the rank in order to secure a better position at the rank will be deemed to be inappropriate as will appropriating other drivers pre-booked fares.

## Disregarding requests from an Officer of the Council

Disregarding repeated reminders for things like incorrect plate display or producing an insurance certificate could lead to the licence holder being required to attend the Licensing Sub-Committee.

## Mobile Phones

Whilst Officers are unable to prosecute drivers for using handheld mobile phones or other devices Dorset Council consider this unacceptable behaviour as it may put the safety of the travelling public at risk. Any sightings by officers or substantiated complaints will be put before a Sub-Committee and or reported to the Police.

## Money

If a customer asks for a receipt, drivers are expected to be able to comply with their request.

While the law is quite clear on these points a driver or operator should make sure their passenger knows whether the fare is an agreed fare or will be run on the meter before the journey starts and preferably at the time of booking. Drivers should give a specific figure and not give an estimate as this can lead to disputes and complaints.

## Dress

It is not for the Council to tell drivers what to wear, however as Dorset Council licensed drivers a certain level of appearance and hygiene is expected. The wearing of offensive t-shirts, revealing clothing or dirty clothes may offend passengers and should be avoided.

The same goes for tattoos, if there is any possibility that a tattoo could cause offence or upset to any customer it should be covered up.

Should complaints be received a common-sense approach will be taken by Officers and the Sub-Committee as to whether a reasonable person is likely to be offended.

## Personal Hygiene

Drivers should maintain high standards of personal hygiene

## Appendix C - Vehicle Code of Practice

The vehicle should be maintained to a high standard, with vehicles cleaned and valeted on a frequent basis, especially during times of bad weather.

### Exteriors

Vehicles should be clean and free of damage. Cleanliness will be judged on the amount of dried mud on the vehicle, any finger marks on the boot opening, whether the plate and registration number are clearly visible.

The door handles must be fully operational and clean to the touch.

Vehicles should be free from damage, and repairs should be professional and properly finished. This will be judged by the number of scratches and dents that are clearly visible to any passenger about to enter the vehicle.

All lights should be functioning.

All tyres must comply with the legal limits.

### Interiors

Vehicle seats should be clean with no stains. Floor and ceiling coverings must be clean and have no stains.

All seat belts should be working and not damaged.

All door and window controls must be operational.

A good proportion of the boot or luggage space should be clean and available for passenger mobility aids, luggage or any other bags.

Child Seats - The law allows a child in a taxi to be carried on a lap without the need for a child seat or belt in the back seat. Over 3's should be in the back with a seat belt.

## Appendix D - Driver Licence Conditions

These conditions of licence are made pursuant to Section 51(2) of the Local Government (Miscellaneous Provisions) Act 1976.

### Driver Badge

The driver must at all times, when driving a licensed vehicle for hire or reward, wear the driver's badge issued by the Council on a prominent visible place on the outer clothing.

The driver's badge remains the property of the Council. Upon expiry of the licence and badge (whether application to renew has been made or not) the badge must be returned to the Council within 7 days of expiry or other such time as the Council may specify.

The badge must be returned to the Council immediately should the licence be suspended, revoked or becomes invalid for any reason (e.g. on expiry).

### Conduct of Driver

The driver must behave in a civil and orderly manner and comply with all reasonable requirements of any person hiring or being conveyed in the vehicle.

The driver must afford all reasonable assistance with passenger luggage as may be required.

At the conclusion of the journey the driver must similarly offer all reasonable assistance to passengers leaving the vehicle and assist them with luggage or any disability aids or wheelchair.

Particular care must be taken with unaccompanied children and vulnerable adults. Drivers must remain alert safeguarding matters related to children and vulnerable adults. Drivers should ensure that children and vulnerable adults leave the vehicle directly onto the kerb and immediately outside their destination (if it is safe and legal to do so).

The driver must take all reasonable steps to ensure the safety of passengers entering or conveyed in or alighting from the vehicle, especially those passengers with a disability – see below.

The driver must not smoke tobacco or like substance in the vehicle at any time as detailed by the Health Act 2006. Drivers should also refrain from vaping or other similar activities in licensed vehicles.

The driver must not, without the express consent of the hirer, drink or eat in the vehicle (water may be drunk) or play any radio or sound reproducing instrument or equipment in the vehicle other than for the sending or receiving messages in connection with the operation of the vehicle.

### Standard of Vehicle

The driver must at all times when driving a licensed vehicle ensure that such vehicle is maintained in a roadworthy and clean condition.

The driver of a licensed vehicle must ensure that none of the markings / signs / notices that are required to be displayed on the vehicle become concealed from public view or be so damaged or defaced that any figure or material particular is rendered illegible.

The driver of a private hire vehicle must be in attendance at an appointed time and place punctually unless delayed or prevented by sufficient cause.

Drivers must undertake an inspection of any vehicle that they are driving whilst working as a private hire / Hackney Carriage driver. This inspection must be undertaken at least daily and before the first carriage of fare paying passengers in the vehicle whilst it is being driven by the licence holder. The checks to be carried out by the driver must include all vehicle maintenance items listed in the annex to the Highway Code entitled 'vehicle maintenance, safety and security'.

The driver must ensure that in cases where the vehicle has been fitted with a CCTV system, it is operational at all times that the vehicle is being used as a licensed vehicle (i.e. for the carriage of fare paying passengers). The system does not need to be operational during other times (for example when being used for domestic purposes). Video recording must be active at all times. The driver must not tamper or otherwise interfere with the system or the footage that is contained within it (nor must the driver allow the system to be tampered or interfered with by any person that does not have the council's express authority to do so), except as would be expected in order to operate the system in accordance with the manufacturer's directions.

#### Fares and Farecards

Drivers of hackney carriages must ensure that the fare card is displayed in a clearly accessible place.

Drivers of private hire vehicles must ensure that a notice is visibly displayed for the benefit of passengers to the effect that in the absence of a published fare scale, the fare should be agreed between passenger(s) and driver before commencement of the journey.

When a fare scale is used in a private hire vehicle, the driver must ensure that the fare scale is displayed and must give an accurate reflection of the charge, including any specific additions (i.e. Bank Holiday and after midnight loading) the customer may be expected to pay.

The driver must not, if driving a licensed vehicle fitted with a taximeter, or other approved device, cause the fare recorded thereon to be cancelled or concealed until the hirer has had the opportunity of examining it and has paid the fare.

The driver must not demand from any hirer of a private hire vehicle a fare in excess of any previously agreed for that hiring between the hirer and the operator or if the vehicle is fitted with a taximeter and there has been no previous agreement as to the fare, the fare shown on the face of the taximeter.

The driver must, if requested by the hirer, provide a receipt for the fare paid, such receipt to bear the name and address of the proprietor of the vehicle together with the badge number of the driver.

#### Passengers

The licence holder must not cause or suffer or permit to be conveyed in a licensed vehicle a greater number of persons exclusive of the driver than the number of persons specified in the licence.

The driver must ensure that seat belt legislation is complied with in respect of all children conveyed in the vehicle.

The driver must not, without the consent of the hirer of the vehicle, convey or permit to be conveyed any other person in that vehicle.

The driver must provide all reasonable assistance to passengers and especially those with a disability.

All drivers must comply with the requirements of The Equality Act 2010 duty to assist passengers in Wheelchairs Section 36 of the Disability Discrimination Act 1995 places a duty on the driver of a designated<sup>1</sup> wheelchair accessible Hackney Carriages and Private Hire vehicles to:

- Carry the passenger while in the wheelchair;
- Not to make any additional charge for doing so;
- If the passenger chooses to sit in a passenger seat to carry the wheelchair;
- To take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort; and
- To give the passenger such mobility assistance as is reasonably required.

#### Duty to carry guide dogs and assistance dogs

The driver must not fail or refuse to carry out a booking by or on behalf of a person with disabilities who is accompanied by an 'assistance dog' unless the driver has a Medical Exemption granted by the Licensing Authority and is displaying the Exemption Certificate in the approved manner or in the vehicle. Any animal belonging to or in the custody of any passenger should remain with that passenger and be conveyed in the front or rear of the vehicle. Drivers are advised to have a blanket / towel which is kept in the boot of the licensed vehicle to be used where they may have concerns about excess dog hair being left in the vehicle.

#### Found Property

The driver must, following the setting down of passengers, ascertain if any property belonging to the hirer(s) has been left in the vehicle and if not immediately able to return any such property. Must at the earliest opportunity deliver the item to the Customer Services centres for Dorset Council, unless an alternative arrangement has been made with the owner of the property.

#### Medical Condition(s)

The licence holder must notify the Council in writing within 48 hours of any change in medical condition.

#### Convictions, Cautions and Arrests

The licence holder must notify the Council in writing within 48 hours<sup>2</sup>, providing full details of any conviction, binding over, caution, warning, reprimand or arrest for any matter (whether or not charged) imposed on them during the period of the licence.

#### Disclosure and Barring Service Online Update Service

All licence holders must subscribe to the Disclosure and Barring Service Online Update Service. Any costs associated with maintaining this subscription must be met by the licence holder.

The licence holder must give permission for the council to undertake checks of their DBS status should the council consider it necessary to do so. The council will use the update service to monitor the criminal record of licence holders.

#### Change of Operator

The licence holder must notify the Council in writing of any change of operator through whom they work.

#### Change of Address and Email Address

The licence holder must notify the Council in writing/email within 2 working days of any change of their home address or email address taking place during the period of the licence, whether permanent or temporary.

#### Customer and Other Personal Information

Drivers must ensure that any personal information obtained during the course of their business is stored securely, and only retained for as long as is absolutely necessary. Access to this information must be restricted to those that will use it for the purpose for which it has been collected. Personal information must not be used for any other purpose other than that for which it was collected without the express permission of the individual to which the information relates. For example, telephone numbers provided by customers so that they can be alerted / updated by SMS text message with regard to a booking they have made must only be used for this purpose. The information must not be retained by the driver after the text message has been sent, and / or used for any other purpose (such as unsolicited marketing calls).

#### Duty to Cooperate on Regulatory Matters

Licensed drivers must co-operate with authorised officers of the council in all matters relating to the regulation of the licensed vehicle trade. However nothing in this condition affects the licence holders statutory protection afforded by other legislation.

#### Appearance of Driver

If a licensed driver alters their appearance significantly (for example by growing / removing a beard or moustache, changing hair colour etc), they must request a replacement ID badge from the council at the earliest opportunity and supply them with a up to date photograph that is an accurate portrayal of their current appearance.

#### Accidents

If at any time the vehicle is involved in an accident, however minor, the driver must inform the Council of this fact as soon as possible and in any event within 48 hours (by telephone or email).

## Appendix E - Vehicle Licence Conditions

These conditions of licence are made pursuant to of the Local Government (Miscellaneous Provisions) Act 1976 the Town and Police Clauses Act 1847.

The licence holder must observe and carry out the requirements of the Local Government (Miscellaneous Provisions) Act 1976, Part II, and any orders or regulations made thereunder.

### Internal and External Licence Plates to be Displayed

The External Plate relating to that Licensed Vehicle shall be fixed to and displayed on the outside body of the Licensed Vehicle. The External Plate must be unobstructed and its contents should be legible from a distance of at least five (5) metres.

The Internal Plate relating to that Licensed Vehicle shall be fixed to and displayed on the left hand internal side of the windscreen of the Licensed Hackney Vehicle in such a position and manner so that there is nothing that covers its surface that would impair its legibility. The Internal Plate must be clearly visible to a person sitting in any rear seat of the Licensed Vehicle and seeking to view the Internal Plate looking either between the front seats or over the top of the passenger side front seat.

### Luggage

A roof rack may only be used when excess luggage is to be carried and any luggage so carried shall be safely secured and shall not exceed such weight or size that as can safely be carried on the vehicle.

Before any trailer is used with a licensed vehicle it will have been inspected at one of the Councils approved garages and an inspection form complying with Appendix A of the FTA will have been sent to the Council.

### Roof Signs

Licensed Hackney Carriages shall always be fitted with a roof sign indicating that it is a taxi. The roof sign should be on and/or above the roof of the Licensed Hackney Vehicle and will display the word "TAXI" to the front of the vehicle. In addition to the word "TAXI" the front of a Taxi Sign may only display a company name.

At all times that the Licensed Hackney Carriage is available for hire the roof sign will always be illuminated with an internal light source so that it is clearly visible to a person standing no less than five (5) metres from the vehicle.

Private Hire Vehicles must not display any type of roof sign.

### Other Signs and Notices, including Advertisements

Any third-party advertisements must be restricted to areas of the vehicle that do not contain important information such as the name of the operator or any identifying licence plates, signs or numbers.

Before any third-party advertisement is displayed on Licensed pictures or diagrams of the proposed advertisements and where they will be placed on the vehicle must be submitted to the Council

Any advertisement must not be placed in a position where it would interfere with the identification of the vehicle or obscure window screens or back windows enough to cause a potential hazard or block the view of passengers.

Any advertisement must comply with the British Code of Advertising Practice issued by and amended from time to time by the Advertising Standards Agency so all advertisements must be legal, decent, honest, and truthful.

### Additional Equipment

Any Lifting or Pulling Equipment fitted to a licensed vehicle will not be used unless it has been examined in accordance with all legislative requirements relating to that Lifting or Pulling Equipment and is without any defect.

### Tyres

A spare wheel tyre appropriate for the vehicle must be carried when the vehicle is being used for hire and reward.

All tyres fitted to the vehicle or carried as a spare must comply with the Motor Vehicles (Construction and Use) Regulations 1986 and Motor Vehicle (Tests) Regulations 1981.

Re-cut and Re-moulded Tyres Re-cut tyres are not acceptable for M1 passenger vehicles and re-mould tyres shall only be acceptable if they carry a recognised approval marking (currently BSAU144e) and display the following information clearly displayed on each tyre:

- Nominal size;
- Construction type (e.g. radial ply);
- Load capacity; and
- Speed capability Space Saver Tyres.

The carrying and use of Space saver tyres and tyre sealant kits will only be approved with the support of a method statement. The method statement will detail the drivers and vehicle owners responsibility with regard to the maximum permitted speed and restrictions of use and highlight that they are ONLY a temporary measure to complete the journey in which the puncture occurred.

An approved repair to BS AU159 or a replacement tyre must be undertaken before any further fares are carried. Run flat tyres fitted to any vehicle by the manufacturer will not be replaced by any other type or make either individually or all of them. The use of these tyres must be supported by a method statement (such as the manufacturers handbook for the vehicle) specifying the capability and restrictions of use following a puncture. In all cases the Tyre Pressure Monitoring System (TPMS) must be working correctly



and if required, be reset when a tyre(s) are renewed or replaced. Worn or damaged run flat tyres must be replaced by the same make and size.

#### No smoking

The Health Act 2006 came in to force on 1 July 2007 and from that date it required all enclosed public and work places to be smoke free. This also includes vehicles used for public transport. The legislation covers all hackney carriages and private hire vehicles. Any commercial vehicle carrying members of the public will be required to be smoke free at all times (even when no passengers are being carried).

The legislation requires a manager to ensure all commercial vehicles used to transport members of the public are smoke free. A no smoking sign must be displayed in the vehicle. Electronic cigarettes must not be used/smoked in hackney and private hire vehicles at any time.

#### Valid Insurance

A Licensed Hackney Vehicle shall at all times that it is being used as a Hackney Carriage have as a minimum third-party insurance that complies with the requirements of Part VI of the Road Traffic Act 1988, or any other relevant legislation that imposes insurance requirements for motor vehicles.

#### Alterations

No alterations or modifications shall be made to a Licensed Hackney Vehicle without the prior written consent of the Council.

#### Inspections

Licensed vehicles will be inspected at an approved garage on the six-monthly anniversary of the date of the grant of the licence. Inspections can be arranged two weeks either side of this date.

#### Updating details

The licence holder must notify the Council in writing/email within 48 hours of any change of his/her address taking place during the period of the licence, whether permanent or temporary.

The licence holder must notify the Council in writing/email within 48 hours of any change of his/her contact numbers and/or email address taking place during the period of the licence, whether permanent or temporary \* The 5 working days excludes a Saturday or a Sunday, Christmas Eve, Christmas Day, Good Friday, Bank Holidays or any other day on which the Licensing Office is closed.

#### Reporting of accidents

The licence holder must report any accident or damage to the vehicle within 1 day of the incident and provide full details

## Appendix F - Operator Licence Conditions

These conditions of licence are made pursuant to of the Local Government (Miscellaneous Provisions) Act 1976 the Town and Police Clauses Act 1847.

All operators must comply with the requirements of The Equality Act 2010.

### Record Keeping

Operators will keep records in a suitable book, the pages of which are numbered consecutively, a computer record or other durable recording format of: -

- a) Booking Records
- b) Driver Records
- c) Vehicle Records
- d) Booking and dispatch staff Register
- e) Complaints Records

All records must be kept in a format that can be inspected by an authorised officer or produced to an authorised officer following receipt of a written request for those records. All records must be kept for a minimum of six months.

The Booking Records will include particulars of every booking of a private hire vehicle invited or accepted by him and must include: -

- a) The time and date of the booking
- b) The name of the hirer or passenger
- c) The time of the pick-up
- d) The point of pick-up
- e) The destination
- f) The licence number of the vehicle allocated for the booking
- g) The name of the driver allocated for the booking
- h) The name of any individual who took the bookings (where applicable)
- i) The name of any individual that dispatched the vehicle (where applicable)
- j) Details of any sub-contract.

When the Operator passes the hiring to another company the record shall include the name, address, and Council with which that Operator is licensed. The records must be kept in a format that can be inspected by an authorised officer or produced to an authorised officer following receipt of a written request for those records.

The Driver Records will include a record of the following particulars of all licensed drivers:

- a) The full names of the driver
- b) The permanent address of the driver
- c) The driver's date of birth
- d) The driver's licence (badge) number
- e) The start and expiry dates of the driver's licence issued by the Council
- f) The dates the driver's engagement/employment was commenced and terminated.

All records must be kept in a format that can be inspected by an authorised officer or produced to an authorised officer following receipt of a written request for those records. All records must be kept for a minimum of six months.

The Vehicle Records will contain details of all the vehicles operated and will include; -

- a) The registration number of the vehicle

- b) The number of the identification plate provided by the Council pursuant to s.48(5) of the 1976 Act
- c) The make and model of the vehicle
- d) The name and address of the proprietor(s) of the vehicle
- e) The number of passengers permitted to be carried in the vehicle, as shown on the licence
- f) The start and expiry dates of the vehicle's licence issued by the Council
- g) The date on which the vehicle was added to the operator's fleet
- h) The date on which the vehicle was withdrawn from the operator's fleet.

All records must be kept in a format that can be inspected by an authorised officer or produced to an authorised officer following receipt of a written request for those records. All records must be kept for a minimum of six months.

The Booking and Dispatch Staff Register will record details of all employee who take booking and dispatch vehicles. The Register will include the date that the operator had sight of a Basic DBS check, which must have been completed before any period of employment is started.

The Operator must have a written policy outlining how they will treat any disclosure of information that is revealed on a DBS Certificate.

The operator shall ensure all staff who take bookings and dispatch vehicles have been provided with suitable training in the awareness of and reporting of safeguarding concerns which includes human trafficking, county lines and child sexual exploitation. The operator will keep records for all staff who have received training.

The Complaints Records should contain:

- a) The date of the Complaint
- b) The name and contact details of the complainant
- c) The details of the journey
- d) The details of the complaint
- e) The action taken by the operator in response to the complaint.
- f) The operator shall notify the Council in writing, preferably email, within 48 hours, of any complaints that are either a safeguarding issue or are of a serious nature. Safeguarding issues would be anything that related to a child or a vulnerable adult. Operators should also report any drivers who receive multiple complaints.

All records must be kept in a format that can be inspected by an authorised officer or produced to an authorised officer following receipt of a written request for those records. All records must be kept for a minimum of six months.

#### Standard of Service

The operator shall provide a prompt, efficient and reliable service to members of the public at all reasonable times and for this purpose shall in particular: -

- a) Ensure that when a private hire vehicle has been hired to attend at the appointed time and place, the vehicle shall, unless delayed or prevented by sufficient cause, punctually attend at that appointed time and place;
- b) Keep clean, heated, ventilated, and lit any premises which the operator provides and to which the public have access, whether for the purpose of booking or waiting;
- c) Ensure that any waiting area provided by the operator has adequate seating facilities;
- d) Ensure that any telephone facilities and radio equipment provided are maintained in a sound condition and that any defects are repaired promptly.

- e) Ensure that all vehicles dispatched by them are always maintained in a safe and roadworthy condition.
- f) Publish a complaint handling procedure, detailing how members of the public may make complaints to the Operator, in respect of any aspect of the service provided, and investigate any complaints received in a timely manner, making details of such complaints and investigations available to authorised Council.

#### Updating Details

**Change of Operator's Home Address** The operator shall notify the Council in writing of any change of his/her home address during the period of the licence within seven days of such change taking place.

If an operator wishes to change the base from which they operate they will be required to submit a new application. (Note: all operators' business premises must be within the Dorset Council Boundary).

The operator shall within seven days disclose to the Council in writing details of any conviction or caution imposed on them (or, if the operator is a Company, of any its directors) during the period of the licence.

#### Public Liability Insurance

Operators shall always have a current valid policy of public liability insurance for any premises they are licensed to operate from if those premises are open to the public.

If the premises are open to the public the Certificate of Insurance must be displayed.

## Appendix G – Criminal Conviction Policy

The Full Policy that has been adopted can be found online at [guidance-on-suitability](#)

### *Foreword*

The function of licensing is the protection of the public. A member of the public stepping into a motor vehicle driven by a stranger must be able to trust the driver. Are they honest? Are they competent? Are they safe? Are they trustworthy? When we transact with others, we usually have time and opportunity to make such assessments. When we transact with taxi drivers, we don't. Therefore, we must, and do, rely on the licence as the warranty of the driver's safety and suitability for the task at hand.

It follows that a licensing authority has an onerous responsibility. In making decisions regarding grant and renewal of licences it is, in effect, holding out the licensee as someone who can be trusted to convey the passenger from A to B in safety. That passenger may be you, or your elderly mother, or your teenage daughter, or a person who has had too much to drink, or who is vulnerable for a whole host of other reasons.

Everybody working in this field should acquaint themselves with the facts of the Rotherham case, which stands as a stark testament to what can happen when licensing performs its safeguarding role inadequately. But the extremity of that appalling story should not distract us from the job of protecting the public from more mundane incompetence, carelessness or dishonesty. The standards of safety and suitability do not have to be set as a base minimum. To the contrary, they may be set high, to give the public the assurance it requires when using a taxi service. It is good to know that one's driver is not a felon. It is better to know that he or she is a dedicated professional.

Crucially, this is not a field in which the licensing authority has to strike a fair balance between the driver's right to work and the public's right to protection. The public are entitled to be protected, full stop. That means that the licensing authority is entitled and bound to treat the safety of the public as the paramount consideration. It is, after all, the point of the exercise.

Therefore, this guidance is to be welcomed. It rightly emphasises that any circumstance relating to the licensee is potentially relevant, provided of course that it is relevant to their safety and suitability to hold a licence. It provides useful and authoritative guidelines to licensing authorities as to how they ought to approach their important task of making determinations about the safety and suitability of drivers and operators.

While, of course, licensing is a local function, it seems absurd that precisely the same conduct might result in a short period without a licence in one district, and a much longer period in a neighbouring district. If a driver is suitable in district A, they are surely suitable in district B, and vice versa. If, as is hoped, this guidance becomes widely adopted, this will result in a degree of national uniformity, which serves the public interest in consistency, certainty and confidence in the system of licensing. Adherence to the guidance may also provide protection to licensing authorities on appeal.

The guidance is therefore commended to licensing authorities. It is hoped that, in due course, it will sit at the elbow of every councillor and officer working in taxi licensing.

Philip Kolvin QC, Cornerstone Barristers

April 2018

## Chapter 1 - Introduction

- 1.1 This guidance has been produced by the Institute of Licensing working in partnership with the Local Government Association (LGA), Lawyers in Local Government (LLG) and the National Association of Licensing and Enforcement Officers (NALEO), following widespread consultation. We are grateful to all three organisations for their contributions. This guidance is formally endorsed by all of those organisations.
- 1.2 The overriding aim of any Licensing Authority when carrying out its functions relating to the licensing of Hackney or Private Hire Drivers, Vehicle Proprietors and Operators, must be the protection of the public and others who use (or can be affected by) Hackney Carriage and Private Hire services.
- 1.3 The relevant legislation provides that any person must satisfy the authority that they are a fit and proper person to hold a licence and that is a test to be applied after any applicant has gained any reasonably required qualifications<sup>1</sup>. It is the final part of the process of an application when the decision is made, whether by a committee, sub-committee or an officer under a Scheme of Delegation. It involves a detailed examination of their entire character in order to make a judgment as to their fitness and propriety.
- 1.4 If a licence holder falls short of the fit and proper standard at any time, the licence should be revoked or not renewed on application to do so.
- 1.5 There is no recent Statutory or Ministerial guidance as to how such decisions should be approached or what matters are relevant or material to a decision. This guidance complements the LGA's Taxi and Private Hire Licensing Councillor's Handbook and any forthcoming Government guidance. Local authorities should also be aware of the forthcoming National Anti Fraud Network database on refusals and revocations of hackney carriage and private hire licences.
- 1.6 This document is intended to provide guidance on determining suitability, taking into account the character of the applicant or licensee. It can then be used by local authorities as a basis for their own policies: in particular it considers how regard should be had to the antecedent history of the applicant or licence holder and its relevance to their 'fitness and propriety' or 'character'. As with any guidance it need not be slavishly followed but it provides a starting or reference point from which decisions can be made taking into account the particular merits of each case.
- 1.7 A licensing authority policy can take a 'bright line approach' and say "never" in a policy, but it remains a policy, and as such does not amount to any fetter on the discretion of the

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<sup>1</sup> Except vehicle proprietors. In those cases there is no "fit and proper" requirement, but the authority has an absolute discretion over granting a licence.

authority. Each case will always be considered on its merits having regard to the policy, and the licensing authority can depart from the policy where it considers it appropriate to do so. This will normally happen where the licensing authority considers that there are exceptional circumstances which warrant a different decision. This approach was endorsed by the High Court in *R (on the application of Nicholds) v Security Industry Authority*<sup>2</sup>.

- 1.8 In Chapter 2 this Guidance explores the current thinking behind an individual's tendencies to reoffend. It is clear that this is not an exact science and that there is no meaningful and precise statistical evidence that can assist in the setting of policy. Given the important function of licensing to protect the public, any bar should be set at the highest level which is reasonable, albeit subject to the exercise of discretion as is set out in paragraph 1.7 and Chapters 3 and 4.
- 1.9 This Guidance contains no detailed list of offences. All offences are allocated to a general category such as 'dishonesty' or 'drugs'. This prevents it being argued that a specific offence is not covered by the Policy as it 'is not on the list' and also prevents arguments that a firearm is more serious than a knife and should lead to differentiation. In each case, appropriate weight should be given to the evidence provided.
- 1.10 This Guidance cannot have the force of legislation, new or amended; the need for which is both abundantly clear to, and fully supported by the Institute and the other organisations working with it. It is intended to help local authorities achieve greater consistency so that applicants are less able to shop between authorities. It is acknowledged that this cannot be fully achieved without the imposition of national minimum standards.
- 1.11 In preparing this document the Institute's Working Party has consulted with and considered the issues from all perspectives including, Councillors, Licensing Officers, Lawyers, the Hackney Carriage and Private Hire Trades, Academics, the Probation Service and the Police.

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<sup>2</sup> [2007] 1 WLR 2067

## Chapter 2 - Offenders and Offending - An Overview

- 2.1 The aim of local authority licensing of the taxi and PHV trades is to protect the public'.<sup>3</sup> With this in mind, Public Protection must be at the forefront of the decision maker's mind when determining whether an individual is considered a "fit and proper person" to hold a licence.
- 2.2 This section aims to provide a brief overview of public protection, how to determine risk and factors to be considered when an applicant seeks to demonstrate a change in their offending behaviour.
- 2.3 The licensing process places a duty on the local authority to protect the public. Given the nature of the role, it is paramount that those seeking a living in the trades meet the required standards. As the previous offending behaviour can be considered as a predictor in determining future behaviour as well as culpability, it is essential that the decision maker considers all relevant factors including previous convictions, cautions and complaints and the time elapsed since these were committed.
- 2.4 There has been extensive research into the reasons behind why some individuals commit crimes, why some learn from their mistakes and stop offending whilst others find themselves in a cycle of repeat offending. Several theories have evolved over many years offering insight into the reasons behind offending behaviour. One common theme is that no two crimes are the same and that risk cannot be eliminated, or the future predicted. What can be done, is to examine each case on its individual merits, look at the risks involved along with any change in circumstances since any offences were committed to assist in making the decision.
- 2.5 A key factor when considering an application from an individual with any convictions, cautions or complaints recorded is Public Protection. This includes assessing the risk of re-offending and harm<sup>4</sup>. Risk assessment tools are regularly employed by those who are responsible for managing individuals who have committed offences. Local Authorities are not always privy to this information so it is important when they are making decisions around suitability that they have an understanding of offending behaviour and risk of re-offending in generic terms.

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<sup>3</sup> DfT "Taxi and Private Hire Licensing – Best Practice Guide" para 8

<sup>4</sup> Kemshall, H. (2008). Understanding the Management of High Risk Offenders (Crime and Justice). Open University Press



- 2.6 Flaud<sup>5</sup> noted that risk is in principle, a matter of fact, but danger is a matter of judgment and opinion. He goes on to note that risk may be said to be the likelihood of an event occurring; danger may be the degree of damage (harm) caused should that event take place<sup>6</sup>.
- 2.7 The National Offender Management Service refers to risk in two dimensions. That being the likelihood that an offence will occur, and the impact / harm of the offence should it happen. Generally, when making a decision around probability and likelihood of re-offending, consideration is needed towards static and dynamic factors.
- 2.8 Static factors are historical and do not change such as age, previous convictions and gender. They can be used as a basis for actuarial assessments and are fundamental in considering an individual's potential to reoffend in future<sup>7</sup>. For example, recent published statistics revealed that 44% of adults are reconvicted within one year of release. For those serving sentences of less than twelve months this increased to 59%<sup>8</sup>. It is also widely accepted that generally persons with a large number of previous offences have a higher rate of proven reoffending than those with fewer previous offences<sup>9</sup>.
- 2.9 Dynamic factors are considered changeable and can vary over time. They include attitudes, cognitions and impulsivity<sup>10</sup>. It is documented that the greater their unmet need, the more likely an individual is to re-offend. When considering whether an individual has been rehabilitated, it is important to have regard towards the motivation behind their offending and dynamic risk factors present at the time, against the steps taken to address such factors thus reducing the risk of re-offending.
- 2.10 It is of note that problems and/or needs are more frequently observed in offender populations than in the general population<sup>11</sup>. Many of these factors are interlinked and embedded in an individual's past experiences. This can impact upon that person's ability to change their behaviour, particularly if the areas identified have not been addressed or support has not been sought. Needs will vary from individual to individual and will rely upon their level of motivation and the nature of the offence committed.

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<sup>5</sup> Flaud, R. (1982). Cited in, Gendreau, P., Little, T. and Goggin, C. (1996). A meta-analysis of the predictors of adult offender recidivism: what works! *Criminology*, 34, 557-607.

<sup>6</sup> Gendreau, P., Little, T. and Goggin, C. (1996). A meta-analysis of the predictors of adult offender recidivism: what works! *Criminology*, 34, 557-607.

<sup>7</sup> Craig, L. A. and Browne, K. B (2008). *Assessing Risk in Sex Offenders: A Practitioner's Guide* Paperback.

<sup>8</sup> Ministry of Justice (2017) Proven reoffending statistics: July 2014 to June 2015, London: Ministry of Justice.

<sup>9</sup> Ministry of Justice (2015): *Transforming Rehabilitation: a summary of evidence on reducing reoffending*. London: Ministry of Justice.

<sup>10</sup> McGuire, J. (2008). A review of effective interventions for reducing aggression and violence. *Philosophical Transactions of the Royal Society B: Biological Sciences*, 363(1503), 2577-2597

<sup>11</sup> Nash, M. (1999) *Police, Probation and Protecting the Public*. London: Blackwell Press.

### *Risk of re-offending:*

- 2.11 The issue of recidivism and increase in serious crime rates has given rise to extensive publications, theories and changes in legislation with many focusing upon the need for more rehabilitation projects as a means of reducing re-offending rates. Central to the rehabilitation of offenders is the concept of criminogenic needs. This has been described by the National Offender Management Service as “any area where the offender has needs or deficits, in which a reduction in the need or deficit would lead to a reduction in the risk of re-conviction. An individual’s ability to address and reduce such needs relies heavily upon their motivation to change and desist and often takes place over a period of time”<sup>12</sup>.
- 2.12 Kurlychek, 2007 in her study noted that “a person who has offended in the past has been found to have a high probability of future offending, but this risk of recidivism is highest in the time period immediately after arrest or release from custody and, thereafter, decreases rapidly and dramatically with age”<sup>13</sup>.
- 2.13 A consistent finding throughout criminological literature is that male offenders tend to desist from crime aged 30 years and over<sup>14</sup>. It is well documented that the change occurs for various reasons; for example, as a result of successful treatment, natural maturation or the development of positive social relationships<sup>15</sup>. Female offenders are also considered more likely to desist from offending as they mature. The peak age of reported offending for females was 14 compared to 19 for males<sup>16</sup>.
- 2.14 Desisting from crime for people who have been involved in persistent offending is a difficult and complex process, likely to involve lapses and relapses. Some individuals may never desist<sup>17</sup>. As a result, it is important for individuals to evidence change in their behaviour before they can be considered to present a low or nil risk of re-offending. Often the only way of achieving this is through lapse of time.
- 2.15 The longer the time elapsed since an offence has been committed, the more likely the individual will desist from crime. It is noted that the more a life is lived crime-free, the more one comes to see the benefits of desistance<sup>18</sup>. Demonstrating a change in offending behaviour and an ability to make effective choices takes time and comes with some

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<sup>12</sup> National Offender Management Service (2016). Public Protection Manual Edition. Proven Reoffending Statistics Quarterly Bulletin, October 2015 to December 2015

<sup>13</sup> Kurlychek, M.C., Brame, R. (2007). Scarlet letters and recidivism: Does an old criminal record predict future offending? University of South Carolina.

<sup>14</sup> Serin, R., C. and Lloyd, C.D. (2008). Examining the process of offender change: the transitions to crime desistance. 347-364.

<sup>15</sup> Nash, M. (1999) Police, Probation and Protecting the Public. London: Blackwell Press.

<sup>16</sup> Trueman, C.N. (2015). Women and Crime. The History Learning Site. Ingatestone: Essex.

<sup>17</sup> Farrell, S. (2005). Understanding Desistance from Crime: Emerging Theoretical Directions in Resettlement and Rehabilitation (Crime and Justice) Paperback.

<sup>18</sup> Maguire, M., Morgan, R. and Reiner, R. (2002). The Oxford Handbook of Criminology. 3<sup>rd</sup> Edition. Oxford: Oxford University Press.

ambiguity for those who have committed offences. A study in 2007 looking into previous convictions and the links to re-offending concluded that “individuals who have offended in the distant past seem less likely to recidivate than individuals who have offended in the recent past”<sup>19</sup>.

- 2.16 Although it is not possible to determine the future behaviour of an individual, taking steps to reduce risk and protect the public can be achieved by following correct processes and guidance. Having regard to an individual’s previous behaviour and their potential to cause harm as a result of the choices they have made plays a significant part when making a decision as to whether to grant a licence. Being able to evidence change in behaviour will involve consideration of the circumstances at the time of the offence, steps taken to address any issues identified and that person’s ability to sustain such change. This can be a long process that can only be achieved over time.

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<sup>19</sup> Kurlychek, M C, Brame, R (2007). Scarlet letters and recidivism: Does an old criminal record predict future offending? University of South Carolina.

## Chapter 3 - 'Taxi' Licensing Overview

- 3.1 Taxis are used by almost everyone in our society occasionally, but they are used regularly by particularly vulnerable groups: children; the elderly; disabled people; and the intoxicated, and a taxi driver has significant power over a passenger who places themselves, and their personal safety, completely in the driver's hands.
- 3.2 Local authorities (districts, unitaries and Welsh Councils) and TfL are responsible for hackney carriage and private hire licensing.
- 3.3 The principal legislation is the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976. The purpose of taxi licensing is detailed in the DfT *"Taxi and Private Hire Licensing – Best Practice Guide"* para 8 which states:

"The aim of local authority licensing of the taxi and PHV trades is to protect the public."
- 3.4 Within the two licensing regimes, there are 5 types of licence: hackney carriage vehicle; private hire vehicle; hackney carriage driver; private hire driver and private hire operator.
- 3.5 In relation to all these licences, the authority has a discretion over whether to grant. Whilst there is some guidance issued by the DfT, there are no national standards.
- 3.6 Drivers and operators cannot be granted a licence unless the authority is satisfied that they are a "fit and proper person" to hold that licence (see Local Government (Miscellaneous Provisions) Act 1976 ss 51 and 59 in respect of drivers; s55 in respect of operators).
- 3.7 There are no statutory criteria for vehicle licences; therefore, the authority has an absolute discretion.
- 3.8 In each case, the authority has powers to grant a licence, renew it on application and, during the currency of the licence, suspend or revoke it.
- 3.9 What is the role of each of these, and how do authorities determine an application, or take action against a licence?

### Taxi Drivers

- 3.10 The term "taxi driver" encompasses two different occupations: hackney carriage drivers and private hire drivers. "Taxi driver" is therefore used as a broad, overarching term to cover both hackney carriage and private hire drivers. In each case there are identical statutory

criteria to be met before a licence can be granted and many authorities grant “dual” or “combined” licences to cover driving both types of vehicle.

- 3.11 An applicant must hold a full DVLA or equivalent driver’s licence, have the right to work in the UK, and be a “fit and proper” person<sup>20</sup>.
- 3.12 The driving licence element is a question of fact. Although there are some issues with foreign driving licences, ultimately a person either has, or does not have a driving licence.
- 3.13 An applicant must also have the right to remain, and work in the UK<sup>21</sup>.
- 3.14 Again, this is ultimately a question of fact and the local authority should follow the guidance issued by the Home Office.<sup>22</sup>
- 3.15 It is the whole issue of “fit and proper” that causes local authorities the most difficulties. It has never been specifically judicially defined but it was mentioned in *Leeds City Council v Hussain*<sup>23</sup>. Silber J said:
- “... the purpose of the power of suspension is to protect users of licensed vehicles and those who are driven by them and members of the public. Its purpose [and], therefore [the test of fitness and propriety], is to prevent licences being given to or used by those who are not suitable people taking into account their driving record, their driving experience, their sobriety, mental and physical fitness, honesty, and that they are people who would not take advantage of their employment to abuse or assault passengers.”
- 3.16 This is reflected in a test widely used by local authorities:
- ‘Would you (as a member of the licensing committee or other person charged with the ability to grant a hackney carriage driver’s licence) allow your son or daughter, spouse or partner, mother or father, grandson or granddaughter or any other person for whom you care, to get into a vehicle with this person alone?’<sup>24</sup>
- 3.17 It is suggested that the expression “safe and suitable” person to hold a driver’s licence is a good interpretation which neither adds nor removes anything from the original term of “fit and proper” but brings the concept up to date.

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<sup>20</sup> Local Government (Miscellaneous Provisions) Act 1976. Section 51(1) covers private hire drivers, and section 59(1) covers hackney carriage drivers.

<sup>21</sup> Local Government (Miscellaneous Provisions) Act 1976 S51(1)(a)(ii) in respect of private hire drivers and S59(1)(a)(ii) in respect of hackney carriage drivers.

<sup>22</sup> “Guidance for Licensing Authorities to Prevent Illegal Working in the Taxi and Private Hire Sector in England and Wales” - Home Office, 1<sup>st</sup> December 2016 available at <https://www.gov.uk/government/publications/licensing-authority-guide-to-right-to-work-checks>

<sup>23</sup> [2002] EWHC 1145 (Admin), [2003] RTR 199

<sup>24</sup> Button on Taxis – Licensing Law and Practice 4<sup>th</sup> Ed Bloomsbury Professional at para 10.21

3.18 How can a local authority assess and then judge whether or not someone is safe and suitable to hold a drivers' licence?

3.19 The local authority has the power to require an applicant to provide:

“such information as they may reasonably consider necessary to enable them to determine whether the licence should be granted and whether conditions should be attached to any such licence.”<sup>25</sup>

This “information” can include any pre-conditions or tests that they consider necessary

3.20 Some of these are universal, such as medical assessments<sup>26</sup>. Others are required by some authorities, but not others. These include:

- Enhanced DBS certificates and sign-up to the update service;
- Knowledge tests;
- Driving tests;
- Disability Awareness;
- Signed Declarations;
- Spoken English tests.

3.21 The provision of information in these terms can satisfy the local authority that a person has the skills and competencies to be a professional driver to hold a licence. However, the concepts of safety and suitability go beyond this. There is the character of the person to be considered as well.

3.22 Both hackney carriage and private hire drivers are exempt from the provisions of the Rehabilitation of Offenders Act 1974. This means that there are no “spent” convictions and that any and all criminal convictions (apart from “protected convictions” and “protected cautions” where they have been declared<sup>27</sup>) can be taken into account by the local authority in assessing safety and suitability, but only relevant spent convictions should be considered by the decision maker<sup>28</sup>.

3.23 All Applicants/Licensees should be required to obtain an Enhanced DBS Certificate with Barred Lists checks<sup>29</sup> and to provide this to the Licensing Authority. All Licensees should also be required to maintain their Certificates through the DBS Update Service throughout the currency of their licence.

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<sup>25</sup> Local Government (Miscellaneous Provisions) Act 1976 s57(1)

<sup>26</sup> See Local Government (Miscellaneous Provisions) Act 1976 s57(2)

<sup>27</sup> “Protected convictions” and “protected cautions” are single, minor and elderly matters that do not appear on any DBS Certificates.

<sup>28</sup> See *Adamson v Waveney District Council* [1997] 2 All ER 898

<sup>29</sup> “For Taxi [driver] Licensing purposes the correct level of check is always the Enhanced level check, with the Adults and Children’s Barred list check. Other Workforce should always be entered at X61 line 1 and Taxi Licensing should be entered at X61 line 2” DBS email 31st August 2017.

- 3.24 If any applicant has, from the age of 10 years, spent six continuous months or more living outside the United Kingdom, evidence of a criminal record check from the country/countries covering the relevant period should be required.
- 3.25 Local authorities should have a policy to provide a baseline for the impact of any convictions, cautions or other matters of conduct which concern a person's safety and suitability<sup>30</sup>.
- 3.26 The character of the driver in its entirety must be the paramount consideration when considering whether they should be licensed. It is important to recognise that local authorities are not imposing any additional punishment in relation to previous convictions or behaviour. They are using all the information that is available to them to make an informed decision as to whether or not the applicant or licensee is or remains a safe and suitable person.
- 3.27 There are occasions where unsuitable people have been given licences by local authorities, or if refused by the authority, have had it granted by a court on appeal.
- 3.28 Often this is because of some perceived hardship. Case law makes it clear that the impact of losing (or not being granted) a driver's licence on the applicant and his family is not a consideration to be taken into account<sup>31</sup>. This then leads to the question of whether the stance taken by local authorities is robust enough to achieve that overriding aim of public protection.
- 3.29 However, all too often local authorities depart from their policies and grant licences (or do not take action against licensees) without clear and compelling reasons. It is vital that Councillors recognise that the policy, whilst remaining a policy and therefore the Authority's own guidelines on the matter, is the baseline for acceptability. It should only be departed from in exceptional circumstances and for justifiable reasons which should be recorded.
- 3.30 One common misunderstanding is that if the offence was not committed when the driver was driving a taxi, it is much less serious, or even if it was in a taxi but not when passengers were aboard. This is not relevant: speeding is dangerous, irrespective of the situation; drink driving is dangerous, irrespective of the situation; bald tyres are dangerous, irrespective of the situation. All these behaviours put the general public at risk. Violence is always serious. The argument that it was a domestic dispute, or away from the taxi, is irrelevant. A person who has a propensity to violence has that potential in every situation. Sexual offences are always serious. A person who has in the past abused their position (whatever that may have been)

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<sup>30</sup> As recommended by the DfT "Taxi and Private Hire Licensing – Best Practice Guide" para 59

<sup>31</sup> *Leeds City Council v Hussain* [2002] EWHC 1145 (Admin), [2003] RTR 199 and *Cherwell District Council v Anwar*[2011] EWHC 2943 (Admin)

to assault another sexually has demonstrated completely unacceptable standards of behaviour.

- 3.31 Applicants may claim that they have sought employment in other fields and been precluded as a result of their antecedent history particularly if that contains convictions. They therefore seek to become a licensed driver as an occupation of last resort. This is unacceptable as the granting of a licence would place such a person in a unique position of trust. The paramount responsibility of a licensing authority is to protect the public, not provide employment opportunities.
- 3.32 Licensees are expected to demonstrate appropriate professional conduct at all time, whether in the context of their work or otherwise. Licensees should be courteous, avoid confrontation, not be abusive or exhibit prejudice in any way. In no circumstances should Licensees take the law into their own hands. Licensees are expected to act with integrity and demonstrate conduct befitting the trust that is placed in them.
- 3.33 There are those who seek to take advantage of vulnerable people by providing services that they are not entitled to provide; for example, by plying for hire in an area where they are not entitled to do so. Licensees are expected to be vigilant of such behaviour and to report any concerns to the Police and the relevant licensing authority. Passengers should feel confident to check that the person offering a service is entitled to do so. Licensees should willingly demonstrate that they are entitled to provide the offered service by, for example, showing their badge.
- 3.34 As a society, we need to ask the question “who is driving my taxi?” and be secure in the knowledge that the answer is “a safe and suitable person”. The vast majority of drivers are decent, law abiding people who work very hard to provide a good service to their customers and the community at large. However poor decisions by local authorities and courts serve to undermine the travelling public’s confidence in the trade as a whole. Unless local authorities and the courts are prepared to take robust (and difficult) decisions to maintain the standards the local authority lays down, and in some cases tighten up their own policies, the public cannot have complete confidence in taxi drivers. This is detrimental to all involved.

#### *Private Hire Operators*

- 3.35 A private hire operator (“PHO”) is the person who takes a booking for a private hire vehicle (“PHV”), and then dispatches a PHV driven by a licensed private hire driver (“PHD”) to fulfil that booking. All three licences (PHO, PHV and PHD) must have been granted by the same



authority<sup>32</sup>. A local authority cannot grant a PHO licence unless the applicant has the right to work in the UK and is a fit and proper person<sup>33</sup>.

- 3.36 As with taxi drivers the role of the PHO goes far beyond simply taking bookings and dispatching vehicles. In the course of making the booking and dispatching the vehicle and driver, the PHO will obtain significant amounts of personal information. It is therefore vital that a PHO is as trustworthy and reliable as a driver, notwithstanding their slightly remote role. Hackney carriages can also be pre-booked, but local authorities should be mindful that where that booking is made by anybody other than a hackney carriage driver, there are no controls or vetting procedures in place in relation to the person who takes that booking and holds that personal information.
- 3.37 How then does a local authority satisfy itself as to the “fitness and propriety” or “safety and suitability” of the applicant or licensee?
- 3.38 Spent convictions can be taken into account when determining suitability for a licence, but the applicant (or licensee on renewal) can only be asked to obtain a Basic Disclosure from the Disclosure and Barring Service.
- 3.39 Although this is by no means a perfect system, it does give local authorities a reasonable basis for making an informed decision as to fitness and propriety of an applicant or existing licensee.
- 3.40 To enable consistent and informed decisions to be made, it is important to have a working test of fitness and propriety for PHOs and a suitable variation on the test for drivers can be used:
- “Would I be comfortable providing sensitive information such as holiday plans, movements of my family or other information to this person, and feel safe in the knowledge that such information will not be used or passed on for criminal or unacceptable purposes?”<sup>34</sup>
- 3.41 There is a further point to consider in relation to PHOs and that concerns the staff used on the telephones and radios. There is no reason why a condition cannot be imposed on a PHO licence requiring them to undertake checks on those they employ/use within their company to satisfy themselves that they are fit and proper people to undertake that task and retain that information to demonstrate that compliance to the local authority. Any failure on the part of the PHO to either comply with this requirement, or act upon information that they

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<sup>32</sup> See *Dittah v Birmingham City Council, Choudhry v Birmingham City Council* [1993] RTR 356 QBD

<sup>33</sup> Section 55(1) Local Government (Miscellaneous Provisions) Act 1976

<sup>34</sup> Button on Taxis – Licensing Law and Practice 4<sup>th</sup> Ed Bloomsbury Professional at para 12.35

obtain (thereby allowing unsuitable staff to work in positions of trust), would then have serious implications on the continuing fitness and propriety of the PHO.

- 3.42 Care should be taken in circumstances where a PHO Licence is sought in the name of a limited company, partnership or other business structure that all the requirements applicable to an individual applicant are made of each director or partner of the applicant organisation<sup>35</sup>. Only by so doing can a decision be made as to the fitness and propriety of the operating entity.

#### *Vehicle Proprietors*

- 3.43 Similar considerations apply to the vehicle proprietors, both hackney carriage and private hire (referred to here generically as “taxis”). Although the vehicle proprietor may not be driving a vehicle (and if they are they will be subject to their own fitness and propriety test to obtain a driver’s licence), they clearly have an interest in the use of the vehicle. They will also be responsible for the maintenance of the vehicle, and vehicles that are not properly maintained have a clear impact on public safety.
- 3.44 Taxis are used to transport people in many circumstances, and are seen everywhere across the United Kingdom, at all times of the day and night, in any location. Therefore, taxis could provide a transportation system for illegal activities or any form of contraband, whether that is drugs, guns, illicit alcohol or tobacco, or people who are involved in or are the victims of illegal activity, or children who may be at risk of being, or are being, abused or exploited.
- 3.45 In relation to both hackney carriages and private hire vehicles, the local authority has an absolute discretion over granting the licence<sup>36</sup> and should therefore ensure that both their enquiries and considerations are robust. It is much more involved than simply looking at the vehicle itself and it is equally applicable on applications to transfer a vehicle as on grant applications.
- 3.46 Again, this is not an exempt occupation for the purposes of the 1974 Act, but exactly the same process can be applied as for private hire operators – Basic DBS, statutory declaration and consideration of spent convictions. This can then be used in the light of a similar policy in relation to suitability as the authority will already have for drivers and PHOs.
- 3.47 A suitable test would be:

“Would I be comfortable allowing this person to have control of a licensed vehicle that can travel anywhere, at any time of the day or night without arousing suspicion, and be

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<sup>35</sup> See s57(1)(c) of the 1976 Act.

<sup>36</sup> S37 of the 1847 Act in relation to hackney carriages; section 48 of the 1976 Act to private hire vehicles.

satisfied that he/she would not allow it to be used for criminal or other unacceptable purposes, and be confident that he/she would maintain it to an acceptable standard throughout the period of the licence?”<sup>37</sup>

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<sup>37</sup> Button on Taxis – Licensing Law and Practice 4<sup>th</sup> Ed Bloomsbury Professional at para 8.98

## Chapter 4 - Guidance on Determination

- 4.1 As is clear from the overview of Offenders and Offending above, there is no evidence which can provide precise periods of time which must elapse after a crime before a person can no longer be considered to be at risk of reoffending, but the risk reduces over time. In light of that, the suggested timescales below are intended to reduce the risk to the public to an acceptable level.
- 4.2 Many members of our society use, and even rely on, hackney carriages and private hire vehicles to provide transportation services. This can be on a regular basis, or only occasionally, but in all cases passengers, other road users and society as a whole must have confidence in the safety and suitability of the driver, the vehicle itself and anyone involved with the booking process.
- 4.3 Ideally, all those involved in the hackney carriage and private hire trades (hackney carriage and private hire drivers, hackney carriage and private hire vehicle owners and private hire operators) would be persons of the highest integrity. In many cases that is true, and the vast majority of those involved in these trades are decent, upstanding, honest and hard-working individuals. Unfortunately, as in any occupation or trade, there are those who fail to conform to those standards.
- 4.4 The purpose of this document is to offer guidance on how licensing authorities can determine whether a particular person is safe and suitable either to be granted a licence in the first place or to retain such a licence. As outlined above, a policy can be robust, and if necessary, say never, and each case is then considered on its own merits in the light of that policy.

### *Pre-application requirements*

- 4.5 Licensing authorities are entitled to set their own pre-application requirements. These will vary depending upon the type of licence in question but can include some or all of the following (these are not exhaustive lists):

#### *Vehicles:*

- Basic DBS checks;
- Specifications e.g. minimum number of doors, minimum seat size, headroom, boot space etc;
- Mechanical tests and tests of the maintenance of the vehicle e.g. ripped seats etc;
- Emission limits/vehicle age limits;
- Wheelchair accessibility requirements.

#### Drivers:

- Enhanced DBS checks with update service;
- Checks made to the National Anti Fraud Network database on refusals and revocations of hackney carriage and private hire licences (when available);
- Medical checks;
- Knowledge of the geographic area;
- Spoken and written English tests;
- Disability awareness training;
- Child sexual exploitation and safeguarding training.

#### Operators:

- Basic DBS checks;
- Details of their vetting procedures for their staff;
- Knowledge of the licensing area.

- 4.6 In relation to each of these licences, the licensing authority has discretion as to whether or not to grant the licence.
- 4.7 Drivers and operators cannot be granted a licence unless the authority is satisfied that they are a “fit and proper person” to hold that licence (see Local Government (Miscellaneous Provisions) Act 1976 ss 51 and 59 in respect of drivers; s55 in respect of operators).
- 4.8 There are no statutory criteria for vehicle licences, therefore the authority has an absolute discretion over whether to grant either a hackney carriage or private hire proprietor’s licence.
- 4.9 “Fit and proper” means that the individual (or in the case of a private hire operator’s licence, the limited company together with its directors and secretary, or all members of a partnership<sup>38</sup>) is “safe and suitable” to hold the licence.
- 4.10 In determining safety and suitability the licensing authority is entitled to take into account all matters concerning that applicant or licensee. They are not simply concerned with that person’s behaviour whilst working in the hackney carriage or private hire trade. This consideration is far wider than simply criminal convictions or other evidence of unacceptable behaviour, and the entire character of the individual will be considered. This can include, but is not limited to, the individual’s attitude and temperament.

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<sup>38</sup> Section 57(2)(c) of the Local Government (Miscellaneous Provisions) Act 1976 allows a local authority to consider the character of a company director or secretary, or any partner.

- 4.11 Convictions for attempt or conspiracy will be regarded as convictions for the substantive crime. A caution is regarded in exactly the same way as a conviction<sup>39</sup>. Fixed penalties and community resolutions will also be considered in the same way as a conviction<sup>40</sup>.
- 4.12 It is important to recognise that matters which have not resulted in a criminal conviction (whether that is the result of an acquittal, a conviction being quashed, decision not to prosecute or an investigation which is continuing where the individual has been bailed) can and will be taken into account by the licensing authority. In addition, complaints where there was no police involvement will also be considered. Within this document, any reference to "conviction" will also include matters that amount to criminal behaviour, but which have not resulted in a conviction.
- 4.13 In the case of any new applicant who has been charged with any offence and is awaiting trial, the determination will be deferred until the trial has been completed or the charges withdrawn. Where an existing licensee is charged, it will be for the licensing authority to decide what action to take in the light of these guidelines.
- 4.14 In all cases, the licensing authority will consider the conviction or behaviour in question and what weight should be attached to it, and each and every case will be determined on its own merits, and in the light of these guidelines.
- 4.15 Any offences committed, or unacceptable behaviour reported whilst driving a hackney carriage or private hire vehicle, concerning the use of a hackney carriage or private hire vehicle, or in connection with an operator of a private hire vehicle will be viewed as aggravating features, and the fact that any other offences were not connected with the hackney carriage and private hire trades will not be seen as mitigating factors.
- 4.16 As the licensing authority will be looking at the entirety of the individual, in many cases safety and suitability will not be determined by a specified period of time having elapsed following a conviction or the completion of a sentence. Time periods are relevant and weighty considerations, but they are not the only determining factor.
- 4.17 In addition to the nature of the offence or other behaviour, the quantity of matters and the period over which they were committed will also be considered. Patterns of repeated unacceptable or criminal behaviour are likely to cause greater concern than isolated occurrences as such patterns can demonstrate a propensity for such behaviour or offending.
- 4.18 Most applicants or licensees will have no convictions and that is clearly the ideal situation. In relation to other people, it is accepted that human beings do make mistakes and lapse in their conduct for a variety of reasons, and it is further accepted that many learn from experience and do not go on to commit further offences. Accordingly, in many cases an isolated

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<sup>39</sup> This is because a caution can only be imposed following an admission of guilt, which is equivalent to a guilty plea on prosecution.

<sup>40</sup> This is because payment of a fixed penalty indicates acceptance of guilt, and a community resolution can only be imposed following an admission of guilt.

conviction, especially if committed some time ago, may not prevent the grant or renewal of a licence.

- 4.19 It is also important to recognise that once a licence has been granted, there is a continuing requirement on the part of the licensee to maintain their safety and suitability. The licensing authority has powers to take action against the holder of all types of licence (driver's, vehicle and operator's) and it must be understood that any convictions or other actions on the part of the licensee which would have prevented them being granted a licence on initial application will lead to that licence being revoked.
- 4.20 Any dishonesty by any applicant or other person on the applicant's behalf which is discovered to have occurred in any part of any application process (e.g. failure to declare convictions, false names or addresses, falsified references) will result in a licence being refused, or if already granted, revoked and may result in prosecution.
- 4.21 As the direct impact on the public varies depending upon the type of licence applied for or held, it is necessary to consider the impact of particular offences on those licences separately. However, there are some overriding considerations which will apply in all circumstances.
- 4.22 Generally, where a person has more than one conviction, this will raise serious questions about their safety and suitability. The licensing authority is looking for safe and suitable individuals, and once a pattern or trend of repeated offending is apparent, a licence will not be granted or renewed.
- 4.23 Where an applicant/licensee is convicted of an offence which is not detailed in this guidance, the licensing authority will take that conviction into account and use these guidelines as an indication of the approach that should be taken.
- 4.24 These guidelines do not replace the duty of the licensing authority to refuse to grant a licence where they are not satisfied that the applicant or licensee is a fit and proper person. Where a situation is not covered by these guidelines, the authority must consider the matter from first principles and determine the fitness and propriety of the individual.

#### *Drivers*

- 4.25 As the criteria for determining whether an individual should be granted or retain a hackney carriage driver's licence are identical to the criteria for a private hire driver's licence, the two are considered together.
- 4.26 A driver has direct responsibility for the safety of their passengers, direct responsibility for the safety of other road users and significant control over passengers who are in the vehicle. As those passengers may be alone, and may also be vulnerable, any previous convictions or unacceptable behaviour will weigh heavily against a licence being granted or retained.

- 4.27 As stated above, where an applicant has more than one conviction showing a pattern or tendency irrespective of time since the convictions, serious consideration will need to be given as to whether they are a safe and suitable person.
- 4.28 In relation to single convictions, the following time periods should elapse following completion of the sentence (or the date of conviction if a fine was imposed) before a licence will be granted.

#### Crimes resulting in death

- 4.29 Where an applicant or licensee has been convicted of a crime which resulted in the death of another person or was intended to cause the death or serious injury of another person they will not be licensed.

#### Exploitation

- 4.30 Where an applicant or licensee has been convicted of a crime involving, related to, or has any connection with abuse, exploitation, use or treatment of another individual irrespective of whether the victim or victims were adults or children, they will not be licensed. This includes slavery, child sexual exploitation, grooming, psychological, emotional or financial abuse, but this is not an exhaustive list.

#### Offences involving violence

- 4.31 Where an applicant has a conviction for an offence of violence, or connected with any offence of violence, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.

#### Possession of a weapon

- 4.32 Where an applicant has a conviction for possession of a weapon or any other weapon related offence, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

#### Sex and indecency offences

- 4.33 Where an applicant has a conviction for any offence involving or connected with illegal sexual activity or any form of indecency, a licence will not be granted.
- 4.34 In addition to the above, the licensing authority will not grant a licence to any applicant who is currently on the Sex Offenders Register or on any 'barred' list.



### Dishonesty

- 4.35 Where an applicant has a conviction for any offence of dishonesty, or any offence where dishonesty is an element of the offence, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

### Drugs

- 4.36 Where an applicant has any conviction for, or related to, the supply of drugs, or possession with intent to supply or connected with possession with intent to supply, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.
- 4.37 Where an applicant has a conviction for possession of drugs, or related to the possession of drugs, a licence will not be granted until at least 5 years have elapsed since the completion of any sentence imposed. In these circumstances, any applicant will also have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs.

### Discrimination

- 4.38 Where an applicant has a conviction involving or connected with discrimination in any form, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

### Motoring convictions

- 4.39 Hackney carriage and private hire drivers are professional drivers charged with the responsibility of carrying the public. Any motoring conviction demonstrates a lack of professionalism and will be considered seriously. It is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence would not prohibit the grant of a licence or may not result in action against an existing licence. Subsequent convictions reinforce the fact that the licensee does not take their professional responsibilities seriously and is therefore not a safe and suitable person to be granted or retain a licence.

### Drink driving/driving under the influence of drugs/using a hand-held telephone or hand held device whilst driving

- 4.40 Where an applicant has a conviction for drink driving or driving under the influence of drugs, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence or driving ban imposed. In these circumstances, any applicant will also have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs.
- 4.41 Where an applicant has a conviction for using a held-hand mobile telephone or a hand-held device whilst driving, a licence will not be granted until at least 5 years have elapsed since the conviction or completion of any sentence or driving ban imposed, whichever is the later.

#### Other motoring offences

- 4.42 A minor traffic or vehicle related offence is one which does not involve loss of life, driving under the influence of drink or drugs, driving whilst using a mobile phone, and has not resulted in injury to any person or damage to any property (including vehicles). Where an applicant has 7 or more points on their DVLA licence for minor traffic or similar offences, a licence will not normally be granted until at least 5 years have elapsed since the completion of any sentence imposed.
- 4.43 A major traffic or vehicle related offence is one which is not covered above and also any offence which resulted in injury to any person or damage to any property (including vehicles). It also includes driving without insurance or any offence connected with motor insurance. Where an applicant has a conviction for a major traffic offence or similar offence, a licence will not normally be granted until at least 7 years have elapsed since the completion of any sentence imposed.

#### Hackney carriage and private hire offences

- 4.44 Where an applicant has a conviction for an offence concerned with or connected to hackney carriage or private hire activity (excluding vehicle use), a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

#### Vehicle use offences

- 4.45 Where an applicant has a conviction for any offence which involved the use of a vehicle (including hackney carriages and private hire vehicles), a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

#### Private Hire Operators

- 4.46 A private hire operator (“an operator”) does not have direct responsibility for the safety of passengers, other road users or direct contact with passengers who are in the private hire vehicle (except where they are also licensed as a private hire driver). However, in performing their duties they obtain and hold considerable amounts of personal and private information about their passengers which must be treated in confidence and not revealed to others, or used by the operator or their staff for criminal or other unacceptable purposes.
- 4.47 As stated above, where an applicant has more than one conviction, serious consideration will need to be given as to whether they are a safe and suitable person.
- 4.48 Operators must ensure that any staff that are used within the business (whether employees or independent contractors) and are able to access any information as described above are subject to the same standards as the operator themselves. This can be effected by means of the individual staff member being required by the operator to obtain a basic DBS certificate. If an operator is found not to be applying the required standards and using staff that do not meet the licensing authority’s overall criteria, that will lead to the operator’s licence being revoked.

4.49 As public trust and confidence in the overall safety and integrity of the private hire system is vital, the same standards will be applied to operators as those applied to drivers, which are outlined above.

#### *Vehicle proprietors*

4.50 Vehicle proprietors (both hackney carriage and private hire) have two principal responsibilities.

4.51 Firstly, they must ensure that the vehicle is maintained to an acceptable standard at all times.

4.52 Secondly, they must ensure that the vehicle is not used for illegal or illicit purposes.

4.53 As stated above, where an applicant has more than one conviction, serious consideration will need to be given as to whether they are a safe and suitable person to be granted or retain a vehicle licence.

4.54 As public trust and confidence in the overall safety and integrity of the private hire system is vital, the same standards will be applied to proprietors as those applied to drivers, which are outlined above.

## *Acknowledgements*

In December 2015, the Institute of Licensing established a working party to look at the creation of a model or standard set of guidelines in relation to assessing the suitability of applicants and licence holders in relation to taxi drivers, operators and vehicle proprietors, taking into account the character of the applicant or licensee.

The core project group comprised:

- Stephen Turner, Solicitor at Hull City Council, Licensing Lead for Lawyers in Local Government and Vice Chair of the North East Region IoL (Project Group Chair)
- Jim Button, Solicitor at James Button & Co and President of IoL
- Philip Kolvin QC, Cornerstone Barristers and Patron of IoL
- John Miley, Licensing Manager for Broxtowe Borough Council, National Chair for NALEO and Vice Chair of the East Midlands Region IoL
- Linda Cannon, previously Licensing Manager for Basingstoke & Dean and Hart Councils, and now private licensing consultant and Chair of the South East Region IoL
- Phil Bates, Licensing Manager for Southampton City Council
- Sue Nelson, Executive Officer of IoL

This Guidance is the result of the work of the project team and includes consideration of antecedent history of the applicant or licence holder and its relevance to their 'character' as well as consideration of convictions, cautions and non-conviction information.

The Institute is delighted to have the Local Government Association, the National Association of Licensing and Enforcement Officers and Lawyers in Local Government contributing to and supporting this project with IoL.

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- Ellie Greenwood and Rebecca Johnson, Local Government Association
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- Ben Atrill
- Suzy Lamplugh Trust
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- Professor of Criminology Fiona Measham, Durham University
- Councillor Philip Evans, Conwy County Borough Council
- Councillors Catriona Morris and Mick Legg, Milton Keynes Council
- Louise Scott Garner
- Jenna Parker, Institute of Licensing

Finally, grateful thanks go to all those who responded to the initial fact-finding survey and the subsequent consultation on the draft guidance.

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The Local Government Association (LGA) is the national voice of local government. [www.local.gov.uk](http://www.local.gov.uk)



Lawyers in Local Government (LLG). [www.lawyersinlocalgovernment.org](http://www.lawyersinlocalgovernment.org)



National Association of Licensing and Enforcement Officers (NALEO). [www.naleo.org.uk](http://www.naleo.org.uk)

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## Equality Impact Assessment (EqIA)

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

### Initial Information

Name:	Aileen Powell
Job Title:	Licensing Team Leader
Email address:	Aileen.powell@dorsetcouncil.gov.uk
Members of the assessment team:	
Date assessment started:	
Date of completion:	
Version Number:	v.2

### Part 1: Background Information

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

Existing	
Changing, updating or revision	
New or proposed	New Policy for Taxis
Other	

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

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

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

Taxi Licensing Policy 2022 – 2027
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What is the policy, strategy, project or service designed to do? (include the aims, purpose and intended outcomes of the policy)

To replace the old District policies for taxis with one Dorset Council policy that informs applicants what we expect and guides the officers and committees that decide applications.
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What is the background or context to the proposal?

<p>Shall we include information about the background of why we have the policy? Definition of taxi and private vehicle</p> <p>Prior to 2019, the former district and borough councils of West Dorset, North Dorset, Weymouth &amp; Portland, Purbeck (?) and East Dorset were responsible for taxi licensing in Dorset. When Dorset Council was formed on the 1 April 2019 taxi</p>
---

licensing continued to be managed using existing policies. This new policy will replace all existing policies

### 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?

Focus groups. Dorset Disability Forum. Weymouth unmet demand survey.

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

That there is a lack of Wheelchair accessible taxis. There are occasions when people are being refused access to taxis because they have assistance dogs, or mobility aids. Disabled people feel like second class citizens when it comes to accessing taxis.

Is further information needed to help inform this proposal?

No

### Part 3: Engagement and Consultation

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

Focus groups. Dorset Disability Forum. LGBT+ Voices Dorset Forum. Public consultation to follow

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

Everyone will be informed by email.

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

Not every proposal will require an EqlA. If you decide that your proposal does **not** require an EqlA, 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 EqlA.

### Please tick the appropriate option:

An EqlA is required (please continue to Part 4 of this document)	<b>x</b>
An EqlA is <b>not</b> required	



(please complete the box below)	
---------------------------------	--

This policy, strategy, project or service does not require an EqIA because:

--

Name:

Job Title:

Date:

Please send a copy of this document to [Diversity & Inclusion Officer](#)

**Next Steps:**

- The EqIA will be reviewed by Business Intelligence & Communications and if in agreement, your EqIA will be signed off.
- If not, we will get in touch to chat further about the EqIA, to get a better understanding.

**Part 4: Analysing the impact**

Who does the service, strategy, policy, project or change impact?

- If your strategy, policy, project or service contains options you may wish to consider providing an assessment for each option. Please cut and paste the template accordingly.

For each protected characteristic please choose from the following options:

- Please note in some cases more than one impact may apply – in this case please state all relevant options and explain in the ‘Please provide details’ box.

Positive Impact	<ul style="list-style-type: none"> <li>• the proposal eliminates discrimination, advances equality of opportunity and/or fosters good relations with protected groups.</li> </ul>
Negative Impact	<ul style="list-style-type: none"> <li>• Protected characteristic group(s) could be disadvantaged or discriminated against</li> </ul>
Neutral Impact	<ul style="list-style-type: none"> <li>• No change/ no assessed significant impact of protected characteristic groups</li> </ul>
Unclear	<ul style="list-style-type: none"> <li>• Not enough data/evidence has been collected to make an informed decision.</li> </ul>

Age:	<i>Positive</i>
What age bracket does this affect?	All ages, but specifically children and the elderly.
Please provide details:	Positive impact as there will be closer links between the children’s services and adult services. There will also be greater involvement with the MASH.

Disability: (including physical, mental, sensory and progressive conditions)	<i>Positive</i>
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Does this affect a specific disability group?	All groups
Please provide details:	<p>The Equality Charter that will allow customers to know what the Council expects from the taxi drivers and what they can expect. The EC will be available to all groups and will form the basis of complaint handling in this area.</p> <p>There will also be a range of training programmes developed that drivers can earn accreditations for, and that can be published on the website to assist customers.</p>

Gender Reassignment & Gender Identity:	<i>Positive</i>
Please provide details:	<p>All gender specific pronouns have been replaced.</p> <p>Feedback from LGBT+ Voices Dorset Forum indicates there is some experience of discrimination in acceptance of fares and behaviour. The Equality Charter will reference this and awareness training will be explored.</p>

Pregnancy and maternity:	<i>Neutral</i>
Please provide details:	Not enough data/evidence has been collected to make an informed decision

Race and Ethnicity:	<i>Neutral</i>
Please provide details:	<p>Only 4.4 % BME and 1.7% with English not as first language which is very low. Whilst there is an English language test for drivers it will be limited to a spoken test. There is a significant number of drivers from the BME community and there is nothing within the policy that will affect the numbers currently licensed.</p> <p>The Equality charter will reference race and ethnicity and will have a general section on discrimination.</p>

Religion or belief:	<i>Neutral</i>
Please provide details:	The Equality charter will reference race and ethnicity and will have a general section on discrimination.

Sexual orientation:	<i>Positive</i>
Please provide details:	Feedback from LGBT+ Voices Dorset Forum indicates there is some experience of discrimination in acceptance of fares and behaviour. The Equality Charter will reference this and awareness training will be explored.

Sex (consider both men and women):	<i>Neutral</i>
Please provide details:	The Equality charter will reference race and ethnicity and will have a general section on discrimination.
Marriage or civil partnership:	<i>Neutral</i>
Please provide details:	The Equality charter will reference race and ethnicity and will have a general section on discrimination.
Carers:	<i>Choose impact from the list above</i>
Please provide details:	Not enough data/evidence has been collected to make an informed decision
Rural isolation:	<i>Neutral</i>
Please provide details:	the policies proposed are not aligning with the policies in Urban areas which tend to be more restrictive on age of vehicles. This will not change things for those drivers servicing rural areas, who could be negatively affected by such policies.
Single parent families:	<i>Neutral</i>
Please provide details:	Not enough data/evidence has been collected to make an informed decision
Social & economic deprivation:	<i>Neutral</i>
Please provide details:	There are no policies that should impact on the cost of service to the travelling public
Armed Forces communities	<i>Neutral</i>
Please provide details:	Not enough data/evidence has been collected to make an informed decision

**Part 5: Action Plan**

Provide actions for **positive**, **negative** and **unclear** impacts.

If you have identified any **negative** or **unclear** impacts, describe what adjustments will be made to remove or reduce the impacts, or if this is not possible provide justification for continuing with the proposal.

Issue	Action to be taken	Person(s) responsible	Date to be completed by
	Continued work on the Equality Charter with the Disability Forum		
	Sourcing of Training Modules to raise awareness		

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**EqIA Sign Off**

Officer completing this EqIA:		Date:	
Equality Lead:		Date:	
Equality & Diversity Action Group Chair:		Date:	

**Next Steps:**

- Please send this draft EqIA 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 EqIA and you may be asked to make some alterations
- EqIAs are signed off and published
- The report author is responsible for ensuring any actions in the action plan are implemented.

## Place and Resources Overview Committee Tuesday 19 October 2021 Household Recycling Centre (HRC) Vehicle Access Policy

### For Recommendation to Cabinet

**Portfolio Holder:** Cllr J Haynes, Customer and Community Services

**Local Councillor(s):** All

**Executive Director:** J Sellgren, Executive Director of Place

**Report Author:** Ian Manley  
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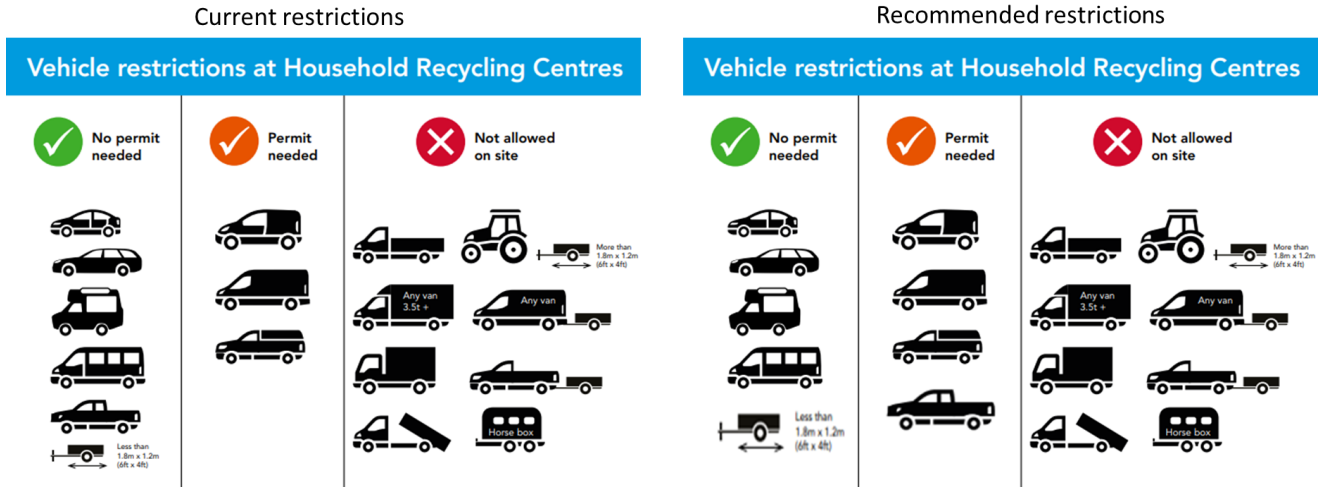
**Report Status:** Public

#### Recommendation:

That the committee review and acknowledge the results from the public consultation and support the following amendments to the permit scheme and recommend these to Cabinet:

1. That sole vehicle visits are limited to 12 visits per year, this is currently unlimited. Sole vehicles are defined by the policy as vehicles which are the only vehicle belonging to a household, that is not sign written, not commercially registered and requires a permit. – see Infographic 1.
2. That weekend access for limited entry permits is allowed and increase visits to six per year. Limited entry permits are defined by the policy for where there is more than one vehicle belonging to a household or the vehicle is commercially registered, or sign written. Currently only three visits are permitted. - see infographic 1
3. That dual crew cab, 'pick up' type vehicles are added to in the 'needs a permit' list

4. That an annual declaration for permit renewal is required rather than automatic renewal of all permits



Infographic 1. – [HRC Vehicle Restrictions](#)

**Reason for Recommendation:**

Evidence provided from public consultation and officer assessment have identified that the existing vehicle access policy requires refinement. The amendments proposed seek to provide a fairer approach to accessing HRCs by legitimate users to deposit their household waste alongside limiting the potential for trade waste abuse.

**1. Executive Summary**

1.1. Dorset Council operates a policy to manage the types of vehicles which can use HRCs to deposit household waste. This allows legitimate users to access the HRCs and to limit the potential for commercial waste abuse and minimise congestion.

1.2. The current vehicle access policy has been in operation for 11 years and has ~4,200 live permits. Vehicle ownership has changed but the policy has not evolved to reflect this. Public consultation and officer feedback indicate that some aspects of the policy do not meet the needs of Dorset Council residents.

1.3. This paper details the review process of the policy and recommends amendments to refresh and update the restrictions in place.

**2. Financial Implications**

2.1. This policy and its requirements are directly linked to Dorset Council's waste disposal budget. Seeking only to manage recycling and waste that the council is legally required accept at its HRCs. It aims to manage and prevent the misuse by individuals depositing, commercial waste (waste from a business) at a HRCs. The costs for administering this policy are small – less than £10,000 per year and the monitoring and recording of permit use are contractual requirements of the HRC operator.

### **3. Wellbeing & Health**

HRCs provide a safe and environmentally sound outlet for bulky household waste which needs to be removed from residents homes.

### **4. Climate implications**

4.1. Managing waste as a resource is the heart of the services Dorset Council provides. HRCs provide a valuable resource to Dorset Council residents to separate, reuse, recycle and deposit their household waste.

4.2. Improving access to legitimate users seeks to maximise the amount of household waste that is reused, recycled or composted via the HRCs.

4.3. In the case of the Sole Vehicle Permit detailed in 14.1 permit holders will only have 12 visits per year which should encourage them to fill their vehicles to make the visit more worthwhile, as opposed to more frequent visits with less items in the vehicle each visit.

### **5. Other Implications**

### **6. Risk Assessment**

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

Current Risk: LOW  
Residual Risk: LOW

Concerns of increased fly tipping have been raised from the public consultation. Recommendation two improves access to HRCs allowing legitimate users a greater availability to access the service. This includes use at weekend and an additional three visits per year. Limiting sole vehicle permits to 12 visits per year although a reduction for unlimited access is supported by usage monitoring and consultation responses as a reasonable number of visits for most users over a

12-month period. These policy amendments are therefore not considered to increase the risk fly tipping with the Dorset Council area.

## **7. Equalities Impact Assessment**

An equalities screening assessment has been conducted and has not identified any negative impacts.

## **8. Appendices**

N/A

## **9. Background Papers**

1. [Household Recycling Centre Access Policy Review – Consultation Response Report – July 2021](#)
2. [Surrounding Local Authority Vehicle Restrictions](#)

## **10. Current Policy Background**

- 10.1. The Environmental Protection Act 1990 provides the statutory obligation for the Council to arrange for places to be provided at which persons resident in its area may deposit their household waste and each place is available for the deposit of waste free of charge by persons resident in the area ([section 51](#))
- 10.2. Most, if not all, councils operate some form of restrictions policy which may include height barriers, van and trailer bans, weight restrictions and permit systems to control access to their HRCs
- 10.3. These schemes have proved successful in their aims and this has become increasingly important as the cost of waste treatment and disposal continues to rise and the temptation for traders to misuse household waste facilities increases
- 10.4. This is a challenging area to control and police as a lot of commercial waste is in nature very similar to household waste, for example waste from gardeners and independent trades people. It is difficult to distinguish from legitimate waste produced from householders, but it is more likely to be delivered via a trade vehicle.



10.5. Vehicle restrictions at HRCs were first introduced in January 2003 when a ban on all vans except where there were the sole means of transport in a household was enforced. This was amended in October 2009 when limited entry was permitted for some commercial vehicles and hire vans. The focus of these restrictions was and still is to tackle trade waste abuse.

10.6. Where permits are required under the current policy two options exist:

a) The Sole Vehicle Permit - where this is only the vehicle belonging to a household, is not commercially registered and is not sign written. Permit holders can make unlimited visits on any day of the week

b) The Limited Entry Permit – where there is more than one vehicle belonging to a household or the vehicle is commercially registered, or sign written. Only allowed for use during weekdays (excluding bank holidays)

Both types of permit are for Dorset Council residents only and only one permit can be issued per household.

10.7. Permit checking at HRCs is conducted via smart devices and not via Automatic Number Plate Recognition (ANPR). This technology is however being investigated by officers in order to improve accuracy and to provide real time monitoring of permit use.

## **11. Provisions for trade waste**

11.1. Currently Dorset Council provides outlets for trade waste at its waste transfer stations in Bridport and Sherborne and the HRC in Swanage. These services are charged for.

11.2. All other Dorset Council waste facilities have been assessed for similar services but have been deemed not fit to effectively provide and administer.

11.3. All future HRC and waste transfer stations are being designed with dedicated trade waste facilities to allow proper access, segregation, weighing and charging to take place.

11.4. Provision of such services is not only recognised as a commercial opportunity for Dorset council but also to provide convenient local outlets for small business to manage their waste effectively.

## 12. Policy Review

12.1. An officer working group has critically reviewed the existing policy. This has involved investigating how all neighbouring Councils implement similar restrictions ([See Background Paper 2](#)). This work identified the following issues with the existing policy:

- a) The current policy has been in operation for 11 years
- b) Vehicle ownership has changed but the policy has not - e.g. greater ownership of crew cab vehicles and camper vans
- c) Lacks detail in some area and is over complicated in others – leading to challenge and escalated complaints
- d) Is considered unfair for certain people when certain vehicle access is not permitted at weekends
- e) The policy was ratified by a council that no longer exists and there is a target to review all existing policies within Dorset Council by 2022

## 13. Consultation

13.1. The recommendations of this paper are informed and supported by results obtained from a public consultation exercise. This ran between 28th May 2021 and 11th July 2021 and received a total of 3,289 responses.

13.2. Of the total amount of respondents 535 had used the existing scheme to access an HRC with a permit for a vehicle. Based on the total amount of 'live' permits this represents ~12% of all current permit holders.

13.3. A range of questions relating to the HRC service were asked including specific question relating to the existing vehicle permit scheme. Full details of the consultation can be viewed in [Background Paper One](#)

## 14. Detailed Recommendations

14.1. **Recommendation 1.** That sole vehicle visits are limited to 12 visits per year, this is currently unlimited.

14.1.1. Unlimited access for sole vehicle permit holders – has the potential for abuse and anecdotally does get abused by small businesses and trades people. Evidence from enforcement activity also supports this. High usage of sole vehicle permits is regularly investigated, and permits have been revoked.

14.1.2. The council's permit database shows that of the current sole vehicle permit holders (1,901 in total) only 9% of holders use the HRCs more than 12 times per year.

14.1.3. Results from the public consultation show that 84% of respondents visit an HRC up to 12 times per year. Of these respondents who currently use permits only 11% use an HRC more than 12 times per year.

14.1.4. Limiting to 12 visits is considered reasonable for the majority and restricts the potential for abuse.

14.1.5. Limiting residents to 12 visits per year will encourage them to fill their vehicle and make the visit more worthwhile, as opposed to more frequent visits with less items in the vehicle each visit.

14.2. **Recommendation 2.** That weekend access for limited entry permits is allowed and increase visits to six per year

14.2.1. The current system only allows weekday use with the limited entry permit. There are currently 2,297 live permits. This has often been the source of complaints and is cited as impractical for working people. Allowing access at weekends makes the use of commercially marked vehicles for household waste delivery possible when working residents are more likely to have the free time to make the journey.

14.2.2. This approach correlates well with the responses received within the consultation. With van users, identifying the weekends as the best time to use the HRCs.

- 14.2.3. Of those respondents who had used the limited entry permit 63% didn't feel this had met their needs. The main reasons attributed to these judgments were the limit of three visits per year and not being able to use the HRCs at the weekend.
- 14.2.4. Overall, this increase in availability is seen as an improvement for legitimate access to HRCs. Allowing residents to make use of van or another permitted vehicle for the occasional large load.
- 14.3. **Recommendation 3.** That dual crew cab, 'pick up' type vehicles are added to in the 'needs a permit' list
- 14.3.1. Currently only single cab pickups require a permit. Dual crew cab pickups type vehicles have large carrying capacities and are often used by commercial businesses. There is anecdotal evidence to suggest these vehicles are being used to circumvent existing restrictions. Putting them in scope to require a permit seeks to limit the impact of commercial waste abuse at the HRCs while allowing reasonable access for legitimate users. This also provide parity across all pick up classifications.
- 14.3.2. Consultation results do not fully support this inclusion with only 41.3% of respondents identifying Double cab pickups as vehicles currently not requiring permits as needing one. However, of the options provided for vehicles which should require a permit they were the most frequently identified.
- 14.3.3. This update would also provide continuity with most of neighbouring authorities who currently require these vehicles to have permits.
- 14.4. **Recommendation 4:** That an annual declaration for permit renewal is required rather than automatic renewal of all permits
- 14.4.1. The need for permit holders to provide an annual declaration gives the opportunity to refresh and agree to the conditions of use with the service users.
- 14.4.2. The accuracy of the live permit holder data would also be improved, resulting in more effective monitoring of system use and a more robust data set for future policy development, providing the ability to better understand uptake and use of the system. This will also provide more robust GDPR compliance.

**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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## Place and Resources Overview Committee 19<sup>th</sup> October 2021 Review of the ‘Recycle for Dorset’ policy

### For Review and Consultation

**Portfolio Holder:** Cllr J Haynes, Customer and Community Services

**Local Councillor(s):** All Councillors

**Executive Director:** J Sellgren, Executive Director of Place

Report Author: Lisa Mounty / Louise Bryant

Title: Service Development Manager

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**Report Status:** Public

#### Recommendation:

The Councillors support the changes made to the revised version of the Recycle for Dorset policy (see appendix 2).

The Councillors’ support and/or comments are taken into consideration by the portfolio holder in their decision to approve the revised version of the policy.

#### Reason for Recommendation:

To enable the waste team to use the policy more effectively in everyday communications with residents, especially in relation to second homeowners and Houses in Multiple occupancy (HMOs). It will also enable operational efficiencies to be made in relation to collection points.

#### 1. Executive Summary

1.1 The current and revised versions of the Recycle for Dorset policy are in appendix one and two respectively.

1.2 The main three changes to the document are as follows:

- The wording regarding the collection points has been revised, i.e. where residents are required to place their waste and recycling containers for collection, particularly those that live in properties with private driveways that are a long distance from the public highway.
- Clarification regarding the provision of the Recycle for Dorset service to second home properties.
- The addition of a new section which stipulates the level of service that is provided to Houses in Multiple Occupation (HMOs). This provision of service has not been changed; it has been included as it is currently missing from the policy. The proposed wording matches what is in the current guidance for new developments.

Collection points:

- 1.3 Regarding the first of these three points, the Recycle for Dorset policy states that containers should be placed on the kerbside at the boundary/edge of curtilage of the property adjacent to the publicly maintained road. This is not always the case when it comes to households that have private roads/driveways leading up to the property. The current policy says the following:

*'Where a household is on a private street (which includes standard and narrow access) and council collection vehicles have historically accessed this road, the DWP will endeavour to continue to do so.'*

This currently means that we have situations whereby the crews are travelling down long driveways to collect from one property because 'they have always done so' which is both operationally and economically inefficient. It causes unnecessary wear and tear to the vehicles and takes a disproportionate amount of time and resources to collect.

- 1.4 The proposal is to change the wording to the following:

*'Where a household is on a private street or private road (which includes standard and narrow access), Dorset Council reserves the right to stipulate the collection point depending on what is operationally practicable.'*

This will provide the Operations team the discretion and authority to propose a more suitable collection point. It will enable the Operations team to make the rounds as efficient as possible to generate potential savings.



### Second homes:

1.5 The second of the two bullet points refers to second homes. Currently, there is an expectation from some second homeowners that they are entitled to a prescribed, separate collection service to cater for their needs, i.e. a collection day and time that fits around their occupancy of the property.

1.6 It is proposed that an additional two lines are inserted at the beginning of the policy which makes it clear that second homeowners receive the same standard of service as all Dorset residents:

*'This document details the service policies for Recycle for Dorset, the waste and recycling service provided by Dorset Council. It applies to all households in Dorset, including those that are used as second homes'.*

*'All households (including second homeowners) are required to present their rubbish and recycling in containers issued by Dorset Council on the collection day specified'.*

1.7 By inserting these additional lines, this will support the decisions of the Operational Managers when they are involved in complaints/discussions from second homeowners.

### Houses in Multiple Occupation (HMOs)

1.8 The third bullet point refers to the service that is currently provided to HMOs. An HMO will receive one standard set of recycle for Dorset containers. Larger HMOs may require additional waste capacity. If this is the case the landlord's options are:

- Pay for a larger capacity bin (5 or more residents – see 7.1 Larger families)
- Take the additional waste themselves to a licenced facility. To do this they will need a waste carrier's licence (The Waste (England and Wales) Regulations 2011) and pay to dispose of the waste.
- Request Dorset Council to collect the additional waste, however a collection charge will be payable.
- Pay a company to collect and dispose of the waste (this must be a registered waste carrier). There are many commercial operations that can undertake this service.

1.9 As detailed in paragraph 1.2, there are no proposed changes to this current situation.

## **2. Financial Implications**

- 2.1 We anticipate that the proposed revisions to the Recycle for Dorset policy, in particular those referring to the collection points, will lead to more efficient collection rounds. If approved, the changes to existing collection points will form part of the round optimisation programme that the waste team are currently working on.

### **Well-being and Health Implications**

- 2,2 No well-being or health implications have been identified.

## **3. Climate implications**

- 3.1 The recommended revisions to the Recycle for Dorset policy will reduce the number of cases whereby large refuse/recycling vehicles are travelling down long private driveways to collect and empty waste containers from a single or a small number of properties.

This will therefore have a positive climate change impact in terms of reduced fuel emissions.

## **4. Other Implications**

- 4.1 There are no other implications.

## **5. Risk Assessment**

- 5.1 Having considered the risks associated with this decision, the level of risk has been identified as low.

Current Risk: Low  
Residual Risk: Low

## **6. Equalities Impact Assessment**

- 6.1 There is an existing EQIA for the Recycle for Dorset service. For the purpose of this report, an additional draft EQIA has been prepared to cover the first of the proposed changes, i.e. the collection points as this has potential to have the most impact. This is in appendix 3.

## **7. Appendices**

Appendix one – Existing Recycle for Dorset Policy

Appendix two – Revised Recycle for Dorset Policy with proposed changes

Appendix three – EQIA

Appendix four – Recycle for Dorset Policy with track changes

## **8. Background Papers**

No background papers included.

**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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## **Recycle for Dorset Service Policy**

**Updated: June 2019**

1. Introduction
2. About the service
  - 2.1. Frequency and materials collected
  - 2.2. Opting out of the service
  - 2.3. Appeals
3. Standard service – provision of wheeled bins
  - 3.1 The standard provision of containers
4. Non-standard service – authorised sack scheme
  - 4.1. Criteria
  - 4.2. Authorised sack scheme
  - 4.3 Annual deliveries
  - 4.4 Gull Proof Sacks
5. Collection policies
  - 5.1. Day of collection
  - 5.2. Bank holidays and Christmas collections
  - 5.3. Collection calendars
6. Presentation of containers
  - 6.1. Collection point
  - 6.2. Isolated or inaccessible properties (restricted access)
  - 6.3. Presentation of waste containers
7. Tailoring residual waste capacity
  - 7.1. Larger families
  - 7.2. Disposable nappies
  - 7.3. Medical conditions
8. Presentation of Side waste (Rubbish)
  - 8.1. Side waste (rubbish)
  - 8.2. Collection of Christmas trees
9. Presentation of additional recyclables
  - 9.1. Additional recycling
  - 9.2. Smaller recycling wheeled bins

- 10. Assisted collections
- 11. Missed bins and containers
  - 11.1. Genuine missed bins
  - 11.2. Contaminated bins and containers
  - 11.3. Overfilled or overweight bins
  - 11.4. Cold weather – materials freezing inside containers
  - 11.5. Crew unable to access containers
- 12. Responsibility and ownership of bins and containers
  - 12.1. Ownership of containers
  - 12.2. Householder responsibilities
  - 12.3. DWP responsibilities
  - 12.4. Keeping bins clean
- 13. Moving home
  - 13.1. Leaving
  - 13.2. Moving in
- 14. Communal properties
- 15. New developments
  - 15.1. Charge for containers for new domestic properties
  - 15.2. Collections from new developments
- 16. Commercial waste

**Appendix 1 – Food waste**  
**Appendix 2 – Recycling**  
**Appendix 3 – Residual waste**

## 1 | Introduction

This document details the service policies for Recycle for Dorset, the uniform recycling and residual waste service for Dorset. The Recycle for Dorset service is provided by the Dorset Waste Partnership (DWP) on behalf of its partner authorities.

The implementation of Recycle for Dorset has contributed to the DWP delivering over £4.5 million in savings since its formation in 2011 to 2016. Furthermore the service has increased the kerbside recycling rate from 29% in 2011 to 57% in 2015/16.

This service policy fully supports the aims and objectives of the Dorset Waste Partnership, as set out in its Business Plan and the Revised Joint Municipal Waste Management Strategy for Dorset. They are:

- Maintaining customer satisfaction
- Investigate further options for cashable savings
- Encourage application of the waste hierarchy
- Meet our statutory requirements
- Seek to work in partnership

This is the third version of the policy following implementation of the scheme to all properties in Dorset and transition to a 'business as usual' position in 2015/16. The policy will continue to be kept under review.

## 2 | About the service

### 2.1 Frequency and materials collected

The Recycle for Dorset service comprises:

- a weekly collection of food waste (cooked and uncooked)
- a fortnightly mixed recycling collection (paper, card, plastic bottles, plastic pots, plastic tubs and plastic trays, tins/cans and aerosols)
- a fortnightly glass collection
- a fortnightly rubbish collection of non-recyclable waste

\*please note an optional fortnightly charged garden waste service is also available to Dorset residents.

Please see the appendices for further definition and expanded lists of what can and cannot be put into each container.

### 2.2 Opting out of the service

If a resident decides they do not want to participate in the service they may decide not to use the service. However, they would then be required to dispose of their own waste and in a legal and safe manner.

## 2.3 Appeals

Where a resident wishes to apply for non-standard arrangements for waste and recycling collections they must make an application to the DWP. Officers will make decisions in line with this policy in the first instance. Appeals against refusal decisions should be made in writing to DWP Appeals. Appeals will be considered by a senior officer of minimum Manager level.

## 3 | Standard service – provision of wheeled bins

All households are required to present their rubbish and recycling in containers issued by the DWP. The only exception to this is where a property meets one or more of the criteria listed in Section 4 below and following an assessment by a DWP officer may be offered an alternative service.

### 3.1 The standard provision of containers

- 240 litre grey wheeled bin with a green lid for mixed recycling
- 40 litre green kerbside recycling box for glass bottles. (Batteries placed in a small recycling bag, to be presented on the top of the contents of the recycling box)
- 23 litre lockable brown caddy for food waste (with a 7 litre caddy to use in the kitchen)
- 140 litre grey wheeled bin with a grey lid for non-recyclable, residual waste.

The standard residual waste bin will provide sufficient capacity for the majority of households provided appropriate use is made of the other containers supplied. There are certain circumstances where additional capacity may be provided. These are identified in **Section 7**.

## 4 | Non-standard service – authorised sack scheme

Some properties may not be suitable for the range of containers provided as standard. If a property meets one or more of the following criteria, it will be deemed unsuitable for wheeled bins and an alternative service will be provided. However, householders may still wish to use the wheeled containers even if their property meets one or more of these criteria.

### 4.1 Criteria

- The property is physically incapable of storing wheeled bins **anywhere** within its boundary
- There is no alternative but to wheel the bins through the property **and** no alternative access or storage point
- Where the wheeled bin must be brought up or down a series of steps that would present a safety risk or unreasonable difficulty **and** there is no alternative access or storage point
- Where there is no suitable point outside or near to the property to present the wheeled bin for collection



- Any other exceptional circumstances as requested by residents and agreed by the DWP

If householders notify the DWP that their property meets one or more of the above criteria DWP officers will assess each application and advise accordingly.

#### 4.2 Authorised sack scheme

If a property meets at least one of the criteria above, the DWP may provide the following alternative to the standard wheeled bins:

- authorised sacks for residual waste to be collected every fortnight (table 1 indicates the number of authorised sacks which may be provided);
- 23 litre container (and kitchen caddy) for food waste to be collected every week; and
- up to three boxes or bags (or a mixture of both) for recycling to be collected every fortnight. One to be used for glass, the others for paper, plastic bottles, cans and tins, and cardboard. In addition, a small reusable bag for batteries.

**Table 1 | Alternative collection arrangements**

Household Occupancy	Number of Authorised Sacks/Containers (1 year supply)	
	Residual waste (grey)	Recycling
Up to 4	2 sacks per fortnight	Up to 3 boxes / bags
5	3 sacks per fortnight	Up to 3 boxes / bags
6+	4 sacks per fortnight	Up to 3 boxes / bags

The recycling containers in Table 1 are those to be provided by the DWP. There is no restriction on recycling capacity and other suitable containers may be presented.

With effect from 2017/18 where a household meets the criteria for additional capacity for a large family of five or more an administration and delivery charge will be levied on the first application. Please refer to Section 7 for more information on tailoring capacity.

#### 4.3 Annual deliveries

Residents will only receive their entitlement of authorised sacks once each year and this is the household's annual allowance. The expectation is that residents will split this equally throughout the year and the DWP reserves the right to only collect the authorised number of sacks per property per collection. We will not collect waste contained in non-authorised DWP sacks, boxes or other loose rubbish.

#### 4.4 Gull Proof Sacks

It is the resident's responsibility to keep their waste contained securely between collections. In areas where authorised blue rubbish sacks are vulnerable to attack by gulls and/or vermin causing littering, residents may request a gull proof bag in which to protect their blue sacks on collection day.

Gull proof bags must not be left out on the highway between collections and once emptied should be returned to the property as soon as possible.

Only waste contained in authorised blue rubbish sacks will be collected from gull proof bags. No black sacks, loose waste or small carrier bags will be taken.

Gull proof bags are provided free of charge. Where a gull proof bag is lost or damaged; only one free of charge replacement will be granted within any two year period. Additional requests for replacement gull sacks will be subject to a charge.

Where a property is eligible for additional capacity due to medical waste or a larger family the appropriate number of gull proof bags will be provided on request.

## **5 | Collection policies**

### **5.1 Day of Collection**

The DWP will aim to make all collections, apart from garden waste, on the same day of the week in each area, with recycling and food collected one week and residual waste and food collected on the alternate week. There may be occasions where residual collections will have to take place on a different weekday to recycling, however these will be regarded as exceptions to the normal service, where there are local operational difficulties.

### **5.2 Bank holidays and Christmas collections**

Collection days change over the Christmas and New Year period. Collections on all other public holidays operate as normal.

On the first collection after the Christmas period a maximum of an additional two sacks of residual waste will be collected if left next to the residual waste bin or authorised sacks. Residents would be required to use their own sacks for this purpose

### **5.3 Collection calendars**

The DWP does not provide paper copy collection calendars. Details of collection arrangements including a collection day finder is available on the Dorset for you website at: [www.dorsetforyou.com/recycle](http://www.dorsetforyou.com/recycle)

## **6 | Presentation of waste containers**

### **6.1 Collection point**

Containers should be placed on the kerbside at the boundary/edge of curtilage of the property adjacent to the publicly maintained road, unless otherwise agreed by the DWP. Wheeled bins and containers must be clearly visible with no restrictions to access.

Where a household is on a private street (which includes standard and narrow access) and council collection vehicles have historically accessed this road, the DWP will endeavour to continue to do so. Where the collection is from a private road then permission will be required from the owner. Both for private streets and for private roads DWP will not accept liability for damage caused to the private road/street surface (including verges) where DWP are acting reasonably.

Where it is not possible to access the private road or street (which includes standard and narrow access) or permission is not received, the normal collection point will be at a suitable position on the nearest publicly maintained road or at another point agreed between the household and the DWP. Where the DWP cannot collect from a private road or a private street householders will be contacted concerning the revised collection point.

### **6.2 Isolated or inaccessible properties (restricted access)**

Wherever possible, the DWP will endeavour to provide the full standard waste and recycling collection service. In some exceptional circumstances, alternative collection arrangements may have to be made and operational managers will make best endeavours to offer a form of recycling.

### **6.3 Presentation of containers**

Wheeled bins and containers must be clearly visible with no restrictions to access. It is the householders' responsibility to ensure, where possible, containers are not placed in such a way that they will cause an obstruction to pedestrians and road users.

All wheeled bins and food waste containers must be presented with closed lids. For residual waste, no extra bags, boxes or loose residual waste (side waste) will be collected. It is the householders' responsibility to return uncollected side waste back to their property. Further policy on side waste (rubbish) is included in Section 8.

Additional recycling will be collected, provided it is in a suitable container, please refer to Section 9.

Containers should not be put out for collection earlier than 6pm on the day before collection, or later than 7am on the day of collection (if your property is in Weymouth, Portland, Chickerell or the surrounding area containers need to be put out no later than 6am on the day of collection). Ideally, wheeled bin handles should be facing towards the road and the food waste container should be left next to the wheeled bin, box or sack.

After the containers are emptied, the collection crew will return them to the position from which they were collected, providing this is suitable and safe. It is the householders' responsibility to return the containers to within the boundary of their property as soon as possible after they have been emptied and no later than the evening of the day of collection.

## **7 | Tailoring residual waste capacity**

The standard residual waste bin will provide sufficient capacity for the majority of households provided appropriate use is made of the other containers supplied. However, in certain circumstances, some residents may not have sufficient capacity for their residual waste.

Only households conforming to the circumstances detailed in this section can be considered for extra capacity. To be considered for additional capacity, householders must apply to the DWP and may be asked to provide supporting evidence or accept a visit from a DWP officer.

The householder will be required to inform the DWP of any changes in circumstances that mean they no longer meet the requirements of the policy and are no longer entitled to additional capacity. Regular reviews will be conducted to ensure that those who are granted additional capacity still require this and still meet the criteria.

If a new resident moves into a household with a non-standard residual bin, they will be entitled to the standard sized containers.

Identified below are the circumstances where residents can apply for additional residual waste capacity should they meet the criteria.

### **7.1 Larger families**

Families of five or more can apply for a larger bin for residual waste. The DWP will only supply a larger bin for residual waste once satisfied that the household has made every reasonable effort to divert waste through recycling, and that the household requirement for extra capacity is genuine. Extra capacity will be provided as follows:

- Up to four permanent occupants in the household – standard 140-litre residual waste bin
- Five or more permanent occupants in household – 240-litre residual waste bin

With effect from 2017/18 where a household meets the criteria for additional capacity for a large family, an administration and delivery charge will be levied to make this change. Additionally, properties with a larger bin for a larger family are not entitled to apply for additional sacks for disposable nappies. See 7.2.

### **7.2 Disposable nappies**

The DWP encourages the use of modern washable nappies (real nappies) as an alternative to disposables. Real nappies are widely available and the DWP operates an incentive scheme to help with the financial cost of buying real nappies. However, some families with young children who use disposable nappies may have additional residual waste needs. As a result, the DWP will offer families with small children additional residual waste capacity.

Families with one or more children in disposable nappies under three years of age can apply to the DWP for additional residual waste capacity.

- With effect from 2017/18 only households that are not eligible for additional capacity for a larger family are able to apply for additional sacks for disposable nappies.
- With effect from 2017/18 each application for additional sacks due to disposable nappies will be subject to payment of an administration and delivery charge.

Where applications are approved, the DWP will issue two packs of thirteen authorised sacks to the household. This equates to one additional waste sack per residual waste collection. The purpose of the sack is to increase capacity, not act as a receptacle for used nappies. The householder may place other residual waste within the sack and place used nappies within the wheeled bin. The authorised sack may be presented beside the residual waste wheeled bin. Applications for authorised sacks must be made on an annual basis.

### **7.3 Medical conditions**

The DWP recognises that some residents may have additional waste requirements for medical reasons. Where additional residual waste is generated and the capacity of the standard residual waste bin is not sufficient, householders (or carers on behalf of householders) can apply for additional capacity.

DWP officers may assess each application and work with householders and carers to find an appropriate solution. The type of container and collection will depend on the nature of the waste.

For waste classed as 'offensive' (i.e. as defined by the Controlled Waste Regulations 2012 it is not infectious) the DWP can provide the householder with additional capacity suitable to their needs. This will be either bigger or additional containers. Sacks will

only be provided where containers are not appropriate for the property (see property unsuitable criteria). For clarity offensive waste may include waste contaminated with body fluids or excretions such as incontinence waste, stoma bags, tubing from dialysis.

If the waste is classed as 'clinical' (i.e. the resident has an infection as defined by the Controlled Waste Regulations 2012) the householder will be asked to complete a form which will require input from a medical professional to determine the type of waste. This should then be returned to us to enable us to facilitate suitable storage and collection of the waste.

With regard to sharps at the present time these can be returned to local doctors surgeries in Dorset however this practice is under review and may change.

Where additional capacity is no longer required due to a change in circumstances, e.g. a person is admitted to a nursing home, the DWP should be informed.

## **8 | Presentation of side waste (rubbish)**

### **8.1 Side waste (rubbish)**

The standard residual waste capacity that the DWP provides will be sufficient to hold all household waste that householders produce between collections, provided that appropriate use is made of all the containers supplied. Extra bags, boxes and loose residual waste left next to residual waste bins can attract vermin and create litter. Additional residual waste presented alongside the residual waste bin or authorised sacks will be deemed as 'side waste' and will not be collected.

The exceptions to this policy are:

- When collections have been delayed or cancelled (e.g. suspension of service due to severe weather conditions);
- On the first collection after the Christmas period a maximum of an additional two sacks of residual waste will be collected if left next to the residual waste bin or authorised sacks. Residents would be required to use their own sacks for this purpose.

When side waste is not collected, the crew will leave information explaining why it has not been collected. The collection crew will not return to collect side waste. It is the householders' responsibility to take back uncollected side waste onto their property. Side waste left on the highway will be deemed to be fly tipping.

Additional recycling will be collected. Please refer to Section 9.

Garden waste will not be collected through the standard scheme. Householders may wish to subscribe to the charged fortnightly garden waste collection service.

### **8.2 Collection of Christmas trees**

Residents who subscribe to the optional garden waste collection service can cut up their real Christmas tree and place it in their garden waste bin for collection. Logs or large branches (more than six inches in diameter) cannot be collected.

Residents who do not subscribe to the garden waste service but would like their real tree to be composted can take it to their local household recycling centre. Christmas Trees should not be placed in rubbish or recycling bins, or left next to them.

The DWP will promote kerbside charity collections of Christmas Trees for those residents willing to pay for a kerbside collection.

## **9 | Presentation of additional recyclables**

### **9.1 Additional recycling**

There are no restrictions on the quantity of recyclable materials that households can recycle providing they store and present the materials appropriately. If a resident has additional recycling that will not fit in the recycling bin or box, the DWP will collect this provided it is presented in a suitable container comparable in size, capacity and dimensions to your recycling box. It is the householders' responsibility to return uncollected side waste back to their property.

If a resident presents additional recycling, paper and card should be kept dry and stored in the wheeled bin. Tins, cans and plastic bottles can be collected from an extra container or recycling box. Glass bottles and jars must be separated from other recycling materials when presented for collection. Glass must not be put in the wheeled bin, as it will contaminate the other materials. The DWP is unable to collect any large pieces of cardboard and this should be taken directly to a Household Recycle Centre by the resident. If this is not possible large cardboard boxes should be broken down and placed loosely in the recycling bin.

If required, householders will be able to purchase additional 'DWP' recycling wheeled bins or boxes from the partnership. We will only empty wheeled bins that are provided by the DWP. We cannot accept any liability for loss or damage to any container the householder provides for storage and collection of recyclables. If a replacement recycling box, lid or food caddy is required, residents will be advised to collect these from a network of local collection points wherever possible.

### **9.2 Smaller recycling wheeled bins**

Smaller recycling bins are no longer available as an option for recycle for Dorset. The only exception to this is where there is a clear operational justification for a smaller bin and this is at the discretion of an Operations Manager.

If a new resident moves into a household with a smaller (non-standard) recycling bin they will be entitled to the standard service at no extra cost.

If a householder requests to change from a smaller recycling bin to a standard sized container, and they originally requested a smaller recycling bin, then an administration and delivery fee will be levied to make this change.

## **10 | Assisted collections**

### **10.1 Assisted collection provision**

Inevitably there will be people within the community who require an enhanced level of service with the waste management process due to a number of conditions either on a permanent or temporary basis. It is essential that provision is made to assist these residents.

### **10.2 Applications**

The DWP therefore offers an enhanced level of service in circumstances where all members of the household are genuinely incapacitated either temporarily or

permanently or has a physical disability which makes it difficult or impossible to present waste and recycling at the kerbside and either:

- a) there is no other able-bodied person living in the same property over 14 years of age or
- b) no family member, friend or neighbour is available to help wheel the bin to the collection point each week.

As part of these arrangements the applicant will have to:

- i) agree to a permanent alternative collection point and
- ii) if requested to do so, provide proof of incapacity (doctor's note) and
- iii) allow access to containers for the collection crew from 7am onwards. If your property is in Weymouth, Portland, Chickerell or the surrounding area containers need to be put out no later than 6am on the day of collection.

To carry out an assisted collection the collection crew will have to enter private property and the DWP is not liable for any damage caused, unless operatives can be shown to have acted in an unreasonable manner. DWP collection staff are not authorised to enter the residents home.

To apply for an assisted collection residents must make an application using the online form on [dorsetforyou.com](http://dorsetforyou.com) or if they do not have internet access by calling 01305 221040 who will complete the form on their behalf. A home visit may be required.

An annual re-application process for assisted collection applicants will be carried out by the DWP to ensure that support is still needed.

In cases where applications for assisted collections are received from residents living in locations which would require the DWP to access long drives or lanes or move containers extended distances it is possible that the DWP will be unable to comply with that request, or an alternative service or location may be offered. In these cases, the final decision on what service can be provided will be made by the Head of Operations.

## **11 | Missed bins and containers**

### **11.1 Genuine missed bins**

All bins and containers must be presented for collection by 7am on the day of collection, as the DWP is unable to guarantee what time collection crews will arrive to empty them. If your property is in Weymouth, Portland, Chickerell or the surrounding area containers need to be put out no later than 6am on the day of collection.

Where a bin is presented correctly (correct materials, time, day, place etc.) in accordance with this policy document but has been genuinely missed, the DWP will return to empty it. The DWP will endeavour to collect it within no more than five working days of being notified by the householder. Please do not report a missed bin until after the end of the working day.

### **11.2 Contaminated bins and containers**

Where the collection crew is unable to empty a container because it has not been presented correctly (e.g. contains contaminating material), they will leave information

indicating why it has not been emptied. In this case, the DWP will not return to empty the bin or container prior to the next scheduled collection. The householders will need to remove all contamination from the bin or container before the next scheduled collection or it will not be emptied. Where a genuine mistake has occurred, additional material may be collected at the next planned collection.

Further information regarding the use of each containers, materials that can and cannot be put into each container and contaminants is included in the appendices at the end of this policy.

### **11.3 Overfilled or overweight bins**

Bins should not be overfilled or too heavy for the collection vehicles and crew to move and lift safely. If waste is too compacted, it may not come out of the bin when it is tipped into the collection vehicle. In this case, it will be left in the bin and it will be the householders' responsibility to remove this before the next collection. The householders will be expected to remove items that are too heavy to empty.

The householders should make sure that the bin is not overfilled so that the lid can close completely. The DWP will only empty bins that have the lid closed; a part open lid can obstruct the vehicle's lifting equipment and is a health and safety risk.

### **11.4 Cold weather – materials freezing inside containers**

During very cold weather, materials can freeze inside containers, and on occasion this means they cannot be emptied. This particularly affects organic materials such as food waste. In exceptional weather conditions, particularly snow and ice, collections may be suspended. The DWP will make best endeavours to return as soon as conditions have improved and access is possible. Information about alternative collection arrangements will be kept up to date on [www.dorsetforyou.com](http://www.dorsetforyou.com) and local media where possible.

### **11.5 Crew unable to access containers**

There are occasions where collection crews are prevented from accessing bins for collection due to poorly parked vehicles, roadworks, etc. Where this is the case, the DWP will make every effort to return once access becomes available and communicate with householders in affected areas. In exceptional circumstances, if a collection vehicle is repeatedly restricted from accessing bins, residents may be requested to take wheeled bins, containers or sacks to an agreed alternative collection point. Collection crews will not normally wheel out several containers from roads to an access point for emptying.

Where there are persistent problems with access, and there is no reasonable expectation of accessing a road or area, the DWP may not return to empty missed bins. In this case, the DWP will seek to resolve the access issues with individuals and agencies such as the police and highways authority. A possible solution may be to agree a designated collection point.

The DWP reserves the right to alter collection schedules if required, e.g. public holidays. Information about alternative collection arrangements will be kept up to date on [www.dorsetforyou.com](http://www.dorsetforyou.com) and in council newsletters.

## **12| Responsibility and ownership of bins and containers**

### **12.1 Ownership of containers**



All bins and other containers supplied by the DWP remain the property of the DWP. All two wheeled bins provided by the DWP will be fitted with an electronic identification tag.

### **12.2 Householder responsibilities**

Householders are responsible for keeping the bins and containers safe, clean and reporting any bins that are damaged, lost or stolen.

### **12.3 DWP responsibilities**

We will replace any containers that become faulty through fair wear and tear. The DWP reserves the right to make a charge to replace any containers damaged because of misuse by the householder. On occasion, wheeled bins are damaged during the collection process. Where this occurs the DWP will replace the wheeled bin as soon as is reasonably practicable, free of charge.

The DWP will remove any containers that are identified as unauthorised or that have previously been reported as lost or stolen from another address.

### **12.4 Keeping bins clean**

The DWP is not responsible for cleaning bins, residents have the responsibility of keeping their bins clean. There are professional cleaning companies that provide a wheeled bin cleaning services.

## **13 | Moving home**

### **13.1 Leaving**

If a resident moves house they must leave all bins, boxes, containers and authorised sacks behind in a clean condition ready for the next occupant.

### **13.2 Moving In**

Residents who have recently moved into a property are entitled to the standard service and they should contact the DWP if they have non-standard sized containers at the property. If the previous occupant has left behind a contaminated bin, the DWP will empty it on the first occasion when notified.

## **14 | Communal properties**

The DWP will seek to provide a service to residents of flats and other communal properties that is equivalent to the standard service. This may include shared bins for recycling, residual waste and food waste. Due to variances in layout of communal properties, each will be assessed by the DWP to agree the collection service to be provided to that location.

In some circumstances, such as large blocks of flats, the DWP will require the name of a contact person for the site and it will be that person's responsibility to notify the DWP of any changes in circumstances or issues that may occur.

Where shared bins are used and the DWP experiences problems of persistent contamination, recycling facilities may be restricted, changed or withdrawn. The DWP reserves the right to charge to clear bins of contaminants.

With effect from 2017/18 there will be a charge for replacement of lost or damaged communal wheeled bins (770l and 1100l bins).

## 15 / New developments

### 15.1 Charges for containers for new domestic properties

With effect from 2017/18 there will be a charge for the provision, administration and delivery of a full set of 'recycle for Dorset' containers where requested for a new build or new domestic rate paying property. The DWP would encourage the developer to fund the provision of containers however where they are not willing to do so the householder will ultimately be required to cover this cost.

### 15.2 Collections from new developments

Fewer and fewer new roads are being adopted by the Highways Authority (Dorset County Council) and where they are this can take as long as 24 months after completion. Whilst building is ongoing, the DWP will make every effort to collect from properties where possible. However, each new development will be assessed individually and the following requirements must be met:

- Where a road is to be adopted, has been completed, and can be safely accessed by collection vehicles, collections will commence. However, collections can only start once a suitable risk assessment has been completed
- For new un-adopted roads, the DWP would provide a service if the landowner offers an indemnity against damage and where there is no significant operational difficulty
- For larger developments, the site will be risk assessed in stages and the DWP will liaise with the developer/site agents to agree suitable collection points to which access can be gained. This may require a number of risk assessments over a period of time
- Any properties that are occupied but cannot be provided with kerbside collections will be required to present their containers at an agreed point
- Adjustments to the service may need to be considered during the interim stages as there may not be any suitable collection points for multiple wheeled bins/boxes etc.

Additional information is available in a separate document 'recycle for Dorset Guidance for Developers' regarding the service.

## 16 | Commercial Waste

Businesses are required to pay for their waste to be collected and disposed of and must not use the household waste service which is funded by council tax. This includes using public litter bins, recycling banks or taking materials to Household Recycling Centres. Regular duty of care checks are carried out by DWP Enforcement Officers to ensure Dorset businesses are legally disposing of their waste.

Businesses run from home (for example B&B's, holiday lets and childminders) must ensure they make separate provision for their business waste and must not use their household waste containers. The Controlled Waste Regulations 2012 classify waste from different types of premises.

## Appendix 1 - Food Containers

Only food waste may be placed in the food waste container. Ideally, food waste should be put straight into the container, and the container washed out periodically. The DWP understand that some residents would prefer to wrap food before placing it into the container and in this instance the following advice should be adhered to prevent contamination:

- A sheet or two of newspaper can be used to wrap food waste. Other types of paper such as magazines or cardboard are not acceptable;
- Starch or paper compostable liners are available from many supermarkets and local shops. The DWP will only collect food waste containers with liners if they have the following logo;



- No other liners should be used, e.g. plastic bags (including carrier bags marked as biodegradable) as this would contaminate the bin and the DWP will not empty it.

Food waste incorporates all cooked and uncooked food waste including:

- |                                       |                                |
|---------------------------------------|--------------------------------|
| ▪ Meat, fish and bones                | ▪ Cakes, bread and pastries    |
| ▪ Leftovers including plate scrapings | ▪ Tea bags and coffee grounds  |
| ▪ Pasta and rice                      | ▪ Fruit and vegetable peelings |
| ▪ Eggshells                           | ▪ Cheese and dairy produce     |

If any other materials apart from 'food' are found in the food waste container information will be left and the container will not be collected. Oil and other liquids are not permitted in the food waste container.

## Appendix 2 - Recycling Containers

Householders must only put the recycling material as detailed below in their recycling bin and container. Any other material found in the bin and containers will be deemed as contamination and the container may not be collected.

Material collected for recycling will be:

### 240-litre Wheeled Bin

- Paper and light card
- Corrugated cardboard
- Tins, cans and aerosols
- Plastic bottles and food containers, e.g.:
  - Fizzy drink bottles and squash bottles
  - Milk bottles
  - Detergent bottles
  - Shampoo and shower gel bottles
  - Yoghurt pots
  - Margarine tubs
  - Ice cream containers
  - Non-polystyrene meat trays

### Kerbside Recycling Box

- Glass bottles and jars
- Batteries (in a plastic battery bag)

If any other materials apart from those listed are found in the recycling bin or container, information will be left and the bin or container will not be collected. Plastic collection does not include:

- Plant pots
- Plastic garden furniture
- Carrier bags
- Expanded polystyrene
- Plastic films
- Crisp packets and sweet wrappers
- CD cases

The DWP reserves the right to charge for emptying of contaminated recycling bins if requested to do so.

### **Appendix 3 - Residual Waste Containers**

Residual waste (rubbish) is the waste that cannot be recycled or composted as part of the standard service. However, some materials cannot be disposed of in the residual waste bin. Residents should not put the following items into the residual waste bin:

- Broken glass unless safely wrapped or contained within a wheeled bin;
- Syringes / clinical waste;
- Garden waste;
- Liquid paint and oil;
- Gas canisters
- Rubble, stone, soil and gravel;
- Commercial waste;
- Hot ashes;
- Hazardous waste.

Separate arrangements may be made for the collection of most of these materials, although a charge may be made. Alternatively, most of these materials may be taken to a local household recycling centre.

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**Dorset**  
Council



## **Recycle for Dorset Service Policy**

**Updated: September 2021**

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**Appendix 1 – Food waste**

**Appendix 2 – Recycling**

**Appendix 3 – Residual waste**



## 1 | Introduction

This document details the service policies for Recycle for Dorset, the waste and recycling service provided by Dorset Council. It applies to all households in Dorset, including those that are used as second homes.

This service policy fully supports the aims and objectives of Dorset Council and the Revised Joint Municipal Waste Management Strategy for Dorset. They are:

- Maintaining customer satisfaction
- Investigate further options for cashable savings
- Encourage application of the waste hierarchy
- Meet our statutory requirements
- Seek to work in partnership

This is the fourth version of the policy and the policy will be regularly reviewed.

## 2 | About the service

### 2.1 Frequency and materials collected

The Recycle for Dorset service comprises:

- a weekly collection of food waste (cooked and uncooked)
- a fortnightly mixed recycling collection (paper, card, plastic bottles, plastic pots, plastic tubs and plastic trays, tins/cans and aerosols)
- a fortnightly glass collection
- a fortnightly rubbish collection of non-recyclable waste

\*please note an optional fortnightly charged garden waste service is also available to Dorset residents.

Please see the appendices for further definition and expanded lists of what can and cannot be put into each container.

### 2.2 Opting out of the service

If a resident decides they do not want to participate in the service they may decide not to use the service. However, they would then be required to dispose of their own waste and in a legal and safe manner.

## 3 | Standard service – provision of wheeled bins

All households (including second homeowners) are required to present their rubbish and recycling in containers issued by Dorset Council on the collection day specified. The only exception to this is where a property meets one or more of the criteria listed in Section 4 below and following an assessment by a Dorset Council Officer may be offered an alternative service.

### 3.1 The standard provision of containers

- 240 litre grey wheeled bin with a green lid for mixed recycling
- 40 litre green kerbside recycling box for glass bottles
- 23 litre lockable brown caddy for food waste (with a 7 litre caddy to use in the kitchen)
- 140 litre grey wheeled bin with a grey lid for non-recyclable, residual waste
- Transparent battery bag - batteries to be placed in a small recycling bag, to be presented in clear view with your recycling containers.

The standard residual waste bin will provide sufficient capacity for the majority of households provided appropriate use is made of the other containers supplied. There are certain circumstance where additional capacity may be provided. These are identified in **Section 7**.

## 4 | Non-standard service – authorised sack scheme

Some properties may not be suitable for the range of containers provided as standard. If a property meets one or more of the following criteria, it will be deemed unsuitable for wheeled bins and an alternative service will be provided. However, householders may still wish to use the wheeled containers even if their property meets one or more of these criteria.

### 4.1 Criteria

- The property is physically incapable of storing wheeled bins **anywhere** within its boundary
- There is no alternative but to wheel the bins through the property **and** there is no alternative access or storage point
- Where the wheeled bin must be brought up or down a series of steps that would present a safety risk or unreasonable difficulty **and** there is no alternative access or storage point
- Where there is no suitable point outside or near to the property to present the wheeled bin for collection
- Any other exceptional circumstances as requested by residents and agreed by Dorset Council

If householders notify Dorset Council that their property meets one or more of the above criteria Council Officers will assess each application and advise accordingly.

### 4.2 Authorised sack scheme

If a property meets at least one of the criteria above, Dorset Council may provide the following alternative to the standard wheeled bins:

- authorised sacks for residual waste to be collected every fortnight (table 1 indicates the number of authorised sacks which may be provided);
- 23 litre container (and kitchen caddy) for food waste to be collected every week; and
- up to three boxes for recycling to be collected every fortnight. One to be used for glass, the others for paper, plastic bottles, cans and tins, and cardboard. In addition, a small reusable bag for batteries.

**Table 1 | Alternative collection arrangements**

Household Occupancy	Number of Authorised Sacks/Containers (1 year supply)	
	Residual waste (Rubbish)	Recycling
Up to 4	2 sacks per fortnight	Up to 3 boxes
5 plus	3 sacks per fortnight	Up to 3 boxes

The recycling containers in Table 1 are those to be provided by Dorset Council. There is no restriction on recycling capacity and other suitable rigid containers, of a similar dimension and weight to a recycling box, may be presented.

Where a household meets the criteria for additional capacity, for a large family of five or more, an administration and delivery charge will be levied on the first application. Please refer to Section 7 for more information on tailoring capacity.

#### **4.3 Annual deliveries**

Residents will only receive their entitlement of authorised sacks once each year and this is the household's annual allowance. The expectation is that residents will split this equally throughout the year and Dorset Council reserves the right to only collect the authorised number of sacks per property per collection. We will not collect waste contained in non-authorised sacks, boxes or other loose rubbish.

#### **4.4 Gull Proof Sacks**

It is the resident's responsibility to keep their waste contained securely between collections. In areas where authorised blue rubbish sacks are vulnerable to attack by gulls and/or vermin causing littering, residents may request a gull proof sack in which to protect their blue sacks on collection day.

Gull proof sacks must not be left out on the highway between collections and once emptied should be returned to the property as soon as possible.

Only waste contained in authorised blue rubbish sacks will be collected from gull proof sacks. No black sacks, loose waste or small carrier bags will be taken.

Gull proof sacks are provided free of charge. Where a gull proof sack is lost or damaged; only one free of charge replacement will be granted within any two-year period. Additional requests for replacement gull proof sacks will be subject to a charge.

Where a property is eligible for additional capacity due to medical waste or a larger family the appropriate number of gull proof sacks will be provided on request.

## **5 | Collection policies**

### **5.1 Day of Collection**

Dorset Council will aim to make all collections, apart from garden waste, on the same day of the week in each area, with recycling and food collected one week and residual waste and food collected on the alternate week. There may be occasions where residual collections will have to take place on a different weekday to recycling, however these will be regarded as exceptions to the normal service, where there are local operational difficulties.

### **5.2 Bank holidays and Christmas collections**

Collection days change over the Christmas and New Year period. Collections on all other public holidays operate as normal.

On the first collection after the Christmas period a maximum of an additional two sacks of residual waste will be collected if left next to the residual waste bin or authorised sacks. Residents would be required to use their own sacks for this purpose

### **5.3 Collection calendars**

Dorset Council does not provide paper copy collection calendars. Details of collection arrangements including a collection day finder is available on the Dorset Council website at: [www.dorsetcouncil.gov.uk/recycle](http://www.dorsetcouncil.gov.uk/recycle)

## **6 | Presentation of waste containers**

### **6.1 Collection point**

Containers should be placed on the kerbside at the boundary/edge of curtilage of the property adjacent to the publicly maintained road, unless otherwise agreed by Dorset Council. Wheeled bins and containers must be clearly visible with no restrictions to access.

Where a household is on a private street or private road (which includes standard and narrow access), Dorset Council reserves the right to stipulate the collection point depending on what is operationally practicable. Where the collection is from a private road then written permission will be required from the owner(s). Both for private streets and for private roads Dorset Council will not accept liability for damage caused to the private road/street surface (including verges) where Dorset Council are acting reasonably.

Where it is not possible to access the private road or street (which includes standard and narrow access) or permission is not received, the normal collection point will be at a suitable position on the nearest publicly maintained road or at another point agreed between the household and Dorset Council. Where Dorset Council cannot collect from a private road or a private street, householders will be contacted concerning the revised collection point.

### **6.2 Isolated or inaccessible properties (restricted access)**

Wherever possible, Dorset Council will endeavour to provide the full standard waste and recycling collection service. In some exceptional circumstances, alternative collection arrangements may have to be made and operational managers will make best endeavours to offer a form of waste collection service.

### **6.3 Presentation of containers**

Wheeled bins and containers must be clearly visible with no restrictions to access. It is the householders' responsibility to ensure, where possible, containers are not placed in such a way that they will cause an obstruction to pedestrians and road users.

All wheeled bins and food waste containers must be presented with closed lids. For residual waste, no extra bags, boxes or loose residual waste (side waste) will be collected. It is the householders' responsibility to return uncollected side waste back to their property. Further policy on side waste (rubbish) is included in Section 8.

Additional recycling will be collected, provided it is in a suitable container, please refer to Section 9.

Containers should not be put out for collection earlier than 6pm on the day before collection, or later than 6am on the day of collection. Ideally, wheeled bin handles should be facing towards the road and the food waste container should be left next to the wheeled bin, box or sack.

After the containers are emptied, the collection crew will return them **close** to the position from which they were collected, providing this is suitable and safe. It is the householders' responsibility to return the containers to within the boundary of their property as soon as possible after they have been emptied and no later than the evening of the day of collection.

## **7 | Tailoring residual waste capacity**

The standard residual waste bin will provide sufficient capacity for the majority of households provided appropriate use is made of the other containers supplied. However, in certain circumstances, some residents may not have sufficient capacity for their residual waste.

Only households conforming to the circumstances detailed in this section can be considered for extra capacity. To be considered for additional capacity, householders must apply to Dorset Council and may be asked to provide supporting evidence or accept a visit from a Council Officer.

The householder will be required to inform Dorset Council of any changes in circumstances that mean they no longer meet the requirements of the policy and are no longer entitled to additional capacity. Regular reviews will be conducted to ensure that those who are granted additional capacity still require this and still meet the criteria.

If a new resident moves into a household with a non-standard residual bin, they will be entitled to the standard sized containers.

Identified below are the circumstances where residents can apply for additional residual waste capacity should they meet the criteria.

### **7.1 Larger families**

Families of five or more can apply for a larger bin for residual waste. Dorset Council will only supply a larger bin for residual waste once satisfied that the household has made every reasonable effort to divert waste through recycling, and that the household requirement for extra capacity is genuine. Extra capacity will be provided as follows:

- Up to four permanent occupants in the household – standard 140-litre residual waste bin
- Five or more permanent occupants in household – 240-litre residual waste bin

With effect from 2017/18 where a household meets the criteria for additional capacity for a large family, an administration and delivery charge will be levied to make this change. Additionally, properties with a larger bin for a larger family are not entitled to apply for additional sacks for disposable nappies. See 7.2.

### **7.2 Disposable nappies**

Dorset Council encourages the use of modern washable nappies (real nappies) as an alternative to disposables. Real nappies are widely available and Dorset Council operates an incentive scheme to help with the financial cost of buying real nappies. However, some families with young children who use disposable nappies may have

additional residual waste needs. As a result, Dorset Council will offer families with small children additional residual waste capacity.

Families with one or more children in disposable nappies under three years of age can apply to Dorset Council for additional residual waste capacity.

- Households with one or more children in disposable nappies under three years of age can apply to Dorset Council for additional residual waste capacity.
- Households that already have, or have applied for, a larger residual waste wheeled bin (for a larger family) cannot apply for additional sacks for disposable nappies.

Where applications are approved, Dorset Council will issue two packs of thirteen authorised sacks to the household. This equates to one additional waste sack per residual waste collection. The purpose of the sack is to increase capacity, not act as a receptacle for used nappies. The householder may place other residual waste within the sack and place used nappies within the wheeled bin. The authorised sack may be presented beside the residual waste wheeled bin. Applications for authorised sacks must be made on an annual basis.

### **7.3 Medical conditions**

Dorset Council recognises that some residents may have additional waste requirements for medical reasons. Where additional residual waste is generated and the capacity of the standard residual waste bin is not sufficient, householders (or carers on behalf of householders) can apply for additional capacity.

Dorset Council Officers may assess each application and work with householders and carers to find an appropriate solution. The type of container and collection will depend on the nature of the waste.

For waste classed as 'offensive' (i.e. as defined by the Controlled Waste Regulations 2012 it is not infectious) Dorset Council can provide the householder with additional capacity suitable to their needs. This will be either bigger or additional containers. Sacks will only be provided where containers are not appropriate for the property (see property unsuitable criteria). For clarity offensive waste may include waste contaminated with body fluids or excretions such as incontinence waste, stoma bags, tubing from dialysis.

If the waste is classed as 'clinical' (i.e. the resident has an infection as defined by the Controlled Waste Regulations 2012) the householder will be asked to complete a form which will require input from a medical professional to determine the type of waste. This should then be returned to us to enable us to facilitate suitable storage and collection of the waste.

With regard to sharps at the present time these can be returned to local doctors' surgeries in Dorset however this practice is under review and may change.

Where additional capacity is no longer required due to a change in circumstances, e.g. a person is admitted to a nursing home, Dorset Council should be informed.

## **8 | Presentation of side waste (rubbish)**

### **8.1 Side waste (rubbish)**

The standard residual waste capacity that Dorset Council provides will be sufficient to hold all household waste that householders produce between collections, provided that appropriate use is made of all the containers supplied. Extra bags, boxes and loose residual waste left next to residual waste bins can attract vermin and create litter. Additional residual waste presented alongside the residual waste bin or authorised sacks will be deemed as 'side waste' and will not be collected.

The exceptions to this policy are:

- When collections have been delayed or cancelled (e.g. suspension of service due to severe weather conditions);
- On the first collection after the Christmas period a maximum of an additional two sacks of residual waste will be collected if left next to the residual waste bin or authorised sacks. Residents would be required to use their own sacks for this purpose.

When side waste is not collected, the crew will leave information explaining why it has not been collected. The collection crew will not return to collect side waste. It is the householders' responsibility to take back uncollected side waste onto their property. Side waste left on the highway will be deemed to be fly tipping.

Additional recycling will be collected. Please refer to Section 9.

Garden waste will not be collected through the standard scheme. Householders may wish to subscribe to the charged fortnightly garden waste collection service.

### **8.2 Collection of Christmas trees**

Residents who subscribe to the optional garden waste collection service can cut up their real Christmas tree and place it in their garden waste bin for collection. Logs or large branches (more than six inches in diameter) cannot be collected.

Residents who do not subscribe to the garden waste service but would like their real tree to be composted can take it to their local household recycling centre. Christmas Trees should not be placed in rubbish or recycling bins or left next to them.

## **9 | Presentation of additional recyclables**

### **9.1 Additional recycling**

There are no restrictions on the quantity of recyclable materials that households can recycle providing they store and present the materials appropriately. If a resident has additional recycling that will not fit in the recycling bin or box, Dorset Council will collect this provided it is presented in a suitable rigid container comparable in size, capacity, dimensions and weight to your recycling box (plastic sacks or cardboard boxes are not suitable containers). It is the householders' responsibility to return uncollected side waste back to their property.

If a resident presents additional recycling, paper and card should be kept dry and stored in the wheeled bin. Tins, cans and plastic bottles can be collected from an extra container or recycling box. Glass bottles and jars must be separated from other recycling materials when presented for collection. Glass must not be put in the wheeled bin, as it will contaminate the other materials. Dorset Council is unable to collect any

large pieces of cardboard and this should be taken directly to a Household Recycle Centre by the resident. If this is not possible large cardboard boxes should be broken down and placed loosely in the recycling bin.

If required, householders will be able to purchase additional Dorset Council recycling wheeled bins or boxes. We will only empty wheeled bins that are provided by Dorset Council. We cannot accept any liability for loss or damage to any container the householder provides for storage and collection of recyclables. If a replacement recycling box, lid or food caddy is required, residents will be advised to collect these from a network of local collection points wherever possible.

### **9.2 Smaller recycling wheeled bins**

Smaller recycling bins are no longer available as an option for recycle for Dorset. The only exception to this is where there is a clear operational justification for a smaller bin and this is at the discretion of an Operations Manager.

If a new resident moves into a household with a smaller (non-standard) recycling bin they will be entitled to the standard service at no extra cost.

If a householder requests to change from a smaller recycling bin to a standard sized container, and they originally requested a smaller recycling bin, then an administration and delivery fee will be levied to make this change.

## **10 | Assisted collections**

### **10.1 Provision and applications**

Dorset Council offers alternative collection arrangements in circumstances where all members of the household are genuinely incapacitated, either temporarily or permanently, or have a physical disability which makes it difficult or impossible to present waste and recycling at the kerbside and either:

- a) there is no other able-bodied person living in the same property over 14 years of age or
- b) no family member, friend, carer or neighbour is available to help wheel the bin to the collection point each week.

As part of these arrangements the applicant will have to:

- i) agree to a permanent alternative collection point and
- ii) if requested to do so, provide proof of incapacity (doctor's note) and
- iii) allow access to containers for the collection crew from 6am onwards.

To carry out an assisted collection, the collection crew will have to enter private property. Dorset Council collection staff are not authorised to enter the resident's home. Dorset Council is not liable for any damage caused, unless operatives can be shown to have acted in an unreasonable manner.

To apply for an assisted collection, residents must apply to Dorset Council and a home visit may be required. An annual re-application process for assisted collection applicants will be carried out by Dorset Council to ensure that support is still needed.

In cases where applications for assisted collections are received from residents living in locations which would require Dorset Council to access long drives or lanes or



move containers extended distances it is possible that Dorset Council will be unable to comply with that request, or an alternative service or location may be offered. In these cases, the final decision on what service can be provided will be made by the Head of Operations.

## **11 | Missed bins and containers**

### **11.1 Genuine missed bins**

All bins and containers must be presented for collection by 6am on the day of collection, as Dorset Council is unable to guarantee what time collection crews will arrive to empty them.

Where a bin is presented correctly (correct materials, time, day, place etc.) in accordance with this policy document but has been genuinely missed, Dorset Council will return to empty it. Dorset Council will endeavour to collect it within no more than five working days of being notified by the householder. Please do not report a missed bin until after 4pm on the day of collection.

### **11.2 Contaminated bins and containers**

Where the collection crew is unable to empty a container because it has not been presented correctly (e.g. contains contaminating material), they will leave information indicating why it has not been emptied. In this case, Dorset Council will not return to empty the bin or container prior to the next scheduled collection. The householders will need to remove all contamination from the bin or container before the next scheduled collection or it will not be emptied. Where a genuine mistake has occurred, additional material may be collected at the next planned collection.

Further information regarding the use of each containers, materials that can and cannot be put into each container and contaminants is included in the appendices at the end of this policy.

### **11.3 Overfilled or overweight bins**

Bins should not be overfilled or too heavy for the collection crew and vehicle to move and lift safely. If waste is too compacted, it may not come out of the bin when it is tipped into the collection vehicle. In this case, it will be left in the bin and it will be the householders' responsibility to remove this before the next collection. The householders will be expected to remove items that are too heavy to empty.

The householders should make sure that the bin is not overfilled so that the lid can close completely. Dorset Council will only empty bins that have the lid closed; a part open lid can obstruct the vehicle's lifting equipment and is a health and safety risk.

### **11.4 Cold weather – materials freezing inside containers**

During very cold weather, materials can freeze inside containers, and on occasion this means they cannot be emptied. This particularly affects organic materials such as food waste. In exceptional weather conditions, particularly snow and ice, collections may be suspended. Dorset Council will make best endeavours to return as soon as conditions have improved and access is possible. Information about alternative collection arrangements will be kept up to date on [www.dorsetforyou.com](http://www.dorsetforyou.com) and local media where possible.

### **11.5 Crew unable to access containers**

There are occasions where collection crews are prevented from accessing bins for collection due to poorly parked vehicles, roadworks, etc. Where this is the case, Dorset

Council will make every effort to return once access becomes available and communicate with householders in affected areas. In exceptional circumstances, if a collection vehicle is repeatedly restricted from accessing bins, residents may be requested to take wheeled bins, containers or sacks to an agreed alternative collection point. Collection crews will not normally wheel out several containers from roads to an access point for emptying.

Where there are persistent problems with access, and there is no reasonable expectation of accessing a road or area, Dorset Council may not return to empty missed bins. In this case, Dorset Council will seek to resolve the access issues with individuals and agencies such as the police and highways authority. A possible solution may be to agree a designated collection point.

Dorset Council reserves the right to alter collection schedules if required, e.g. public holidays. Information about alternative collection arrangements will be kept up to date on [www.dorsetforyou.com](http://www.dorsetforyou.com) and in council newsletters.

## **12 | Responsibility and ownership of bins and containers**

### **12.1 Ownership of containers**

All bins and other containers supplied by Dorset Council remain the property of Dorset Council. All two wheeled bins provided by Dorset Council will be fitted with an electronic identification tag.

### **12.2 Householder responsibilities**

Householders are responsible for keeping the bins and containers safe, clean and reporting any bins that are damaged, lost or stolen.

### **12.3 Dorset Council responsibilities**

We will replace any containers that become faulty through fair wear and tear. Dorset Council reserves the right to make a charge to replace any containers damaged because of misuse by the householder. On occasion, wheeled bins are damaged during the collection process. Where this occurs Dorset Council will replace the wheeled bin as soon as is reasonably practicable, free of charge.

Dorset Council will remove any containers that are identified as unauthorised or that have previously been reported as lost or stolen from another address.

### **12.4 Keeping bins clean**

Dorset Council is not responsible for cleaning bins, residents have the responsibility of keeping their bins clean. There are professional cleaning companies that provide a wheeled bin cleaning services.

## **13 | Moving home**

### **13.1 Leaving**

If a resident moves house they must leave all bins, boxes, containers and authorised sacks behind in a clean condition ready for the next occupant.

### **13.2 Moving In**

Residents who have recently moved into a property are entitled to the standard service and they should contact Dorset Council if they have non-standard sized containers at the property. If the previous occupant has left behind a contaminated bin, Dorset Council will empty it on the first occasion when notified.

## 14 | Communal properties

Dorset Council will seek to provide a service to residents of flats and other communal properties that is equivalent to the standard service. This may include shared bins for recycling, residual waste and food waste. Due to variances in layout of communal properties, each will be assessed by Dorset Council to agree the collection service to be provided to that location.

In some circumstances, such as large blocks of flats, Dorset Council will require the name of a contact person for the site and it will be that person's responsibility to notify Dorset Council of any changes in circumstances or issues that may occur.

Where shared bins are used and Dorset Council experiences problems of persistent contamination, recycling facilities may be restricted, changed or withdrawn. Dorset Council reserves the right to charge to clear bins containing contaminants.

There is a charge for replacement of lost or damaged communal wheeled bins (770l and 1100l bins).

## 15 | Houses of Multiple Occupancy (HMO)

A HMO will receive one standard set of recycle for Dorset containers. Larger HMOs may require additional waste capacity. If this is the case the landlord's options are:

- Pay for a larger capacity bin (5 or more residents – see 7.1 Larger families)
- Take the additional waste themselves to a licenced facility. To do this they will need a waste carrier's licence (The Waste (England and Wales) Regulations 2011) and pay to dispose of the waste.
- Request Dorset Council to collect the additional waste, however a collection charge will be payable.
- Pay a company to collect and dispose of the waste (this must be a registered waste carrier). There are many commercial operations that can undertake this service.

## 16 / New developments and new council tax rated property

### 15.1 Charges for containers for new domestic properties

With effect from 2017/18 there will be a charge for the provision, administration and delivery of a full set of 'recycle for Dorset' containers where requested for a new build or new **council tax rated property**. Dorset Council encourages the developer to fund the provision of containers however where they are not willing to do so the householder will ultimately be required to cover this cost.

### 15.2 Collections from new developments

Fewer and fewer new roads are being adopted by the Highways Authority (Dorset Council) and where they are this can take as long as 24 months after completion. Whilst building is ongoing, Dorset Council will make every effort to collect from properties where possible. However, each new development will be individually assessed and the following requirements must be met:

- Where a road is to be adopted, has been completed, and can be safely accessed by a standard collection vehicle, collections will commence.

However, collections can only start once a suitable risk assessment has been completed

- For new un-adopted roads, Dorset Council will provide a service if the landowner offers an indemnity against damage and where there is no significant operational difficulty
- For larger developments, the site will be risk assessed in stages and Dorset Council will liaise with the developer/site agents to agree suitable collection points to which access can be gained. This may require a number of risk assessments over a period of time
- Any properties that are occupied but cannot be provided with kerbside collections will be required to present their containers at an agreed point
- Adjustments to the service may need to be considered during the interim stages as there may not be any suitable collection points for multiple wheeled bins/boxes etc.

Additional information is available in a separate document 'recycle for Dorset Guidance for Developers' regarding the service.

## **17 | Commercial Waste**

Businesses are required to pay for their waste to be collected and disposed of and must not use the household waste service which is funded by council tax. This includes using public litter bins, recycling banks or taking materials to Household Recycling Centres. Regular duty of care checks are carried out by Dorset Council Enforcement Officers to ensure Dorset businesses are legally disposing of their waste.

Businesses run from home (for example B&B's, holiday lets and childminders) must ensure they make separate provision for their business waste and must not use their household waste containers. The Controlled Waste Regulations 2012 classify waste from different types of premises.

## Appendix 1 - Food Containers

Only food waste may be placed in the food waste container. Ideally, food waste should be put straight into the container, and the container washed out periodically. Dorset Council understand that some residents would prefer to wrap food before placing it into the container and in this instance the following advice should be adhered to prevent contamination:

- A sheet or two of newspaper can be used to wrap food waste. Other types of paper such as magazines or cardboard are not acceptable;
- Starch or paper compostable liners are available from many supermarkets and local shops. Dorset Council will only collect food waste containers with liners if they have the following logo;



- No other liners should be used, e.g. plastic bags (including carrier bags marked as biodegradable) as this would contaminate the bin and Dorset Council will not empty it.

Food waste incorporates all cooked and uncooked food waste including:

- |                                       |                                |
|---------------------------------------|--------------------------------|
| ▪ Meat, fish and bones                | ▪ Cakes, bread and pastries    |
| ▪ Leftovers including plate scrapings | ▪ Tea bags and coffee grounds  |
| ▪ Pasta and rice                      | ▪ Fruit and vegetable peelings |
| ▪ Eggshells                           | ▪ Cheese and dairy produce     |

If any other materials apart from 'food' are found in the food waste container information will be left and the container will not be collected. Oil and other liquids are not permitted in the food waste container.

## Appendix 2 - Recycling Containers

Householders must only put the recycling material as detailed below in their recycling bin and container. Any other material found in the bin and containers will be deemed as contamination and the container may not be collected.

Material collected for recycling will be:

- |  |  |
|--|--|
| <p><b>240-litre Wheeled Bin</b></p> <ul style="list-style-type: none"><li>▪ Paper and light card</li><li>▪ Corrugated cardboard</li><li>▪ Tins, cans and aerosols</li></ul><br><ul style="list-style-type: none"><li>▪ Plastic bottles and food containers, e.g.<ul style="list-style-type: none"><li>▪ Fizzy drink bottles and squash bottles</li><li>▪ Milk bottles</li><li>▪ Detergent bottles</li><li>▪ Shampoo and shower gel bottles</li><li>▪ Yoghurt pots</li><li>▪ Margarine tubs</li><li>▪ Ice cream containers</li><li>▪ Non-polystyrene meat trays</li></ul></li></ul> | <p><b>Kerbside Recycling Box</b></p> <ul style="list-style-type: none"><li>▪ Glass bottles and jars</li></ul><br><p><b>Reusable battery bag</b></p> <ul style="list-style-type: none"><li>▪ Batteries (in a plastic battery bag)</li></ul> |
|--|--|

If any other materials apart from those listed are found in the recycling bin or container, information will be left and the bin or container will not be collected. Plastic collection does not include:

- Plant pots
- Plastic garden furniture
- Carrier bags
- Expanded polystyrene
- Plastic films
- Crisp packets and sweet wrappers
- CD cases

Dorset Council reserves the right to charge for emptying of contaminated recycling bins if requested to do so.

### **Appendix 3 - Residual Waste Containers**

Residual waste (rubbish) is the waste that cannot be recycled or composted as part of the standard service. However, some materials cannot be disposed of in the residual waste bin. Residents should not put the following items into the residual waste bin:

- Broken glass unless safely wrapped or contained within a wheeled bin;
- Syringes / clinical waste;
- Garden waste;
- Liquid paint and oil;
- Gas canisters
- Rubble, stone, soil and gravel;
- Batteries;
- Commercial waste;
- Hot ashes;
- Hazardous waste.

Separate arrangements may be made for the collection of most of these materials, although a charge may be made. Alternatively, most of these materials may be taken to a local household recycling centre.

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## Equality Impact Assessment (EqIA)

### 1. Initial information

**Name of the policy, project, strategy, project or service being assessed:**

Revision of the Recycle for Dorset policy

### 2. Is this a (please delete those not required):

Review of existing policy

### 3. Is this (please delete those not required):

External

### 4. Please provide a brief overview of its aims and objectives:

Dorset Council already has in place an agreed policy for the Recycle for Dorset service. Three changes to that policy are being proposed.

Firstly, there are a small number of properties, commonly in rural locations, where the existing collection point is far from the highway - this is particularly in cases where there are long unadopted private driveways. The current policy states that:

*'Where a household is on a private street (which includes standard and narrow access) and council collection vehicles have historically accessed this road, the DWP will endeavour to continue to do so.'*

This currently means that we have situations whereby the crews are travelling down long, often private driveways to collect from one property because 'they have always done so' and will continue having to do so even when occupants change. This is committing the service to additional and often unnecessary activity which is operationally and economically inefficient.

As such the policy is being revised to provide clarity around these situations and confirm that there are some circumstances where the Operations Manager can stipulate an alternative collection point that is on or near to the public highway.

The other two changes relate to second homes and Houses of Multiple Occupancy (HMOs). The revised policy now clarifies the service provided to second homes, making it clear that second homeowners receive the same standard of service as all Dorset residents and cannot be renegotiated to coincide with occupancy. Regarding HMO's, there is no change in current policy, it is simply including the position which was omitted from the initial version.

Evidence gathering and engagement

**5. What sources of data, evidence or research has been used for this assessment? (e.g national statistics, employee data):**

Primarily service data and discussions with operational supervisors and managers.

**6. What did this tell you?**

Parts of Dorset are very rural and inaccessible. The change in policy will impact a very small number of households (approx. 500) across Dorset. Changes will be made on a case by case basis and will be referred to the Head of Operations if an appeal is made by a resident.

**7. Who have you engaged and consulted with as part of this assessment?**

Operational supervisors and managers

**8. Is further information needed to help inform decision making?**

No

Is an EQIA required? Yes

Assessing the impact on different groups of people

Key to impacts

Positive Impact	<ul style="list-style-type: none"> <li>the proposal eliminates discrimination, advances equality of opportunity and/or fosters good relations with protected groups.</li> </ul>
Negative Impact	<ul style="list-style-type: none"> <li>protected characteristic group(s) could be disadvantaged or discriminated against</li> </ul>
Neutral Impact	<ul style="list-style-type: none"> <li>no change/ no assessed significant impact of protected characteristic groups</li> </ul>

Unclear	<ul style="list-style-type: none"> <li>not enough data/evidence has been collected to make an informed decision.</li> </ul>
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<b>Impacts on who or what?</b>	<b>Choose impact</b>	<b>How</b>
Age	Neutral	<p>Some older residents may find moving wheeled bins or carrying boxes difficult. However, reasonable adjustments will be discussed with any older residents affected, including alternative collection points, alternative services and different containers that will make it possible for them to manage their waste themselves.</p> <p>The wording of the proposed change also gives discretion to the service to continue the historic arrangements where suitable alternatives cannot be found.</p>
Disability	Neutral	<p>As above, although there is the potential for this change to adversely impact residents with a physical disability, as explained above, all alternatives will be explored with the residents before their service is affected, and the proposed change in wording gives discretion to operational managers where they are satisfied alternative arrangements are not available.</p>
Gender reassignment and Gender Identity	Neutral	
Marriage or civil partnership	Neutral	
Pregnancy and maternity	Neutral	
Race and Ethnicity	Neutral	
Religion and belief	Neutral	

<b>Impacts on who or what?</b>	<b>Choose impact</b>	<b>How</b>
Sex (consider men and women)	Neutral	
Sexual orientation	Neutral	
People with caring responsibilities	Neutral	
Rural isolation	Neutral	
Socio-economic deprivation	Neutral	
Armed forces communities	Neutral	

Please provide a summary of the impacts:

## Action Plan

Summarise any actions required as a result of this EqIA.

Issue	Action to be taken	Person(s) responsible	Date to be completed by
Difficulty making decisions regarding services	The development of guidelines for managers and supervisors. Process for appeals to the Head of Operations will be agreed.	Mike Moon	

## Sign Off

Officer completing this EqIA: Gemma Clinton

Officers involved in completing the EqIA:

Louise Bryant – Service Development Manager

Lisa Mouny – Service Development Manager

Sarah Wasey – Business Development Officer

Becky Forrester -Business Partner

Date of completion:

Version Number: 2

EqIA review date: 29 September 2021

Equality Lead Sign Off: Becky Forrester



## **Recycle for Dorset Service Policy**

**Updated: July 2021**

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  - ~~2.3. Appeals~~
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  - 3.1 The standard provision of containers
4. Non-standard service – authorised sack scheme
  - 4.1. Criteria
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5. Collection policies
  - 5.1. Day of collection
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6. Presentation of containers
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8. Presentation of Side waste (rubbish)
  - 8.1. Side waste (rubbish)
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9. Presentation of additional recyclables
  - 9.1. Additional recycling
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10. Assisted collections
11. Missed bins and containers

- 11.1. Genuine missed bins
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12. Responsibility and ownership of bins and containers

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**Appendix 1 – Food waste**

**Appendix 2 – Recycling**

**Appendix 3 – Residual waste**



## 1 | Introduction

This document details the service policies for Recycle for Dorset, ~~the uniform recycling and residual waste service for Dorset.~~ **the waste and recycling service provided by Dorset Council.** ~~The Recycle for Dorset service is provided by the Dorset Waste Partnership (DWP) on behalf of its partner authorities.~~

~~The implementation of Recycle for Dorset has contributed to the DWP delivering over £4.5 million in savings since its formation in 2011 to 2016. Furthermore the service has increased the kerbside recycling rate from 20% in 2011 to 57% in 2015/16.~~

This service policy fully supports the aims and objectives of Dorset Council ~~the Dorset Waste Partnership, as set out in its Business Plan~~ and the Revised Joint Municipal Waste Management Strategy for Dorset. They are:

- Maintaining customer satisfaction
- Investigate further options for cashable savings
- Encourage application of the waste hierarchy
- Meet our statutory requirements
- Seek to work in partnership

~~This is the third version of the policy following implementation of the scheme to all properties in Dorset and transition to a 'business as usual' position in 2015/16. The policy will continue to be kept under review.~~

**This is the fourth version of the policy and the policy will be regularly reviewed.**

## 2 | About the service

### 2.1 Frequency and materials collected

The Recycle for Dorset service comprises:

- a weekly collection of food waste (cooked and uncooked)
- a fortnightly mixed recycling collection (paper, card, plastic bottles, plastic pots, plastic tubs and plastic trays, tins/cans and aerosols)
- a fortnightly glass collection
- a fortnightly rubbish collection of non-recyclable waste

\*please note an optional fortnightly charged garden waste service is also available to Dorset residents.

Please see the appendices for further definition and expanded lists of what can and cannot be put into each container.

### 2.2 Opting out of the service

If a resident decides they do not want to participate in the service they may decide not to use the service. However, they would then be required to dispose of their own waste and in a legal and safe manner.

### **2.3 Appeals**

~~Where a resident wishes to apply for non-standard arrangements for waste and recycling collections they must make an application to the DWP. Officers will make decisions in line with this policy in the first instance. Appeals against refusal decisions should be made in writing to DWP Appeals. Appeals will be considered by a senior officer of minimum Manager level.~~

**Commented [LB1]:** Any complaints will be dealt with using the Dorset Council standard complaints procedure.

## **3 | Standard service – provision of wheeled bins**

All households (including second home owners) are required to present their rubbish and recycling in containers issued by Dorset Council on the collection day specified. The only exception to this is where a property meets one or more of the criteria listed in Section 4 below and following an assessment by a Dorset Council officer may be offered an alternative service.

### **3.1 The standard provision of containers**

- 240 litre grey wheeled bin with a green lid for mixed recycling
- 40 litre green kerbside recycling box for glass bottles
- 23 litre lockable brown caddy for food waste (with a 7 litre caddy to use in the kitchen)
- 140 litre grey wheeled bin with a grey lid for non-recyclable, residual waste.
- Transparent battery bag - batteries to be placed in a small recycling bag, to be presented in clear view with your recycling containers.

The standard residual waste bin will provide sufficient capacity for the majority of households provided appropriate use is made of the other containers supplied. There are certain circumstance where additional capacity may be provided. These are identified in **Section 7**.

## **4 | Non-standard service – authorised sack scheme**

Some properties may not be suitable for the range of containers provided as standard. If a property meets one or more of the following criteria, it will be deemed unsuitable for wheeled bins and an alternative service will be provided. However, householders may still wish to use the wheeled containers even if their property meets one or more of these criteria.

### **4.1 Criteria**

- The property is physically incapable of storing wheeled bins **anywhere** within its boundary

- There is no alternative but to wheel the bins through the property **and** there is no alternative access or storage point
- Where the wheeled bin must be brought up or down a series of steps that would present a safety risk or unreasonable difficulty **and** there is no alternative access or storage point
- Where there is no suitable point outside or near to the property to present the wheeled bin for collection
- Any other exceptional circumstances as requested by residents and agreed by Dorset Council

If householders notify Dorset Council that their property meets one or more of the above criteria Council Officers will assess each application and advise accordingly.

#### 4.2 Authorised sack scheme

If a property meets at least one of the criteria above, Dorset Council may provide the following alternative to the standard wheeled bins:

- authorised sacks for residual waste to be collected every fortnight (table 1 indicates the number of authorised sacks which may be provided);
- 23 litre container (and kitchen caddy) for food waste to be collected every week; and
- up to three boxes ~~or bags (or a mixture of both)~~ for recycling to be collected every fortnight. One to be used for glass, the others for paper, plastic bottles, cans and tins, and cardboard. In addition, a small reusable bag for batteries.

**Table 1 | Alternative collection arrangements**

Household Occupancy	Number of Authorised Sacks/Containers (1 year supply)	
	Residual waste ( )	Recycling
Up to 4	2 sacks per fortnight	Up to 3 boxes
5	3 sacks per fortnight	Up to 3 boxes

The recycling containers in Table 1 are those to be provided by Dorset Council. There is no restriction on recycling capacity and other suitable containers, of a similar dimension to a recycling box, may be presented.

Where a household meets the criteria for additional capacity, for a large family of five or more, an administration and delivery charge will be levied on the first application. Please refer to Section 7 for more information on tailoring capacity.

#### 4.3 Annual deliveries

Residents will only receive their entitlement of authorised sacks once each year and this is the household's annual allowance. The expectation is that residents will split this equally throughout the year and Dorset Council reserves the right to only collect the authorised number of sacks per property per collection. We will not collect waste contained in non-authorised sacks, boxes or other loose rubbish.

#### 4.4 Gull Proof Sacks

It is the resident's responsibility to keep their waste contained securely between collections. In areas where authorised blue rubbish sacks are vulnerable to attack by gulls and/or vermin causing littering, residents may request a gull proof sack in which to protect their blue sacks on collection day.

Gull proof sacks must not be left out on the highway between collections and once emptied should be returned to the property as soon as possible.

Only waste contained in authorised blue rubbish sacks will be collected from gull proof sacks. No black sacks, loose waste or small carrier bags will be taken.

Gull proof sacks are provided free of charge. Where a gull proof sack is lost or damaged; only one free of charge replacement will be granted within any two-year period. Additional requests for replacement gull proof sacks will be subject to a charge.

Where a property is eligible for additional capacity due to medical waste or a larger family the appropriate number of gull proof sacks will be provided on request.

## **5 | Collection policies**

### **5.1 Day of Collection**

Dorset Council will aim to make all collections, apart from garden waste, on the same day of the week in each area, with recycling and food collected one week and residual waste and food collected on the alternate week. There may be occasions where residual collections will have to take place on a different weekday to recycling, however these will be regarded as exceptions to the normal service, where there are local operational difficulties.

### **5.2 Bank holidays and Christmas collections**

Collection days change over the Christmas and New Year period. Collections on all other public holidays operate as normal.

On the first collection after the Christmas period a maximum of an additional two sacks of residual waste will be collected if left next to the residual waste bin or authorised sacks. Residents would be required to use their own sacks for this purpose

### **5.3 Collection calendars**

Dorset Council does not provide paper copy collection calendars. Details of collection arrangements including a collection day finder is available on the Dorset Council website at: [www.dorsetcouncil.gov.uk/recycle](http://www.dorsetcouncil.gov.uk/recycle)

## **6 | Presentation of waste containers**

### **6.1 Collection point**

Containers should be placed on the kerbside at the boundary/edge of curtilage of the property adjacent to the publicly maintained road, unless otherwise agreed by Dorset Council. Wheeled bins and containers must be clearly visible with no restrictions to access.

~~Where a household is on a private street (which includes standard and narrow access) and council collection vehicles have historically accessed this road, Dorset Council will endeavour to continue to do so. Where the collection is from a private road then permission will be required from the owner. Both for private streets and for private roads Dorset Council will not accept liability for damage caused to the private road/street surface (including verges) where Dorset Council are acting reasonably.~~

Where a household is on a private street or private road (which includes standard and narrow access), Dorset Council reserves the right to stipulate the collection point depending on what is operationally practicable. Where the collection is from a private

road then permission will be required from the owner. Both for private streets and for private roads Dorset Council will not accept liability for damage caused to the private road/street surface (including verges) where Dorset Council are acting reasonably.

Where it is not possible to access the private road or street (which includes standard and narrow access) or permission is not received, the normal collection point will be at a suitable position on the nearest publicly maintained road or at another point agreed between the household and Dorset Council. Where Dorset Council cannot collect from a private road or a private street householders will be contacted concerning the revised collection point.

#### **6.2 Isolated or inaccessible properties (restricted access)**

Wherever possible, Dorset Council will endeavour to provide the full standard waste and recycling collection service. In some exceptional circumstances, alternative collection arrangements may have to be made and operational managers will make best endeavours to offer a form of recycling.

#### **6.3 Presentation of containers**

Wheeled bins and containers must be clearly visible with no restrictions to access. It is the householders' responsibility to ensure, where possible, containers are not placed in such a way that they will cause an obstruction to pedestrians and road users.

All wheeled bins and food waste containers must be presented with closed lids. For residual waste, no extra bags, boxes or loose residual waste (side waste) will be collected. It is the householders' responsibility to return uncollected side waste back to their property. Further policy on side waste (rubbish) is included in Section 8.

Additional recycling will be collected, provided it is in a suitable container, please refer to Section 9.

Containers should not be put out for collection earlier than 6pm on the day before collection, or later than 6am on the day of collection. Ideally, wheeled bin handles should be facing towards the road and the food waste container should be left next to the wheeled bin, box or sack.

After the containers are emptied, the collection crew will return them close to the position from which they were collected, providing this is suitable and safe. It is the householders' responsibility to return the containers to within the boundary of their property as soon as possible after they have been emptied and no later than the evening of the day of collection.

### **7 | Tailoring residual waste capacity**

The standard residual waste bin will provide sufficient capacity for the majority of households provided appropriate use is made of the other containers supplied. However, in certain circumstances, some residents may not have sufficient capacity for their residual waste.

Only households conforming to the circumstances detailed in this section can be considered for extra capacity. To be considered for additional capacity, householders must apply to Dorset Council and may be asked to provide supporting evidence or accept a visit from a council officer.

The householder will be required to inform Dorset Council of any changes in circumstances that mean they no longer meet the requirements of the policy and are no longer entitled to additional capacity. Regular reviews will be conducted to ensure that those who are granted additional capacity still require this and still meet the criteria.

If a new resident moves into a household with a non-standard residual bin, they will be entitled to the standard sized containers.

Identified below are the circumstances where residents can apply for additional residual waste capacity should they meet the criteria.

### **7.1 Larger families**

Families of five or more can apply for a larger bin for residual waste. Dorset Council will only supply a larger bin for residual waste once satisfied that the household has made every reasonable effort to divert waste through recycling, and that the household requirement for extra capacity is genuine. Extra capacity will be provided as follows:

- Up to four permanent occupants in the household – standard 140-litre residual waste bin
- Five or more permanent occupants in household – 240-litre residual waste bin

With effect from 2017/18 where a household meets the criteria for additional capacity for a large family, an administration and delivery charge will be levied to make this change. Additionally, properties with a larger bin for a larger family are not entitled to apply for additional sacks for disposable nappies. See 7.2.

### **7.2 Disposable nappies**

Dorset Council encourages the use of modern washable nappies (real nappies) as an alternative to disposables. Real nappies are widely available and Dorset Council operates an incentive scheme to help with the financial cost of buying real nappies. However, some families with young children who use disposable nappies may have additional residual waste needs. As a result, Dorset Council will offer families with small children additional residual waste capacity.

Families with one or more children in disposable nappies under three years of age can apply to Dorset Council for additional residual waste capacity.

- Households with one or more children in disposable nappies under three years of age can apply to Dorset Council for additional residual waste capacity.
- Households that already have, or have applied for, a larger residual waste wheeled bin (for a larger family) cannot apply for additional sacks for disposable nappies.

Where applications are approved, Dorset Council will issue two packs of thirteen authorised sacks to the household. This equates to one additional waste sack per residual waste collection. The purpose of the sack is to increase capacity, not act as a receptacle for used nappies. The householder may place other residual waste within the sack and place used nappies within the wheeled bin. The authorised sack may be presented beside the residual waste wheeled bin. Applications for authorised sacks must be made on an annual basis.

### **7.3 Medical conditions**

Dorset Council recognises that some residents may have additional waste requirements for medical reasons. Where additional residual waste is generated and the capacity of the standard residual waste bin is not sufficient, householders (or carers on behalf of householders) can apply for additional capacity.

Dorset Council officers may assess each application and work with householders and carers to find an appropriate solution. The type of container and collection will depend on the nature of the waste.

For waste classed as 'offensive' (i.e. as defined by the Controlled Waste Regulations 2012 it is not infectious) Dorset Council can provide the householder with additional capacity suitable to their needs. This will be either bigger or additional containers. Sacks will only be provided where containers are not appropriate for the property (see property unsuitable criteria). For clarity offensive waste may include waste contaminated with body fluids or excretions such as incontinence waste, stoma bags, tubing from dialysis.

If the waste is classed as 'clinical' (i.e. the resident has an infection as defined by the Controlled Waste Regulations 2012) the householder will be asked to complete a form which will require input from a medical professional to determine the type of waste. This should then be returned to us to enable us to facilitate suitable storage and collection of the waste.

With regard to sharps at the present time these can be returned to local doctors' surgeries in Dorset however this practice is under review and may change.

Where additional capacity is no longer required due to a change in circumstances, e.g. a person is admitted to a nursing home, Dorset Council should be informed.

## **8 | Presentation of side waste (rubbish)**

### **8.1 Side waste (rubbish)**

The standard residual waste capacity that Dorset Council provides will be sufficient to hold all household waste that householders produce between collections, provided that appropriate use is made of all the containers supplied. Extra bags, boxes and loose residual waste left next to residual waste bins can attract vermin and create litter. Additional residual waste presented alongside the residual waste bin or authorised sacks will be deemed as 'side waste' and will not be collected.

The exceptions to this policy are:

- When collections have been delayed or cancelled (e.g. suspension of service due to severe weather conditions);
- On the first collection after the Christmas period a maximum of an additional two sacks of residual waste will be collected if left next to the residual waste bin or authorised sacks. Residents would be required to use their own sacks for this purpose.

When side waste is not collected, the crew will leave information explaining why it has not been collected. The collection crew will not return to collect side waste. It is

the householders' responsibility to take back uncollected side waste onto their property. Side waste left on the highway will be deemed to be fly tipping.

Additional recycling will be collected. Please refer to Section 9.

Garden waste will not be collected through the standard scheme. Householders may wish to subscribe to the charged fortnightly garden waste collection service.

### **8.2 Collection of Christmas trees**

Residents who subscribe to the optional garden waste collection service can cut up their real Christmas tree and place it in their garden waste bin for collection. Logs or large branches (more than six inches in diameter) cannot be collected.

Residents who do not subscribe to the garden waste service but would like their real tree to be composted can take it to their local household recycling centre. Christmas Trees should not be placed in rubbish or recycling bins, or left next to them.

## **9 | Presentation of additional recyclables**

### **9.1 Additional recycling**

There are no restrictions on the quantity of recyclable materials that households can recycle providing they store and present the materials appropriately. If a resident has additional recycling that will not fit in the recycling bin or box, Dorset Council will collect this provided it is presented in a suitable container comparable in size, capacity and dimensions to your recycling box. It is the householders' responsibility to return uncollected side waste back to their property.

If a resident presents additional recycling, paper and card should be kept dry and stored in the wheeled bin. Tins, cans and plastic bottles can be collected from an extra container or recycling box. Glass bottles and jars must be separated from other recycling materials when presented for collection. Glass must not be put in the wheeled bin, as it will contaminate the other materials. Dorset Council is unable to collect any large pieces of cardboard and this should be taken directly to a Household Recycle Centre by the resident. If this is not possible large cardboard boxes should be broken down and placed loosely in the recycling bin.

If required, householders will be able to purchase additional Dorset Council recycling wheeled bins or boxes. We will only empty wheeled bins that are provided by Dorset Council. We cannot accept any liability for loss or damage to any container the householder provides for storage and collection of recyclables. If a replacement recycling box, lid or food caddy is required, residents will be advised to collect these from a network of local collection points wherever possible.

### **9.2 Smaller recycling wheeled bins**

Smaller recycling bins are no longer available as an option for recycle for Dorset. The only exception to this is where there is a clear operational justification for a smaller bin and this is at the discretion of an Operations Manager.

If a new resident moves into a household with a smaller (non-standard) recycling bin they will be entitled to the standard service at no extra cost.



If a householder requests to change from a smaller recycling bin to a standard sized container, and they originally requested a smaller recycling bin, then an administration and delivery fee will be levied to make this change.

## **10 | Assisted collections**

### **10.1 Assisted collection provision**

Inevitably there will be people within the community who require an enhanced level of service with the waste management process due to a number of conditions either on a permanent or temporary basis. It is essential that provision is made to assist these residents.

### **10.2 Applications**

Dorset Council therefore offers an enhanced level of service in circumstances where all members of the household are genuinely incapacitated either temporarily or permanently or has a physical disability which makes it difficult or impossible to present waste and recycling at the kerbside and either:

- a) there is no other able-bodied person living in the same property over 14 years of age or
- b) no family member, friend or neighbour is available to help wheel the bin to the collection point each week.

As part of these arrangements the applicant will have to:

- i) agree to a permanent alternative collection point and
- ii) if requested to do so, provide proof of incapacity (doctor's note) and
- iii) allow access to containers for the collection crew from 6am onwards..

To carry out an assisted collection the collection crew will have to enter private property and Dorset Council is not liable for any damage caused, unless operatives can be shown to have acted in an unreasonable manner. Dorset Council collection staff are not authorised to enter the residents home.

To apply for an assisted collection residents must apply using the online form on the council website or if they do not have internet access by calling 01305 221040 who will complete the form on their behalf. A home visit may be required.

An annual re-application process for assisted collection applicants will be carried out by Dorset Council to ensure that support is still needed.

In cases where applications for assisted collections are received from residents living in locations which would require Dorset Council to access long drives or lanes or move containers extended distances it is possible that Dorset Council will be unable to comply with that request, or an alternative service or location may be offered. In these cases, the final decision on what service can be provided will be made by the Head of Operations.

## **11 | Missed bins and containers**

### **11.1 Genuine missed bins**

All bins and containers must be presented for collection by 6am on the day of collection, as Dorset Council is unable to guarantee what time collection crews will arrive to empty them.

Where a bin is presented correctly (correct materials, time, day, place etc.) in accordance with this policy document but has been genuinely missed, Dorset Council will return to empty it. Dorset Council will endeavour to collect it within no more than five working days of being notified by the householder. Please do not report a missed bin until after the end of the working day.

#### **11.2 Contaminated bins and containers**

Where the collection crew is unable to empty a container because it has not been presented correctly (e.g. contains contaminating material), they will leave information indicating why it has not been emptied. In this case, Dorset Council will not return to empty the bin or container prior to the next scheduled collection. The householders will need to remove all contamination from the bin or container before the next scheduled collection or it will not be emptied. Where a genuine mistake has occurred, additional material may be collected at the next planned collection.

Further information regarding the use of each containers, materials that can and cannot be put into each container and contaminants is included in the appendices at the end of this policy.

#### **11.3 Overfilled or overweight bins**

Bins should not be overfilled or too heavy for the collection vehicles and crew to move and lift safely. If waste is too compacted, it may not come out of the bin when it is tipped into the collection vehicle. In this case, it will be left in the bin and it will be the householders' responsibility to remove this before the next collection. The householders will be expected to remove items that are too heavy to empty.

The householders should make sure that the bin is not overfilled so that the lid can close completely. Dorset Council will only empty bins that have the lid closed; a part open lid can obstruct the vehicle's lifting equipment and is a health and safety risk.

#### **11.4 Cold weather – materials freezing inside containers**

During very cold weather, materials can freeze inside containers, and on occasion this means they cannot be emptied. This particularly affects organic materials such as food waste. In exceptional weather conditions, particularly snow and ice, collections may be suspended. Dorset Council will make best endeavours to return as soon as conditions have improved and access is possible. Information about alternative collection arrangements will be kept up to date on [www.dorsetforyou.com](http://www.dorsetforyou.com) and local media where possible.

#### **11.5 Crew unable to access containers**

There are occasions where collection crews are prevented from accessing bins for collection due to poorly parked vehicles, roadworks, etc. Where this is the case, Dorset Council will make every effort to return once access becomes available and communicate with householders in affected areas. In exceptional circumstances, if a collection vehicle is repeatedly restricted from accessing bins, residents may be requested to take wheeled bins, containers or sacks to an agreed alternative collection point. Collection crews will not normally wheel out several containers from roads to an access point for emptying.

Where there are persistent problems with access, and there is no reasonable expectation of accessing a road or area, Dorset Council may not return to empty missed bins. In this case, Dorset Council will seek to resolve the access issues with individuals and agencies such as the police and highways authority. A possible solution may be to agree a designated collection point.

Dorset Council reserves the right to alter collection schedules if required, e.g. public holidays. Information about alternative collection arrangements will be kept up to date on [www.dorsetforyou.com](http://www.dorsetforyou.com) and in council newsletters.

## **12 | Responsibility and ownership of bins and containers**

### **12.1 Ownership of containers**

All bins and other containers supplied by Dorset Council remain the property of Dorset Council. All two wheeled bins provided by Dorset Council will be fitted with an electronic identification tag.

### **12.2 Householder responsibilities**

Householders are responsible for keeping the bins and containers safe, clean and reporting any bins that are damaged, lost or stolen.

### **12.3 Dorset Council responsibilities**

We will replace any containers that become faulty through fair wear and tear. Dorset Council reserves the right to make a charge to replace any containers damaged because of misuse by the householder. On occasion, wheeled bins are damaged during the collection process. Where this occurs Dorset Council will replace the wheeled bin as soon as is reasonably practicable, free of charge.

Dorset Council will remove any containers that are identified as unauthorised or that have previously been reported as lost or stolen from another address.

### **12.4 Keeping bins clean**

Dorset Council is not responsible for cleaning bins, residents have the responsibility of keeping their bins clean. There are professional cleaning companies that provide a wheeled bin cleaning services.

## **13 | Moving home**

### **13.1 Leaving**

If a resident moves house they must leave all bins, boxes, containers and authorised sacks behind in a clean condition ready for the next occupant.

### **13.2 Moving In**

Residents who have recently moved into a property are entitled to the standard service and they should contact Dorset Council if they have non-standard sized containers at the property. If the previous occupant has left behind a contaminated bin, Dorset Council will empty it on the first occasion when notified.

## **14 | Communal properties**

Dorset Council will seek to provide a service to residents of flats and other communal properties that is equivalent to the standard service. This may include shared bins for recycling, residual waste and food waste. Due to variances in layout of communal properties, each will be assessed by Dorset Council to agree the collection service to be provided to that location.

In some circumstances, such as large blocks of flats, Dorset Council will require the name of a contact person for the site and it will be that person's responsibility to notify Dorset Council of any changes in circumstances or issues that may occur.

Where shared bins are used and Dorset Council experiences problems of persistent contamination, recycling facilities may be restricted, changed or withdrawn. Dorset Council reserves the right to charge to clear bins of contaminants.

With effect from 2017/18 there will be a charge for replacement of lost or damaged communal wheeled bins (770l and 1100l bins).

## 15 | Houses of Multiple Occupancy (HMO)

Commented [LB2]: This is a new section

An HMO will receive one standard set of recycle for Dorset containers. Larger HMOs may require additional waste capacity. If this is the case the landlord's options are:

- Pay for a larger capacity bin (5 or more residents – see 7.1 Larger families)
- Take the additional waste themselves to a licenced facility. To do this they will need a waste carrier's licence (The Waste (England and Wales) Regulations 2011) and pay to dispose of the waste.
- Request Dorset Council to collect the additional waste, however a collection charge will be payable.
- Pay a company to collect and dispose of the waste (this must be a registered waste carrier). There are many commercial operations that can undertake this service.

## 16 / New developments and new council tax rated property

### 15.1 Charges for containers for new domestic properties

With effect from 2017/18 there will be a charge for the provision, administration and delivery of a full set of 'recycle for Dorset' containers where requested for a new build or new ~~domestic rate paying property~~ **council tax rated property**. Dorset Council would encourage the developer to fund the provision of containers however where they are not willing to do so the householder will ultimately be required to cover this cost.

### 15.2 Collections from new developments

Fewer and fewer new roads are being adopted by the Highways Authority (Dorset Council) and where they are this can take as long as 24 months after completion. Whilst building is ongoing, Dorset Council will make every effort to collect from properties where possible. However, each new development will be individually assessed and the following requirements must be met:

- Where a road is to be adopted, has been completed, and can be safely accessed by a **standard** collection vehicle, collections will commence. However, collections can only start once a suitable risk assessment has been completed
- For new un-adopted roads, Dorset Council would provide a service if the landowner offers an indemnity against damage and where there is no significant operational difficulty
- For larger developments, the site will be risk assessed in stages and Dorset Council will liaise with the developer/site agents to agree suitable collection points to which access can be gained. This may require a number of risk assessments over a period of time
- Any properties that are occupied but cannot be provided with kerbside collections will be required to present their containers at an agreed point

- Adjustments to the service may need to be considered during the interim stages as there may not be any suitable collection points for multiple wheeled bins/boxes etc.

Additional information is available in a separate document 'recycle for Dorset Guidance for Developers' regarding the service.

## 17 | Commercial Waste

Businesses are required to pay for their waste to be collected and disposed of and must not use the household waste service which is funded by council tax. This includes using public litter bins, recycling banks or taking materials to Household Recycling Centres. Regular duty of care checks are carried out by Dorset Council Enforcement Officers to ensure Dorset businesses are legally disposing of their waste.

Businesses run from home (for example B&B's, holiday lets and childminders) must ensure they make separate provision for their business waste and must not use their household waste containers. The Controlled Waste Regulations 2012 classify waste from different types of premises.

### Appendix 1 - Food Containers

Only food waste may be placed in the food waste container. Ideally, food waste should be put straight into the container, and the container washed out periodically. Dorset Council understand that some residents would prefer to wrap food before placing it into the container and in this instance the following advice should be adhered to prevent contamination:

- A sheet or two of newspaper can be used to wrap food waste. Other types of paper such as magazines or cardboard are not acceptable;
- Starch or paper compostable liners are available from many supermarkets and local shops. Dorset Council will only collect food waste containers with liners if they have the following logo;



- No other liners should be used, e.g. plastic bags (including carrier bags marked as biodegradable) as this would contaminate the bin and Dorset Council will not empty it.

Food waste incorporates all cooked and uncooked food waste including:

- |                                       |                                |
|---------------------------------------|--------------------------------|
| ▪ Meat, fish and bones                | ▪ Cakes, bread and pastries    |
| ▪ Leftovers including plate scrapings | ▪ Tea bags and coffee grounds  |
| ▪ Pasta and rice                      | ▪ Fruit and vegetable peelings |

- Eggshells
- Cheese and dairy produce

If any other materials apart from 'food' are found in the food waste container information will be left and the container will not be collected. Oil and other liquids are not permitted in the food waste container.

## **Appendix 2 - Recycling Containers**

Householders must only put the recycling material as detailed below in their recycling bin and container. Any other material found in the bin and containers will be deemed as contamination and the container may not be collected.

Material collected for recycling will be:

### **240-litre Wheeled Bin**

- Paper and light card
- Corrugated cardboard
- Tins, cans and aerosols
- Plastic bottles and food containers, e.g.:
  - Fizzy drink bottles and squash bottles
  - Milk bottles
  - Detergent bottles
  - Shampoo and shower gel bottles
  - Yoghurt pots
  - Margarine tubs
  - Ice cream containers
  - Non-polystyrene meat trays

### **Kerbside Recycling Box**

- Glass bottles and jars
- Batteries (in a plastic battery bag)

If any other materials apart from those listed are found in the recycling bin or container, information will be left and the bin or container will not be collected. Plastic collection does not include:

- Plant pots
- Plastic garden furniture
- Carrier bags
- Expanded polystyrene
- Plastic films
- Crisp packets and sweet wrappers
- CD cases

Dorset Council reserves the right to charge for emptying of contaminated recycling bins if requested to do so.

### **Appendix 3 - Residual Waste Containers**

Residual waste (rubbish) is the waste that cannot be recycled or composted as part of the standard service. However, some materials cannot be disposed of in the residual waste bin. Residents should not put the following items into the residual waste bin:

- |   |                                   |
|---|-----------------------------------|
| ▪ Broken glass unless safely wrapped or contained within a wheeled bin; | ▪ Rubble, stone, soil and gravel; |
| ▪ Syringes / clinical waste;  | ▪ Commercial waste;               |
| ▪ Garden waste;   | ▪ Hot ashes;                      |
| ▪ Liquid paint and oil;   | ▪ Hazardous waste.                |
| ▪ Gas canisters   |                                   |

Separate arrangements may be made for the collection of most of these materials, although a charge may be made. Alternatively, most of these materials may be taken to a local household recycling centre.

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## Place and Resources Overview Committee 19 October 2021 Review of Community Infrastructure Levy (CIL) Expenditure

### For Recommendation to Cabinet

**Portfolio Holder:** Cllr D Walsh, Planning

**Local Councillor(s):** All

**Executive Director:** J Sellgren, Executive Director of Place

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**Report Status:** Public

#### Recommendation:

That members of the committee:

- (i) Review the implemented CIL governance arrangements as explained in this report.
- (ii) Recommend to Cabinet for approval the proposed changes to the governance arrangements as set out in this report including the 'minded to' recommendations from Place & Resources Scrutiny Committee 13<sup>th</sup> July 2021.

#### Reason for Recommendation:

To ensure the delivery of important infrastructure to support growth and development.

#### 1. Executive Summary

On the [23<sup>rd</sup> July 2020](#), members of Place Scrutiny Committee considered and approved governance arrangements that would enable the spend of monies

collected through Dorset Councils' four Community Infrastructure Levy (CIL) area charging schedules. The findings of that committee were subsequently considered and approved by Cabinet on the [28<sup>th</sup> July 2020](#).

These decisions paved the way for the first round of CIL spend to take place in the autumn of 2020 with funding recommendations reported to Cabinet on the [19<sup>th</sup> January 2021](#). Members of Cabinet resolved to agree approximately £3m of CIL funding across 37 infrastructure projects within the Dorset Council area.

The report looks back on the implementation of the CIL governance arrangements for the purposes of post-decision policy development which will serve to ensure the continued delivery of important infrastructure. In fulfilling this, the report looks at the local and national planning context behind the arrangements and decisions to help explain what the council is trying to achieve.

Place and Resources Scrutiny Committee reviewed the CIL arrangements at their meeting of the [13<sup>th</sup> July 2021](#). The Executive Director for Place agreed to progress the committees 'minded to' recommendations. This report largely mirrors that considered by Place and Resources Committee in July, with the 'minded to' recommendations incorporated and set out in the following report paragraphs:

- 9.5 (monitoring arrangements)
- 9.9 (scope of spend, geographical)
- 9.10 (scope of spend, infrastructure type and proportion)
- 10.2 (general communication with town and parish councils)
- 10.3 (upfront community with town and parish councils ahead of funding windows)
- 10.5 (review of scoring process)

## **2. Financial Implications**

The Community Infrastructure Levy (CIL) together with Planning Obligations (s106) represent additional sources of developer contribution funding to provide infrastructure or services necessary to enable or support development.

Such funding normally only represents a proportion of the total cost of the infrastructure, therefore additional funding, from other sources, may be required to deliver the infrastructure necessary.

Dorset Council recovers the cost of administering the Community Infrastructure Levy by top slicing 5% of each CIL payment. That income covers the cost of staff responsible for the collection and processing of the levy and associated systems and implementation costs. The governance arrangements require no additional corporate expenditure.

### **3. Well-being and Health Implications**

Provision of infrastructure, which, for instance, facilitate cycling or walking or provide health facilities to support development's future needs are important for individuals' and communities' wellbeing and contribute to healthier environments and support people's health and wellbeing.

### **4. Climate implications**

The use of CIL and s106 agreements to help provide supporting infrastructure commensurate with development is a key component in ensuring there are sustainable integrated spatial plans for housing, infrastructure, employment and the environment at the towns, suburbs and rural areas.

This will also contribute to developing plans which bring together different sectors or local government departments to achieve shared objectives. Examples could include strategies which exploit the connections between active travel and public health.

Without the necessary supporting infrastructure development would be less sustainable thereby having a corresponding effect on climate change.

### **5. Other Implications**

Infrastructure which is necessary to make development acceptable in planning terms will have implications for, inter alia Sustainability; Property and Assets; Public Health, Community Safety and physical activity depending upon the nature of the development.

Stakeholders need to be alert to the availability of developer contribution funding. They need also to be engaged going forward in the identification of future CIL and S106 needs commensurate with the Dorset Local Plan evolution.

A proportion of CIL is 'top sliced' and paid to neighbourhoods or parish councils proportionate to qualifying development in their area – details of amounts given over can be found on [dorsetcouncil.gov.uk](http://dorsetcouncil.gov.uk) . This CIL must be spent on infrastructure and reported by the spending body. This places an obligation on both the Council and these organisations in respect of the management of these funds.

### **6. Risk Assessment**

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

Current Risk: Low

Residual Risk: Low

## 7. Equalities Impact Assessment

An Equalities Impact Assessment scoping report was undertaken to inform the governance arrangements agreed by Cabinet in July 2020. The agreed assessment criteria contained equalities questions. It is expected that funded projects will undertake an EqlA in their own right.

## 8. Appendices

Appendix A – summary of round 1 infrastructure projects to be funded in full or part by CIL.

## 9. Background

- 9.1 Community Infrastructure Levy is a developer contribution tool used by Dorset Council to secure financial contributions from new development. Contributions through the tool are secured by charging schedules which apply non-negotiable rates by floorspace for specific development types. Income from this process is used to assist the delivery of infrastructure needed to support development.
- 9.2 CIL has been operating within parts of the Dorset Council area since 2014 and continues to operate on an area basis via the charging schedules established by the predecessor councils. The former North Dorset area is the only area currently not operating CIL with developer contributions sourced from s106 legal agreements instead. It is anticipated that the area charging schedules will be replaced by a single charging schedule covering the entire Dorset Council area in 2023.
- 9.3 Regulations underpinning CIL require income to be split three ways.
1. Proportion to be retained by the collecting authority (Dorset Council)
  2. Proportion to be transferred to the town or parish where development takes place (15% or 25%)
  3. Proportion to recover the cost of implementing and administering the Levy (up to 5%)
- 9.4 The proportion passed to town and parish councils increases to 25% where there is an adopted neighbourhood plan. The Dorset Council website [dorsetcouncil.gov.uk](http://dorsetcouncil.gov.uk) provides details of the payments transferred to town and parish councils, in total, this transfer amounts to approximately £1.96m. Government regulation places fewer restrictions on how town and parish councils can spend their share of CIL and officers work proactively to advise how this money can be spent. Town and parishes are required to report on the spend of CIL through their websites.

Dorset Council captures this and other information in its own comprehensive developer contribution monitoring return called the Infrastructure Funding Statement, published annually each December.

**9.5 Place & Resources Scrutiny Committee ‘minded to’ recommendation**

*- To agree a method for regular monitoring of CIL performance (suggestions made – through the council’s performance framework or the Annual Infrastructure Funding Statement produced in December each year which includes performance information).*

9.6 The reason for this recommendation was to help ensure regular reporting back to members, particularly with regard to the delivery of CIL funded projects.

**10. Infrastructure within the scope of CIL**

10.1 National planning guidance requires local authorities to spend the levy it retains on infrastructure needed to support the development of their areas and to decide what infrastructure is necessary. Without controls, it can take just a couple of major infrastructure projects such as flood defence or education provision to deplete the available funding. Conversely, too many infrastructure projects can undermine the ability to deliver strategic and meaningful infrastructure. Spending of CIL that is retained by Dorset Council therefore needs to be controlled for a number of reasons, namely that the right infrastructure is delivered in the right place at the right time.

10.2 In July 2020, Place Scrutiny Committee and Cabinet considered and agreed governance arrangements for the expenditure of CIL retained by Dorset Council. Those arrangements and decisions have helped ensure that that spending decisions accord with the principles of planning guidance and legislation.

10.3 Infrastructure categories identified by the predecessor councils were the focus for spending arrangements. The categories were established through Regulation 123 lists – a requirement by government to set out priorities for CIL spend. Regulation 123 was removed on the 1<sup>st</sup> September 2019 through government reforms to the planning system but members of Cabinet agreed to honour the infrastructure categories set via these lists and ringfence CIL monies demanded (invoiced) up until that point (£5,160,040). Members also agreed to limit the spend of CIL in the charging area from which it was collected.

**10.4 Place & Resources Scrutiny Committee ‘minded to’ recommendation**  
*Under the new Dorset Council Local Plan, CIL money to be spend Dorset-wide.*

10.5 The reason for this recommendation was to ensure that CIL could adequately support the delivery of infrastructure that affects more than one charging area, e.g. rural bus services.

10.6 **Place & Resources Scrutiny Committee ‘minded to’ recommendation**  
*Re-evaluate the categories and proportions for spend set by the former councils, with the aim of ensuring best value for residents in how CIL monies are spent*

10.7 The reason for this recommendation was to ensure that Overview Committee consider changing the categories and proportions to ensure spend meets up to date infrastructure needs in light of Local Government reorganisation.

## **11 Governance arrangements as implemented**

11.1 In simple terms, the governance arrangements as implemented saw an officer-led approach in consultation with portfolio holders identify infrastructure projects in relation to available infrastructure categories. Service areas were encouraged to engage with town and parish councils on prospective expressions of interest for CIL where necessary.

11.2 **Place & Resources Scrutiny Committee ‘minded to’ recommendation**  
*- Regular communications to take place with town and parish councils to raise awareness of the CIL process and to provide advice so that they can engage in the process.*

11.3 This reason for this recommendation was to help improve awareness of how CIL operates, for example, through webinars and engagement programmes with the Dorset Association of Parish and Town Councils (DAPTC).

11.4 **Place & Resources Scrutiny Committee ‘minded to’ recommendation**  
*- An increased level of ‘up-front’ community engagement to be built into the process through working with town and parish councils in advance of the funding window to get input on their priorities for spend. Recognition of the role for town and parish councils in bringing the communities’ views forward*

11.5 Expanding on this recommendation, this was suggested in response to concerns raised over the level of engagement with town and parish councils at round one stage. Up-front engagement might include signposting town and parish councils to CIL receipts and projects which are on the DC radar in advance of the next funding window.

- 11.6 [Scoring criteria](#) to assess bids had been approved as part of the governance arrangements. The scoring criteria took into consideration many factors including the statutory functions of the council, timescales, the level of community engagement and match funding. Many of the projects submitted in round one demonstrated engagement with the community in some shape or form, for example, through the Local Transport Plan or through bespoke consultation arrangements.
- 11.7 **Place & Resources Scrutiny Committee ‘minded to’ recommendation**  
- *To review the scoring process.*
- 11.8 The reason for this recommendation was to ensure that the current scoring mechanism places greater weight on community needs as opposed to strategic needs.
- 11.9 The scoring criteria were used to assess a first round of expressions of interest in CIL submitted during November 2020. Recommendations from this process flowed through to Cabinet in January 2021 where it was agreed to commit approximately £3m of CIL to 37 projects across the Dorset Council area.
- 11.10 Since this decision, approximately £440,000 of CIL expenditure has helped deliver infrastructure projects including the purchase of land to mitigate the impacts of nutrient enrichment in Poole Harbour; new footway construction in Sherborne and improvements to clinical services at Dorset County Hospital.
- 11.11 Some of the infrastructure categories that were within scope for bids in round one contained pre-existing commitments with external stakeholders. Long-term commitments include the delivery (in part) of Weymouth Town Centre strategic flood defences. Without this commitment to using CIL, there is the potential that restrictions would be placed on development in that area.
- 11.12 Other infrastructure commitments in Dorset relate to habitat protection, (heathlands, nitrates and recreational pressures) with similar development conditions a possibility. Protected habitats are recognised by national and local planning policy and bespoke arrangements are now in place across Dorset to identify and enable mitigation projects which are reactive to change and different wildlife conditions. The arrangements have been developed through the three new mitigation steering groups who have jointly set up an agreed process. Natural England, who are represented on each steering group provide the final say on habitat mitigation delivery. A mitigation matrix and scoring criteria ensure that any project proposed provides the appropriate mitigation, details what outcomes will be achieved, any risks, the monitoring and any maintenance requirements.

The steering groups also provide ongoing advice to proposed projects on a regular basis and ensure that all final projects seeking mitigation funding meet the relevant mitigation criteria. Mitigation coordinators produce an annual report at the end of the financial year detailing the range of work and projects delivered and outlining the mitigation each project has delivered against the houses built.

11.13 Where these habitat regulation commitments exist, the distinct set funding-round nature of the approved CIL governance arrangements, i.e. twice yearly opportunities to bid for CIL funding, could compromise opportunities to secure and deliver habitat infrastructure that may be time-constrained, e.g. land purchase. In addition to the minded to recommendations within this report it is also recommended that the following pre-existing habitat mitigation commitments are removed from the scope of the general CIL spending arrangements going forward in order to resolve any future timing conflict and improve efficiency in the delivery of infrastructure leaving Habitat mitigation via CIL to be managed by the steering groups identified in para 11.12.

- Dorset Heathlands (£293,535)
- Poole Harbour Recreation (£21,932)
- Poole Harbour Nitrates (£80,686)

Total £396,153.83

11.14 Retaining control over the availability of funding in the remaining 'in-scope' categories would ensure that funding remains optimised enabling a further call for expressions of interest to take place following consideration by Cabinet on the 8<sup>th</sup> November 2021.

11.15 The further call for expressions of interest could then focus on uncommitted CIL carried over from round one (£1.75m) as well as funding to recycle, i.e. funding no longer required or in excess of target cost as expressed in a bid (£83.6k). The funding available to round two would be approximately £1.83m. The table in paragraph 11.17 sets this out further.

11.16 By focusing round two expenditure on CIL carry-forward, CIL funding demanded from September 1st 2019 onwards will have further time to accrue in to meaningful amounts. This is important given that decisions on the spend of that money will no longer be governed by the regulation 123 infrastructure categories. The need to honour the commitments as described in this report will remain in order to ensure development continues to take place in affected areas.

11.17 A summary of the financial position as set out in this report is set out below.



2020/21 round 1 actual spend	£439,901
2021/22 round 1 committed spend	£1,300,373
2022/23 round 1 committed spend	£701,686
2023/24 round 1 committed spend	£485,931
<b>Total spend (actual and committed) from round 1</b>	<b>£2,927,891</b>
Recycled (from round 1)	£83,640
Uncommitted	£1,752,354
<b>Total available for round 2</b>	<b>£1,835,994</b>
Out of scope (for round 2)	£396,153

**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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## Appendix A - summary of round one infrastructure projects to be funded in full or part by CIL.

A total of 42 Expressions of Interest received 2<sup>nd</sup> November – 27<sup>th</sup> November. [categories ~~struck through~~ proposed out of scope]

West Area						
Infrastructure Category	Proportion	Value of CIL Available	Number of Eols for Approval	Total value of approved bids against category	Residual (in scope)	Residual (out of scope)
Education (including schools, educational establishments)	30%	£484,116.48	0	£0	£484,116.48	-
Transport (including highways, walking, cycling, passenger transport)	15%	£242,058.24	3*	£242,058.24	£0	-
Green Infrastructure & Recreation (including open spaces, sports pitches, play)	5%	£80,686.08	1	£75,967.00	£4,719.08	-
Waste Management (including waste processing, waste transfer and waste recycling)	5%	£80,686.08	3	£60,000.00	£20,686.08	-
Public Realm (including public space improvements)	2.5%	£40,343.04	1*	£40,343.04	£0	-
Flood Defence and Coast Protection (including flood and coast protection schemes)	5%	£80,686.08	1	£80,686.08	£0	-
Culture, Leisure, Community Facilities (including arts, community, sports venues etc.)	17.5%	£282,401.28	0	£0	£282,401.28	-
Utilities (including broadband)	2.5%	£40,343.04	1	£40,000.00	£343.04	-
<del>Dorset Heathlands</del>	5%	<del>£80,686.08</del>	0	£0	0	<del>£80,686.08</del>
<del>Poole Harbour Nutrient</del>	5%	<del>£80,686.08</del>	0	£0	0	<del>£80,686.08</del>
Healthcare (including health and wellbeing, clinical care)	2.5%	£40,343.04	1	£34,000.00	£6,343.04	-
Emergency Services	5%	£80,686.08	0	£0	£80,686.08	-
*denotes Eol split between category.		<b>£1,613,721.60</b>	<b>12 (net 11)</b>	<b>£573,054.36</b>	<b>£879,295.08</b>	<b>£161,372.16</b>
W&P Area						
Infrastructure Category	Proportion	Value of CIL Available	Number of Eols for Approval	Total against category	Residual (in scope)	Residual (out of scope)

Education (including schools, educational establishments)	25%	£303,707.21	0	£0		£303,707.21	-
Transport (including highways, walking, cycling, passenger transport)	5%	£60,741.44	1	£60,000.00		£741.44	-
Green Infrastructure & Recreation (including open spaces, sports pitches, play)	5%	£60,741.44	5	£36,640.00	£24,640.00 (recycled)	£48,741.44	-
Waste Management (including waste processing, waste transfer and waste recycling)	2.5%	£30,370.72	1	£30,000.00		£370.72	-
Public Realm (including public space improvements)	2.5%	£30,370.72	1	£21,000.00		£9,370.72	-
Culture, Leisure, Community Facilities (including arts, community, sports venues etc.)	10%	£121,482.88	5	£61,670.00	£9,000.00 (recycled)	£68,812.88	-
Utilities (including broadband)	2.5%	£30,370.72	(see west)	£30,000.00		£370.72	-
Flood Defence and Coast Protection (including flood and coast protection schemes)	40%	£485,931.53	1	£485,931.53		£0	-
Healthcare (including health and wellbeing, clinical care)	5%	£60,741.44	(see west)	£50,000.00	£50,000.00 (recycled)	£60,741.44	-
Emergency Services	2.5%	£30,370.72	0	£0		£30,370.72	-
		<b>£1,214,828.82</b>	<b>14</b>	<b>£691,601.50 (£83,640.00 recycled)</b>		<b>£523,227.29</b>	<b>£0</b>
<b>Purbeck Area</b>							
Infrastructure Category	Proportion	Value of CIL Available	Number of Eols for Approval	Total against category		Residual (in scope)	Residual (out of scope)
Uncategorised	n/a	£804,000.00	3*	£609,320.00		£194,680.00	-
Dorset Heathlands	n/a	£510,390.00	2	£299,736.00		-	£210,654.00
Poole Harbour Nutrient	n/a	£18,180.00	1*	£18,180.00		£0	-
Poole Harbour Recreation	n/a	£21,932.00	0	£0		-	£21,932.00
*denotes Eol split between category.		<b>£1,354,502.00</b>	<b>6 (net 5)</b>	<b>£927,236.00</b>		<b>£194,680.00</b>	<b>£232,586.00</b>
<b>East Area</b>							
Infrastructure Category	Proportion	Value of CIL Available	Number of Eols for Approval	Total against category		Residual (in scope)	Residual (out of scope)

Education (schools, educational establishments)	25%	£238,397.53	0	£0	£238,397.53	-
Transport (highways, walking, cycling, passenger transport)	55%	£536,394.43	4	£536,000.00	£394.43	-
Dorset Heathlands	20%	£202,195.67	3	£200,000.00	-	£2,195.67
		<b>£976,987.63</b>	<b>7</b>	<b>£736,000.00</b>	<b>£238,791.96</b>	<b>£2,195.67</b>

<b>Total Available CIL = £5,160,040</b>
<b>Total Bids (42) = £4,474,731</b>
<b>Total Approved (37) = £3,011,531</b>
<b>Total Residual CIL (in-scope including recycled £83,640 from r1) = £1,835,994</b>
<b>Total Residual CIL (out of scope) = £396,153</b>

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Area		Project	Project Description	Request (£)	Score / 60	Recommended Infrastructure Category	Contribution from Category	Contribution from Category	Total Contribution	Due for delivery
Dorset Council	Dorset Council Digital & Change	Fibre Hubs Connectivity in Rural Dorset	Fibre Hubs Connectivity in Rural Dorset	£70,000.00	60	Utilities	£30,000 (Utilities West)	£40,000 (Utilities Weymouth)	£70,000.00	2021/22
East Dorset	Dorset Council	BytheWay Field 5 year SANG Maintenance Contribution	BytheWay Field, (Dorset's first strategic SANG) was implemented around 2012. This proposal looks to in part address the unresolved issue of continuing to maintain BytheWay to mitigating standard, it being a critical site to the developing strategic SANG network across Dorset	£74,500.00	50	Dorset Heathlands	£74,500.00 (Dorset Heathlands)		£74,500.00	2021/22
East Dorset	Dorset Council	Woolslope 5 year SANG Maintenance Contribution	Woolslope is a 16.5ha popular site on the outskirts of Westmoors and within close proximity to Ferndown. There was initially three years of maintenance secured for Woolslope SANG and this proposal looks to secure a further five years in order to unlock further capacity and continue to maintain phase one to a high standard whilst undertaking phase 2 planning	£82,500.00	48	Dorset Heathlands	£82,500.00 (Dorset Heathlands)		£82,500.00	2021/22
East Dorset	Dorset Council	Slop Bog Emergency Access	To improve access onto Slop Bog nature reserve in order to protect it from recreational disturbance and antisocial behaviour. By improving a less sensitive route for pedestrian and emergency vehicle use to divert pressure from the most sensitive areas	£43,000.00	53	Dorset Heathlands	£43,000.00 (Dorset Heathlands)		£43,000.00	2021/22

Area		Project	Project Description	Request (£)	Score / 60	Recommended Infrastructure Category	Contribution from Category	Contribution from Category	Total Contribution	Due for delivery
East Dorset	Dorset Council Highways	Installation of new electric vehicle charge points in East Dorset	This project aims to improve the public network of electric vehicle charge points (EVCPs) in the East Dorset area. Increasing the number of public EVCPs will make it easy for residents, business, visitors and staff to charge their electric vehicles, encourage greater electric vehicle ownership and meet growing demand for public charge points. This in turn will reduce carbon emissions and improve local air quality through reduced petrol and diesel vehicle ownership and use	£65,000.00	38	Transport/Highways	£65,000.00 (Transport/Highways)		£65,000.00	2021/22
East Dorset	Dorset Council Highways	East Dorset Rights of Way Network Enhancement	The proposal is to allocate funding to a range of public footpath and bridleway enhancements across the East Dorset area	£100,000.00	46	Transport /Highways	£100,000.00 (Transport/Highways)		£100,000.00	2022/23
East Dorset	Dorset Council Highways	South East Dorset dockless bike sharing scheme	The proposal is to provide a dockless bike sharing scheme for south east Dorset to further maximise the benefit of the large scale investment in cycle infrastructure being delivered through the Transforming Cities Fund.	£370,000.00	39	Transport/Highways	£240,000 (Transport/Highways)		£240,000.00	2022/23
East Dorset	Dorset Council Dorset Travel		A 2-year project that will offer travel skills for up to forty young people with special educational needs and disabilities (SEND) per year. The outcome is to give the young people greater independence by offering them a life-long skill to travel independently on public transport.	£131,000	55	Transport/Highways	£131,000 (Transport/Highways)		£131,000.00	2022/23
Purbeck	DC; BCP; DWT	Poole Harbour Catchment Project	Provision of grant funding to facilitate change in land management (removal from agricultural production) leading to reduction of nitrate input into Poole Harbour to mitigate the impacts of completed development within the drainage catchment of this internationally protected site.	£331,500.00	53	Poole Harbour Nutrient and Uncategorised Purbeck monies.	£18,180.00 (Poole Harbour Nutrient)	£313,320.00 (uncategorised)	£331,500.00	Funded
Purbeck	Dorset Council	Purbeck Visitor Network Project	This project aims to create a network of paths linking Suitable Alternative Natural Greenspaces (SANGs) to other resilient areas, to create a choice of longer and additional attractive routes. The project will run in two phases.	£240,600.00	56	Dorset Heathlands	£240,600.00 (Dorset Heathlands)		£240,600.00	2021/22

Area		Project	Project Description	Request (£)	Score / 60	Recommended Infrastructure Category	Contribution from Category	Contribution from Category	Total Contribution	Due for delivery
Purbeck	Dorset Council	Purbeck Heaths Visitor Management Project	The project will deliver the infrastructure needed to control parking relating to Purbeck heaths. Currently there is a gradual spread of roadside parking in areas where there are sensitive habitats. By reinstating bank-and-ditching and creating pull in areas it will reduce negative impacts of the increasing visitor numbers to the heaths by directing where people can and cannot park cars	£59,136.00	54	Dorset Heathlands	£59,136.00 (Dorset Heathlands)		£59,136.00	2021/22
Purbeck	Dorset Council	Replacement of Gym Equipment	Purbeck Sports Centre's gym equipment needs replacement as it is 12 years old and is now continually failing, causing dissatisfaction within the community. The equipment had an original lifespan of 5 to 7 years and now requires replacement. If the equipment is not replaced, then this would result in the local community having no public accessible gym facilities within the area of Purbeck	£146,000.00	55	Uncategorised	£146,000.00 (Uncategorised)		£146,000.00	2021/22
Purbeck	Dorset Council	Swanage Town Coastal Protection and Public Realm Improvements Scheme	The development and subsequent construction of a flood & coastal defence scheme along Swanage town Coastal Frontage and subsequent Public Realm improvements to Lower High Street. The scheme will deliver Protection from present-day wave overtopping flooding to the town; Protect the town from coastal inundation flooding for the next 100 years; Public realm regeneration/improvement of the Lower High Street to a pedestrian focused area; Public realm and education boards in immediate area of the proposed flood defence works.	£804,000	51	Flood defence / coastal erosion; Public Realm	£0	£0	£0	n/a

Area		Project	Project Description	Request (£)	Score / 60	Recommended Infrastructure Category	Contribution from Category	Contribution from Category	Total Contribution	Due for delivery
Purbeck	Dorset Council Highways	A351 footway/cycleway, Wareham	The proposed package of measures will provide a shared footway and cycleway across the existing bridge deck alongside the A351 and other route enhancements to provide an important north-south link between residential areas to the north of the railway and Wareham town centre. This will cater for all potential users	£110,000.00	58	Transport/Highways	£0	£0	£0	n/a
Purbeck	Dorset Council Highways	Huntick Road footway/cycleway	The scheme is to construct a shared-use footway/cycleway alongside Huntick Road between Lychett Matravers and Dorchester Road, Upton. It will provide an off-carriageway shared-use route for pupils travelling from Lytchett Matravers village to Lytchett Minster School and for commuters wishing to cycle to and from Upton and Poole	£150,000.00	57	Uncategorised	£150,000.00 (Uncategorised)		£150,000.00	2022/23
W&P	Dorset Council Green Space Team	Rodwell Trail bench replacement	To supply and install three public benches with modern recycled plastic ones. Remove the old benches	£1,925.00	40	Culture, Leisure, Community Facilities	£1,925.00 (Culture, Leisure, Community Facilities)		£1,925.00	2021/22
W&P	Dorset Council Green Space Team	Rodwell Trail signs	To supply 20 warning signs to be install at all entrances to the Rodwell Trail	£745.00	35	Culture, Leisure, Community Facilities	£745.00 (Culture, Leisure, Community Facilities)		£745.00	2021/22
W&P	Dorset Council Green Space Team	Weymouth s1/34 surface	To supply and install stone to path 585m long by 1.5m	£12,000.00	33	Green Infrastructure / Recreation	£12,000.00 (Green Infrastructure & Recreation)		£12,000.00	2021/22
W&P	Dorset Council Green Space Team	Weymouth s1/75 surface	To supply and install stone to path 193m long by 1.5m	£4,500.00	40	Green Infrastructure / Recreation	£4,500.00 (Green Infrastructure & Recreation)		£4,500.00	Recycle (project over budget)
W&P	Dorset Council Green Space Team	Weymouth s1/76 new surface	To supply and install a compacted stone surface for distance of 290m by 1.2m	£6,000.00	35	Culture, Leisure, Community Facilities	£6,000.00 (Culture, Leisure, Community Facilities)		£6,000.00	Recycle (project not deliverable)
W&P	Dorset Council Green Space Team	Weymouth s1/112 surface and widening	To supply and install stone to path 520m long by 1.5m	£12,000.00	35	Green Infrastructure / Recreation	£12,000.00 (Green		£12,000.00	Recycle (project over budget)



Area		Project	Project Description	Request (£)	Score / 60	Recommended Infrastructure Category	Contribution from Category	Contribution from Category	Total Contribution	Due for delivery
							Infrastructure & Recreation)			
W&P	Culture, Leisure, Community Facilities	Weymouth s1/133 new surface	To supply and install tarmac surface 150m by 1.2m	£3,000.00	40	Culture, Leisure, Community Facilities	£3,000.00 (Culture, Leisure, Community Facilities)		£3,000.00	Recycle (establishing new quote)
W&P	Dorset Council Green Space Team	Weymouth s1/135 surface	To supply and install stone to path 257m long by 2m	£5,140.00	35	Green Infrastructure / Recreation	£5,140.00 (Green Infrastructure & Recreation)		£5,140.00	Recycle (project over budget)
W&P	Dorset Council Green Space Team	Weymouth s1/157 steps	To supply and install replacement steps over distance of 25m	£3,000.00	35	Green Infrastructure / Recreation	£3,000.00 (Green Infrastructure & Recreation)		£3,000.00	Recycle (project over budget)
W&P	Dorset Council	Weymouth Household Recycling Centre welfare facilities	Replacement of dilapidated welfare facilities with modern modular building and improved access. The replacement facility will provide a modern modular building and will address the access issue for wheelchair users or staff with limited mobility.	£30,000.00	50	Waste Management	£30,000.00 (Waste Management)		£30,000.00	2021/22
W&P	Dorset Coast Forum	Weymouth Station Gateway Project – lighting	The overall project is to provide a welcoming & more accessible public space to ensure the area is a safer and more welcoming environment. We would like to apply for CIL funding for new improved lighting to be included in the project.	£21,000.00	46	Public Realm	£21,000 (Public Realm)		£21,000.00	2021/22
W&P	Dorset Council - Leisure Services	Refurbishment of external changing rooms and pavilion	The need for improvements to the external changing facilities at Redlands Sports Hub. The existing provision is dated and in a state of disrepair. The facility is currently leased to Weymouth College, however due to pressures on their educational budgets, they have been unable to fund any improvements. The facilities serve 61 teams from 15 clubs for matches plus additional clubs and teams for training	£50,000.00	52	Culture, Leisure, Community Facilities	£50,000.00 (Culture, Leisure, Community Facilities)		£50,000.00	2021/22
W&P	Dorset Council - Leisure Services	New 7x7 3G Floodlit Football Pitch	The need for a ½ sized 3G all-weather pitch in the Portland area to meet the existing demand within the area. The facility would be an all year-round facility with fencing and floodlighting	£150,000.00	52	Culture, Leisure, Community Facilities; Green Infrastructure/Recreation	£0	£0	£0	n/a

Area		Project	Project Description	Request (£)	Score / 60	Recommended Infrastructure Category	Contribution from Category	Contribution from Category	Total Contribution	Due for delivery
W&P	Dorset Council & Environment Agency	Weymouth Harbour & Esplanade Flood & Coastal Risk Management Scheme Phase 1	The development and subsequent construction of a flood & coastal defence scheme along Weymouth Harbour & Esplanade. The scheme will be delivered in conjunction with the Environment Agency (EA) and entails phased replacement and improvement of flood defences around Weymouth harbour and esplanade, in order to provide the required standard of protection against flood & erosion risk.	£485,931.53	51	Flood defence / coastal erosion	£485,931.53 (Flood defence/ coastal erosion)		£485,931.53	2023/24
W&P	Dorset Council Highways	Park Street Connection Project	This project will improve pedestrian and cycling links from the railway station into Weymouth town centre	£60,000.00	55	Transport/Highways	£60,000.00 (Transport / Highways)		£60,000.00	2021/22
West Dorset	Dorset Council Highways	Weymouth Avenue Dorchester Footway Enhancements	The scheme is intended to replace the large uneven slabs on the footway in front of the market area, and to address issues caused by tree roots pushing up into the footway.	£40,000.00	56	Transport/Highways	£40,000.00 (Transport/Highways)		£40,000.00	2021/22
West Dorset	Dorset County Hospital NHS Foundation Trust	Dermatology Reconfiguration	Reconfiguration of current PUVA Treatment Room with adjoining office space to enable an increased and improved clinical area with privacy and dignity issues overcome. Convert two former offices in to clinic rooms. Works include replacing carpet flooring with vinyl and provision of wash hand basins in each. Layout changes approved with the clinical team	£34,000.00	45	Healthcare	£34,000.00 (Healthcare)		£34,000.00	Funded
West Dorset	Dorset County Hospital NHS Foundation Trust	MRI2	Contribution towards replacement upgraded MRI scanner - Dorset County Hospital	£100,000.00	50	Healthcare	£0	£0	£0	n/a
West Dorset	Dorset County Hospital NHS Foundation Trust	CT1 Changing Room Installation	Provision of a second changing and cannulation area for those patients attending DCH for CT scanning diagnostic imaging	£50,000	45	Healthcare	£6,343.04 (Healthcare)	£43,656.96 (Healthcare)	£50,000.00	Recycle (project not deliverable)
West Dorset	Dorset Council	Bridport: improvement to access from the Morrisons turn-off from South St to South Mill Lane	Alterations to the pavement and Highway on the east side of South Street between the road turn-off to Morrisons and South Mill Lane	£168,000	49	Public Realm; Transport /Highways	£127,656.96 (Transport / Highways)	£40,343.04 (Public Realm)	£168,000.00	2021/22
West Dorset	Dorset Council – Green Infrastructure Advice Team	West Dorset Maiden Newton to West Bay Old Railway Line (ORL)	Working with local landowners and communities to develop an old railway line as a shared route for horse-riders, walkers & cyclists of all ages needs and	£75,967.00	54	Green Infrastructure / Recreation	£75,967.00 (Green Infrastructure & Recreation)		£75,967.00	2021/22

Area		Project	Project Description	Request (£)	Score / 60	Recommended Infrastructure Category	Contribution from Category	Contribution from Category	Total Contribution	Due for delivery
		bridleway (BR) shared route	abilities linking all the communities it travels between from Maiden Newton to West Bay. When completed, this project will link with the wider PRow network to provide a coast to coast link from West Bay to Weymouth. For this particular stage we wish to connect the parish of Toller Porcorum with Powerstock Common nature reserve- completion of this section will add considerable momentum to the overall project							
West Dorset	Dorset Council	Sherborne Household Recycling Centre reuse area	Provision of covered area for items intended for re-use. A shelter for the reuse area would prevent items becoming damaged by inclement weather.	£10,000.00	45	Waste Management	£10,000.00 (Waste Management)		£10,000.00	2021/22
West Dorset	Dorset Council	Dorchester Household Recycling Centre reuse area and associated office	Provision of covered area for items intended for re-use and associated office/welfare facility. A shelter for the reuse area would prevent items becoming damaged by inclement weather. Replacement welfare facility will save on the maintenance costs of repairing the current welfare facility. The current facility does not include access for wheelchair/limited mobility users.	£45,000.00	50	Waste Management	£45,000.00 (Waste Management)		£45,000.00	2021/22
West Dorset	Dorset Council	Improvement to Bridport Household Recycling Centre reuse area	Improvement to area for items intended for re-use to include screening from inclement weather, shelving and signage. Further screening for the reuse area would prevent items becoming damaged by inclement weather, and shelving will keep items above the ground which can be wet.	£5,000.00	45	Waste Management	£5,000.00 (Waste Management)		£5,000.00	2021/22
West Dorset	Dorset Council	Lyme Regis Environmental Improvement (LREI) Scheme Phase 5 – The Cobb	Scour protection works to stabilise The Cobb structure and improvement works to the fish landing quay, utility provision, surfacing and amenity	£80,686.08	54	Flood defence / coastal erosion	£80,686.08 (Flood defence / coastal erosion)		£80,686.08	2022/23
West Dorset	Dorset Council Highways	Ridgeway Footway Construction	The scheme is to reconstruct a slabbed footway at Ridgeway, which is failing throughout, due to substandard construction.	£212,000.00	58	Transport/Highways	£74,401.28 (Transport / Highways)		£74,401.28	Funded

Area		Project	Project Description	Request (£)	Score / 60	Recommended Infrastructure Category	Contribution from Category	Contribution from Category	Total Contribution	Due for delivery
West Dorset	Dorset Council Highways – Transport Planning	Installation of new electric vehicle charge points in West Dorset	This project aims to improve the public network of electric vehicle charge points (EVCPs) in the West Dorset area. Increasing the number of public EVCPs will make it easy for residents, business, visitors and staff to charge their electric vehicles, encourage greater electric vehicle ownership and meet growing demand for public charge points. This in turn will reduce carbon emissions and improve local air quality through reduced petrol and diesel vehicle ownership and use	£31,600.00	41	Transport/Highways	£0	£0	£0	n/a
									£3,011,531.89	

## Place and Resources Overview Committee 19<sup>th</sup> October 2021 Phase 2 Parking Charges Transformation Project

### For Recommendation to Cabinet

**Portfolio Holder:** Cllr R Bryan, Highways, Travel and Environment

**Local Councillor(s):** All Councillors

**Executive Director:** J Sellgren, Executive Director of Place

Report Author: Elizabeth Murray  
Title: Strategic Parking Project Manager  
Tel: 01305 221813  
Email: elizabeth.murray@dorsetcouncil.gov.uk

**Report Status:** Public

#### Recommendation:

The committee are asked to support the following recommendations to Cabinet:

1. Align the day rate in the main tourist locations car parks during peak and low season
2. Align charges in all other car parks (rural and town locations)
3. Align on-street parking charges in areas that already have on-street pay & display
4. Withdraw all current car park permits and introduce a long stay and short stay car park permit for residents and workers in the Dorset Council area

#### Reason for Recommendation:

Dorset Council Parking Services is currently working under the Parking Orders of the former six Councils, this has led to a disparity of tariffs between areas to the extent that some areas are free to park all day and others pay £9. An alignment of the Parking Orders is necessary to standardise charges to ensure equality for residents. This is also necessary to standardise the regulations within car parks, so that there is transparency of what is permitted in car parks for customers and consistent enforcement is easier to deliver.

On-street tariffs and time restrictions also vary greatly depending where you park in the Dorset Council area, this is confusing for customers. Implementing a standardised tariff and time limit will make it clearer for customers and will reduce the possibility of them receiving Penalty Charge Notices.

There is disparity in terms of the cost and benefit of the car park permits in circulation across Dorset. A public survey undertaken as part of this project (the results can be seen in Appendix 1) has shown that car park permits are required, but the number of different permits (currently over 70) is not necessary as the majority of residents would like the same type of permit (either a short stay or a long stay for the purposes of work or leisure).

## **1. Executive Summary**

The purpose of this report is to seek agreement on the proposed parking charge changes. During the Shaping Dorset Programme, the Interim Section 151 Officer requested a paper on aligning off-street parking across the Dorset Council area, this decision was deferred for day one implementation.

Phase 1 of this project was implemented in April 2021. Parking Services now needs to deliver on the second phase of the original alignment plans, enabling future transformation. Details of the proposed changes can be viewed in Section 9 of this report.

### **1.1 Dorset Council Legal Duty**

Legal advice was sought to confirm that the method for updating the parking charges follow guidance as per the Road Traffic Regulations Act 1984.

As per legal duty, Dorset Council has statutorily consulted with the chief officer of police for the area. Also, as per the former Council's parking policies, consultation has taken place with Chambers of Commerce, Business Improvement Districts and Town Councils. Non-statutory consultation has also been undertaken with Parish Councils.

Dorset Council has chosen to undertake a non-statutory engagement in advance of publishing its proposals with the public (although there is no general duty to do so).

### **1.2 Notification to Town and Parish Councils**

Two notifications were emailed to Town and Parish Councils with a request for queries and comments to be received within four weeks. The first notification was sent in June, which was the draft proposed charging strategy and the second was sent in August, which was the final proposed charging strategy. A number of queries were received and have been answered.

There was a total of 179 emails sent to the Town and Parish Councils in June and in August. From the draft proposed strategy 21 formal responses were received and from the final proposed strategy there were 7 formal responses received. The comments can be seen in Appendix 2 (full text) and Appendix 4 (analysed text).

The main perceived concerns raised from the draft proposed strategy responses were with regards to the impact on local businesses/high streets (9% of comments) and the lack of local public transport (9% of comments). There were other perceived concerns, these can be seen in Appendix 4.

The main perceived concerns raised from the final proposed strategy responses were with regards to the impact on local businesses/high streets (8% of comments), the lack of local public transport (8% of comments) and that the increase in charges is too high (8% of comments). There was support for the proposed strategy too (8% of comments). There were other perceived concerns, these can be seen in Appendix 4.

### **1.3 Notification to Chambers of Commerce and Business Improvement Districts**

As per Town and Parish Councils, two notifications were emailed to the Chambers of Commerce via the Dorset Chamber. The notifications were also emailed to the three Dorset Business Improvement Districts (Dorchester, Weymouth & Wimborne) with a request for queries and comments to be received within four weeks. A few queries were received and have been answered. 1 formal response was received for the draft proposed charging strategy and 1 formal response was received for the final proposed charging strategy.

The comments can be seen in Appendix 3 (full text) and Appendix 4 (analysed text).

### **1.4 Public Response**

Although there was no legal duty to undertake public engagement, the public were given the opportunity to email comments/queries to the Parking Transformation Team. There were responses received with regards to the draft and final proposed charging strategy. One letter was also received.

The main perceived concerns raised from the draft proposed strategy responses were with regards to the impact on local businesses/high streets (14.5% of comments) and the lack of local public transport (10% of comments). There were other perceived concerns, these can be seen in Appendix 4.

The main perceived concern raised from the final proposed strategy responses were with regards to the impact of the price increase of the car park permit for Wimborne residents and for those who currently have the West Dorset Shoppers Permit (52% of comments). There was support for the proposed strategy and new permits too (18% of comments). There were other perceived concerns, these can be seen in Appendix 4.

Comments were also received in response to the press releases referring to the draft and final proposed charging strategy through:

- Dorset Council news website (101 total comments).
- Dorset Council Facebook page (147 total comments).
- Local press website (76 total comments).

The perceived issues raised in the comments were:

- The cost increase of the car park permits for Wimborne residents and those who have the current West Dorset Shoppers Permit (15% of comments).
- Impact on local businesses/high streets (10% of comments).
- Increase in car park charges are too high (8% of comments).

There were other perceived issues, these can be seen in Appendix 4.

There was support for the proposed strategy and new permits too, these amounted to 18% of the total comments.

## **2. Financial Implications**

The projected income from the proposed changes is £1.8m. The calculations for the projected income are reserved, reflecting a reduction of people choosing to park in the car parks and based on the estimated sales of the new car park permits.

## **3. Well-being and Health Implications**

Due to the increase in parking charges in some areas, residents may choose to use active forms of transport rather than vehicles. This could lead to an increase in the feeling of well-being and could significantly improve a person's health.

## **4. Climate implications**

Research has shown that reducing the number of cars on the road helps the climate by reducing harmful emissions. Locations that see an increase in parking charges may show positive climate impact, as the public may be persuaded to use green transport rather than using their vehicles and pay for parking. However, should drivers choose to drive around in search for cheaper/free parking then it could cause an increase in pollution thus have a negative impact on climate.

## **5. Other Implications**



The officer has not identified any other implications from the recommendations in this report.

## **6. Risk Assessment**

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

Current Risk: Low

Residual Risk: Low

Having considered the risks associated with this decision using the Council's approved risk management methodology, it is the officer's opinion that there are no high risks that need to be reported.

## **7. Equalities Impact Assessment**

A full Equalities Impact Assessment has been completed and this is shown in Appendix 5. The assessment found that there were no negative impacts on Dorset Council residents' protected characteristics.

## **8. Appendices**

**Appendix 1 – Permit Survey Report**

**Appendix 2 – Responses from Town and Parish Councils**

**Appendix 3 – Responses from Chambers of Commerce and Business Improvement Districts**

**Appendix 4 – Response Analysis**

**Appendix 5 – Equalities Impact Assessment**

## **9. Background Papers**

### **9.1 Proposed Charging Strategy**

#### **9.1(a) Proposed Levels**

The Parking Charging Strategy is based on a 3-level structure that acknowledges the rural, coastal and town locations that Dorset enjoys. It also takes into consideration Dorset's popular visitor and tourist destinations.

The following table shows which location sits under each level:

Level 1	Level 2	Level 3
<b>Location</b>	<b>Location</b>	<b>Location</b>
Beaminster	Blandford	Corfe Castle
Charmouth	Bridport	Lyme Regis
Ferndown	Dorchester	Portland
Gillingham	Shaftesbury	West Bay
Sturminster Newton	Sherborne	Weymouth (beach area)
Verwood	Wareham	
West Bexington	Weymouth (shops)	
	Wimborne	

Level 1 is Dorset's smaller and more rural locations. It is proposed to have one all year-round charge for this level, except for West Bexington and Charmouth that will have a seasonal charge (see tariff in section 9.1(b) Proposed Car Park Tariff). Level 2 is Dorset's shopping destinations. It is proposed that there is one all year-round charge for these car parks.

Level 3 is Dorset's main tourist destinations. It is proposed that this level have seasonal charges. Weymouth appears in level 2 and 3. The car parks in Weymouth that are used for shopping will sit in level 2 and the beach area car parks will sit in level 3. Swanage is not included on this table as the car parks are owned by the town council.

### 9.1(b) Proposed Car Park Tariff

The following table shows the proposed tariff for each level:

Level 1	Short stay					Long stay	
	30 minutes	1 hour	2 hours	3 hours	4 hours	4 hours	10 hours
Low season	£0.50	£0.70	£1.00	£1.50	£2.50	£2.50	£4.00
Peak season <sup>1</sup>	£1.00	£2.00	£3.00	£4.00	£5.00	£5.00	£10.00

Level 2	Short stay					Long stay	
	30 minutes	1 hour	2 hours	3 hours	4 hours	4 hours	10 hours
	£0.50	£1.00	£1.50	£2.20	£3.50	£3.50	£6.00

Level 3	Short stay	Long stay
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<sup>1</sup> Level 1 high season charges refer to Charmouth and West Bexington only

	<b>30 minutes</b>	<b>1 hour</b>	<b>2 hours</b>	<b>3 hours</b>	<b>4 hours</b>	<b>4 hours</b>	<b>10 hours</b>
Low season	£0.50	£1.00	£1.50	£2.20	£3.50	£3.50	£6.00
Peak season	£1.00	£2.00	£3.00	£4.00	£5.00	£5.00	£10.00

The tariff simplifies current charges and aims to be logical and gradual. The three levels acknowledge the diversity of Dorset's locations, by having charges that suit the local environment.

Peak season charges are 1<sup>st</sup> April to 31<sup>st</sup> October, to cover the extended visitor season that is now seen in Dorset. Level 1 high season charges refer to Charmouth and West Bexington only, the other locations in level 1 and all locations in level 2 do not have seasonal charges as these car parks tend to be used by Dorset Council residents more so than visitors.

Peak season charges are aimed at visitors to Dorset, these charges are benchmarked to similar tourist destinations. Level 3 low season matches level 2, which enables residents to access our tourist destinations at the same cost during the low season.

#### 9.1(b)i Motorhome/Campervan Bays

Car parks that have motorhome/campervan bays will charge a higher amount for those bays as they are much larger than the standard car park bay. The following table shows the proposed motorhome/campervan bay tariff for each level:

	<b>Short stay</b>				<b>Long stay</b>	
	<b>1 hour</b>	<b>2 hours</b>	<b>3 hours</b>	<b>4 hours</b>	<b>4 hours</b>	<b>10 hours</b>
Level 1 Low season	£1.00	£1.50	£2.00	£3.00	£3.00	£5.00
Level 1 High season	£2.50	£3.50	£4.50	£5.50	£5.50	£13.00
Level 2 All year	£1.50	£2.00	£3.00	£4.00	£4.00	£7.00
Level 3 Low season	£1.50	£2.00	£3.00	£4.00	£4.00	£7.00
Level 3 High season	£2.50	£3.50	£4.50	£5.50	£5.50	£13.00

Motorhomes/campervans will only be permitted to park in car parks from 8am-10pm.

#### 9.1(b)ii Commercial (Coach/Lorry) Car Parks

Commercial car parks that have coach and lorry bays will charge a higher amount for those bays as they are much larger than the standard car park bay. The following table shows the proposed commercial tariff:

<b>Level 1, 2 and 3</b>	<b>2 hours</b>	<b>6 hours</b>	<b>10 hours</b>	<b>24 hours</b>	<b>7-day ticket</b>	<b>Overnight charge<sup>2</sup></b>
Proposed commercial	£3.50	£7.00	£15.00	£22.00	£85.00	£15.00

Motorhomes/campervans will only be permitted to park in commercial car parks from 8am-6pm.

### **9.1(c) Proposed Dorset Car Park Permit**

There are currently many different car park permits that are issued to the public across Dorset Council. As part of this strategy the former public permits will be discontinued in a phased approach (live permits will not be withdrawn but will be replaced by the new Dorset Car Park Permits when they expire).

There will be eligibility criteria for permit applications and the vehicle must be registered in the name of the permit holder. Residents will need to prove that they are a resident of Dorset Council. Businesses will need to prove that they pay business rates (or equivalent) to Dorset Council. People who work in the Dorset Council area will need to evidence this to be eligible for the permit.

There are two car park permits:

#### **9.1(c)i Pop & Shop Car Park Permit**

The Pop & Shop permit allows the holder to park in the majority of short stay car parks across the whole of the Dorset Council area for 2 hours every day of the week. The Pop & Shop permit can be purchased annually for £78 a year.

#### **9.1(c)ii Live, Work & Play Car Park Permit**

The Live, Work & Play permit can be used in the majority long stay and short stay (time limited) car parks across the whole of the Dorset Council area. The proposed price for the long stay car park permit is £260 a year or £25 a month including an administration fee if paid for monthly. Holders must sign-up to this permit for a minimum of 3 months.

### **9.1(d) Proposed On-Street Tariff**

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<sup>2</sup> This only applies where the Parking Order allows overnight parking.

The following table shows the proposed tariff for each level:

	<b>30 mins</b>	<b>1 hour</b>	<b>2 hours</b>	<b>3 hours</b>	<b>4 hours</b>	<b>10 hours</b>	<b>Overnight charge<sup>3</sup></b>
Level 2	£1.00	£1.50	£2.00	£3.00	£4.00	£8.00	£2
Level 3	£1.50	£2.50	£3.50	£4.50	£6.00	£12.00	£4

On-street charges are higher than car park charges to encourage drivers into car parks in accordance with the local transport plan. This helps to keep town centres clear of traffic and thus assists in the safety of active transport users, it also supports Dorset Council's economic growth and climate change agenda. Additionally, it helps to keep on-street parking spaces clear for Blue Badge holders.

This tariff is for locations that already have on-street charging, including Swanage (Shore Road will be level 3 and Station Road will be level 2). There are no on-street charges in Level 1 locations at present.

### **9.1(e) Charging Strategy Review**

Charges will be reviewed annually. When reviewing parking charges Dorset Council will take into account a large number of factors, including but not limited to:

- The recovery of expenditure incurred on the provision and management of the public car parks to avoid this financial burden falling on to the council taxpayer and depriving other vital council services of crucial funds.
- The parking charges of its competitors, including the charges made by private sector car parks within the local area, as well as comparing its charges with Dorset's Town Councils.
- The effectiveness of short-term parking charges in town centre car parks in facilitating turnover of car parking spaces in order to attract more visitors/shoppers to the town centres.
- The demand for car parking, as evidenced by occupancy rates at different time and date points.
- The consumer price index to understand the impact of inflation rate on parking charges.

Any increase in charges will be subject to the usual legal procedure for consultation and advertisement.

#### **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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<sup>3</sup> Overnight charge for dual resident permit and Pay & Display parking bays only

**Permit Survey Report**



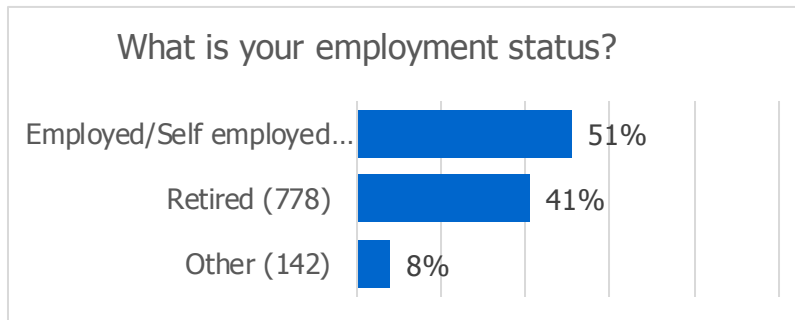
# **Parking Permit Survey Summary Results July 2021**

**Mark Simons**

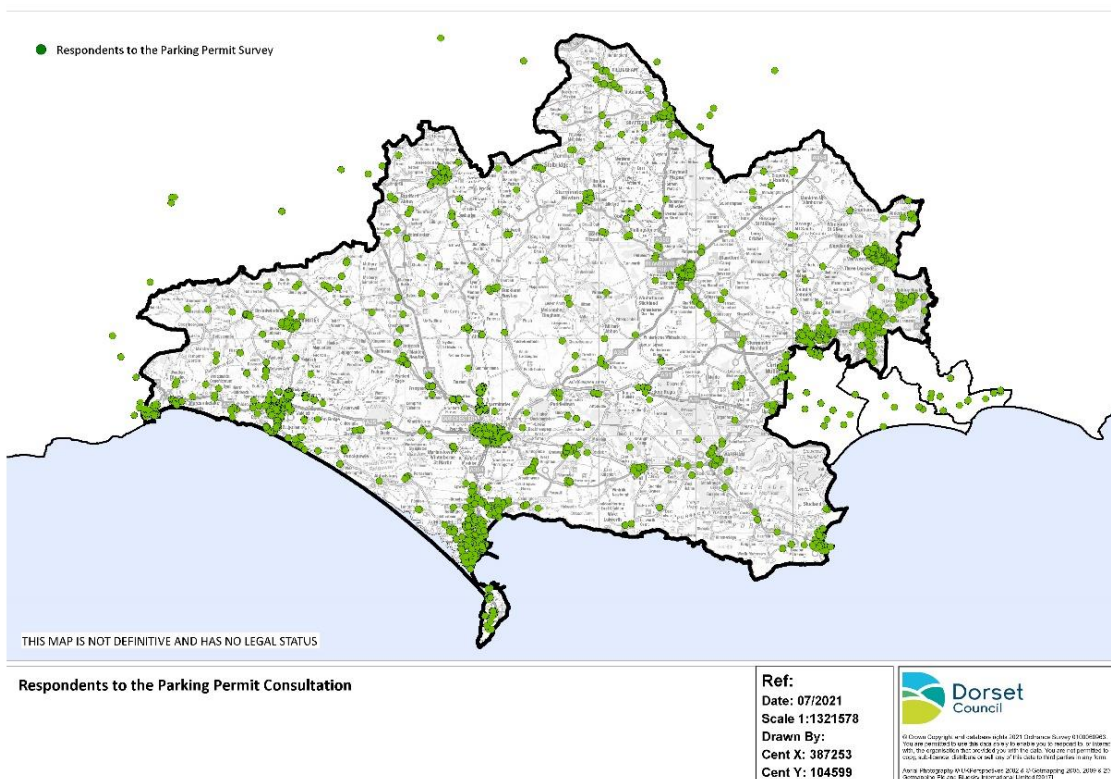
**Corporate Consultation Officer**

## Parking Permit Survey

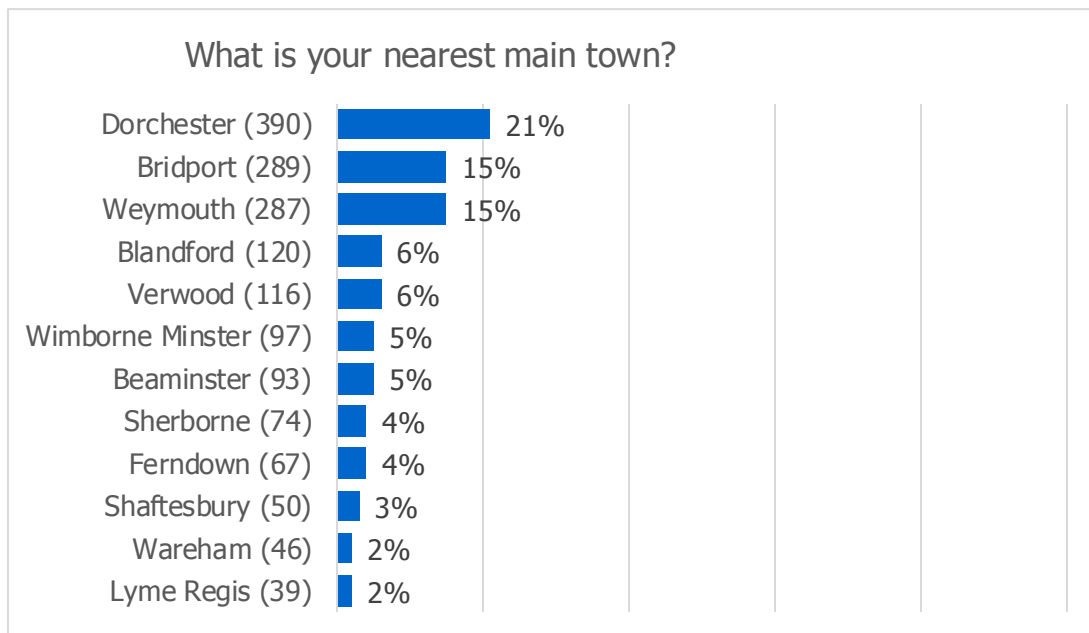
- 1,906 survey responses were received from across the Dorset Area
- The survey ran from 22 June to 11 July inclusive.
- Respondents came from across the age ranges with 37% aged 65 and older and 60% aged under 65.
- 60% of responses came from women compared to 35% from men – quite usual in council surveys.
- The biggest group of respondents was from “employed/self-employed” at 51% and the second biggest “retired” at 41%.



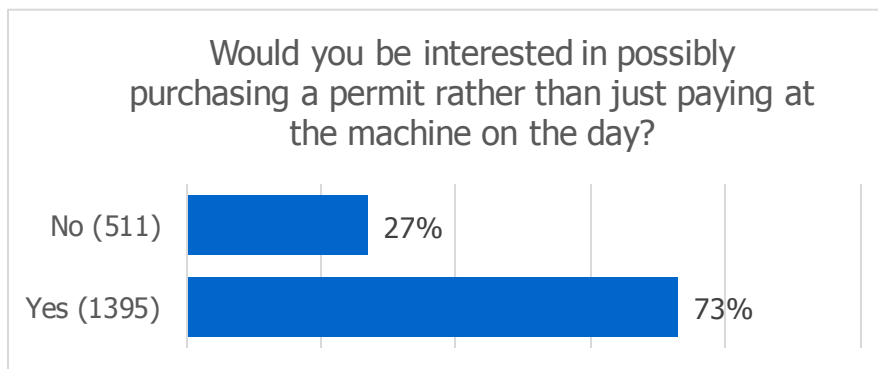
- The map(below) shows the distribution of the postcodes of respondents. The coverage is good, showing responses from right across the Dorset Council area.



- There were responses from across the Dorset area, but three towns stood out from the other areas as respondents nearest main town. Dorchester was the highest with 21% of responses (388 people) followed by Bridport (15%) and Weymouth (15%)

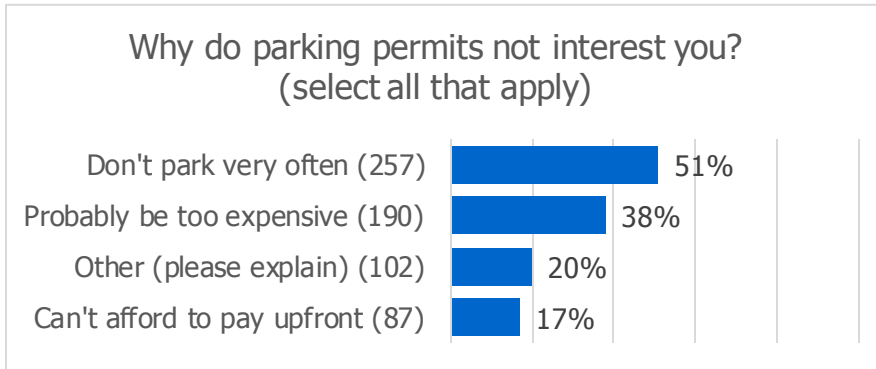


- Of those responding, the overall response shows 73% were potentially interested in buying a permit of some description.



- 511 people were not interested in buying a permit and the key reason was that they felt they wouldn't be parking enough to justify it. The second most common reason was they felt it would be too expensive. There were also concerns about their ability to pay upfront.



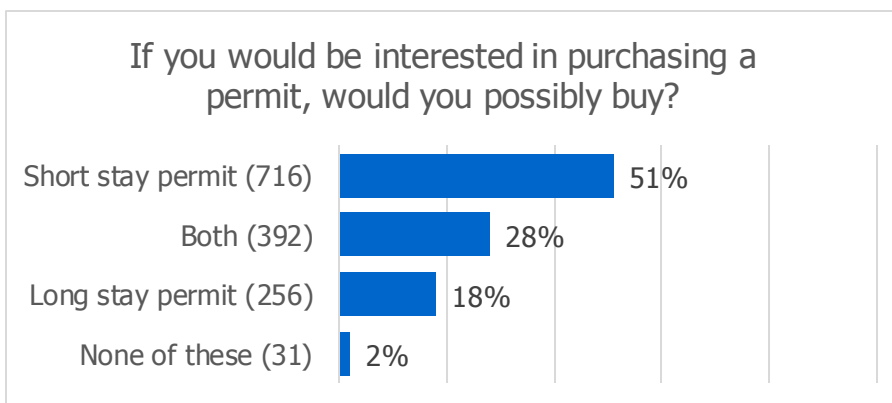


- Other reasons for not being interested in a permit included that they had a blue badge or would rather park out of the centre and walk in.
- Whilst quite a number of people were not interested in buying a permit over ¾ of them felt a permit may be useful for other people. It was clear that personal circumstances would determine whether people thought a permit might help them.

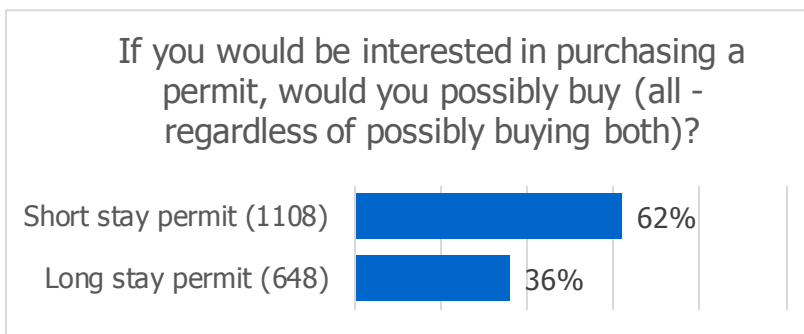


### Permit types

- People were asked about whether they were interested in a long stay permit, a short stay permit or both. The short stay permit was the most popular overall with 51% saying they would be interested. Only 18% overall were interested in a long stay permit but a surprisingly high 28% (391 people) were interested in both.



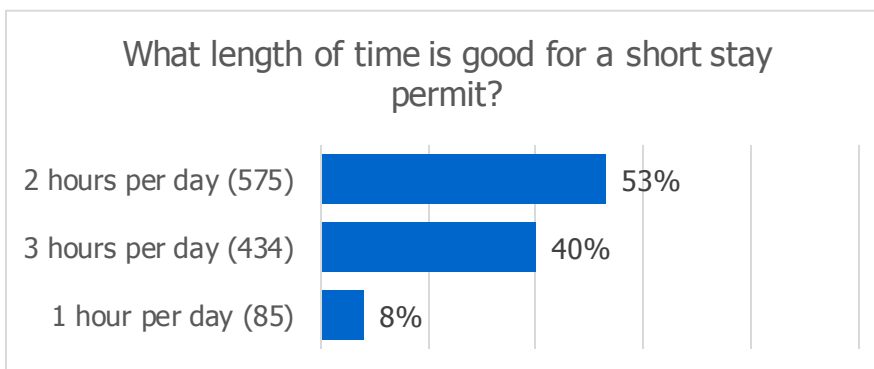
- So, breaking the figures down for long and short stay gives
  - ~ Short Stay 1,108 (62%)
  - ~ Long Stay 648 (36%)



- As you might expect short stay permits were more popular with retired people (71%) but again significant support for both permits. (22%)
- Looking at the responses from working people there was much less differentiation between short stay (38%), long stay (29%) and both (31%) but short stay was still the most popular.
- Disabled people were mainly interested in a short stay permit (48%) but again there was support for both permits (33%).

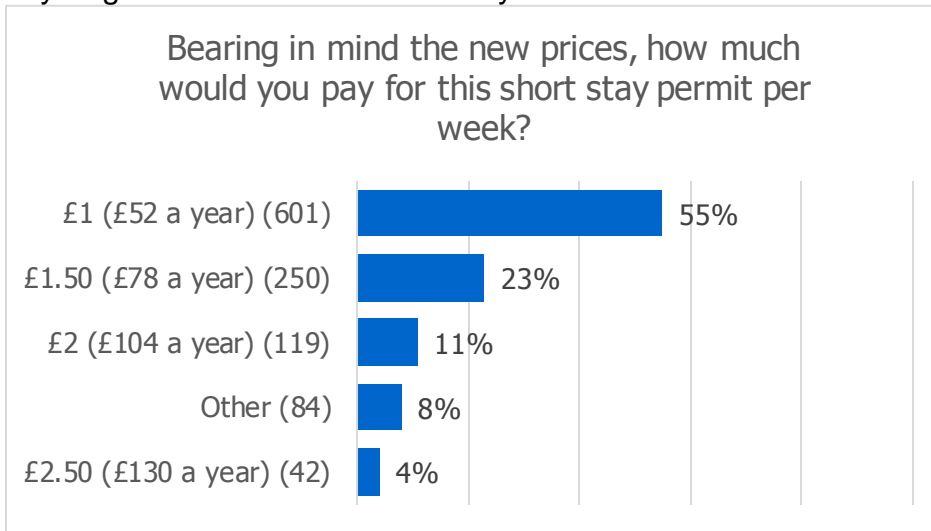
### Short Stay permits

- Overall there was little support for a 1 hour permit, with the majority (53%) favouring 2 hours. A strong 40% supported a three hour permit.



- Looking at different towns and different users (e.g. workers, retired, disabled etc) showed little deviation from the overall support for a 2-hour short stay permit. Again, there was support for 3 hours but not for 1 hour.

- 55% thought £52 a year (£1 a week) was acceptable, whilst 38% thought anything between £78 and £130 a year reasonable.



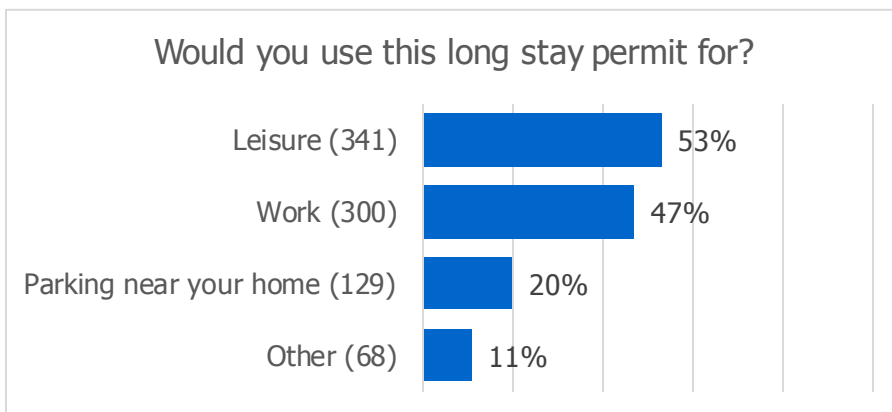
- Looking at average prices people were prepared to pay depending on how long they thought the short stay permit should be valid for, showed people were prepared to pay more for longer. 1 hour the average was £1.08, 2 hours the average was £1.24 and 3 hours £1.41 (a week)

Proposed length of stay	Average amount willing to pay
1 hour	£1.08 a week
2 hours	£1.24 a week
3 hours	£1.41 a week

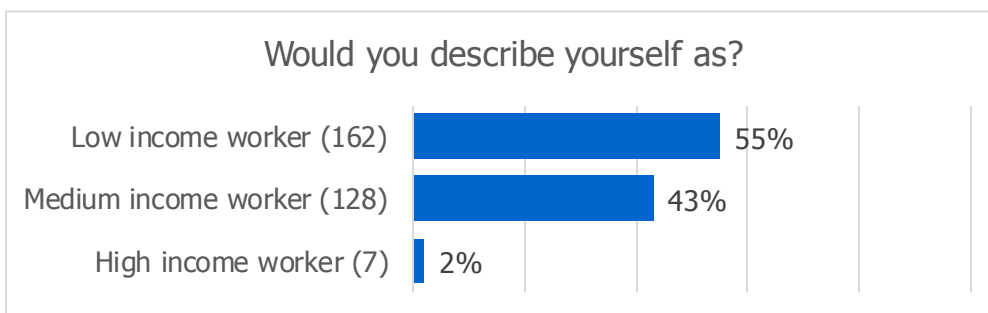
- Disabled respondents were generally accepting of the charge of £52 a year with 47% selecting this option. Whilst 43% were happy to pay more.
- Other people compared the offer unfavourably to the old West Dorset Shoppers Permit (£32 a year), the New Forest Permit and the Hampshire County Council short stay permit.

### Long Stay Permit

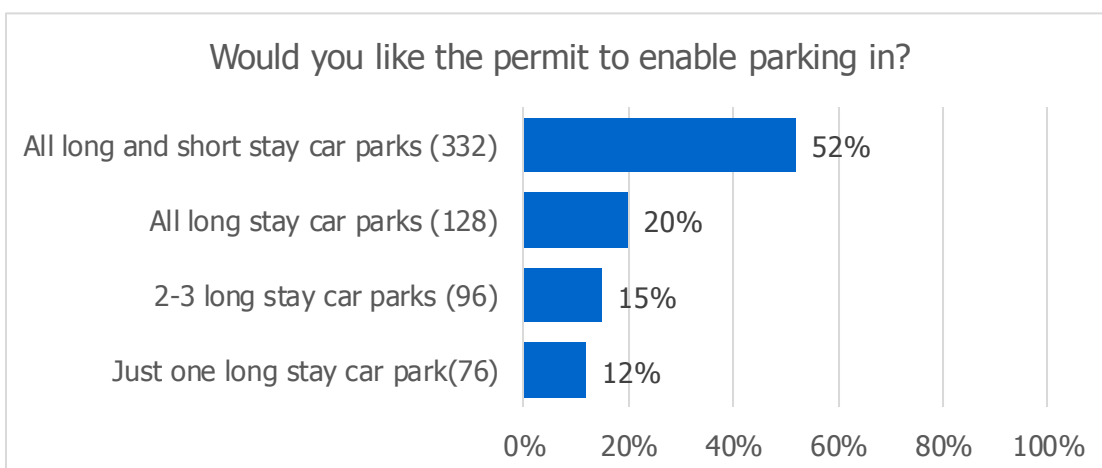
- The proposed use of the long stay permit was varied, but the most popular was Leisure (53%) followed by work (47%) and parking near their home (20%)



- Other uses included shopping, medical appointments and doing voluntary work.
- In Dorchester the predominate long stay use was work related, with 57% proposing this. In all other major towns including Weymouth, Bridport, Blandford etc Leisure was the main proposed use.
- People who were intending to use the permit for work were asked about their relative income levels. Overall, 55% were low income workers, 43% medium income and 2% high income. There was minimal variation between towns.



- When considering which car parks the long stay permit could cover, the majority (52%) would have liked the option of All long stay and short stay car parks. The option of All long stay car parks was the second most popular choice with 20%, followed by 2-3 long stay car parks (15%) and finally one long stay car park at 12%.



- Looking at different users and different locations there was minimal variation from this overall figure.
- Analysis of how much people were prepared to pay based on how many car parks people wished to be able to access showed no real appetite for paying more for accessing more car parks.

Access to:	Average amount willing to pay
Just 1 car park	£4.90 a week
2-3 car parks	£5.36 a week
All long stay	£4.96 a week
All long and short stay	£4.92 a week

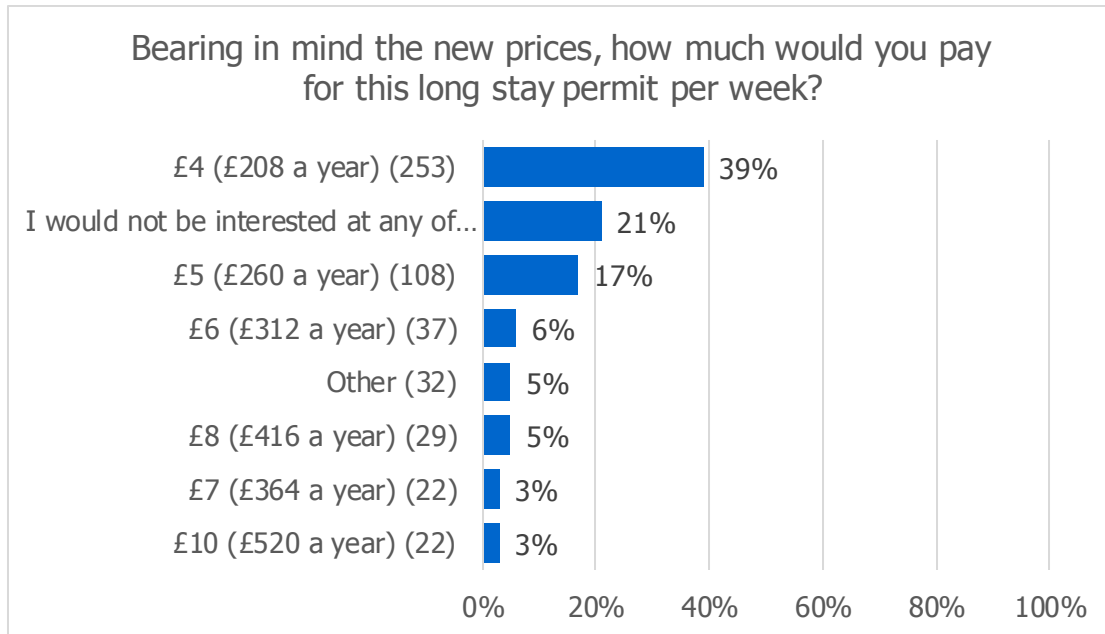
- Looking at respondents proposed use of the long stay permit, average price per week was calculated for work, leisure and parking near their own home. So, whilst people were possibly prepared to pay slightly more for parking for work and parking near one's home over leisure use, there was very little in it.

Proposed use	Average amount willing to pay
Work	£5.11 a week
Leisure	£4.82 a week
Parking near home	£5.14 a week

- 39% thought that a reasonable weekly cost for a long stay permit was £4, the lowest suggested. 20% thought that was too high and they weren't interested even at that level. A further 34% felt a figure between £5 and £10 was acceptable to them. The full overall results are shown in the table below.

Weekly charge	% selecting this weekly amount
£4	39%
£5	17%
£6	6%
£7	3%
£8	5%
£9	1%
£10	3%

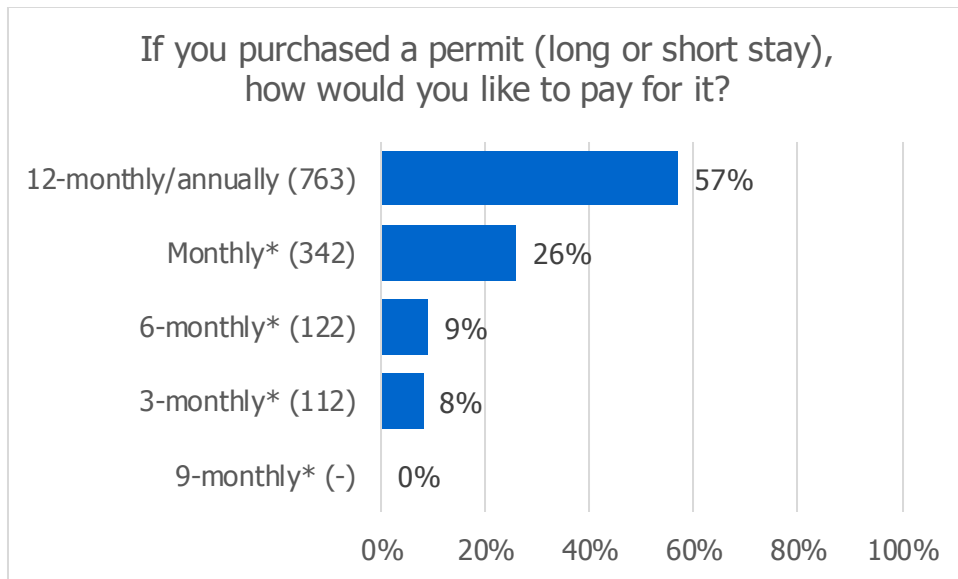
Other	5%
Not interested at any of these prices	21%



- Looking at low paid workers, they varied very little from the overall figures with 37% willing to pay £4 a week and 21% £5 a week. 17% were not interested at any of the suggested prices.
- Overall, 178 responded saying that they were disabled. Again, their responses varied very little from the overall figures in the table above. 35%, were willing to pay £4 a week and 20% £5 a week. 20% were not interested at any of the suggested prices.

### Payment for Permits

- The overwhelming support was for paying for long and short stay permits on an annual basis, with 57% support. The second most popular way of paying was monthly with 26% of responses.



- Those only interested in a short stay permit were even more in favour of an annual payment, with 69% supporting this method.
- Those only interested in a long stay permit were fairly mixed between annual (41%) and monthly (38%)
- Low income workers were more in favour of a monthly payment (44%) than an annual payment (39%)

### Overall Comments

There were 974 general comments with many relating to the overall parking fees and concerns about the proposed changes.

The table below shows the main issues raised particularly relating to potential permits. Aside from overall parking prices the next biggest issue was the importance of making permit prices affordable. There were 120 mentions of this particular issue, particularly from people interested in buying a short stay permit. Many existing Shopper Permits are bought by older people for convenience rather than money saving. They felt they would only pay a certain amount for that convenience. The third biggest issue raised was the very real concern that town centres had already been damaged by the general decline in retailing and changing shopping patterns brought about by COVID. Many felt the council had an important role, particularly at this point in time, to drive forward the recovery of high streets and were concerned that proposed changes would have the opposite effect.

Issue	Mentions
New parking fees are ridiculous/too high/ill considered	173

Increasing/high permit prices makes them unviable/ keep permits affordable to all	120
The result of this will be damage to town centres/high streets that must be helped at this difficult time	112
Support short stay permit idea	99
Other assorted issues	69
Carers/Wellbeing/disabled/blue badge issues	48
Negative effect on key workers, low paid workers, care workers etc	47
Cars will be displaced into residential areas causing issues	40
Detail of the management of permit and how permit is used	40
The old WDDC Shoppers Permit worked well/ was good value	36
Permits should be county-wide	27
Permit should be per household/ allow 2 cars on 1 permit	27
General moan about Dorset Council	25
Support for long stay permit	25
Permit for fishing/ sporting activities	22
Resident and on street residents scheme issues	21
Individual towns have too big a rise/no charging	17
There are other good/ better schemes elsewhere (e.g. New Forest)	14
Improve public transport/ sustainable options	14
Do local discount instead	11
Reciprocal arrangements needed with adjacent authorities	9
Should have an initial free period at the beginning of the day	8
Flexibility between long/short stay if one is full	8
Permit could help DC staff	7



Over use/ overcrowding issues	7
Payment type issues/spreading payments/	6
County wide permit not environmentally friendly	6

**Responses from Town and Parish Councils**

**Responses 1: Draft Proposed Charging Strategy**

- **Sturminster Newton Town Council**

With reference to the recent 'Proposed Parking Charges Strategy Report' Sturminster Newton Town Council have the following comments in response:

We strongly object to any changes in the chargeable parking times at the Station Road car park. An agreement was secured to have the time for charges in the Station Road Car Park changed between 9am-3pm to allow parents to park at the beginning and end of the school day. This has been very successful in reducing the number of cars parking on Bridge Street by parents doing 'the school run' (you will appreciate that Bridge Street has very limited parking and can easily become a pinch point causing serious congestion throughout the Town.) To lose this free parking would be far from beneficial and would certainly cause negative feedback.

We feel street parking meters would cause more problems than they solve. We understand that street parking is often abused and causes disruption to residents, as we have brought this matter to the attention of our Highway officers when trying to address issues in problem areas of Town. We were advised that restrictions in one place push the problem elsewhere and would suggest such a response could also be applied in this instance.

Regarding parking in Market Place, we would respectfully point out that this is still used for the Monday market and is subject to market rights held by the Hinton St Mary Estate. Charging in this area would be extremely unpopular with businesses and residents alike, the area is well used by shoppers supporting local businesses rather than visiting out of Town supermarkets.

The loss of free parking on a Sunday is most regrettable as the North Dorset Trailway begins/ends in Sturminster Newton and is well used by families and walkers. Having free parking on a Sunday thus far has encouraged visitors to the Town, but with free parking in Shillingstone we would question why Trailway users would park in a chargeable car park at Sturminster Newton (or indeed Blandford). Out of area visitors often arrive by car with their Bicycles, something that is not easy in the limited space at Shillingstone car park, these people often visit the Town afterward for refreshment and to use the facilities.

Your report groups different Towns together to bring charging in all of them in line, these areas vary hugely even within each proposed level, and we are not alone in objecting to your 'one size fits all approach'.

We hope you will take these and other comments on board when finalising the Dorset Council proposal.

- **Upper Marshwood Vale Parish Council**

Having now read and discussed at length at this evenings Parish Council Meeting of the Upper Marshwood Vale Parish Council the Dorset Council Proposed Parking Charges Strategy Report by Elizabeth Murray Strategic Parking Project Manager of 21st June - it seems to the Parish Councillors that the people who regularly use the Long Stay Car Parks to go to work, and the residents from Rural Areas who have to use their car to go into town for shopping, medical / dental appointments etc, especially those on low wages, are the ones who are going to be penalised the most.

With the majority of car park charges doubling and according to Cllr Bryan's YouTube presentation car parking will be priced at a point where residents will find using public transport a cheaper option "more could use the bus" that's if there is a Bus Service, there are many Rural Areas that have a very limited service (some have one bus a week) or have no Bus Service at all - the Government did say that they were going to level up services for everyone, no matter where you live.

Cllr Ray Bryan also stated that buying a parking permit will negate the new charges "parking permits will help workers and locals from paying the increased charges" – but he did not give any indication as to the cost of these permits.

Dorset Council must revisit their pricing structure, making it affordable for the working population of Dorset and local shoppers to use the Car Parks, if this new pricing structure is - if this new car parking structure is going to work. It must NOT penalise residents, especially the young people who work part-time in 'seasonal jobs' one example is Lyme Regis where the long stay has already quadrupled from £2 to £8 & yes Lyme Regis TC (who own the Car Park) have a 'non residents permit available for £400 per Annum which is find for those who work the whole year but not for seasonal workers - Dorset needs to have a permit especially for seasonal workers, mainly our youngsters who are at University the rest of the year.

- **Sherborne Town Council**

Sherborne Town Council have previously responded to the consultation on this strategy, but felt that a further observation was necessary. Members were disappointed with the proposals and worried about the impact on the people of the town. According to the new strategy, the increase in the cost of parking in a car park in Sherborne would be double that of now and Members felt this unfair on workers in Sherborne who are on lower incomes as it would be a disproportionate amount to

pay. Members also felt that parking charges should not be increased so drastically at a time when all towns are endeavouring to encourage shoppers in to enliven and rejuvenate the High Streets. Members did not see the merit in reducing parking permits from 70 types to just 1, as it would seem impossible to have a single permit that would be appropriate for all occasions.

It was presumed that the increase in parking charges is driven by the need for Dorset Council to increase its income, so it was suggested that Dorset Council adopt a pilot policy making all car parks in Sherborne free to local residents, whilst increasing the local Council Tax by the amount that the parking fees would have generated. As parking charges and fines are a constant cause for debate and complaint, it would alleviate this problem.

- **Broadwindsor Group Parish**

Broadwindsor Group Parish Council has considered Dorset Council's Proposed Parking Charges Strategy of 21 June and it seems that the people who regularly use the Long Stay Car Parks to go to work, and the residents from rural areas who have to use their car to go into town for shopping, medical / dental appointments etc, especially those on low wages, are the ones who are going to be penalised the most.

With the majority of car park charges doubling and according to Councillor Bryan car parking will be priced at a point where residents will find using public transport a cheaper option - "more could use the bus" that's if there is a bus service, there are many rural areas that have a very limited service (some have one bus a week) or have no bus service at all - the Government did say that they were going to level up services for everyone, no matter where you live.

Councillor Ray Bryan also stated that buying a parking permit will negate the new charges "parking permits will help workers and locals from paying the increased charges" – but he did not give any indication as to the cost of these permits.

Dorset Council must revisit their pricing structure, making it affordable for the working population of Dorset and local shoppers to use the car parks, if this new pricing structure is implemented people will be parking on the streets, and if Dorset Council want us to use a Bus, they must provide them.

- **Loders Parish Council**

**Comment 1:**

Bridport is only beginning to emerge from challenging times caused by Covid. I think this is the wrong time to be discouraging shoppers from coming into the town by introducing horrendous parking charges. Bridport area is normally welcoming to outside visitors who can stop for a few hours to browse local shops and have lunch or visit galleries, cinema etc which has a positive result for local businesses and keeps the town open for business. This proposed strategy resulting in hefty parking

charges could undermine the delicate balance of our local economy. I would hate to think Dorset Council were using this as a local tax rise in disguise?

The environmental concerns that are being used as a reason for this may be important but there are also other equally important matters to consider. This is being hailed as an **effective** policy response but surely this is a very crude and over simplified response to a complicated problem which as usual will result in other undesirable consequences. Obesity and ill health is not just caused by sedentary lifestyles but surely parking up and walking round a high street is at least some form of exercise, as opposed to sitting at home because you cannot afford or wish to pay huge parking charges. It will result in those living in rural areas or the edge of town, who are put off by the parking charges, becoming more isolated. Where public transport is available, walking to catch a bus with a heavy bag in the pouring rain and freezing cold is not exactly a welcome prospect even amongst a healthier younger population let alone an older, more frail or vulnerable group. The inevitable ensuing mental health problems arising from this isolation and the feelings of exclusion from society is certainly not desirable.

### **Comment 2:**

This strategy needs to be 'parked' for the foreseeable and at least until a better public transport system is put in place and technology has caught up with environmental demands.

Timing of parking charge increase is inappropriate given the pandemic and the immediate future is inherently uncertain.

Investment in and provision of alternative transport facilities, in particular bus services for rural parts of the county, must precede any increase in parking charges.

The shoehorning of towns and villages into three categories is inappropriate and inherently unfair. This categorisation does not take into account sufficiently the unique characteristics of each place resulting in unfair anomalies and some significant increases from current charges. A more sophisticated and subtle approach is needed.

### **Comment 3:**

This "Strategy" is a blatant exploitation of the motorist and a money making ploy dressed up with "Strategy" waffle.

The increase from .40p to £1 for an hour at Bridport is extortionate.

Presumably the "on street" parking charges will be made via meters of some sort adding to pavement clutter plus installation cost, not to mention additional staff to

police it. This charge is also extortion considering most people only stop for a short time.

#### **Comment 4:**

I think the timing of these proposed parking charges changes is wrong, the Market town of Bridport has just gone through one of its most challenging times. Shops, restaurants and pubs are struggling to survive, if we wish to preserve the unique atmosphere of Bridport, we must be committed to helping business in any way we can. Increasing parking charges now does not feel we are being supportive. I think we should give the town a period of stability without changes for at least a year to recover.

The disparity between areas is not fair and therefore needs to be addressed but not now as it will only be adding to the challenges of running a business in these most difficult of times.

Bridport will be classified as level 2, if a Loders resident wants to go to town to shop followed by a meal the parking charge will be £4.00 for a five hour stay. The strategy of higher charges for on road parking is again not something I can support. Low cost and free parking in town is a real unique selling point for our businesses and again I repeat now is not the right time to change anything. On road parking is a huge benefit if you just want to pop in for a specific item i.e., Chemist or Post Office and will only be parking for a few minutes.

In the conclusion paragraph Dorset Council says its goal is to reduce the carbon footprint and on the first paragraph on page 4 it states It Intends to be priced at a point that customers will choose to use active or green forms of travel rather than driving. I think both statements are very short-sighted. Dorset Council does not yet have a strategy for the introduction of green forms of travel and the elderly residents of Loders have no choice but to use cars or taxis. So, I think this is cart before the horse, when the residents of Loders have an affordable green alternative then I would support the reduction of the carbon footprint.

I would propose Dorset Council concentrates over the next year on providing alternative forms of transport for the villages and postpones the implementation of parking charges changes.

#### **Comment 5:**

Effective policy responses to the Climate & Ecological Emergency will impact us all. In particular, effective policies are likely to encourage travel by public transport rather than private car.

#### **Dorset Council Local Plan section 6.7 The Transport Network (page 238) states;**

6.7.1. Dorset is a largely rural area with a dispersed population and with mostly poor public transport. The car continues to be the main mode of transport for most people, enabling them to access work, education, leisure and shopping opportunities. People in rural areas without access to a private car often find it more difficult to meet their

daily needs. However, the high level of car use is a significant contributory factor in some of the major environmental and public health challenges of our time.

6.7.2. Transport is the biggest carbon-emitting sector in Dorset, contributing around 40% of the total carbon emissions. Emissions from transport further contribute to poor air quality, and sedentary lifestyles are associated with rises in obesity, heart disease, diabetes and other chronic conditions.

Increased car park charges will encourage residents to transfer from car to bus as well as contribute essential funds to improve public transport. Improved public transport will be an important boon for those without access to a car; in particular the young and the old.

Funds raised by increased car park charges are likely to be complemented by central government grants to local government for bus investment. See Guidance for 'Bus back better' a long-term strategy for

buses: <https://www.gov.uk/government/publications/bus-back-better> which states; *"In February 2020, the Prime Minister announced that bus services across the country would be transformed with simpler fares, thousands of new buses, improved routes and higher frequencies. This national strategy sets out the vision and opportunity to deliver better bus services for passengers across England, through ambitious and far-reaching reform of how services are planned and delivered."*

Finally, the inclusion of permits in Dorset Council's plans for increasing car park charges will be a useful option to provide cheaper parking for local residents who need to continue to use car parks regularly.

- **Dorchester Town Council**

1. This is not the time to be increasing any car parking charges in Town Centres when businesses have been so badly hit by the pandemic and the future is so uncertain. Many charges propose increases of 50%, which is far, far too high.

2. Increases in all day charges will force worker parking out into residential areas exacerbating existing problems. Residential streets in Dorchester will be effected more significantly than other Towns such as Weymouth that have resident parking schemes in place in most of the streets that are within a 15 minute walk to the Town Centre.

3. The proposed level structure is not supported. Each town has different needs and priorities – and even within a town, different car parks would benefit from different pricing strategies.

4. There is still a need for designated long and short stay car parks - short stay parking is essential to make Town Centres accessible for shoppers and those visiting businesses or attending appointments.

5. The on-street charging strategy is welcomed in principle, encouraging cars into car parks so that spaces are available for 'quick pop in'

6. Payment Machines need updating so that they can take coins, cards, contactless or pay by phone. The machines need to be accessible to people with disabilities. Previous machines have been the wrong height and the buttons have been too small.

7. Maintenance, repairs and lighting updates need to be scheduled to make the car parks accessible and attractive.

8. PERMITS - Some rationalisation would be acceptable, but more detail is required before the Town Council can comment fully. The Dorchester Shoppers Permit is popular and works well. We would like to keep it.

9. Fair Field Car Park –The short stay car park charges that are applied on a Wednesday need to be applied on a Sunday.

- **Broadmayne Parish Council**

1. Broadmayne Parish Council welcomes the proposal to try to make parking charges consistent across the county, whilst still recognising the difference between coastal and rural locations.

2. The Strategy outlines the need to replace the current 76 different car park permits across Dorset Council area with one new 'Dorset Car Park Permit'. Whilst listing the eligibility criteria for a permit no indication is given of costs but merely a statement that market research is being done into the cost and offer of the permit. The charges for Dorchester car parks will see an increase under this proposal and Broadmayne Parish Council finds it difficult to see how to respond to the consultation without knowing the cost of the parking permit. Dorchester serves a large rural area and much of the area is not well served by public transport and therefore many residents visiting the town have no option but to drive. For the sake of Dorchester businesses and rural residents, people must not be put off visiting their market town by either lack of available parking or by its cost.

3. We would however make the following points in respect of the charging regime:

- The cost of level 2 permits (retail destinations) should be towards the affordable end of the range indicated in the survey in order to help regeneration of the high street.
- The cost of level 3 permits (tourist areas) should be affordable for Dorset residents.
- Fees for parking low carbon vehicles (electric / hydrogen etc) should be nil or nominal unless recharge facilities are in place. We recognise that the continuing and accelerating trend towards low carbon vehicles would mean an increasing negative impact on revenue, but we are concerned that parking policy is being developed in isolation and solely as a source of revenue rather than strategically in a post-Covid high street and carbon-challenged world.

4. On-street charges are higher than car park charges on the basis that this helps to keep town centres clear of traffic supporting the safety of pedestrians and cyclists. This seems half-hearted, only one car has to be parked in the middle of a line of on-street parking and the obstacle for cyclists and pedestrians is still there. On-street parking should be at the same rate as the car parks if it is available, or removed altogether if the intention is to deter parking on the streets.



5. There is no mention in the Strategy of Residents Parking Permits. The proposed increases, both in the car parks and on-street, are likely to push traffic further into the residential areas that are currently free of parking zones and is likely to create more problems for the residents of Dorchester. Residents with no parking space on their property should be able to park relatively close to home at a reasonable rate.
6. Cash payment machines should be phased out but all new machines should continue to have a card option so that users are not reliant on payment via an App. Apps are not accessible to everyone and are reliant on having a charged phone and a reliable signal.

- **Swanage Town Council**

Please find below the response from Swanage Town Council in relation to Dorset Council's Proposed Parking Charges Strategy Report dated June 2021:

Comments/recommendations:

- Station Road, Swanage (shops) - Level 2 tariff.
- Shore Road, Swanage (beach) – Level 3 tariff.
- Station Road – 15 minute period to remain.
- Station Road – Maximum stay 1 hour.
- Station Road – no objection to the increase of charges, if at Level 2 tariff.
- Shore Road – no objection to level 3 or charges.
- Request for clarification over the operating times for charge period e.g. 8 a.m. – 6 p.m.

Extract from a meeting of the Car Parks Working Party held on 9<sup>th</sup> July 2021:

It was noted that the on-street car parking areas affected by the proposal in Swanage are Shore Road, a beach area, and Station Road, shops.

Councillors noted that the tariff for Weymouth had been separated into level 2, shops, and level 3, beach, and councillors strongly object to the two different areas of Swanage sitting under level 3.

The 'one level' approach for Swanage, was strongly opposed by those in attendance, and via email from other councillors, and all wished to express that the town was not merely a tourist destination. It was widely felt that the businesses operating in Station Road should be acknowledged and supported, especially during a time of recovery.

Councillors stated they would be opposed to the removal of the 15 minute tariff in Station Road as they felt this would be detrimental to businesses, and inconvenient to shoppers wanting a short trip to shops. They would also like to see the maximum stay period limited to one hour.

Councillors had no opposition to the increase in charges, at level 2 tariff for Station Road, however, did request some clarity over the operating times that the charges would be implemented e.g. 8 a.m. to 6 p.m.

There was no opposition to the changes to tariffs proposed for Shore Road.

- **Chideock Parish Council**

The comments below are in relation to the proposals for Bridport.

1. The significant increase in the cost of 1 hour's parking (and removal of the 20 minute rate) penalises local shoppers who are "popping" into Bridport for a specific purpose.
2. The 114% increase to the daily rate penalises locals, who, because of ever decreasing (in some cases non-existent) bus services, have to travel to work by car 5 or even 6 days a week. Given that many jobs only pay the minimum wage this is an unacceptable additional expense.
3. The consultation document claims that car parks will be priced so that customers will find using public transport a better option. However, this implies that there is a **reliable** and **frequent** bus service in place, which is far from the case in rural parts of Dorset.
4. **Many West Dorset villages do not have a bus service** at all so this pricing structure penalises locals because the only way for them to get out of their village to shop, visit a doctor, dentist, hospital, library, etc is by car.
5. In the YouTube feature Ray Bryan states that buying a parking permit will negate the new charges - "parking permits will help workers and locals from paying the increased charges." However there is no indication anywhere as to the cost of the new parking permits or what hours they cover. Surely this consultation should have given this information?
6. The current costs for long stay season tickets in Bridport are level 4 at £500.00 per year and level 5 (allowing use in any long stay car park in West Dorset) at £720.00 per year. I.e. £9.62 / £13.85 per week. Will the new tickets be at a comparable price?
7. The introduction of parking meters to Bridport
  - a) will further disadvantage people who are "popping" into Bridport for a specific purpose.
  - b) is unlikely to help to keep the town centre clear of traffic as the majority of Bridport's car parks are accessed from the "town centre".
8. Please publish the projected overall costs, for Bridport, of installing, maintaining and emptying the proposed meters; counting and banking money collected; employing additional parking enforcement officers; etc versus the projected income.

9. What is any surplus money from parking used for currently?

10. Finally, Chideock Parish Council asks what the additional money collected under the proposed charging structure will be spent on, and reminds you of Section 55 of the Road Traffic Regulation Act, 1984: -

The purposes referred to in subsection (2) above are the following, that is to say—

- a) the making good to the general fund of any amount charged to that fund (to make good any deficit in the SPA) in the 4 years immediately preceding the financial year in question;
- b) meeting all or any part of the cost of the provision and maintenance by the local authority of off-street parking accommodation, whether in the open or under cover;
- c) the making to other local authorities or to other persons of contributions towards the cost of the provision and maintenance by them, in the area of the local authority or elsewhere, of off-street parking accommodation, whether in the open or under cover;
- d) if it appears to the local authority that the provision in their area of further off-street parking accommodation is unnecessary or undesirable, the following purposes—
  - i. meeting costs incurred, whether by the local authority or by some other person, in the provision or operation of, or of facilities for public passenger transport services,
  - ii. the purposes of a highway or road improvement project in the local authority's area,
  - iii. in the case of a London authority, meeting costs incurred by the authority in respect of the maintenance of roads maintained at the public expense by them,
  - iv. the purposes of environmental improvement in the local authority's area,
  - v. in the case of such local authorities as may be prescribed, any other purposes for which the authority may lawfully incur expenditure;

- **Corfe Castle Parish Council**

Please find below Corfe Castle Parish Council's review to the charging strategy.

1. Corfe Castle Parish Council believe that the charging strategy needs to have a more local approach, taking into account local needs, which may include more bands within the scheme to allow for certain situations. The scheme should be tailored to the local communities rather than trying to fit all local communities into 3 bands.

2. Corfe Castle Parish Council request the changes already agree to be carried out in West Street Corfe Castle by the square with regards to “no loading” be carried out as soon as possible
3. Corfe Castle Parish Council request a token scheme be introduced for patients for the doctor’s surgery
4. Corfe Castle Parish Council request urgent action be taken to complete the Norden to Corfe Castle path / cycle path so that long stay parking at Purbeck Park is a safe viable option.
5. Corfe Castle Parish Council request the charges at Purbeck park NOT be changed, unless it is incorporates a ticket with either the Swanage Railway or More Bus
6. Corfe Castle Parish Council request to have more information on the residents permit scheme so that an informed discussion and further comments can be made.

- **Bradpole Parish Council**

It makes sense for Dorset Council to standardise prices and have a uniform pricing strategy across the Dorset Council area and the three-tier pricing system seems sensible (anymore tiers would be confusing) although there may be different charges in the BCP area which might be confusing for visitors.

The suggested pricing levels seem to make sense and whilst people will complain about any price increases the suggested price levels seem fair and about right going forward. There is, however, the danger that higher prices will push visitors to park on nearby residential streets. If the intention is to "encourage" the use of car parks rather than on-street parking at least in Bridport there would seem to be insufficient capacity particularly in the summer months.

Of concern is how much charges will rise in particular car parks. The strategy does not list current charges. A recommendation would be that the new charges should be phased in so that no increase can be more than say 20% in any year.

It is unfortunate that the parking permit pricing is still to be determined despite earlier consultations, this should be considered alongside the proposed charging levels. Sensibly priced parking permits for Dorset residents are important in supporting local businesses, community gatherings and the vitality of town centres. The permits are useful for those people that use the car parks regularly for shopping and also for overnight parking.

A final comment relates to the car park phone payments system. On days when the car park is free, the app does not tell you this and will still charge you, this needs to be looked at.

- **Bryanston Parish Council**

Blandford services the needs of the town and extensive local area. It has a low average income and a large proportion of aging residents dependent on medical and dispensing services. There are at least 12 empty retail outlets with most of the remaining outlets providing for areas not readily available online. These outlets are heavily dependent on footfall and have suffered during the pandemic. To rebuild the town centre, footfall will have to increase beyond pre-pandemic numbers.

Many residents of the area are dependent on the car for access to the town with its chemists, banks and food shopping. An aging population cannot walk, cycle or carry heavy shopping. Increased parking charges will lead towards the use of out-of-town supermarkets with free parking and on-street charges will put further pressure on residential neighbourhoods. The proposed increased charges will add an extra burden on the vulnerable members of the population, decrease footfall in the town centre and cause further decline.

There is a strong case for making the first 30mins of town centre parking free and decreasing charges for the first 2 hours. Towns adopting this attitude have shown an increase in the use of local shops and the local hospitality industry. There is an opportunity to copy the marked success of towns such as Stockbridge in Hampshire and Steyning in Sussex which have attracted thriving retail outlets and have become a realistic “Hub” for the local area. They attract substantial numbers of visitors. If Blandford is to achieve the “Hub” status as outlined in the DCC Local Plan, free or cheap parking will be essential to its success.

Whilst it is obvious that DCC is viewing parking as revenue producing, it needs to take into account the loss of Business rates for the first 3 mths of a closed retail outlet and the long-term advantages of a thriving business community. This is dependent on the town being an attractive area for customers and a destination for new service providers.

It is the opinion of Bryanston Parish Council that the Proposed Car Parking Strategy does not take into account local needs and will be detrimental to the future of Blandford.

- **Charmouth Parish Council**

The Committee unanimously felt that it would be totally unsuitable to introduce the proposed summer charges for the Charmouth Car Park.

It was felt that it would unfairly impact on local residents who might use the car park. It would also discourage tourists from parking there as other beach car parks are cheaper. When the beach car parks are full, because of the proposed increase in charges, visitors will try and park in side roads causing congestion, risks to pedestrians and inconvenience to the local residents.

We would urgently ask you to reconsider your plans to have summer parking charges in Charmouth.

- **Verwood Town Council**

1. Verwood is not comparable to the other towns in level 1. We have a sizeable population but in comparison to the other towns of Ferndown, Beaminster, Charminster, Gillingham, Sturminster Newtown and West Bexington our high street is small and much less vibrant.

2. The standardization of parking charges across Dorset is understandable due to the new unitary authority.

3. We are concerned on the effect on businesses in Verwood and that people here only pop into the shops and do not stay long anyway. The Potters Wheel Car Park is used by many elderly residents, due to health mobility issues, who visit the café's which are a lifeline for them to meet other people and is good for their mental health. They will not be able to just walk into the town centre instead. Therefore, if charges are forthcoming, we feel that the first two hours should be free.

4. Many residents use their cars as the bus service in the parish is hourly which may involve a simple errand being transformed into a lengthy wait for the bus home. There is no bus service on the C2 east of Three Legged Cross. The introduction of parking charges should be supplemented by an improved bus service.

5. The Hub is a central focal point for the Verwood community. Those wishing to subscribe to the Gym etc, some medical events or to attend films may decide not to support The Hub which could affect the current financial situation of The Hub. Consideration should be given to incorporate free parking for users.

6. We feel that the car park at the Doctors Surgery on Station Road should remain free of charge.

7. There is concern that parking in side streets may happen due to charging. The streets are already busy anyway.

8. Public car parks should have investment now in car charging points for electric vehicles for the future, the Potters Wheel have such points now.

9. Consideration should be given if charges do apply for free parking between 6pm and 6am.

10. If charging is to be put in place, then card or phone-app payments are needed immediately for all car parks due to the cashless society but cash transactions should also be available.

11. If charges are to be brought in then they should be phased in over a period of time. There never have been charges here so an immediate introduction at a high level (as proposed) will be likely to have a significant impact on the usage of the Town Centre.

12. When considering the Dorset Local Plan that was recently consulted on, and the push to improve and use local town centres, the introduction of parking charges seems contrary to that aim.

## **CONCLUSION**

Overall the Town Council feel that parking charges should not be made in Verwood, as it will be detrimental to the town centre and the elder residents with mobility issues but if charges are introduced then the first two hours should be free.

## **PARKING PERMITS.**

1. The standardization of permit charges would be welcome as it allows consistency across the authority.

2. Concern is raised, as in our comments regarding charging, that there may be an increase in side street parking.

3. What terms of permit will be given? Short/Long term (for shoppers/workers)

4. Where will the Parking Permits be able to be used, the whole of Dorset or just East Dorset/North Dorset/West Dorset? Many of our Verwood residents visit Ringwood as the nearest town where this parking permit would not be valid.

5. We would recommend that two permits are prepared, one to cover the local area, to include Ferndown/Wimborne etc as that would cover trips that are already being undertaken. It is considered that it would be more acceptable if charges were to be paid, that this included parking in other towns not just Verwood. The Second permit could be a full Dorset Wide permit for those that want it.

## **CONCLUSION**

Overall, the Town Council feel that a parking permit for just Verwood would not benefit any of our residents. However, if the parking permit covered the whole of Dorset or at least East Dorset area this would be more appropriate.

- **Litton Cheney Parish Clerk**

4.1 tiers 1 and 2 seem reasonable, however, the Parish Council fails to understand why West Bay is included in the same tier as Weymouth & Lyme Regis. The PC feels that families wishing to spend a whole day on the beach currently visit West Bay because it is cheap to park there. Faced with the same charge at any seaside location, they are likely to go to locations with sandy beaches and more facilities such as Weymouth or Lyme Regis, negatively impacting businesses at West Bay.

4.2 Tier 3 high season charges after 2-3 hours are too high and will put people off. The impact of this will be

- to encourage on-street parking beyond the charged for area
- irresponsible parking on private land
- visitors staying for shorter periods
- those with National Trust membership will switch to one of the numerous NT car parks along the coast, particularly those using car parks to access the coast paths.

All of which will affect local businesses already struggling with the impact of COVID

4.3 Whilst the PC understands the consultation on car park permits is a separate consultation by parking services, the 2 are intrinsically linked from residents' perspectives: the impact of car park charges will depend on the cost and benefits of permits. The PC therefore expects both services to collaborate closely to ensure that the needs of different types of users are met (workers - both full time and those who work limited days per week; carers who visit multiple locations; residents where parking is restricted or charged for; as well as casual users who use car parks occasionally). Any charge made to cover administration of issuing permits should be kept to a minimum or subsidised from car park revenue: this is especially the case for multiple car households. Many workers are low paid and have no alternative to using cars for work. High parking and/or permit costs will cause significant hardship and impact on retail and hospitality industries, which already face significant recruitment problems.

4.4 With regard to charging for on street parking, careful consideration should be given before extending charges to areas not currently covered. This would mean residents not currently requiring permits would in future require them at an additional cost to their household. What criteria will be used to determine where on street parking charges should be introduced? The PC is concerned that any extension of on street parking charges would push parking further out, away from beaches etc.

5. The PC agrees that the parking service should be self-funding, but feel there is a risk that too high charges could reduce overall income by driving users away from public car parks

- **Wimborne Minster Town Council**

The Council was minded to support the proposals within the draft Strategy and agreed that it did not appear to affect Wimborne Minster residents unduly.

- **Shaftesbury Town Council**

Shaftesbury Town Council fully supports the response that Shaftesbury Chamber of Commerce submits.



Along with these following points;

- Shaftesbury should be put in the same category as Gillingham, currently the strategy puts Shaftesbury at a considerable disadvantage. Shaftesbury is also rural, with less population and fewer shops than Gillingham.
- Due to specific parking issues in individual towns, the committee disagrees that a 'blanket policy' is appropriate to enforce across Dorset.
- Shaftesbury has parking issues already due to the loss of 140 parking spaces when the Cattle Market was sold.

- **Portland Town Council**

Portland Town Council would like to make the following response to the proposed Parking Charges Strategy.

Portland Town Council feel that the proposal to have a possible charge of £10 per day, in Level 3, would be excessive. The increase in charges generally could have a detrimental, financial effect on local residents and dog walkers.

- **Corscombe, Halstock and District Parish Council (CHDPC)**

I understand and accept the need to undertake a county wide car park review and for Dorset Council to develop fair charging options. Car parking charges are a relatively easy way to raise funds but there is a much bigger picture to consider than appears in the above report. There is clearly a relationship between car park capacity/charges and spend in shops/cafes etc and it is in everyone's interest to get that balance right so that we have a thriving local economy. One of my main concerns has been the proposal to **more than double** the price of car parking without any commentary from "business" on that impact. These proposals were also done against the backdrop of the potential withdrawal of permits, such as Shoppers Permit which would impact these businesses even more. I have listed some of my specific concerns below:-

#### Impact on Rural Communities

As you know, there is little and, in many cases, no public transport in rural villages. Residents in these areas are heavily reliant upon their cars (and, therefore, parking). Residents inform me that when they go to pick up their medication, as an example, they will take the opportunity to visit the local shops. This footfall will be important to those businesses. Raising the fees for an hourly visit to Beaminster from 30p to 70p, with planned annual reviews (ie price increases), is likely to have a detrimental effect. What discussion has taken place with the businesses of

Beaminster? Nobody wants to see businesses close due to loss of footfall - so these discussions are essential. Residents also need to visit medical facilities where car parking has to be paid for. This level of increase could put some off from making these medical visits.

My personal suggestion would be that a more modest increase is proposed for the year 2022 - eg 40p for the hourly rate and that work is done with the local chambers of commerce and businesses to assess the impact. This would enable an optimum rate to be determined for the following year. All level 1 towns could work together on this. I would also query the point of introducing a 30 minute rate?

Surely the point is to optimise car park throughput and visits to local shops (doctors etc)? This cannot be done in 30 minutes. This is why the 1 and 2 hourly rates are critical to get right.

#### Impact on Towns

Bridport is quite a unique town with a theatre, cinema and many independent traders. I feel that not only should the businesses of Bridport have a clear voice in the above report, but that the Portas Review (decline of the High St) should have also been referenced. The cost of car parking was a key consideration in the Portas Review. I note from the strategy report that "on street charges are higher than car park charges to encourage drivers in the car parks". I believe that is fine as a principle, but what work has been done to ensure car parks have sufficient capacity?

Rope Walks car park was mentioned among some of the Stakeholder Group members, specifically concern that it may become a development site. Whilst the development proposals themselves would be out of scope of the car park report, the risk of loss of car parking to a busy town such as Bridport, is an issue and again I feel that at least a statement about maintaining capacity should be included in the strategy report as well as an understanding about how close Bridport is to reaching capacity?

#### Permits

I completely accept the need to reorganise permits. The proposed Dorset Car Park permit will be particularly useful for those working in towns, particularly if they were offered on a household basis. The cost of £186 per annum seems high. Have checked with friends in Hampshire, they pay £120 pa. How has £186 been calculated? This type of permit would not represent good value for those who shop in towns once per week or fortnight.

An updated Shoppers Permit would be more suitable and would help to maintain footfall for retailers.

Comments from others:

**CHDPC** - taken from minutes of meeting dated 28th June 2021

**Resolved:** *this Council expresses its concern about the financial impact of these parking fee rises on local traders and its parishioners.*

## Residents

*Being a local resident and living in a village where having a car is vital I would be very upset if the Beaminster annual parking permit was either discontinued or increased in price significantly.*

*I understand that prices will have to rise just as everything else is but having the annual parking permit at a reasonable cost is such a necessity. It means that I can “pop” down to Beaminster to do my shopping and not have to have a purse full of cash. At the moment it is 2 hours per day which gives enough time to do my shopping in the wonderful range of food shops and also a quick coffee.*

*My concern is that I work at Dorset County Hospital, notorious for lack of parking for both staff and visitors. As a staff member it is extremely rare that I manage to get a space on site, therefore I park in nearby residential streets.*

*Firstly the street parking charges appear to be a max of 1.5 hours so perhaps this is for streets where parking meters are currently, or do they propose to put parking meters in many more streets?*

*With regard to annual permits would this be valid in any car park in Dorset? It appears to be non-transferable in a household with more than one car? A suggestion could be one permit per household but at a lower price than that proposed or have a system similar to the National Trust whereby you scan the card / permit (NT members then get free parking) , but by scanning the card Dorset County council could then charge a lower rate for residents.*

*The proposal penalises those of us who live in rural communities with no public transport. DCC continue to cut back on public transport making the elderly in particular more isolated than ever. The hospital encourages staff to cycle or use public transport to get to work. This is impossible for many.*

Already our high streets are becoming like ghost towns. Independent traders rely heavily on local support. This will be another nail in the coffin. This is a useful article discussing the correlation of car park charges and footfall on the high street:

[https://www.britishparking.co.uk/write/documents/re-thinking\\_car\\_parking.pdf](https://www.britishparking.co.uk/write/documents/re-thinking_car_parking.pdf)

- **Blandford St Mary Parish Council**

1. The Parish Council is curious to know what is the balance of “gross cost in use” against income? GCIU being the cost of the parking wardens incl total employment cost and their management, the parking ticket machines inc maintenance, the cost of signage and upkeep, comms and power interface, admin of penalty notices inc legal support.
2. The proposed level 2 charges in our area are not particularly unreasonable. However I think there is little support for local shops in particular and encouragement for local shopping in general.

## **Responses 2: Final Proposed Charging Strategy**

- **Blandford Forum Town Council**

### **Proposed Parking Charging Strategy**

Blandford Forum Town Council (BFTC) would like to thank the Dorset Council again for the opportunity to comment on the Proposed Parking Charging Strategy for the Dorset Council area. A working group has reviewed their previous response and would like to reiterate it, with a few additions.

BFTC notes the latest consultation document dated August 2021. Since the document has been presented in full, with some changes to original proposals and the addition in detail of the proposed permit schemes, BFTC re-presents its response with the addition of specific comments on the permit schemes. We note that there has been no change to the levels, particularly in regard to Gillingham which seem to ill fit the criteria, as laid out in the document, for a Level 1 settlement. A point also raised by Shaftesbury Town Council in their previous response. Since no further justification has been offered, BFTC, whilst acknowledging the hard work and difficulties on drawing up the draft proposals, nevertheless, reiterates this point in full below.

### **Proposed Parking Charging Strategy**

BFTC welcomes the rationalisation of car-parking charges into three tiers; we believe that this is proportionate and fair, reflecting the various environments of Dorset. The charges themselves, with the varying seasonal tariffs, are fair and also reflect the diversity of Dorset, with perhaps, the exception of long-stay charges.

However, we do query the inclusion of Gillingham in Tier 1. The estimated population of Gillingham in 2018 was 11,792 and that of Blandford Forum 10,992. <sup>1</sup>

By population criteria alone, Gillingham should not be regarded as a 'smaller and more rural' settlement. Whilst we acknowledge that Blandford Forum is the principal service centre for our area of Dorset, with a large hinterland, Gillingham should also be regarded as the principal service town for its area with an equally extensive hinterland, there being little difference between the comparison and service shopping facilities in both towns (Carter Jonas 2017).

<sup>1</sup> Source: <https://mapping.dorsetcouncil.gov.uk/statistics-and-insights/AreaProfiles/Town/gillingham> and <https://mapping.dorsetcouncil.gov.uk/statistics-and-insights/AreaProfiles/Parish/blandford-forum-and-langton-long-blandford>

In addition, Gillingham has a mainline rail connection similar to Wareham (Tier 2). Shaftesbury (Tier 2) is smaller in population to both Blandford Forum and Gillingham (just under 9000) with a slightly smaller convenience and service provision.

We respectfully request that the criteria by which this apparent anomaly in the tiering was arrived at, be reviewed.

## **BFTC Specific response to suggested Parking Permits' scheme**

BFTC also welcomes the rationalisation of parking permits across the county. We acknowledge the difficulties of how permits might be used in areas with varying seasonal tariffs, and we welcome the commonality of time allowed in the car parks for both types of permit holders regardless of tiering and seasonal car-parking rates. This we believe will not only avoid confusion, but would be fair and an incentive, perhaps, for Dorset residents to invest in a parking permit.

However, we question the minimum term of six months and see no logical reason why this has to happen. People's job roles change at short notice, often in a much shorter term than six months. This may also involve a move out of Dorset. Giving one months' notice would, we feel, be more appropriate.

BFTC seeks clarity on the 'Live Work Play permit' Will retirees, councillors and voluntary sector workers also be allowed to participate in the scheme?

We also request that DC look carefully at the possibility of amending the permit scheme to allow families to use one permit on more than one car. We feel that if there are two or more people in one family each with a vehicle that this would be on over burdensome cost and a disincentive to purchase a permit. We suggest either a family permit or record two number plates on one permit.

We believe that the on-street parking charges, the commercial vehicles and motor caravan bays are also fair and proportional.

BFTC understands the desire to incentivise Dorset residents with an annual fee for permits but we see no reason to penalise anyone for paying monthly over yearly as the costs of Direct Debit payments are tiny. This seems overly burdensome and will disadvantage low-income families who, if they wish to participate in the scheme, will pay £300 over the course of a year. The burden again falls disproportionately on those least able to pay the annual charges. We site the example of council tax where residents can pay monthly, quarterly, six monthly or annually.

### **Town Centre Parking**

BFTC agrees with the policy to reduce the number of cars in town centres and would ask the Dorset Council Parking Services to fully support Blandford Forum's desire to eventually explore the possibility of using half of the Market Place to enable the instigation of a cafe culture, and other cultural activities, similar to Wimborne's. This will support the stated aim of: *'keep(ing) town centres clear of traffic and thus support(ing) the safety of pedestrians and cyclists'*.

BFTC believes that supporting this policy will also help to reduce pollution in Blandford Forum's town centre and increase footfall thereby helping to invigorate our town.

## **Sunday Charging**

BFTC remains implacably opposed to car parking charges levied on a Sunday.

Casual observation of the paying car parks in Blandford, on a Sunday, reveals little use, with town centre residents with no parking on their properties or in the immediate street, (often poorer members of our community) preferring to park on *nearby* residential roads rather than pay the charges. This cannot be economically viable for Dorset Council. It will inevitably lead to more congestion on narrow streets with the concomitant of increase pollution.

Visitors to churches are now forced to pay charges, deterring potential worshippers. This may be alleviated somewhat by the permit scheme, but the cost still falls disproportionately on those least able to afford it.

Whilst we recognise the importance of raising revenues through car parking, ideally we should like to see the complete removal of Sunday parking charges from all but the in-season tourist areas.

*Although again alleviated by the permit scheme*, the sudden increase of approximately 300% on the current charges in Blandford Forum for long-stay parking, on a daily basis, will only increase the pressure on residential streets and will act as a disincentive to use the car parks. There will inevitably be an increase in street pollution from the overall increase in *residential* on-street parking and whilst residents search for ever-decreasing parking spaces. This would appear self-evident.

We would respectfully ask that the all-day levy, with a leap of over 300% on current charges be urgently reviewed, with a view to reduction to a more modest increase *perhaps stepped annually to avoid the sudden large increase*. This will, we believe, help both the residents who wish to park and to ensure income for car parking. Perhaps a similar levy to park and ride schemes could be considered?

Long-term, BFTC respectfully requests that the policy of charging for car-parking on a Sunday in off-coast/tourist hot-spots car parks be judged against objective evidence on the efficacy of the policy and the negative impact on communities.

- **South Tarrant Valley Parish Council**

Thank you for the opportunity to comment on the Proposed Parking Charging Strategy report. South Tarrant Valley Grouped Parish Councillors wish to submit the following:

Whilst Dorset Council's desire to have consistency of charging across its car parks is appreciated, the reality is that most residents will pay more than currently. Two examples:

- Long stay in Wimborne e.g. Allenvie car parks. Currently 70p for 2 hours. Proposed £1.50 for 2 hours; + 114%

- Stour Meadows Blandford. Currently Free all day. Proposed £1.50 for 2 hours.

So while Dorset Council suggest their proposals are designed to be fair to local residents, the reality most people will pay more than they do now. This will have a knock on affect on businesses if people decide not visit the towns as regularly as they do now.

In addition, the last time charges were imposed at Stour Meadows, nobody used it and parked, instead, on all the approach roads or in Tesco. This will happen again unless approach roads have double yellow lines painted or pay machines installed.

However, it would seem Dorset Council are out of touch with reality and continue to misjudge the situation. If there is a desire for town centres to succeed, it is felt the charges to visit the towns will be unhelpful.

Finally, there is a general feeling costs are increasing everywhere. Council tax rose by 5% but residents appear to get little for it. This North Dorset rural area's Parish Council consider it is time some positive benefits are seen for our ever increasing expenditure post the creation of Dorset Council.

- **Bryanston Parish Council**

Blandford Parish Council would like to stress their extreme disappointment at your latest Parking Strategy.

Whilst the proposals might be acceptable in an urban situation with reasonable public transport, they do not meet the requirements of the rural area with dependence on small towns (with extensive local village populations) and virtually no public transport.

Anything which deters residents and visitors from shopping locally and using the hospitality industry will lead to a further decline in town centres at a time when there is an urgent need to reverse this trend. Already towns are losing service industries such as Banks, Building Societies etc.

The argument that these Proposals lead to lower car use and help with climate change does not hold water. These charges encourage people to use out of town retailers with free parking which increases car use. Moreover, with the decline in services car use will increase exponentially as customers have to travel longer distances to larger towns.

A comparison with your proposed Parking permits with New Forest District Council reveals the following:

NFDC:

Annual Short stay £25 – up to 3 hours parking in all town and village car parks except coastal areas.

Annual Long Stay £120 – up to 20 hours parking per visit (depending on car park limits) **in all towns.**

These permits can be used as often as needed, are transferable between cars and are open to non-residents.

DCC:

Annual Short stay £78 – up to 2 hours parking in limited areas

Long Stay £260 – for most DCC car parks, **non-transferable and limited to residents only**

NFDC towns are thriving. DCC towns are declining.

In summary:

The DCC proposals do not meet the needs of residents, visitors and small towns.

They penalise Rural areas and low-income families.

They will increase car use and do not meet climate change objectives.

They do not conform with “best practice” for regeneration (see NFDC)

They do not meet the needs of small businesses and the and the independent hospitality sector

They prioritise short term income generation over a sustainable long term financial future

As a new Unitary Council, it would appear that income generation takes priority over the needs of residents. We can only hope that a complete rethink over Parking will be undertaken, accepting that this short-term policy is damaging to the county. A long-term policy of regeneration is urgently needed and we urge DCC to make this its priority. It is the opinion of Bryanston PC that failure to address the problems already obvious in Blandford+ and pursuing a Parking Strategy which further exacerbates the decline of Blandford town centre is unacceptable.

- **Shillingstone Parish Council**

Shillingstone Parish Council would like these comments in relation to the parking strategy:

- The general increase in tariffs appear to be severe and difficult to justify
- The ‘pop & shop’ permit does not guarantee that a space will be available and does not offer any cost saving for those who visit a short stay car park say only once a week – it’s not particularly attractive – why not make to cost of this £ 50 rather than £ 78?
- Will parking on street that is currently ‘free’ remain ‘free’? E. G Salisbury St in Blandford and East St are free but have time limits
- The long term car park by M&S (In Blandford) is currently very cheap and not over-used – the PC can’t see any reason to put charges up other than income raising

- **Beaminster Town Council**

Beaminster Town Council considered the above document at a recent meeting.



They accept the levels and agree Beaminster is in the correct level at level 1, however with regard to the proposed tariff members were very concerned to note that Short Stay car parks would permit 4 hour parking and we acknowledge that would probably be appropriate in most short stay car parks however they strongly disagree in respect of the short stay car park in Beaminster Square.

The shops and business rely on footfall and a turn over of cars in the Square, to allow parking for 4 hours would have a detrimental impact – it could even lead to some instances of workers coming into town parking blocking spaces for those wishing to pop in to one or two shops.

Members have asked me to enquire whether we might come to some arrangement whereby parking is set at 2 hours for the Square car park only and a footnote be added to the strategy as in the season charges that refer to Charmouth and West Bexington.

- **Melbury Abbas and Cann Parish Council**

Shaftesbury has been placed in level 2. It should be the same as Gillingham and Sturminster Newton.

The following comment

“It intends to be priced at a point that customers will choose to use active or green forms of travel rather than driving”

fails to address the fact that Shaftesbury is on top of the hill and the surrounding villages all have a steep climb with no pavements, narrow and busy roads and no bus services to town. NOONE is going to walk or cycle from Melbury, Cann, Motcombe, Guys Marsh, Stour Row or Ludwell to do their shopping. Even the Shaftesbury housing estates are too far for most folk to walk to the High Street and then carry shopping home and IF there is a bus service even there it is very spasmodic.

Please reconsider this banding of parking charges. Going green is only feasible when it is possible. In this case it is not. The Shaftesbury topography prevents it.

- **Char Valley Parish Council**

There does not seem to be any allowance for casual workers who need to park in our local towns but only have employment for part of the year, or even, part of the day or week. As we don't have a reliable, frequent, or well-timed bus service, anyone here in rural west Dorset must use a car to access employment activities in our local towns. The proposed car park charges represent a prohibitive tax on their earnings. Would it be possible to provide, say, employers with transferable parking permits to allow the various part-time and seasonal workers to access their work sites?

**Responses from Chambers of Commerce and Business Improvement Districts**

**Draft Proposed Charging Strategy**

- **Wimborne BID**

The Wimborne Business Improvement District (BID) exists to provide additional funding and vital representation to the business community in Wimborne Minster. The BID is voted in by a ballot of the businesses of the town that contribute financially, practically and emotionally to its work, and hold it to account. The BID represents over 330 businesses in Wimborne. The businesses vote for the BID on the strength of a five year business plan, and the BID is held to account every five years via renewal ballots against the delivery of that business plan. The Wimborne BID Business Plan can be found at [www.wimborne.info](http://www.wimborne.info) or by request via email to [office@wimborne.info](mailto:office@wimborne.info). Wimborne BID represents the views of the businesses in Wimborne

The Wimborne BID have been exemplary both as a business organisation in the district, and in the wider national BID industry, at working with partners and stakeholders to achieve our aims. We have contributed to projects that benefit residents as much as businesses and have forged unprecedented productive relationships with many organisations, including Dorset Council (DC), and East Dorset District Council (EDDC) before it. We hope the BID is seen by DC as a valuable partner – financially, practically and strategically.

The BID feel very strongly about the availability and accessibility of car parking, which is always one of the top two issues raised by our levy payers. In the 2017-18 financial year the BID spent more than £12,000 on a wayfinding project, which developed a plan to clarify signage across the town so that visitors can find their way into and around Wimborne. Making sure people can find car parking is a vital component of that strategy.

The proposed strategy represents a large increase in parking charges in Wimborne, particularly in the vital 3-4 hour tickets, which research shows is the optimal day trip visit duration.

Duration	Current long stay	Current short stay	Proposed charge
30 minutes		£0.40	£0.50
1 hour	£0.60	£0.70	£1.00
2 hours	£0.70	£1.00	£1.50

3 hours	£0.80	£2.00	£2.20
4 hours	£2.00	£3.00	£3.00
5 hours	£2.00	£4.00	£4.00
6 hours		£5.00	
7 hours		£6.00	
8 hours		£7.00	
9 hours		£8.00	
10 hours	£3.20	£9.00	£6.00 (all day)

Dorset Council's data, provided for King Street (Short Stay) and Westfield (long stay) car parks suggests that the most bought tickets are for 2 or 3 hours.

The £2.20 charge for 3 hours is a particular concern, as it makes it harder for customers to park for three hours (and find the extra 20p). They may therefore elect to park for a shorter amount of time, decreasing dwell time and spend in the town.

The BID strenuously opposes any increase to parking charges in Wimborne. Our objections and recommendations are set out below:

### **1. Supporting Economic Growth**

The Dorset Council proposed Local Plan states: "A prosperous local economy is vital to achieving the strategic priorities of Dorset Council."

In the Dorset Council Economic Growth Plan, the Council states it plans to:

- "promote Dorset as a place to do business and attract inward investment
- support the growth of new and existing businesses"

Raising parking charges does not demonstrate this. Any increase has the potential to damage businesses in Wimborne.

That is not just the BID's view:

- In 2015 the High Streets Minister said that "The Government is growing increasingly concerned that punitive parking costs and fines are deterring shoppers from using their local high streets."
- The Federation of Small Businesses has said that "Small market towns and their outlying rural communities are hit particularly hard by the imposition of parking charges."
- The Association of Town Centre Managers says that that "poorly thought out tariffs can turn motorists away from town centres, or simply not attract the right people to help a centre thrive."
- Mary Portas said that "there should be free parking for town centres".

- In the 2019 Parliamentary report “High streets and town centres in 2030” Jake Berry, the MHCLG Minister, said that this was an issue for local authorities to determine in consultation with their business community, but that it seemed like “good sense to provide some element of free parking in town centres”

The effect of the Covid 19 pandemic has been disastrous to businesses in Wimborne, and it will take a great deal of time for customer confidence to return and for businesses to recover.

In a High Street survey conducted by City Dressing this year, 38% of Wimborne customers said that they intend to spend less time in shops.

The next two years are vital for building customer confidence and removing barriers to people visiting the town centre.

Rather than the proposed raising of car parking charges for the first two hours, we would suggest that they might be scrapped to boost the local economy!

## 2. Unnecessary profit

The Department for Communities and Local Government has said that parking “should not be used as a way of generating revenue” and Members have assured us that the exercise is about aligning car parks in Dorset and not about generating income.

Surplus monies raised should be ringfenced for transport links associated plans once the car parks are paid for.

Using data from the King Street and Westfield car parks, the weekly income generated for Dorset Council would be almost double:

### Westfield Car Park

Old income	new income
£360.00	£600.00
£762.30	£1,633.50
£871.20	£2,290.20
£786	£1,179.00

### King Street Car Park

Old income	New income
£192.80	£241.00
£894.60	£1,278.00
£3,383.00	£5,074.50

£2,410.00	£2,651.00
£1,122.00	£1,122.00
£424.00	£424.00
£205.00	£246.00
£186.00	£186.00
£35.00	£30.00
£32.00	£24.00
£18.00	£12.00

### 3. Short term fix not a long term solution

Given the spread of autonomous vehicles, on-demand taxi services, the increased cost of motoring and the advancement of motoring technology, industry experts are predicting that there will be less need for car parking in the long term (10-year timeframe). It can be argued that relying on income from car parking to subsidise council services is not a dependable long term strategy.

Increasing the cost of parking in Wimborne is yet another tax on businesses that are already squeezed by increasing rents and rates and will have a negative impact on residents, making Wimborne a less attractive place to do business, and to live.

### 4. Fairness

- Although we understand the benefits to Dorset Council of aligning parking fees, it is a beauty of the area that our towns are so diverse in character and need.
- The methods used to calculate the proposals are rudimentary at best, with little or no consideration of either the current car park usage or the impact that changes may have on businesses and residents. When Wimborne BID asked for data relating to ticket durations, this information was not available and we were told it “would take too long to extract.” Dorset Council agreed to look at the two car parks we have used in this response.
- Town centre car parks in Weymouth have been added into the calculations for these proposals, with beach car parks coming under the coastal charges. We would argue that Weymouth should be removed from the figures used to calculate the averages as realistically, people visiting Weymouth would not consider it a long walk to park in town to go to the beach.

Taking Weymouth out of the calculation, gives town centre bands the following average tariffs:

Duration	Average
30 minutes	
1 hour	£0.61
2 hours	£1.04
3 hours	£2.04
4 hours	£3.09
All Day	£4.35

These figures are close to Wimborne's current car park cost and would be much fairer.

## 5. Encouraging sustainable transport

DC have cited the need to encourage people to use sustainable transport.

Wimborne BID wholeheartedly supports this endeavour, and we are investing in excess of £10,000 this year into pedestrian signage to encourage people to walk more. We are working with Poole Wheelers on a Cycling tournament with a number of events to encourage cycling and we have committed in our business plan to creating a cycle friendly town.

With that in mind, we would like DC to support the proposed increases with proper facilities for cyclists, particularly those commuting to Wimborne for work:

- **Bicycle lockers**  
Safe lockers provided in car parks for people to safely leave these often valuable possessions. In view of the new cycle lanes being delivered locally, some strategic thinking needs to be done to remove other barriers to people cycling to town, including where the 'bike is stored once here, and that the condition of the cycle lanes are kept clean and safe.
- **Shower units**  
While government grants are available for individual businesses to build shower units, Wimborne is an old town, with small business units in listed buildings. Communal, good quality shower facilities could encourage workers to cycle in.
- **Our Wayfinding study** has found that many car parks are badly signed and, as a result, potential visitors (and potential parking revenue) is lost. The BID would like to work with DC in implementing key findings from the study EDDC should support the BID with the Wayfinding project to ensure that visitors can easily find their way to the available parking spaces.

## Conclusion

We feel that more in-depth strategic work needs to be carried out before these proposals are implemented:

- A full business impact assessment
- Detailed examination of parking habits, with informed prediction on the impact of Covid 19 on people's habits.
- Strategic action about sustainable transport and the long term needs of the town

We feel that any changes should be postponed for at least 24 months:

- To allow businesses time to recover from the pandemic
- To allow customer confidence time to recover
- To allow DC to properly predict the pandemic's long term effect on car park use.

Weymouth's car park charges must be removed from the Town Centre averages (irrespective of the band that Weymouth Town Centre car parks are in).

## References

Dorset Council Local Plan January 2021 consultation - <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/dorset-council-local-plan/about-the-dorset-council-local-plan-january-2021-consultation.aspx>

Dorset Council Plan - <https://www.dorsetcouncil.gov.uk/your-council/about-your-council/dorset-council-plan/economic-growth.aspx>

Marcus Jones; from 'Free parking in town centres to save the high street'; Daily Telegraph, 17/7/2015  
'Parking. Policies for sustainable communities'; FSB, 9/2008

'In-Town Parking: What Works'; ATCM, 7/2014

'Portas Review: An Independent Review into the Future of our High Streets'; Mary Portas; 2011

'Free parking in town centres to save the high street'; Daily Telegraph, 17/7/2015

Visit Britain

City Dressing High Street Survey, 2021. This was a national survey but results given for Wimborne specifically, with 274 respondents.

## Final Proposed Charging Strategy

- **Shaftesbury Chamber of Commerce**

I have been given your contact details by fellow Chamber committee member, David Taylor of Shaftesbury Tourist Information Centre. I don't understand how we have been kept so out of the loop on the subject of countywide parking rationalisation; Dorset Council have not approached us before now and indeed, it was Dorset Chamber who sent us the information just this week.

Having reviewed your document and proposed charging strategy, I'm afraid Shaftesbury Chamber of Commerce cannot accept the proposed changes to Shaftesbury town centre parking charging arrangements in their current form.

We understand Dorset Council's intention in aiming to harmonise fees across all of the former district council areas.

But a proposal which makes shopping more expensive in Shaftesbury than in adjacent towns is not harmonisation. It's harmful and divisive. The Chamber requests that Shaftesbury is placed in the same charging regime as Gillingham and Sturminster Newton. We cannot understand why Gillingham, with a 2019 estimated population of 11,490 - 2500 more residents than Shaftesbury - is considered a "smaller more rural" location. Gillingham is the economic and administrative centre for this part of North Dorset. Gillingham has more national and multiple retailers than any other town in North Dorset, and indeed rivals most towns in Dorset for national supermarkets. These businesses can better shoulder the burden of increased fees because they enjoy the economy of scale in their operations. Many of Shaftesbury's independent shops have to exist as sole businesses.

As a chamber and community, we've worked hard to improve our tourism offer and visitor experience and were therefore very disappointed by the recent introduction of Sunday fees.

Now we'd like Dorset Council to consider giving something back to our town.

To support our small independents, the lifeblood of our High Street, and to encourage passing visitors to stop and sample our town centre and potentially stay longer, the chamber is requesting free parking for the first 30 minutes at Angel Lane and Bell Street car parks.

We believe this arrangement would also encourage locals to 'pop' into town on short shopping trips to pick up what they need and leave quickly, thereby creating the car park turnover we desperately need, considering our restricted parking options.

Shaftesbury's needs are unique and unlike any other North Dorset town because our situation on top of the promontory means there's no potential to expand car parking opportunities so we do need special consideration, however, all we're asking for is to be treated on a par with our neighbouring towns.

We also want to understand how the tariffs will be applied in our Bell Street car park as currently, there is a short stay area and a long stay/permit area. Will these stay in place, or will it be treated as one whole car park? We don't want people with permits being allowed to park closer to the town and deter shoppers; currently, the short stay section of the car park is closer to the town so we would appreciate clarification on your intended implementation.



## APPENDIX 4

### Response Analysis

Analysis of Town/Parish Councils Comments	Draft Proposal		Final Proposal	
	Number of comments	%	Number of comments	%
Blandford placed in incorrect level			1	4
Cash payments should be withdrawn	1	1.5		
Charging times at Station Rd car park (Sturminster Newton)	1	1.5	1	4
Church goers			1	4
Cheaper parking for residents	1	1.5		
Council tax increase			1	4
Contrary to Local Plan	1	1.5		
Disagree with 3 level strategy	5	7.5		
Displacement, narrow roads, traffic flow	2	3		
Elderly people	1	1.5		
General complaint about Dorset Council			1	4
Impact on local business/high streets	6	9	2	8
Impact on low wage/seasonal/part-time/volunteer workers	5	7.5	1	4
Impact on residents who live in rural locations	2	3		
Increase all day charge too high	1	1.5	1	4
Increase council tax to cover parking costs	1	1.5		
Increase in charges too high	5	7.5	2	8
Increase should be no more than 20%	1	1.5		
Further research needs to be done	1	1.5		
Lack of local public transport	6	9	2	8
Lack of parking spaces	1	1.5		
Permit - minimum 6 months unfair			1	4
Permit - monthly cost unfair			1	4
Permit - need further detail	5	7.5		
Permit - need local and Dorset wide	1	1.5		
Permit - Pop & Shop too expensive			1	4
Permit - use in more than 1 vehicle			1	4
Positive comment regarding on-street tariff	2	3		
Purbeck Park car park (Corfe Castle) to remain the same	1	1.5		
On-street should be the same price as car parks	1	1.5		
Maintenance of car parks/machines	1	1.5		
New charges not suitable for rural communities			1	4

Residents parking	2	3		
Shaftesbury placed in incorrect level	1	1.5	1	4
Suggest free 30 minutes/other	2	3		
Suggest free for low carbon vehicles	1	1.5		
Suggest 'The Square' parking remains 2 hours maximum			1	4
Suggest Stour Meadows car park remains free			1	4
Sunday charging withdrawn	1	1.5	1	4
Support 3 level strategy	2	3	2	8
Support new charges	1	1.5		
Timing of changes (Covid)	2	3		
Verwood does not fit into the 3-level strategy	1	1.5		
Withdraw high season charge in Charmouth	1	1.5		
West Bay in the incorrect level	1	1.5		

	Draft Proposal	Final Proposal
Analysis of BIDs and Chamber Comments	Number of comments	Number of comments
Impact on local business/high streets	1	1
Increase in charges unfairly calculated	1	
Further research needs to be done	1	
Shaftesbury placed in incorrect level		1
Timing of changes (Covid)	1	
Unnecessary profit	1	

	Draft Proposal		Final Proposal	
Analysis of Emailed Public Comments	Number of comments	%	Number of comments	%
Blandford placed in incorrect level	1	1.6		
Blue badge charging	4	6.4		
Carers			1	2
Charities parking	1	1.6	1	2
Disabled	1	1.6		
Disagree with 3 level strategy	1	1.6		
Dorchester placed in incorrect level	1	1.6		
General complaint about Dorset Council	1	1.6		
Impact on local business/high streets/holiday lets/tourism	9	14.5	1	2
Impact on residents who live in rural locations	1	1.6		
Increase in charges too high	8	13	2	4
Impact on low wage/seasonal/part-time/volunteer workers	7	11		
Lack of consultation	2	3.2		
Lack of local public transport	6	10	2	4
lack of parking spaces			1	2
Maintenance of car parks/machines	1	1.6		

Motorhome facilities/parking	2	3.2		
Needs greater link to transport strategy	1	1.6		
Positive comment regarding strategy			2	4
Permit - too cheap			2	4
Permit - positive comments			6	12
Permit - too expensive/high increase			26	52
Permit - payment in one go unfair			1	2
Permit - need further detail	1	1.6		
Permit - flexible charging days	1	1.6		
Purbeck Park - all day charge too expensive			3	6
Parking for motorhomes			1	2
Retain cash payment option	2	3.2		
Shaftesbury placed in incorrect level	2	3.2		
Sunday charging withdrawn	1	1.6		
Support new charges	1	1.6	3	6
Timing of changes (Covid)	1	1.6		
Verwood introduction of parking	1	1.6		
West Bay placed in incorrect level	4	6.4		
Withdraw high season charge in Charmouth	1	1.6		

	Draft Proposal			Final Proposal			Total	%
	FB	DC news	Local Press	FB	DC news	Local Press		
<b>Analysis of Online Public Comments</b>	<b>Number of comments</b>			<b>Number of comments</b>				
<b>Total comments</b>	<b>4</b>	<b>45</b>	<b>66</b>	<b>143</b>	<b>56</b>	<b>10</b>		
Abusive/disrespectful visitors		1					1	0.7
ANPR		1	1				2	1.43
Ban parking on pavement					1		1	0.7
Cash payments should be withdrawn		1					1	0.7
Church goers				1			1	0.7
Consultation good		1					1	1
Disabled		1		2	1		4	3
Displacement, narrow roads, traffic flow			1				1	1
General complaints about the council		1	5			1	7	5
High council tax		1	1		1	1	4	3
Impact on local business/high streets/holiday lets/tourism		1	7	1	5		14	10
Impact on low wage/seasonal/part-time/volunteer workers			1		1		2	1
Improve P&R Weymouth		1	1				2	1
Include BCP					2		2	1
Increase in charges too high	1	4	5			1	11	8
Lack of enforcement		1	1				2	1
Lack of local public transport		2		2	1		5	4
Lack of parking spaces				1			1	0.7
Maintenance of car parks/machines		1	2				3	2
Permit - discount for second vehicle				2			2	1
Permit - increase in price is too high/price too high	1			9	9	2	21	15
Permit - monthly charge too high				1			1	1

Permit - one needed for tradespeople				1			1	0.7
Permit - positive comment				8	5		13	9
Permit - suggest cheaper price and more expensive if Weymouth included				1			1	0.7
Permit - suggest extra hour free for disabled				1			1	0.7
Poor number of consultation responses/unfair consultation/DC don't listen		1			1	2	4	3
Residents parking		1		1			2	1
Should be linked to green agenda				2			2	1
Suggest charge cyclists		1					1	0.7
Suggest charge overnight						1	1	1
Suggest free bus pass for over 60s				1			1	0.7
Suggest free parking/at weekends/first or second hour		2		1	4		7	5
Support new charges		2	10	1			13	9
Timing of changes (Covid)		1					1	1
Verwood introduction of parking		1					1	1
Visitors to residents/carers				1			1	0.7
Weymouth is more expensive than anywhere else				1			1	0.7

## Equalities Impact Assessment

### Equality Impact Assessment (EqIA)

#### Initial Information

Name:	Paul Hutton Elizabeth Murray
Job Title:	Service Manager for Parking Strategic Parking Projects Manager
Email address:	<a href="mailto:p.hutton@dorsetcouncil.gov.uk">p.hutton@dorsetcouncil.gov.uk</a> <a href="mailto:Elizabeth.murray@dorsetcouncil.gov.uk">Elizabeth.murray@dorsetcouncil.gov.uk</a>
Members of the assessment team:	Paul Hutton, Elizabeth Murray
Date assessment started:	25/03/2021
Date of completion:	14/09/2021
Version Number:	Final 1

#### Part 1: Background Information

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

Existing	
Changing, updating or revision	/
New or proposed	
Other	

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

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

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

Phase 2 Transformation project (parking charges)

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

The outcome of this project is to deliver greater consistency for our customers, from aligned charging and opening times across the Dorset Council car park estate. The change in charging may bring in additional income to the parking service which will be used in accordance with the Road Traffic Regulations Act 1984 section 122 which stipulates the statutory purpose of the imposition of traffic regulation orders, including the imposition of charges, is: “to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway...”.

The scope of the project is as follows:

- All Dorset Council car parks (long stay, short stay and those that are currently free of charge)
- All Dorset Council on-street pay & display parking
- Review, agreement and implementation of 3-level charging structure
- Parking permits (long stay, shoppers (long and short stay), local area specific, Alderman permits)
- Recreational vehicle (RV) parking spaces and facilities

What is the background or context to the proposal?

Since the formation of Dorset Council, aligning parking charges has been a key priority to bring consistency across the former council areas. The first phase of this work was implemented in April 2021, and consisted of:

- Implementation of Sunday charging in towns that did not already have it
- Changing charging hours in all car parks to 8am – 6pm
- Increasing the all-day car park prices in Lyme Regis and West Bay

The link to the Phase 1 EqlA can be found [here](#).

The portfolio holder, Cllr Ray Bryan, has requested these changes be reviewed and implemented accordingly. Consultation on these proposals will take place through the format of stakeholder working groups and the final proposal will be shared with Members, Town and Parish Councils and BIDs for their review and feedback.

The aim for parking charges is to create a 3-level pricing structure across the Dorset Council parking estate with on-street parking charges aligning with off-street charges. The project includes the implementation of two new car park permits (to replace current car park permits), the aim of the permits is to give frequent car park users who live or work in Dorset better value parking.

## 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?

This project chose to engage with the public through stakeholder working groups. The purpose of the stakeholder groups was to provide data and evidence on the potential impact of changes to charges and the implementation of resident and worker permit.

Benchmarking was undertaken to compare Dorset Council parking charges to similar locations across the south of the UK to check that pricing is fair and logical.

Research has been done on each location in Dorset Council that has a car park to look at the demographic of the population and who may possibly use the Dorset Council parking in that area. One of the purposes of this was to understand whether people with protected characteristics or other social factors may be adversely impacted.

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

The main concerns with the change in parking charges which came out of the stakeholder working groups was the negative impact on low wage workers and local high streets/businesses. The new residents and workers car park permit seemed to have mitigated these concerns.

Please see appendix 1 for local demographic data and benchmarking data.

Is further information needed to help inform this proposal?

No

## Part 3: Engagement and Consultation

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

Engagement has taken place with the following groups:

Towns and Parish Councils

Local Business Improvement Districts (BIDs)

Local residents

Local business

Disability access groups



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

The final stakeholder working group will show the final proposed changes and how their input has shaped it.

Comments will be collated into a report and will go to Overview, Scrutiny and Cabinet for final sign-off in Autumn 2021.

**Please tick the appropriate option:**

An EqlA is required (please continue to Part 4 of this document)	<b>Yes</b>
An EqlA is <b>not</b> required (please complete the box below)	

This policy, strategy, project or service does not require an EqlA because:

--

Name: Elizabeth Murray Job Title: Strategic Parking Project Manager

Date: 25/03/2021

**Part 4: Analysing the impact**

Who does the service, strategy, policy, project or change impact?

- If your strategy, policy, project or service contains options you may wish to consider providing an assessment for each option. Please cut and paste the template accordingly.

For each protected characteristic please choose from the following options:

- Please note in some cases more than one impact may apply – in this case please state all relevant options and explain in the ‘Please provide details’ box.

Positive Impact	<ul style="list-style-type: none"> <li>• the proposal eliminates discrimination, advances equality of opportunity and/or fosters good relations with protected groups.</li> </ul>
Negative Impact	<ul style="list-style-type: none"> <li>• Protected characteristic group(s) could be disadvantaged or discriminated against</li> </ul>
Neutral Impact	<ul style="list-style-type: none"> <li>• No change/ no assessed significant impact of protected characteristic groups</li> </ul>
Unclear	<ul style="list-style-type: none"> <li>• Not enough data/evidence has been collected to make an informed decision.</li> </ul>

Age:	<i>Unclear</i>
What age bracket does this affect?	Unclear
Please provide details:	There is no data held on the number of car park users who fall into each age bracket, so we cannot establish the scale of this impact. The changes will affect all residents, visitors and businesses who use Dorset Council car parks. We do not anticipate at this stage; the proposals will have any impact on this protected characteristic group.

Disability: (including physical, mental, sensory and progressive conditions)	<i>Unclear</i>
Does this affect a specific disability group?	Unclear
Please provide details:	Disability exemption permits/blue badge permits are not being changed as part of this project, however no data held on the number of car park users who fall into this category, so we cannot establish the scale of impact. The changes will affect all residents, visitors and businesses who use Dorset Council car parks. We do not anticipate at this stage; the proposals will have any impact on this protected characteristic group.

Gender Reassignment & Gender Identity:	<i>Neutral Impact</i>
Please provide details:	There is no data held on the number of car park users who fall into this protected category, so we cannot establish the scale of this impact. The changes will affect all residents, visitors and businesses who use Dorset Council car parks. We do not anticipate at this stage; the proposals will have any impact on this protected characteristic group.

Pregnancy and maternity:	Unclear
Please provide details:	There is no data held on the number of car park users who fall into this protected category, so we cannot establish the scale of this impact. The changes will affect all residents, visitors and businesses who use Dorset Council car parks. We do not anticipate at this stage; the

	proposals will have any impact on this protected characteristic group.
Race and Ethnicity:	<i>Neutral Impact</i>
Please provide details:	There is no data held on the number of car park users who fall into this protected category, so we cannot establish the scale of this impact. The changes will affect all residents, visitors and businesses who use Dorset Council car parks. We do not anticipate at this stage; the proposals will have any impact on this protected characteristic group.
Religion or belief:	<i>Neutral Impact</i>
Please provide details:	There is no data held on the number of car park users who fall into this protected category, so we cannot establish the scale of this impact. The changes will affect all residents, visitors and businesses who use Dorset Council car parks. We do not anticipate at this stage; the proposals will have any impact on this protected characteristic group.
Sexual orientation:	<i>Neutral Impact</i>
Please provide details:	There is no data held on the number of car park users who fall into this protected category, so we cannot establish the scale of this impact. The changes will affect all residents, visitors and businesses who use Dorset Council car parks. We do not anticipate at this stage, the proposals will have any impact on this protected characteristic group.
Sex (consider both men and women):	<i>Unclear</i>
Please provide details:	There is no data held on the number of car park users who fall into this protected category, so we cannot establish the scale of this impact. The changes will affect all residents, visitors and businesses who use Dorset Council car parks. We do not anticipate at this stage; the proposals will have any impact on this protected characteristic group.
Marriage or civil partnership:	<i>Neutral Impact</i>

Please provide details:	There is no data held on the number of car park users who fall into this protected category, so we cannot establish the scale of this impact. The changes will affect all residents, visitors and businesses who use Dorset Council car parks. We do not anticipate at this stage, the proposals will have any impact on this protected characteristic group.
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Carers:	<i>Neutral Impact</i>
Please provide details:	Carers will not be affected as there are no changes to Carers permits.

Rural isolation:	<i>Possible Negative Impact</i>
Please provide details:	The changes could impact those living in rural villages outside of towns as an increase in parking charges could deter them from visiting.

Single parent families:	<i>Unclear</i>
Please provide details:	There is no data held on the number of car park users who fall into this protected category, so we cannot establish the scale of this impact. The changes will affect all residents, visitors and businesses who use Dorset Council car parks. We do not anticipate at this stage; the proposals will have any impact on this protected characteristic group.

Social & economic deprivation:	<i>Possible Negative Impact</i>
Please provide details:	The changes could deter those from using car parks due to the increase in costs. The project is implementing a parking permit for residents that will give them better value long stay parking. This will help those on minimum or low wage.

Armed Forces communities	<i>Neutral Impact</i>
Please provide details:	There is no data held on the number of car park users who fall into this protected category, so we cannot establish the scale of this impact. The changes will affect all residents, visitors and businesses who use Dorset Council car parks. We do not anticipate at this stage; the proposals will have any impact on this protected characteristic group.

**Part 5: Action Plan**

Provide actions for **positive**, **negative** and **unclear** impacts.

If you have identified any **negative** or **unclear** impacts, describe what adjustments will be made to remove or reduce the impacts, or if this is not possible provide justification for continuing with the proposal.

Issue	Action to be taken	Person(s) responsible	Date to be completed by

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**EqIA Sign Off**

Officer completing this EqIA:	Elizabeth Murray, Paul Hutton	Date:	14/09/2021
Equality Lead:	Rebecca Forester	Date:	14/09/2021

Appendix 1: Demographics and Benchmarking Data

	Population	16-64	65+	Gender Male Female	Diversity White British BME	Good health	Unpaid Carers	Mosaic socio-economic data	Owner occupied housing	No cars in household	Employed (16-64)	Average house price
<b>Level 1</b>												
<b>Beaminster</b>	3,947	50.8%	36%	49%	97%	79.3%	11.9%	Rural reality 49.6%	68.9%	12.6%	43.2%	£285,596
Small market town				50.8%	2.7%			Country living 33.9%				
Data for Ward								Senior security 5.9%				
<b>Charmouth</b>	1,414	44.1%	44.6%	47.6%	97%	75.7%	13.2%	Rural reality 47.2%	72.4%	18.1%	32.1%	£276,667
Coastal village				52.4%	3%			Country living 45.6%				
Data for parish								Vintage value 3.6%				
<b>Ferndown</b>	20,936	49.3%	37.1%	47.9%	95.6%	77.3%	13.4%	Senior security 30.8%	84.3%	13.1%	40.5%	£387,910
Town				52.1%	4.4%			Prestige positions 27.7%				
Data for town								Domestic success 8.8%				
<b>Gillingham</b>	12,052	57.5%	25.6%	49%	94%	82.5%	10%	Rural reality 32.4%	73.7%	14.1%	48.4%	£234,665
Town				51%	6%			Senior security 13.7%				
Data for parish								Country living 12.6%				
<b>Sturminster Newton</b>	4,742	56.7%	27.4%	48.6%	94.5%	80.7%	10.2%	Rural reality 55.3%	67%	14.8%	45.1%	£310,405
Town				51.4%	5.5%			Country living 24.6%				
Data for Ward								Vintage value 6.1%				
<b>Verwood</b>	15,180	55.4%	26.8%	48.4%	96.3%	83.0%	10.9%	Prestige positions 26.7%	84.10%	7.30%	46.10%	£345,808
Town				51.6%	3.7%			Senior security 21.5%				
Data for parish								Domestic success 12.4%				

	Population	16-64	65+	Gender Male Female	Diversity White British BME	Good health	Unpaid Carers	Mosaic socio-economic data	Owner occupied housing	No cars in household	Employed (16-64)	Average house price
<b>Level 2</b>												
<b>Blandford</b>	11,040	59.9%	22.4%	49.7%	94.3%	81.1%	10.2%	Aspiring homemakers 18.7%	65.6%	18.3%	19.2%	£228,981
Market town				50.3%	5.7%			Suburban stability 15.1%				
Data same for Ward and town								Senior security 12.1%				
<b>Bridport</b>	14,722	53.1%	32.7%	47.4%	96.3%	76.9%	12.3%	Senior security 19.2%	69.6%	21.4%	44.9%	£267,296
Market coastal town				52.6%	3.70%			Vintage value 12.3%				
Data for Ward								Rural reality 9.6%				
<b>Dorchester</b>	21,082	57%	26.8%	48.2%	94.2%	80.5%	11.2%	Aspiring homemakers 15.1%	66.50%	23.20%	43.60%	£302,077
Market and County town				51.8%	5.8%			Senior security 13.7%				
Data same for Parish and town								Vintage value 13.2%				
<b>Shaftesbury</b>	8,782	57.5%	23.1%	23.1%	93.3%	82.4%	10%	Aspiring homemakers 22.8%	69.1%	18%	41%	£228,852
Town					6.7%			Senior security 14.9%				
Data same for town and parish								Suburban stability 11%				
<b>Spooner</b>	9,922	51.1%	31.4%	46.8%	92.5%	79.6%	10%	Senior security 20.7%	61.9%	23%	37.6%	£331,958
Market town				53.2%	7.6%			Vintage value 18.9%				
Data same for town and parish								Prestige positions 11.6%				
<b>Wareham</b>	10,193	54.3%	29.9%	48.1%	96.5%	83.5%	10.8%	Rural reality 22.5%	86.2%	7.2%	58.9%	£342,543
Market town				51.9%	3.5%			Senior security 16%				
Data for Ward								Country living 15.3%				
<b>Wimborne</b>	7,715	55.4%	28.2%	47.3%	95.6%	79.2%	11.4%	Senior security 18.7%	61.7%	22%	40.9%	£397,126
Market Town				52.7%	4.5%			Vintage value 16.9%				
Data for town								Aspiring homemakers 13.7%				

	Population	16-64	65+	Gender Male Female	Diversity White British BME	Good health	Unpaid Carers	Mosaic socio-economic data	Owner occupied housing	No cars in household	Employed (16-64)	Average house price
<b>Level 3</b>												
<b>Corfe Castle</b>	1336	55.2%	32.5%	51%	97%	78.1%	14%	Country living 64.6%	60.5%	14.1%	45.9%	£476,417
Village				49%	3%			Rural reality 29.9%				
Data for parish								Vintage value 3.9%				
<b>Lyme Regis</b>	3,653	51.5%	36.8%	46.9%	94.8%	76.8%	12.5%	Rural reality 51.5%	70.6%	20.5%	40.4%	£370,394
Seaside town				53.1%	5.2%			Country living 28.5%				
Data same for town and parish								Vintage value 6%				
<b>Portland</b>	12,797	60.4%	21.6%	51.2%	93.9%	79.9%	11.5%	Rural reality 53.1%	68.7%	24.6%	45.9%	£199,047
Town				48.8%	6.1%			Transient renters 7.6%				
Data same for town and parish								Modest traditions 6.4%				
<b>Weymouth</b>	53,068	57.9%	26.3%	49.2%	95.2%	78.8%	11.6%	Senior security 14.9%	67.1%	24.8%	45.4%	£225,040
Seaside town				50.8%	4.9%			Suburban stability 11.7%				
Data for town								Vintage value 9.9%				



LEVEL 1						
Location	Population	Cost for 1 hours parking	Cost for 2 hours parking	Cost for 3 hours parking	Cost for 4 hours parking	Cost for all day parking
<b>Sturminster Newton</b>	4742	<b>£0.70</b>	<b>£1.20</b>	<b>£2.40</b>	<b>£2.40</b>	<b>£3.50</b>
Midhurst	4914	Free	Free	£0.80	£1.00	£2.30
Martock	4766	Free	Free	Free	Free	Free
Ottery Saint Mary	4898	£1.00	n/a	n/a	n/a	£3.00
<b>Beaminster</b>	3947	<b>£0.30</b>	<b>£0.50/£0.60</b>	<b>£1.10</b>	<b>n/a</b>	<b>£2.00</b>
Tisbury/Downton	2056/2916	Free	Free	Free	Free	Free
Arundel	3408	£0.70	£1.20	£2.10	£2.50/£3.50	£5.00/£7.00
Bruton	2945	Free	Free	Free	Free	Free
<b>Charmouth</b>	1414	<b>£0.30</b>	<b>n/a</b>	<b>n/a</b>	<b>£1.20</b>	<b>£2.00</b>
Rottingdean	3200	£1.10	£2.20	£3.30	£4.00	£5.00
Charlestown	unknown	£0.40	£0.80	£1.50	£3.10	£5.90
Porlock	1440	£1.10	£2.20		£3.30	£5.50
Polperro	1554	n/a	n/a	£5.00	n/a	£12.00
<b>West Moors</b>	9105	<b>Free</b>	<b>Free</b>	<b>Free</b>	<b>Free</b>	<b>Free</b>
Liphook	8491	Free	Free	Free	Free	Free
Cullompton	8499	£1.00	£1.80		£2.00	£5.00
Southwater	8692	Free	Free	Free	Free	Free
Polegate	9034	Free	Free	Free	Free	Free
<b>Corfe Mullen</b>	10175	<b>Free</b>	<b>Free</b>	<b>Free</b>	<b>Free</b>	<b>Free</b>
Kingsteignton	10,451		£0.70			£1.20
<b>Ferndown</b>	20936	<b>£0.70</b>	<b>£1.00</b>	<b>£2.00</b>	<b>£3.00</b>	<b>£9.00</b>
New Milton	25717	£1.00	£2.00	£2.50	£3.00	£5.00
Hailsham	20997	Free	Free	Free	Free	Free
Caterham	21437	Free	Free	Free	Free	Free
Sandhurst	20495	Free	Free	Free	Free	Free
<b>Verwood</b>	15180	<b>Free</b>	<b>Free</b>	<b>Free</b>	<b>Free</b>	<b>Free</b>
Alton	17,816	£1.00	£1.40	£1.90	£2.50	£5.70
Westbury	16989		Free	£1.60	£2.20	£5.60
Wellington	14549		£1.10	£1.60	£2.20	£2.70
<b>Gillingham</b>	12052	<b>£0.70</b>	<b>£1.20</b>	<b>£2.40</b>	<b>£2.40</b>	<b>£4.00</b>
Chard	13000			£1.50		£2.70
Street	11805	£0.80	£1.60	£2.20	£3.20	£5.90
<b>W Bexington</b>		<b>£0.60</b>	<b>n/a</b>	<b>£3.50</b>	<b>n/a</b>	<b>£5.00</b>
Port Isaac	721	£0.70	£2.20	£3.40	£4.50	£5.20
Beer	1317	£1.00		£3.00		£6.00
Yarmouth	865	£0.80				£4.00

LEVEL 2						
Location	Population	Cost for 1 hours parking	Cost for 2 hours parking	Cost for 3 hours parking	Cost for 4 hours parking	Cost for all day parking
<b>Dorchester</b>	21,082	<b>£0.60/£0.70</b>	<b>£1.00</b>	<b>£2.00/£2.60</b>	<b>£3.00/£4.00</b>	<b>£4.00</b>
Truro	18,766	£1.30/£1.50	£2.50/£3.10	£3.60/£4.60	£4.60/£4.80	£8.00/£8.20
Lewes	17,297				£2.20	£4.10
Chichester	23,731				£4.40	£13.80
Cirencester	19,000	£1.60	£2.80	£3.70		£7.50
Tiverton	20,411	£0.80				£4.00
<b>Bridport</b>	14722	<b>£0.40</b>	<b>£0.80</b>	<b>£1.70</b>	<b>£4.00</b>	<b>£2.80</b>
Romsey	19441		£1.00	£2.00	£3.00	£5.90
Godalming	21804	£1.00	£2.10	£3.60	£4.90	£14.00
Wadebridge	9000	£0.60/£0.70	£1.20/£1.50/£2.30	£1.80/£3.10	£2.20/£3.50	£5.00
Bideford	14599	£1.00	£2.00	£3.00	£4.00	£24.00
<b>Wimborne</b>	7715	<b>£0.60/£0.70</b>	<b>£0.70/£1.00</b>	<b>£0.80/£2.00</b>	<b>£2.00/£3.00</b>	<b>£3.20/£9.00</b>
Crewkerne	6728	£0.65	£0.85	£1.30	£2.40	
South Molton	5108	£0.50	£1.50	£2.00	£2.50	
<b>Blandford</b>	11040	<b>£0.70</b>	<b>£1.20</b>	<b>£2.40</b>	<b>£2.40</b>	<b>£4.00</b>
Petersfield	13303	£1.00	£1.40	£1.90	£3.30	£6.20
Honiton	11,822	£1.00		£3.00		£10.00
<b>Sherborne</b>	9922	<b>£0.40</b>	<b>£0.70</b>	<b>£1.50/£1.70</b>	<b>£4.00</b>	<b>£2.10/£2.80</b>
Axminster	5626	£1.00	£2.00	£3.00	£4.00	£10.00
Wells	12,000	£1.00	£1.50	£2.00	£3.00	£5.00
<b>Shaftesbury</b>	8782	<b>£0.70</b>	<b>£1.20</b>	<b>£2.40</b>	<b>£2.40</b>	<b>n/a</b>
Haslemere	10417	£0.80	£1.70	£2.50	£3.40	£9.50
Bradford-on-Avon	9402	£0.40/£0.60	£1.30/£1.50	£2.20/£2.30	£2.70	£6.30
Bovey Tracey	7721	£0.80		£1.50		£3.70
<b>Wareham</b>	10193	<b>£0.70</b>	<b>£1.40</b>	<b>£2.10</b>	<b>£2.80</b>	<b>£3.50</b>
Totnes	8076	£1.20	£2.00	£2.50	£3.50	£6.00
Shepton Mallet	10369	£1.10	£1.50	£2.60	£3.10	£5.90
Henley-on Thames	11619	£0.60	£1.00	£1.60		£3.20
<b>Weymouth</b>	53,068	<b>£1.00/£1.50/£2.00</b>	<b>£2.00/£2.50/£3.00</b>	<b>£3.50/£4.00</b>	<b>£4.50/£5.00</b>	<b>£8.00</b>
Bournemouth shops	10,771		£2.50	£3.50	£4.50	£10.00
Weston-super-mare	80,000	£1.40	£2.40	£3.60	£5.10	£8.10
Ringwood	14181	£1.00	£2.00	£2.50	£3.00	£5.00

LEVEL 3						
Location	Population	Cost for 1 hours parking	Cost for 2 hours parking	Cost for 3 hours parking	Cost for 4 hours parking	Cost for all day parking
<b>Lyme Regis</b>	3653	<b>£0.70</b>	<b>£1.60</b>	<b>£4.00</b>	<b>£4.50</b>	<b>£8.00</b>
Looe	5280	£0.70	£2.30	£3.60	£4.70	£5.70
Padstow	2993	£1.00	£2.10	£4.00	£5.10	£6.20
Seaton		£0.70	£2.60	£3.90	£4.90	£6.20
<b>Corfe Castle</b>	1336	<b>n/a</b>	<b>n/a</b>	<b>£3.10</b>	<b>£4.20</b>	<b>£5.30</b>
Dunster	1219	£1.10	£2.20		£3.30	£5.50
<b>West Bay</b>	4285?	<b>£0.50/£1.00</b>	<b>£1.00/£2.00</b>	<b>£1.60/£3.00</b>	<b>£4.50</b>	<b>£8.00</b>
Freshwater	5369	£1.40	£2.50	£3.50	£4.50	£8.50
West Mersea	7183			£3.00		£5.00
Perranporth	3066	£1.00	£2.50		£3.50	£6.60
<b>Portland</b>	12797	<b>£1.00</b>	<b>£2.00</b>	<b>£3.00/£3.50</b>	<b>£3.50/£4.50</b>	<b>£6.50/£8.00</b>
Hayling Island town	16,887	£0.80	£1.60	£2.40		£3.20
Hayling Island beach		£1.40	£2.90	£4.30	£5.80	£7.20
Harwich	12,243	£1.00	£2.00		£3.00	£5.00
<b>Weymouth</b>	53,068	<b>£1.00/£1.50/£2.00</b>	<b>£2.00/£2.50/£3.00</b>	<b>£3.50/£4.00</b>	<b>£4.50/£5.00</b>	<b>£8.00</b>
Bournemouth beach		£2.70	£5.40	£8.10	£10.80	£20.00
WSM beach					£6.00	£10.00
Margate	61,223	£1.40	£2.80	£4.20	£5.60	£7.00
Torquay	65,245	£1.40	£2.50	£3.50	£4.50	£8.50

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**Place & Resources Overview Committee  
19 October 2021  
Dorset Highways Policies**

**Code of Practice for the classification of  
highway safety hazards and defects and  
Highway inspector's guidance manual**

**For Review and Consultation**

**Portfolio Holder:** Cllr R Bryan, Highways, Travel and Environment

**Local Councillor(s):** All

**Executive Director:** J Sellgren, Executive Director of Place

Report Author: Michael Westwood  
Title: Community Highway Manager  
Tel: 01305228167  
Email: Michael.Westwood@DorsetCouncil.gov.uk

**Report Status:** Public

**Recommendation:**

That the Place and Resources Overview Committee support the following action, in line with the decision of the highways & transport task and finish group:  
Adoption of the revised and amended policies listed in this report.

**Reason for Recommendation:**

The policies listed were previously adopted by Dorset County Council. The view is that they required further change to ensure that they followed the most up to date national practice and reflected changes to the way the highway is used. The policies also required amending to reflect changes in the council and staffing.

We have taken advice on the process for adopting the policies. As only minor amendments have been made to the policies it is not seen as a key decision, so does not need a report to full council. The leader has delegated to individual members of the cabinet the ability to make executive decision of this type. Any recommendations made by the overview committee will be to the portfolio holder, Cllr Ray Bryan.

## **1. Executive Summary**

The two policies listed below are regularly reviewed to ensure that they follow national best practise and as far as reasonably practicable follow other authorities in the area and of a similar type.

### **1.1, Code of Practice for the classification of highway safety hazards and defects**

This policy set out the risk-based approach to highway safety inspections and how to recognise defects that pose a hazard or safety issue.

It describes the hierarchy and inspection frequencies for the carriageway, footway and cycleway networks. It includes the investigatory levels for a variety of the most commonly experienced defects and response times for repairs.

The changes to this document are as follows.

#### **Cycleways,**

With the increase in use of cycles of all types it was recognised that we needed a more robust approach to recognising safety defects that could affect cyclist. Particularly defects that appear in the marked cycleway network across the county.

To this end we have created a cycleway hierarchy, defects and investigatory levels for cycleways. The main affect of this will be earlier and faster repairs to safety defect found in cycleways that are part of the carriageway.

#### **Trees**

A formal process has been added to the document to ensure that any potential activities that could affect the health of trees in or near the highway are reported to the arboriculturally team. This should reduce the risk of trees falling due to activities such as clear felling or excavation close to tree roots etc.

### Variation from defect category response times

We have given the community highways officers (inspectors) more flexibility to move away from the pre set repair times for safety defects. This will allow them to change the category of the defect when they feel the local condition present either a higher or lower risk than would normally be expected.

### Change to response time to maintenance defects

We have historically identified some defects in the carriageway that required repair, not for safety reasons but to ensure the surface remade in a well-maintained condition. These are carriageway pothole type defects of a depth of more than 20mm but less than 40mm and a diameter of more than 300mm. These defects have had a category of 2b giving us 28 days to make a suitable repair. To allow us to carry out these repairs in a more cost effective manner these defects have been changed to a 2c defect which has an undefined repair time but are typically done within 6 months.

This will allow us to plan these repairs, grouping them together geographically and allow us to utilise repair methods that are more permanent and efficient.

It will also help us to deal with any increase in safety related defects that changes to our response to cycleways may produce.

### 1.2, Highway inspector's guidance manual

This document has been changed to reflect the changes in the Code of Practice.

Both documents have been altered to reflect changes to the council since LGR.

We have taken advice on the process for adopting the policies. As only minor amendments have been made to the policies it is not seen as a key decision, so does not need a report to full council. The leader has delegated to individual members of the cabinet the ability to make executive decision of this type. Any recommendations made by the overview committee will be to the portfolio holder, Cllr Ray Bryan.

## **2. Financial Implications**

No financial implications have been identified.

### **3. Well-being and Health Implications**

No negative well-being or health implications have been identified.

### **4. Climate implications**

No climate implications have been identified.

### **5. Other Implications**

There are no other implications to different areas of the council.

### **6. Risk Assessment**

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

Current Risk: Medium

Residual Risk: Low

The changes to the Policies will reduce risk to the council and ensure that the highway is safe for all users.

**7. Equalities Impact Assessment.** There are no equalities implications arising from this report.

### **8. Appendices**

[Link to Appendix 1 - Code of Practice for the classification of highway safety hazards and defects \(not appended to report due to size of document\)](#)

Appendix 2 - Highway inspectors guidance manual

**9. Background Papers** None

**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.





# **Highway Inspections Guidance Manual**

Version 6.0, Revision 0  
July 2021



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## **1. Background**

- 1.1** Section 41 of the Highways Act places a statutory duty upon Dorset Council, as the local highway authority, to maintain the highway network to safe and serviceable standards.
- 1.2** Hazards & defects affecting the safety and/or the serviceability of the highway network can be identified through various routine highway maintenance operations such as scheduled safety inspections, ad-hoc inspections carried out in response to public enquiries and during cyclical maintenance activities e.g. gully emptying. In addition, emergency events such as road traffic collisions or fallen trees can also compromise the safety of the highway user.
- 1.3** In order to assist those undertaking routine highway maintenance operations the Dorset Highways – Code of Practice for the Classification of Highway Safety Hazards and Defects (COP) provides detailed information for all hazards & defects- from definitions & investigatory levels to sample photographs and recommended treatments.
- 1.4** This CoP also introduces a risk assessment process for determining an appropriate response to each hazard or defect consistent with national guidance on best practice set out in the Road Liaison Groups ‘Well Managed Highways Infrastructure’.

## **2 Introduction**

**2.1** This document is intended as a procedural guide for all employees involved in Highway Safety Inspections, of Dorset Council’s highway network. It covers only highway safety inspections and does not attempt to address more detailed inspections and condition surveys.

**2.2** This Guidance Manual is to be used in association with Dorset Highways: Code of Practice for the Classification of Highway Safety Hazards and Defects.

### 3 Implementation & Review

The distribution and subsequent revisions of this document are controlled under Dorset Highways Quality Management System.

### 4. Inspection Regime

4.1 Inspections are undertaken as an Enhanced Safety inspection. It should be noted that they are in addition to any: -

- Structural Maintenance visual inspections, i.e. CVI and DVI.
- Machine/camera-based surveys, e.g. SCRIM, Deflectograph, and SCANNER
- Streetworks inspections
- Ad-hoc inspections in response to specific service requests
- Other Specialist Inspections, e.g. trees, bridge/structures, lighting columns
- wet weather inspections etc

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**NB** Safety defects resulting from any of the above must be reported and dealt with under the appropriate procedure.

4.2 Enhanced Safety inspections are carried out to ensure that, as far as is reasonable, the safety of the public is not jeopardised by the condition of the highway. They are designed to identify those defects likely to create an immediate and/or imminent danger to the public and which require either immediate or essential work to be undertaken. Hazards are rectified according to their urgency – this could be within 2 hours for emergency hazards or up to 28 days after identification for less urgent defects.

4.3 In addition to highway inspections, inventory surveys can be undertaken to identify and record the Authority’s highway assets. The surveys are carried out on newly adopted sections of highway or when an existing section is altered/improved.

The inventory data collected is used for cyclical maintenance and asset management strategies, as well as for determining the activities requiring detailed inspection for all road sections.

4.4 Under section 58 of the 1980 Highways Act, the highway authority can use a “Special Defence” in respect of action against it for damages for non-repair of the highway if it can prove that it has taken such care as was reasonable. Part of the defence rests upon: *“whether the highway authority knew , or could reasonably have been expected to know, that*

*the condition of the part the highway to which the action relates was likely to cause danger to users of the highway”* This is where highway authorities have to show that they carry out highway safety inspections in accordance with their policies and national guidance

## **5. Highway Network**

- 5.1** The highway network comprises roads split into links and sections, each of which is assigned a maintenance hierarchy type, i.e. a Maintenance Category (MC). This relates to its importance for transportation and usage. Footways and cycleways have their own categories (FCs & CWs)) and are thus in addition to carriageway hierarchies. Therefore, a large percentage of road sections have an MC, FC, and CW classification. For both the carriageway, footway, and cycleway respectively.

Carriageways without an adjacent footway and footways without an adjacent carriageway (the latter typically called 'linked' footways and usually found in urban areas), have only one MC or FC associated classification. Cycleways without an adjacent footway or carriageway are cycle tracks and typically found across open land or parks.

- 5.2** Cycle ways (as set out in their separate hierarchy table) will be subject to the same investigatory levels as footways.
- 5.3** Carriageways will be subject to the same investigatory levels as Footways at all defined pedestrian crossing areas (See section 4, in the code of practice for the Classification of Highway safety Hazards (CoP) for a more detailed definition).
- 5.4** The detailed definitions of each hierarchy classification, as they appear in the current Highway Maintenance Policy document, are detailed in the table 6.1.

## 6. Inspection Frequencies

6.1 The inspection frequencies within Dorset are detailed in the table below.

### Carriageway hierarchy

DC Network Hierarchy	Annual inspection Frequency	Hierarchy Description	Road Type	Detailed Description
2	12	Strategic Route	National primary, county, regional and freight routes	Roads forming the strategic backbone of the County's network, catering for heavy goods vehicles and longer distance traffic. Connecting the county to adjoining counties and the national road network.
3	12	Main Distributor	Heavily trafficked routes, freight and major bus routes	Roads connecting the larger towns and industrial estates to each other and to the strategic routes
4	12	Secondary Distributor	Other heavily trafficked routes	Important links in the network connecting towns and larger villages.
5	4	Local Distributer	Roads connecting villages to the distributor road network	Roads within towns and urban areas and rural roads that connect the larger villages and industrial estates to the distributor network.
6	1	Collector Road	Roads connecting villages to the distributor road network	Roads serving villages, connecting communities and smaller industrial estates to the distributor network.
7	1	Minor Collector Road	Minor roads serving hamlets with 6 or more properties	Roads providing access to 6 or more properties in both urban and rural areas.
8	1	Minor Access Road	Minor roads serving 5 or fewer properties	Roads providing access to 5 or fewer properties and farms.
9	0	unpaved	Adopted highway that's is unpaved/unmetalled.	Tracks that have not been paved to a recognised standard.

## Footway Hierarchy

DC Network Hierarchy	Annual inspection Frequency	Hierarchy Description	Detailed Description
1	12	Strategic footways	Footways within urban areas that contain 10 or more shops or businesses in close proximity. Footways that are contiguous with significant supportive community infrastructure i.e. hospitals, schools, and major transport terminals.
2	4	Distribution footways	Footways linked to network sections that contain additional contiguous category 1 footways or footways that are contiguous to areas of 5 or more shops or businesses in close proximity.
3	2	Secondary distribution/ busy local access footways	Local pedestrian routes within urban areas; and main pedestrian routes in rural and sub-urban areas with adjoining public amenity infrastructure e.g. post office, village shop etc
4	1	Local access footways	Footways providing primary access to groups of 10 or more properties
5	0	Adopted highway that's is unpaved/unmetalled.	Footways that have not been paved to a recognised standard.

## Cycleway hierarchy

DC Network Hierarchy	Annual inspection Frequency	Hierarchy Description	Detailed Description
1	Inspected as part of associated Asset	Cycle lane	A part of the carriageway allocated for use by cyclists. Includes areas delineated by a kerb line or other physical feature.
2	Inspected as part of associated Asset	Cycle lane	A part of the carriageway allocated for use by cyclists. Includes areas delineated by road markings or by delineation on the surface.
3	Inspected as part of associated Asset	Cycle track	A track over which the public have a right of way on pedal cycles that does not form part of a carriageway, but which can be within a highway that includes carriageway. This would include shared footway/ cycleway provision with or without segregation.
4	1	Remote Cycle track	Cycleways and shared pedestrian/ cycleways that are not contiguous with the carriageway. Those that go across open land or through parkland.
5	0	Adopted highway that's is unpaved/	Cycleways that have not been paved to a recognised standard.



		unmetalled.	
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## 6.2 Additional Information: -

**a)** If a single section of road is bordered by a footway(s), then the higher hierarchy for inspection is deemed to apply to both the carriageway and footway and for all of the other separate occurrences of footway along the Section.

**b)** The annual programme of inspections is created to ensure that all sections are inspected at the designated frequency. The schedules must be programmed to provide an acceptable interval between each inspection throughout the year. In this way the hierarchy '1' footways are to be inspected at a one monthly interval throughout the year. The pattern of inspections should be consistently applied to consecutive years so that the inspection intervals are maintained year on year. It is important to ensure that those sections, which are inspected twice a year, are programmed for approximately the same period in consecutive years to maintain the inspection pattern.

**c)** Cycleway inspections are to be included with the adjacent carriageway inspection for 'cycle lanes' and included with the adjacent footway inspection for 'shared cycle/footways'.

**d)** When carrying out scheduled inspections for any road category/type, it is realised that keeping exactly to the programmed interval between inspections would be extremely difficult, if not impossible. Therefore, an agreed tolerance (as set out in the table below) between an inspection and its scheduled inspection date is deemed reasonable and acceptable. This is in line with national recommendations. The performance indicator measures, calculated monthly, are to use this agreed tolerance.

Annual inspection frequency's	Tolerance in calendar days
12	+/- 5 Days
4	+/- 10 Days
2	+/- 20 Days
1	+/- 30 Days

## **7. System Procedure and Security**

- 7.1** Dorset Highways provides the Inspection Service for all of the Dorset Council administrative area with the exception of the A35/A31/A303 Trunk Road
- 7.2** Each member of staff required to carry out inspections and/or to administer the inspection system and the issuing and managing of work, must be defined within the 'Highways by Confirms' system. Security shall be maintained by allocating each Inspector/Technician/Manager a Username login based upon their initials, together with an appropriate and unique password. The combination of name and log-in details is also used to determine which Inspector carried out an inspection and how the results were entered into the system, either manually or electronically.

## **8. Inspection Arrangements**

- 8.1** Where a location/section/inspection type requires two members of staff, then the responsibility for the inspection is to be taken by one person defined as the Inspector and the second acting as the assistant or '2nd Inspector'. On occasions where only one person is involved, then that person shall be deemed 'The Inspector'.
- 8.2** Any inspections carried out as observations from a vehicle shall require two members of staff, with the passenger/observer defined as the Inspector and the driver as the assistant. Inspections carried out on foot will generally only require one person, designated as the Inspector. However, any road section where there is a combination of car travel and walking and/or where there are walked inspections with footways on either side of the carriageway, an assistant may be required.
- 8.3** The hierarchy '1' and '2' footway inspections must be carried out on foot. In addition, footways that have a slabbed or modular surface shall be carried out on foot. Generally, all other footways will be inspected from a vehicle except where visibility is obstructed. If, in circumstances due to parked vehicles or other obstructions where the Inspector(s) is unable to see the footway(s) clearly, then the obstructed section must be walked.
- 8.4** Carriageways adjacent to Type '1' and '2' footways shall be inspected at the same time as the adjacent footway inspection (thus sometimes receiving an increased frequency of inspection than the actual carriageway MC would require).
- 8.5** All Linked Footways shall be inspected on foot.

- 8.6** Usually, FC Type '4' footway inspections are carried out from a car during the same inspection as the adjacent carriageway. During these inspections, there will inevitably be occasions when parked vehicles obstruct the view of the footway. If, in the opinion of the Inspector, the hidden footway is prone to damage or has other relevant importance, i.e. elderly persons' home, a school etc in close proximity, then the inspection of that area of footway shall be undertaken on foot.
- 8.7** Cycleway inspections to remote cycle tracks/ cycle tracks (hierarchy 3 and 4) may be carried out by foot or on a cycle. If carried out on a cycle, then it should be ridden at a slow speed to ensure that it is done in a safe manner and that all safety defects are observed.
- 8.8** The following maximum speeds have been defined for inspections carried out from a moving vehicle: -
- a)** Rural carriageway inspection (including 'combined' carriageway, cycleway, and footway inspections) - 20 mph.
  - b)** Urban inspections (carriageway, footway, cycleway or 'combined') - 15 mph.

## **9. Inspection Data**

- 9.1** All Highway inspection data files are validated to ensure that links/sections and describing codes activities/Defects/Treatments are correct before being transmitted to the designated network server.
- 9.2** DC has commissioned Confirm as the HMMS. With this systems tool in place, it has been necessary to convert all old road section ID's to the National Street Gazetteer (NSG) reference. The NSG is a centralised unique referencing system, designed to improve the relationship between local authorities and utilities. Its fundamental aim is to make the street works process more convenient to the citizens who use them. For example, the 1200A30W/00290, is now known as the i/A30/210.
- 9.3** Confirm Connect provides the DC Inspection team full mobile working. The Inspection team operate with mobile tablet devices for their enhanced safety inspections. This enables DC to send defects to the relevant agent/ scheduler immediately which in turn is sent to the gangs to repair. Any other unscheduled inspection files, e.g. 'Ad Hoc' shall also be treated and loaded in the same way.
- 9.4** Defects not recorded correctly will not be sent, until corrected. These defects are forwarded to the 'Jobs not committed from Inspections' file, in the area team leader Dashboard. The area team leader will then investigate and correct, before forwarding on to be processed.

**9.5** Unprocessed data files for all inspection types are the responsibility of the organisation carrying out the inspection and shall be suitably stored, unaltered for a period of six years and, if required, made available for authorised use as and when required.

## **10. Auditing Arrangements**

**10.1** The area team leaders routinely audit inspection quality twice a year unless concerns are raised about a particular route or inspector. In such cases audits will be increased to a suitable level until the issue has been resolved. Information relating to the timeliness of inspections is provided by the data team monthly. The information provided by the team leaders and the data team are presented and discussed at monthly (or otherwise) management meetings.

**10.2** From time to time, information and data may be required for service improvement and efficiency saving purposes. In the main, the statistics will be obtained from the Highway Maintenance Management Systems and may be supplemented with additional Quality Inspection data to ensure on-going compliance with the requirements of this manual and the Council's Highway Maintenance Policy.

## **11. Inspectorate**

**11.1** Inspectors shall be suitably experienced and competent to carry out the tasks of highway inspections as described in this manual. They shall have a good working knowledge of relevant inspection procedures, safety requirements, together with knowledge of the appropriate inspection equipment and software. They shall also be conversant with the relevant parts of the DfT's 'Chapter 8 - Traffic Signs Manual', highway working practices and ideally has undertaken Institute of Highways Engineers (IHE) accredited training and be registered on the IHE website.

**11.2** Inspectors shall carry out inspections in a uniform manner and to a uniform standard across the County. This is particularly important when deciding on a suitable category and treatment of repair for the defect or observation. If the parties responsible for the issue and/or repair of the works consider that the selection of any item or treatment code is incorrect, then full details of the correct information shall be passed to the Inspecting teams for future reference.

**11.3** The person undertaking the inspection is responsible for the accuracy of that inspection. In certain circumstances, that person may be called into Court to substantiate their inspection results.

## **12. General Guidance for Non-Safety Observations**

**12.1** Non-safety observations are recorded for the purposes of bringing the condition to the attention of those responsible in order for further investigation(s) to be carried out. They are of a non-urgent nature but if left and not treated, could lead to serious disruption or deterioration. There is not an expectation that all potential observations will be identified, particularly on sections of the network subject to a driven inspection.

## **13. Find, Record, Repair and Completion of a Defect**

With the introduction of Highway Inspection Vans, the Inspectorate now have the facility to repair defects they may find. This gives Dorset advantages in such ways as efficiency and speed of repairs. Although to carry out such a repair the protocol below must be followed.

## **14. Asset Inspection Defect Repairs Protocol**

It has been decided that on category 4 to 9 carriageways, cycleways and 1 to 4 footways, that the inspector can carry out repairs to any defects found if they have facility to do so.

In order that this can be achieved, the inspector will be carrying in each van, at the start of each day.

- signs and cones for traffic management,
- cold lay material, for bituminous repairs
- Shovel and brush
- Pruning saw and loppers to remove any overhanging vegetation

All inspectors will have been on a manual handling and Chapter 8 course before they undertake repairs and will have all relevant PPE.

When finding a defect, the inspector will firstly record the defect, and then assess if it is to be repaired by the following checks

- **Will the site conform to Chapter 8?**

i.e. is there adequate visibility to be seen, is the traffic count and speed of traffic too high, is the carriageway wide enough to allow passing traffic

safely and is there a safe place to park while setting up site. (Always refer to the risk assessments and safe working practices)

- **Are weather conditions safe to carry out the repair?**

i.e. if foggy can you be seen, in wet weather are stopping distances and visibility affected, is it too cold to apply materials

- **Do I have time to repair the defect?**

There must be time to carry out the repair without compromising the inspection frequencies or other community work.

- **Do I have the correct/enough materials and tools for the repair?**

Inspectors will not be expected to return to depots for more materials, this will result in a greater loss of time. Never undertake a job if you do not have the correct equipment.

If all four can be answered 'yes' then the repair can take place and recorded that the defect has been '*Repaired by Highways Inspector*', with the works order being completed.

All potholes will be filled with a cold lay material, which can constitute a permanent repair. Also placing a cone on a defect can constitute a temporary repair, thus reducing the need for a call out.

An inspector repairing, immediately, a category 1 defect, minimises any potential for an accident to occur, within the 32 hours allocated for its repair. This principle can then be applied to 2a and 2b defects, especially if these defects are remote, from the area depots.

It is important to note that the completion of routine inspections on schedule is imperative and any degree of 'find and fix' would need to be balanced with work demands. For example, if an officer were to encounter, say 20 defects, in a section, it is feasible that they could repair them all, but in doing so could jeopardise the completion of the scheduled inspection and community work.

This process enhances, an already robust inspection procedure, and as long as the above criteria has been met, there can be no debate as to why some repairs have been undertaken and others not. Either way all defects will still be repaired within their allocated timescales, with the council benefiting from some rapid repairs to which the public will see.

Inspection frequencies must be strictly adhered to and must not be allowed to lapse.

## **15. Asset Inspections Health and Safety File**

All Inspectorate have been issued with the above file. In summary the file contains DC Lone Working Policy, COSHH details, accident reporting, Contact numbers, Risk Assessments, Safe Working Practices, Accident Reporting, and Inspection Duties in Adverse weather conditions.



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**Place and Resources Overview Committee – DRAFT Forward Plan**

Title	Description	Date of committee meeting	Requested by	Report author	Portfolio Holder	Other meetings? (CLT / SLT / Cabinet)
Taxi Licensing Policy	A new Dorset Council Taxi Licensing Policy for Hackney Carriage & Private Hire vehicles, drivers & operators, bringing together the predecessor Council's Taxi Licensing policies into one policy for the whole of the DC area	19 October 2021	John Newcombe – Service Manager for Licensing & Community Safety	John Newcombe - Service Manager for Licensing & Community Safety	Cllr Jill Haynes – Portfolio Holder for Customer & Community Services	Licensing Committee - 17 November 2021
Household Recycling Centre (HRC) Vehicle Access Policy	Review of legacy policy controlling access to HRCs. Includes use of vans, hire vans, trailers & other vehicle types. Policy applicable to all Dorset Council wards. A public consultation will inform outcomes	19 October 2021	Gemma Clinton – Head of Commercial Waste & Strategy Ian Manley – Contracts Team Leader	Gemma Clinton – Head of Commercial Waste & Strategy Ian Manley – Contracts Team Leader	Cllr Jill Haynes – Portfolio Holder for Customer & Community Services	Cabinet 7 December 2021

<b>Title</b>	<b>Description</b>	<b>Date of committee meeting</b>	<b>Requested by</b>	<b>Report author</b>	<b>Portfolio Holder</b>	<b>Other meetings? (CLT / SLT / Cabinet)</b>
Community Infrastructure Levy (CIL) Expenditure	Review of CIL governance arrangements to ensure that developer contributions end up in the right place & that contributions are put back into community facilities	19 October 2021	Recommendation from Place & Resources Scrutiny Committee	Andrew Galpin – Implementation Team Leader	Cllr David Walsh – Portfolio Holder for Planning	Cabinet – 8 November 2021
Phase 2 Parking Charges Project	To seek support for the changes that Parking Services plan to make to charging in car parks, on-street parking and for car park permits	19 October 2021	Officer request	Elizabeth Murray – Project Manager	Cllr Ray Bryan – Portfolio Holder for Highways, Travel & Environment	Cabinet – 8 November 2021
Recycle for Dorset Policy	To update members on the review of the Recycle for Dorset Waste Collection Policy	19 October 2021	Policy Review	Gemma Clinton – Head of Commercial Waste & Strategy	Cllr Jill Haynes – Portfolio Holder for Customer and Community Services	Portfolio Holder decision

<b>Title</b>	<b>Description</b>	<b>Date of committee meeting</b>	<b>Requested by</b>	<b>Report author</b>	<b>Portfolio Holder</b>	<b>Other meetings? (CLT / SLT / Cabinet)</b>
Code of Practice for the classification of highway safety hazards and defects and Highway Inspectors guidance manual	Review and update of the policies to ensure they cover best practice and reflect changes in the council	19 October 2021	Policy Review	Michael Westwood – Community Highway Manager	Cllr Ray Bryan – Portfolio Holder for Highways, Travel & Environment	Portfolio Holder decision
Future Revenues and Benefits Service Provision for Dorset Council	To consider the future provision of the Revenues and Benefits Service	10 November 2021 – additional meeting	Executive Director of Corporate Development	Aidan Dunn - Executive Director of Corporate Development Jim McManus – Corporate Director for Finance & Commercial	Cllr Gary Suttle – Portfolio Holder for Finance, Commercial & Capital Strategy	Cabinet – 7 December 2021

Title	Description	Date of committee meeting	Requested by	Report author	Portfolio Holder	Other meetings? (CLT / SLT / Cabinet)
Anti-social Behaviour Public Spaces Protection Orders (PSPOs)	A review of the existing Anti-social Behaviour PSPOs for Weymouth & Portland, Dorchester, Bridport, West Bay and Lyme Regis as well as supplementary orders to tackle anti-social behaviour in additional areas as identified by the Community Safety Team in consultation with the Police	10 November 2021 – additional meeting	John Newcombe - Service Manager for Licensing & Community Safety	John Newcombe - Service Manager for Licensing & Community Safety	Cllr Jill Haynes – Portfolio Holder for Customer & Community Services  Cllr Graham Carr-Jones – Housing & Community Safety	Place & Resources Overview Committee – 10 February 2022  Cabinet – 1 March 2022
<i>Review of policies from Policy Library – policies to be prioritised and allocated to committee dates</i>		16 December 2021				

Title	Description	Date of committee meeting	Requested by	Report author	Portfolio Holder	Other meetings? (CLT / SLT / Cabinet)
Anti-social Behaviour Public Spaces Protection Orders (PSPOs)	A review of the existing Anti-social Behaviour PSPOs for Weymouth & Portland, Dorchester, Bridport, West Bay and Lyme Regis as well as supplementary orders to tackle anti-social behaviour in additional areas as identified by the Community Safety Team in consultation with the Police	10 February 2022	John Newcombe - Service Manager for Licensing & Community Safety	John Newcombe - Service Manager for Licensing & Community Safety	Cllr Jill Haynes – Portfolio Holder for Customer & Community Services  Cllr Graham Carr-Jones – Housing & Community Safety	Cabinet – 1 March 2022
<i>Review of policies from Policy Library – policies to be prioritised and allocated to committee dates</i>		21 April 2022				

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**The Cabinet Forward Plan - October 2021 - January 2022 (Publication date 6 September 2021) updated  
For the period 1 OCTOBER 2021 to 31 JANUARY 2022  
(Publication date - ???)**

**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 2021/22**

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

Subject / Decision	Decision Maker	Date the Decision is Due	Other Committee(s) consulted and Date of meeting(s)	Portfolio Holder	Officer Contact
October					
<p><b>Medium Term Financial Plan (MTFP) and budget strategy</b></p> <p><b>Key Decision</b> - Yes <b>Public Access</b> - Open</p> <p>To receive a budget update for 2022/23.</p>	<p><b>Decision Maker</b> Cabinet</p>	<p><b>Decision Date</b> 5 Oct 2021</p>		<p>Portfolio Holder for Finance, Commercial and Capital Strategy</p>	<p><i>Jim McManus, Corporate Director - Finance and Commercial</i> <i>J.McManus@dorsetcc.gov.uk</i> <i>Executive Director, Corporate Development - Section 151 Officer (Aidan Dunn)</i></p>
<p><b>Draft Council Plan</b></p> <p><b>Key Decision</b> - No <b>Public Access</b> - Open</p> <p>To discuss and agree the updated council plan.</p>	<p><b>Decision Maker</b> Cabinet</p>	<p><b>Decision Date</b> 5 Oct 2021</p>	<p>Place and Resources Overview Committee People and Health Overview Committee 17 Sep 2021 2 Sep 2021</p>	<p>Deputy Leader - Corporate Development and Change, Leader of the Council</p>	<p><i>Rebecca Forrester, Business Intelligence &amp; Performance</i> <i>rebecca.forrester@dorsetcouncil.gov.uk, Bridget Downton, Head of Business Insight and Corporate Communications</i> <i>Chief Executive (Matt Prosser)</i></p>
<p><b>Dorset Skills Commission</b></p> <p><b>Key Decision</b> - Yes <b>Public Access</b> - Open</p> <p>The establishment of a dedicated Commission will oversee an effective and at pace response to a jobs-led approach to COVID-19</p>	<p><b>Decision Maker</b> Cabinet</p>	<p><b>Decision Date</b> 5 Oct 2021</p>		<p>Portfolio Holder for Economic Growth, Assets and Property, Portfolio Holder for Children, Education, Skills and Early Help</p>	<p><i>John Sellgren, Executive Director, Place</i> <i>john.sellgren@dorsetcouncil.gov.uk</i> <i>Executive Director, Place (John Sellgren)</i></p>



Subject / Decision	Decision Maker	Date the Decision is Due	Other Committee(s) consulted and Date of meeting(s)	Portfolio Holder	Officer Contact
<p>economic recovery. It would also provide an objective and independent review of the future Dorset Skills landscape, helping to shape a world-class skills and learning infrastructure for all communities.</p>					
<p><b>LGA Finance Peer Review - Report and Action Plan</b></p> <p><b>Key Decision</b> - Yes  <b>Public Access</b> - Open</p> <p>This report will see the publication of the LGA finance peer review report and the accompanying action plan to address the recommendations.</p>	<p><b>Decision Maker Cabinet</b></p>	<p><b>Decision Date 5 Oct 2021</b></p>		<p>Portfolio Holder for Finance, Commercial and Capital Strategy, Portfolio Holder for Economic Growth, Assets and Property, Leader of the Council, Deputy Leader - Corporate Development and Change</p>	<p><i>Jim McManus, Corporate Director - Finance and Commercial</i>  <i>J.McManus@dorsetcc.gov.uk</i>  <i>Executive Director, Corporate Development - Section 151 Officer (Aidan Dunn)</i></p>
<p><b>Tricuro Options Paper</b></p> <p><b>Key Decision</b> - Yes  <b>Public Access</b> - Fully exempt</p>	<p><b>Decision Maker Cabinet</b></p>	<p><b>Decision Date 5 Oct 2021</b></p>		<p>Portfolio Holder for Adult Social Care and Health</p>	<p><i>Lesley Hutchinson, Corporate Director for Adults Commissioning</i>  <i>Lesley.Hutchinson@dorsetcc.gov.uk</i>  <i>Vivienne Broadhurst</i></p>
<p><b>Weymouth Quay Regeneration Project - agreement to make payments over £500,000</b></p> <p><b>Key Decision</b> - Yes  <b>Public Access</b> - Fully exempt</p> <p>Seeking agreement that payments</p>	<p><b>Decision Maker Cabinet</b></p>	<p><b>Decision Date 5 Oct 2021</b></p>		<p>Portfolio Holder for Highways, Travel and Environment</p>	<p><i>Ken Buchan, Head of Environment and Wellbeing</i>  <i>ken.buchan@dorsetcouncil.gov.uk</i>  <i>Executive Director, Place (John Sellgren)</i></p>

Subject / Decision	Decision Maker	Date the Decision is Due	Other Committee(s) consulted and Date of meeting(s)	Portfolio Holder	Officer Contact
in excess of £500 can be made in relation to the project.					
<b>November</b>					

<b>Phase 2 Parking Charges Project</b> <b>Key Decision - Yes</b> <b>Public Access - Open</b> To consider a report on the Phase 2 Parking Charges Project.	<b>Decision Maker</b> <b>Cabinet</b>	<b>Decision Date</b> <b>2 Nov 2021</b>		Portfolio Holder for Highways, Travel and Environment	<i>Elizabeth Murray, Strategic Parking Project Manager            elizabeth.murray@dorsetcc.gov.uk            Executive Director, Place (John Sellgren)</i>
<b>Review of Community Infrastructure Levy (CIL) Expenditure</b> <b>Key Decision - Yes</b> <b>Public Access - Open</b> Recommendation from Place and Resources Scrutiny Committee Position report on CIL governance and expenditure to date.	<b>Decision Maker</b> <b>Cabinet</b>	<b>Decision Date</b> <b>2 Nov 2021</b>	Place and Resources Scrutiny Committee 19 Oct 2021	Portfolio Holder for Planning	<i>Andrew Galpin, Infrastructure &amp; Delivery Planning Manager            andrew.galpin@dorsetcouncil.gov.uk            Executive Director, Place (John Sellgren)</i>
<b>Dorset Council High Needs Block Management Strategy</b> <b>Key Decision - Yes</b> <b>Public Access - Open</b>	<b>Decision Maker</b> <b>Cabinet</b>	<b>Decision Date</b> <b>2 Nov 2021</b>		Portfolio Holder for Children, Education, Skills and Early Help	<i>Vik Verma, Interim Director of Education and Learning            vik.verma@dorsetcc.gov.uk            Executive Director, People - Children (Theresa Leavy)</i>
<b>Quarter 2 (Q2) Financial Management Report</b>	<b>Decision Maker</b> <b>Cabinet</b>	<b>Decision Date</b> <b>2 Nov 2021</b>		Portfolio Holder for Finance, Commercial	<i>Jim McManus, Corporate Director - Finance and</i>

Subject / Decision	Decision Maker	Date the Decision is Due	Other Committee(s) consulted and Date of meeting(s)	Portfolio Holder	Officer Contact
<p><b>Key Decision</b> - Yes <b>Public Access</b> - Open</p> <p>To consider the Council's revenue budget position at the end of Q2 and the changes since Q1</p>				and Capital Strategy	<p><i>Commercial</i> <i>J.McManus@dorsetcc.gov.uk</i> <i>Executive Director,</i> <i>Corporate Development -</i> <i>Section 151 Officer (Aidan Dunn)</i></p>
<p><b>Review of Commercial Strategy - Commissioning and Procurement Overview</b></p> <p><b>Key Decision</b> - No <b>Public Access</b> - Open</p> <p>To consider a proposed revision to the current Corporate Procurement Strategy.</p>	<b>Decision Maker Cabinet</b>	<b>Decision Date 2 Nov 2021</b>	Place and Resources Overview Committee 17 Sep 2021	Portfolio Holder for Finance, Commercial and Capital Strategy	<p><i>Dawn Adams, Service Manager for Commercial and Procurement</i> <i>dawn.adams@dorsetcouncil.gov.uk</i> <i>Executive Director,</i> <i>Corporate Development -</i> <i>Section 151 Officer (Aidan Dunn)</i></p>
<p><b>Transformation Plan Annual Report</b></p> <p><b>Key Decision</b> - Yes <b>Public Access</b> - Open</p> <p>Annual report detailing progress against year 1 of the transformation plan and setting out the proposed year 2 plan</p>	<b>Decision Maker Cabinet</b>	<b>Decision Date 2 Nov 2021</b>		Deputy Leader - Corporate Development and Change	<p><i>Deborah Smart, Corporate Director – Digital &amp; Change</i> <i>deborah.smart@dorsetcouncil.gov.uk</i> <i>Executive Director,</i> <i>Corporate Development -</i> <i>Section 151 Officer (Aidan Dunn)</i></p>
<p><b>Establishing a Shared Services Joint Committee for BCP and Dorset Councils</b></p> <p><b>Key Decision</b> - Yes <b>Public Access</b> - Open</p>	<b>Decision Maker Cabinet</b>	<b>Decision Date 2 Nov 2021</b>		Leader of the Council	<p><i>Lisa. Cotton, Head of Customer Services, Libraries &amp; Archives</i> <i>lisa.cotton@dorsetcouncil.gov.uk, Jonathan Mair,</i> <i>Corporate Director - Legal &amp; Democratic Service</i></p>

Subject / Decision	Decision Maker	Date the Decision is Due	Other Committee(s) consulted and Date of meeting(s)	Portfolio Holder	Officer Contact
<p>Report detailing the set up and governance arrangements for establishing a Joint Committee Structure to oversee the shared services of:</p> <ul style="list-style-type: none"> <li>• Joint Archives Service</li> <li>• Coroner and Mortuary Service</li> <li>• Skills and Learning Service</li> </ul> <p>delivering services for Bournemouth, Christchurch and Poole Council and Dorset Council</p>					<p><i>Monitoring Officer jonathan.mair@dorsetcouncil.gov.uk Corporate Director, Legal and Democratic Services - Monitoring Officer (Jonathan Mair)</i></p>
<p><b>Wareham Neighbourhood Plan 2019 - 2034</b></p> <p><b>Key Decision - Yes</b> <b>Public Access - Open</b></p> <p>This report relates to the making (adoption) of the Wareham Neighbourhood Plan 2019 - 2034.</p>	<p><b>Decision Maker Cabinet</b></p>	<p><b>Decision Date 2 Nov 2021</b></p>		<p>Portfolio Holder for Planning</p>	<p><i>Ed Gerry, Principal Planning Policy Team Leader ed.gerry@dorsetcouncil.gov.uk Executive Director, Place (John Sellgren)</i></p>
<p><b>Dorchester Town Council - Dorchester City Bid</b></p> <p><b>Key Decision - Yes</b> <b>Public Access - Open</b></p> <p>To approve Dorchester Town Council's bid for Dorchester City Status</p>	<p><b>Decision Maker Cabinet</b></p>	<p><b>Decision Date 2 Nov 2021</b></p>		<p>Leader of the Council</p>	<p><i>Rebecca Forrester, Business Intelligence &amp; Performance rebecca.forrester@dorsetcouncil.gov.uk Chief Executive (Matt Prosser)</i></p>
<p><b>Dorset Domestic Abuse Strategy</b></p> <p><b>Key Decision - Yes</b> <b>Public Access - Open</b></p>	<p><b>Decision Maker Cabinet</b></p>	<p><b>Decision Date 2 Nov 2021</b></p>		<p>Portfolio Holder for Housing and Community Safety</p>	<p><i>Andy Frost, Community Safety and Drug Action Manager andy.frost@dorsetcouncil.gov.uk</i></p>

Subject / Decision	Decision Maker	Date the Decision is Due	Other Committee(s) consulted and Date of meeting(s)	Portfolio Holder	Officer Contact
<p>The Council is required to publish a domestic abuse strategy under the Domestic Abuse Act 2021. A strategy has been prepared in conjunction with the Local Domestic Abuse Partnership Board. Cabinet are being asked to approve the strategy and agree for it to be published.</p>					<p><i>Executive Director, People - Adults</i></p>
<p><b>December</b></p>					

<p><b>Enabling Communities Strategy</b></p> <p><b>Key Decision</b> - No <b>Public Access</b> - Open</p> <p>The Communities Strategy will shape how Dorset Council engages and enables of communities.</p>	<p><b>Decision Maker</b> <b>Cabinet</b></p>	<p><b>Decision Date</b> <b>7 Dec 2021</b></p>	<p>People and Health Overview Committee 9 Nov 2021</p>	<p>Portfolio Holder for Customer and Community Services</p>	<p><i>Laura Cornette, Business Partner - Communities and Partnerships</i> <i>Laura.cornette@dorsetcouncil.gov.uk</i> <i>Chief Executive (Matt Prosser)</i></p>
<p><b>Household Recycling Centre (HRC) Vehicle Access Policy</b></p> <p><b>Key Decision</b> - Yes <b>Public Access</b> - Open</p> <p>Review of legacy policy controlling access to HRCs. This includes the use of vans, hire vans, trailers and other vehicle types. Policy is applicable to all Dorset Council wards. A public</p>	<p><b>Decision Maker</b> <b>Cabinet</b></p>	<p><b>Decision Date</b> <b>7 Dec 2021</b></p>	<p>Place and Resources Overview Committee 21 Oct 2021</p>	<p>Portfolio Holder for Customer and Community Services</p>	<p><i>Gemma Clinton, Head of Commercial Waste and Strategy</i> <i>gemma.clinton@dorsetwastepartnership.gov.uk</i> <i>Executive Director, Place (John Sellgren)</i></p>

Subject / Decision	Decision Maker	Date the Decision is Due	Other Committee(s) consulted and Date of meeting(s)	Portfolio Holder	Officer Contact
consultation will be conducted to inform outcomes.					
<p><b>Park Home Fees Policy</b></p> <p><b>Key Decision</b> - No <b>Public Access</b> - Open</p> <p>The Park Homes Fees Policy allows the Council to charge for a number of licensing activities carried out on park homes sites in Dorset under the Mobile Homes Act 2013 and Regulations related to the Fit and Proper Person Register for Park Homes.</p>	<p><b>Decision Maker</b> <b>Cabinet</b></p>	<p><b>Decision Date</b> <b>7 Dec 2021</b></p>	<p>Licensing Committee 17 Nov 2021</p>	<p>Portfolio Holder for Customer and Community Services</p>	<p><i>Richard Conway, Service Manager for Housing Standards richard.conway@dorsetcouncil.gov.uk Executive Director, Place (John Sellgren)</i></p>
<p>January 2022</p>					

<p><b>Quarter 3 (Q3) Financial Management Report</b></p> <p><b>Key Decision</b> - Yes <b>Public Access</b> - Open</p> <p>To consider the Council's revenue budget position at the end of Q3 and the changes since Q2</p>	<p><b>Decision Maker</b> <b>Cabinet</b></p>	<p><b>Decision Date</b> <b>18 Jan 2022</b></p>		<p>Portfolio Holder for Finance, Commercial and Capital Strategy</p>	<p><i>Jim McManus, Corporate Director - Finance and Commercial J.McManus@dorsetcc.gov.uk Executive Director, Corporate Development - Section 151 Officer (Aidan Dunn)</i></p>
<p><b>Budget Strategy Report</b></p> <p><b>Key Decision</b> - Yes <b>Public Access</b> - Open</p>	<p><b>Decision Maker</b> <b>Dorset Council</b></p>	<p><b>Decision Date</b> <b>15 Feb 2022</b></p>	<p>Cabinet Place and Resources Scrutiny Committee People and Health Scrutiny Committee</p>	<p>Portfolio Holder for Finance, Commercial and Capital Strategy</p>	<p><i>Jim McManus, Corporate Director - Finance and Commercial J.McManus@dorsetcc.gov.uk</i></p>

Subject / Decision	Decision Maker	Date the Decision is Due	Other Committee(s) consulted and Date of meeting(s)	Portfolio Holder	Officer Contact
The Council is required to set a balanced revenue budget, and to approve a level of council tax as an integral part of this.			18 Jan 2022 10 Dec 2021 10 Dec 2021		<i>Corporate Director, Legal and Democratic Services - Monitoring Officer (Jonathan Mair)</i>

### **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.