

Public Document Pack



Democratic Services
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25 May 2023

Dear Councillor

NOTICE IS HEREBY GIVEN THAT a meeting of the **CABINET** will be held at these offices (Council Chamber) on Monday 5 June 2023 at 6.00 pm when the following business will be transacted.

Members of the public who require further information are asked to contact Democratic Services on (01304) 872303 or by e-mail at democraticservices@dover.gov.uk.

Yours sincerely

A handwritten signature in black ink, appearing to read "Nicky", written over a white background.

Chief Executive

Cabinet Membership:

K Mills	Leader of the Council
J L Pout	Deputy Leader of the Council and Portfolio Holder for Transport, Licensing and Environmental Services
S H Beer	Portfolio Holder for Finance, Governance, Climate Change and Environment
E A Biggs	Portfolio Holder for Planning and Built Environment
P M Brivio	Portfolio Holder for Housing, Skills and Education
C D Zosseder	Portfolio Holder for Community and Corporate Property

AGENDA

1 **APOLOGIES**

To receive any apologies for absence.

2 **DECLARATIONS OF INTEREST** (Page 5)

To receive any declarations of interest from Members in respect of business to be transacted on the agenda.

3 **RECORDS OF DECISIONS** (Pages 6-20)

The decisions of the meetings of the Cabinet held on 3 April 2023 numbered

CAB 105 to CAB 117 (inclusive) are attached.

ISSUES ARISING FROM OVERVIEW AND SCRUTINY OR OTHER COMMITTEES

To consider any issues arising from Overview and Scrutiny or other Committees not specifically detailed elsewhere on the agenda.

EXECUTIVE - KEY DECISIONS

4 **PROVISION OF INTERIM HOUSING AND SUPPORT FOR AFGHAN REFUGEES VIA AFGHAN RELOCATIONS AND ASSISTANCE PROGRAMME** (Pages 21-92)

To consider the attached report of the Heads of Finance & Investment and Transformation.

Responsibility: Portfolio Holders for Housing, Skills & Education and Community & Corporate Property

5 **HACKNEY CARRIAGE NUMBERS - UNMET DEMAND SURVEY** (Pages 93-163)

To consider the attached report of the Strategic Director (Corporate and Regulatory).

Responsibility: Portfolio Holder for Transport, Licensing and Environmental Services

EXECUTIVE - NON-KEY DECISIONS

6 **APPOINTMENT OF MEMBERS TO OUTSIDE BODIES FOR 2023/24** (Pages 164-168)

To consider the attached report of the Strategic Director (Corporate and Regulatory).

Responsibility: Leader of the Council

7 **APPOINTMENTS TO PROJECT ADVISORY GROUPS FOR 2023/24** (Pages 169-180)

To consider the attached report of the Strategic Director (Corporate and Regulatory).

Responsibility: Leader of the Council

8 **APPOINTMENT OF DOVER JOINT TRANSPORTATION ADVISORY BOARD VICE-CHAIRMAN FOR 2023/24** (Page 181)

To consider the attached recommendation.

9 **EXCLUSION OF THE PRESS AND PUBLIC** (Page 182)

The recommendation is attached.

MATTERS WHICH THE MANAGEMENT TEAM SUGGESTS SHOULD BE CONSIDERED IN PRIVATE AS THE REPORT CONTAINS EXEMPT INFORMATION AS DEFINED WITHIN PART 1 OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AS INDICATED AND IN RESPECT OF WHICH THE PROPER OFFICER CONSIDERS THAT THE PUBLIC INTEREST IN MAINTAINING THE EXEMPTION OUTWEIGHS THE PUBLIC INTEREST IN DISCLOSING THE INFORMATION

EXECUTIVE - KEY DECISIONS

10 **PURCHASE OF NEW SHARED OWNERSHIP HOUSING AT WILLOWBANK, SANDWICH** (Pages 183-188)

To consider the attached report of the Head of Finance and Investment.

Responsibility: Portfolio Holder for Housing, Skills and Education

Access to Meetings and Information

- Members of the public are welcome to attend meetings of the Council, its Committees and Sub-Committees. You may remain present throughout them except during the consideration of exempt or confidential information.
- All meetings are held at the Council Offices, Whitfield unless otherwise indicated on the front page of the agenda. There is step free access via the Council Chamber entrance and an accessible toilet is available in the foyer. In addition, there is a PA system and hearing loop within the Council Chamber.
- In order to facilitate the broadcast of meetings there have been cameras set up in the Council Chamber that communicate with Microsoft Teams Live. This enables meetings held in the Council Chamber to be broadcast for public viewing through the Council's website.
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The meetings in which these cameras will be used include meetings of: (a) Council; (b) Cabinet; (c) Dover Joint Transportation Advisory Board; (d) General Purposes Committee; (e) Electoral Matters Committee; (f) Governance Committee; (g) Planning Committee; (h) General Purposes Committee and (i) Overview and Scrutiny Committee. Only agenda items open to the press and public to view will be broadcast.

- These recordings will be retained for 30 days from the date of the meeting. The recordings will be uploaded to YouTube as soon as practicable after the day of the meeting. In normal circumstances this would be within 2 working days of the meeting. However, there may be circumstances where it will take longer. The recordings can be viewed on the Council's YouTube Channel - [Council meetings - YouTube \(@doverdc\)](#)
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- Agenda papers are published five clear working days before the meeting. Alternatively, a limited supply of agendas will be available at the meeting, free of charge, and all agendas, reports and minutes can be viewed and downloaded from our website www.dover.gov.uk. Minutes will be published on our website as soon as practicably possible after each meeting. All agenda papers and minutes are available for public inspection for a period of six years from the date of the meeting.
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- If you require any further information about the contents of this agenda or your right to gain access to information held by the Council please contact Democratic Services, democraticservices@dover.gov.uk, telephone: (01304) 872303 or email: democraticservices@dover.gov.uk for details.

Large print copies of this agenda can be supplied on request.

Declarations of Interest

Disclosable Pecuniary Interest (DPI)

Where a Member has a new or registered DPI in a matter under consideration they must disclose that they have an interest and, unless the Monitoring Officer has agreed in advance that the DPI is a 'Sensitive Interest', explain the nature of that interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a DPI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation permitting them to do so. If during the consideration of any item a Member becomes aware that they have a DPI in the matter they should declare the interest immediately and, subject to any dispensations, withdraw from the meeting.

Other Significant Interest (OSI)

Where a Member is declaring an OSI they must also disclose the interest and explain the nature of the interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a OSI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation to do so or the meeting is one at which members of the public are permitted to speak for the purpose of making representations, answering questions or giving evidence relating to the matter. In the latter case, the Member may only participate on the same basis as a member of the public and cannot participate in any discussion of, or vote taken on, the matter and must withdraw from the meeting in accordance with the Council's procedure rules.

Voluntary Announcement of Other Interests (VAOI)

Where a Member does not have either a DPI or OSI but is of the opinion that for transparency reasons alone s/he should make an announcement in respect of a matter under consideration, they can make a VAOI. A Member declaring a VAOI may still remain at the meeting and vote on the matter under consideration.

Note to the Code:

Situations in which a Member may wish to make a VAOI include membership of outside bodies that have made representations on agenda items; where a Member knows a person involved, but does not have a close association with that person; or where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position. It should be emphasised that an effect on the financial position of a Member, relative, close associate, employer, etc OR an application made by a Member, relative, close associate, employer, etc would both probably constitute either an OSI or in some cases a DPI.



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Our ref: KBS/CABRCD
Your ref:
Date: 5 April 2023

TO: ALL MEMBERS OF THE COUNCIL

Dear Councillor

CABINET: RECORD OF DECISIONS

Please find attached the Record of Decisions of the Cabinet Charities meeting held on Monday, 3 April 2023. Unless otherwise indicated within the schedule, these decisions may be called in for scrutiny, provided notice is given to me in writing by **10.00am on Thursday, 13 April 2023**.

The call-in procedures are set out at paragraph 18 of the Overview and Scrutiny Procedure Rules. Call-in may be activated by the Chairman of the Overview and Scrutiny Committee, the Controlling Group Spokesperson of the Overview and Scrutiny Committee or any three non-executive Members. The reasons for calling in an item must be given.

Yours sincerely

A handwritten signature in black ink that reads "Kate Batty-Smith". Below the signature is a short horizontal line.

Kate Batty-Smith
Democratic Services Officer

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Record of the decisions of the meeting of the **CABINET** held at the Council Offices, Whitfield on Monday, 3 April 2023 at 11.00 am.

Present:

Chairman: Councillor T J Bartlett

Councillors: M Bates
N S Kenton
D P Murphy
O C de R Richardson
C A Vinson

Also Present: Councillor S H Beer
Councillor E A Biggs
Councillor P M Brivio
Councillor H M Williams

Officers: Chief Executive
Strategic Director (Corporate and Regulatory)
Strategic Director (Finance and Housing)
Head of Place, Growth, Investment and Creative Services
Head of Property Assets
Community Services Manager
Environmental Protection and Crime Manager
Major Projects and Programme Manager
Project Manager
Strategic Project Manager
Principal Policy and Infrastructure Planner
Principal Community Safety, Emergency Planning and
CCTV Officer
Principal Compliance Officer
Principal Valuer
Assistant Architectural Technician
Democratic Services Officer

The formal decisions of the executive are detailed in the following schedule.

Record of Decisions: Executive Functions

Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB 105 3.4.23 Open Key Decisions No Call-in to apply Yes Implementation Date 13 April 2023	<u>APOLOGIES</u> It was noted that there were no apologies for absence.	None.	To note any apologies for absence.	

Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB 106 3.4.23 Open Key Decisions No Call-in to apply Yes Implementation Date	<u>DECLARATIONS OF INTEREST</u> There were no declarations of interest.	None.	To note any declarations of interest.	

13 April 2023				
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Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
<p>CAB 107 3.4.23 Open</p> <p>Key Decisions No</p> <p>Call-in to apply Yes</p> <p>Implementation Date 13 April 2023</p>	<p><u>CHARITY OF FREDERICK FRANKLIN FOR A PUBLIC PARK (CHARITY NO 1092171) - MARKE WOOD RECREATION GROUND: LEASE OF TENNIS COURTS</u></p> <p>It was agreed:</p> <p>(a) That the grant of a lease of the Marke Wood tennis courts to Marke Wood Tennis Hub CIC for a term of 10 years be approved.</p> <p>(b) That the Strategic Director (Place and Environment) be authorised to agree the detailed terms for the lease (which will include a rental review after one year).</p>	<p>It was agreed that the rent should be reviewed in one year's time rather than after five years.</p>	<p>Once the refurbishment of the tennis courts using funding from the Lawn Tennis Association has been completed, it is proposed that the courts should be leased to the Marke Wood Tennis Hub CIC (a community interest company) in order to ensure that the facility is effectively managed and maintained in the future for the benefit of the community.</p>	

The meeting ended at 11.09 am

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Date: 5 April 2023

TO: ALL MEMBERS OF THE COUNCIL

Dear Councillor

CABINET: RECORD OF DECISIONS

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Yours sincerely

A handwritten signature in black ink that reads "Kate Batty-Smith". Below the signature is a short horizontal line.

Kate Batty-Smith
Democratic Services Officer

Enc

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Record of the decisions of the meeting of the **CABINET** held at the Council Offices, Whitfield on Monday, 3 April 2023 at 11.10 am

Present:

Chairman: Councillor T J Bartlett

Councillors: M Bates
N S Kenton
D P Murphy
O C de R Richardson
C A Vinson

Also Present: Councillor S H Beer
Councillor E A Biggs
Councillor P M Brivio
Councillor H M Williams

Officers: Chief Executive
Strategic Director (Corporate and Regulatory)
Strategic Director (Finance and Housing)
Head of Place, Growth, Investment and Creative Services
Head of Property Assets
Community Services Manager
Environmental Protection and Crime Manager
Major Projects and Programme Manager
Project Manager
Strategic Project Manager
Principal Policy and Infrastructure Planner
Principal Community Safety, Emergency Planning and
CCTV Officer
Principal Compliance Officer
Democratic Services Officer

The formal decisions of the executive are detailed in the following schedule.

Record of Decisions: Executive Functions

Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB 108 3.4.21 Open Key Decisions No Call-in to apply Yes Implementation Date 13 April 2023	<u>APOLOGIES</u> It was noted that there were no apologies for absence.	None.	To note any apologies for absence.	

Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB 109 3.4.23 Open Key Decisions No Call-in to apply Yes Implementation Date	<u>DECLARATIONS OF INTEREST</u> There were no declarations of interest.	None.	To note any declarations of interest.	

13 April 2023				
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Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB 110 3.4.23 Open Key Decisions No Call-in to apply Yes Implementation Date 13 April 2023	<u>RECORD OF DECISIONS</u> It was agreed that the decisions of the meeting held on 6 March 2023, as detailed in decision numbers CAB 95 to CAB 104, be approved as a correct record and signed by the Chairman.	None.	Cabinet is required to approve the Record of Decisions of the Cabinet meeting held on 6 March 2023.	

Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB 111 3.4.23 Open Key Decisions Yes Call-in to apply Yes Implementation Date	<u>ADOPTION OF INDOOR SPORTS FACILITY STRATEGY 2023-2040</u> It was agreed: <ul style="list-style-type: none"> (a) That the proposed responses to the representations received, as set out at Appendix 1 to the report, be approved. (b) That the Indoor Sports Facility Strategy, as set out at Appendix 2 to the report, be approved and adopted. 	None.	At its meeting held on 4 July 2022, Cabinet approved a draft Indoor Sports Facility Strategy (ISFS) for an eleven-week public consultation period (CAB 19). The ISFS examines current	

13 April 2023			and future supply and demand for indoor sports facilities across the district, and is designed to inform decisions around investment and rationalisation and to provide robust evidence in support of the Local Plan.	
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Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB 112 3.4.23 Open Key Decisions Yes Call-in to apply Yes Implementation Date 13 April 2023	<u>APPROVAL OF DRAFT AIR QUALITY ACTION PLAN FOR CONSULTATION</u> It was agreed: (a) That the draft Air Quality Action Plan be approved for the purposes of public consultation. (b) That the Environmental Protection and Crime Manager be authorised to undertake public consultation on the draft Plan.	None.	The Council has two Air Quality Management Areas and is therefore required to have an up-to-date Air Quality Action Plan (AQAP) which sets out the actions the Council will take to reduce concentrations of pollutants of concern. The Council's current AQAP was published in 2007.	

			The draft AQAP will be subject to a six-week consultation period and will then be presented to full Council for adoption later in the year.	
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Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB 113 3.4.23 Open Key Decisions No Call-in to apply Yes Implementation Date Immediate	<u>EXCLUSION OF THE PRESS AND PUBLIC</u> That, in accordance with the provisions of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the press and the public be excluded during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A of the Local Government Act 1972.	None.		

Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB 114 3.4.23 Exempt	<u>DOVER BEACON PROJECT</u> It was agreed:	None.	Cabinet is asked to approve various actions needed to progress the Dover	

<p>Key Decisions Yes</p> <p>Call-in to apply Yes</p> <p>Implementation Date 13 April 2023</p>	<p>(a) That authority be delegated to the Strategic Director (Finance and Housing), in consultation with the Leader of the Council, to accept the Levelling Up Fund (LUF) award and to take the necessary formal steps to secure the funding.</p> <p>(b) That the procurement strategy at Appendix 2 to the report be approved.</p> <p>(c) That authority be delegated to the Strategic Director (Place and Environment), in consultation with the Leader of the Council, to:</p> <p>(i) Take all necessary steps to secure lessees for the Creative Centre (Building A), Business Centre (Building B) and Educational Campus (Building C).</p> <p>(ii) Take all necessary steps to procure a lead consultant for the development and delivery of the LUF-funded project on the Bench Street (east) site, including the Business Centre (Building B), Educational Campus (Building C), Parklet and Parking.</p> <p>(iii) Take all necessary steps to procure a lead consultant in respect of the underpass element of the Future High Streets Fund (FHSF) funding.</p> <p>(iv) Take all necessary steps to procure any other necessary external support including advisers and legal services for the development and delivery of Bench Street (east) site.</p>		<p>Beacon Project, a project designed to deliver the next stage of Dover town centre's regeneration and funded by the Government's Future High Streets Fund and Levelling Up Fund.</p>	
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Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB 115 3.4.23	<u>AWARD OF CONTRACT FOR PROVISION OF HEATING, SERVICING, INSTALLATION AND MAINTENANCE WORKS TO COUNCIL</u>	None.	The Council, as landlord, is	

<p>Exempt</p> <p>Key Decisions Yes</p> <p>Call-in to apply Yes</p> <p>Implementation Date 13 April 2023</p>	<p><u>PROPERTIES</u></p> <p>It was agreed that the award of a four-year contract (with provision to extend for a further year) to Gas Call Services Ltd, for the provision of heating, servicing, installation and maintenance works to residential properties within the Council's ownership, be approved.</p>		<p>required to comply with regulations relating to the safety of gas and other heating systems in properties owned by the Council. The contractor will be required to carry out gas safety checks and be responsible for installing, servicing and maintaining heating systems.</p> <p>A competitive tender exercise was carried out and eight (compliant) bids were received.</p>	
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Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
<p>CAB 116 3.4.23 Exempt</p> <p>Key Decisions No</p> <p>Call-in to apply</p>	<p><u>FUTURE PROVISION OF COUNCIL'S OUT-OF-HOURS SERVICE</u></p> <p>It was agreed:</p> <p>(a) That the contract with the existing contractor for the Council's out-of-hours call-handling service be terminated with effect from 12 July 2023.</p>	<p>None.</p>	<p>Out-of-hours calls to the Council are currently handled by a private company. It is proposed that the service should be provided by the</p>	

Yes Implementation Date 13 April 2023	(b) That the out-of-hours call-handling service be provided by the Council's in-house CCTV unit.		Council's CCTV unit once the current contract expires in July.	
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Decision Status	Record of Decision	Alternative options considered and rejected (if any)	Reasons for Decision	Conflicts of interest (if any) declared by decision maker(s) or consultees (if any)
CAB 117 3.4.23 Exempt Key Decisions No Call-in to apply Yes Implementation Date 13 April 2023	<u>YOUR LEISURE ADDITIONAL FUNDING</u> It was agreed that the proposed allocation of up to £100,000 additional funding for Tides Leisure Centre for 2023/24 be approved.	None.	Due to financial pressures arising from the cost-of-living crisis, most notably rising utility costs, it is proposed to provide additional funding to help with the running costs of Tides Leisure Centre.	

The meeting ended at 11.44 am.

Subject:	PROVISION OF INTERIM HOUSING AND SUPPORT FOR AFGHAN REFUGEES VIA THE AFGHAN RELOCATIONS AND ASSISTANCE PROGRAMME (ARAP)
Meeting and Date:	Cabinet – 5 June 2023
Report of:	Helen Lamb, Head of Finance and Investment Brin Hill, Head of Transformation
Portfolio Holder:	Councillor Pam Brivio, Portfolio Holder for Social Housing, Port Health, Skills and Education Councillor Charlotte Zosseder, Portfolio Holder for Community and Corporate Property
Decision Type:	Key
Classification:	Unrestricted

Purpose of the report: To advise Cabinet of the options regarding the leasing of Ministry of Defence (MOD) properties at Burgoyne Heights under the Afghan Relocations and Assistance Programme (ARAP) scheme, and to seek a decision.

To acquire the lease of up to 15 Ministry of Defence properties for a period of three years to temporarily house 15 families on a fixed-term basis.

Provide an enhanced wraparound package of support provided through Home Office specific funding allocation to ARAP and other resettlement programmes across Dover district.

Recommendation:

1. That Cabinet approves a project to acquire the lease, refurbish and furnish 15 MOD properties (as affordable rent), under the terms of the Local Authority Housing Fund programme.
2. That Cabinet approves delivery of a full support package by Dover District Council to ARAP and any other resettlement schemes, and accept Home Office funding to deliver the schemes.
3. That Cabinet notes that, if the project is approved, the Head of Paid Service will create the necessary structures and employment roles where applicable, to deliver the programmes within budgets available.
4. That Cabinet authorises the Strategic Director (Finance and Housing), in consultation with the Portfolio Holder for Social Housing, Port Health, Skills and Education, to take the necessary decisions and actions to progress the project including (but not limited to) approving and entering into the lease and other legal agreements, appointing any necessary professional advisors, agreeing the budget and contract sum for any works required, awarding the works contract, approving variations to the project sum if required and, if circumstances warrant, to cancel the project.

1. Summary

The Government has allocated funding to support local authorities in providing interim housing and support services for refugees arriving in the UK via the Afghan Relocations and Assistance Programme (ARAP). A decision is sought to accept revenue funding from the Home Office for support services, and to enter into leases for up to 15 properties over three years from the Ministry of Defence (MOD), and to allocate these properties in line with the Department for Levelling Up, Housing and Communities' (DLUHC) programme requirements.

2. Introduction and Background

2.1 A number of initiatives have been launched by the Government in order to support refugees arriving from Ukraine and Afghanistan through recognised government assistance programmes. The ARAP scheme has been developed to support Afghan families. It is extremely complex and is subject to changes by DLUHC, the most recent being released on 24/5/23.

2.2 To explain the proposal this report sets out:

- Qualifying Criteria for Afghan Families and the level of demand
- The MOD Offer of Accommodation
- The Anticipated Income to Support the Scheme
- The Anticipated Expenditure to Operate the Scheme
- The Risks and Uncertainties
- Financial Summary

Qualifying Criteria for Afghan Families and the Level of Demand

2.3 The ARAP is for Afghan citizens who worked for or with the UK Government in Afghanistan in exposed or meaningful roles and may include an offer of relocation to the UK for those deemed eligible by the MOD and who are deemed suitable for relocation by the Home Office.

2.4 Afghan citizens who are eligible for relocation to the UK under the ARAP may relocate with a partner, dependent children and additional family members who are also deemed eligible for relocation under the ARAP by the MOD and suitable for relocation by the Home Office. (MOD Guidance 5th December 2022)

2.5 There are currently in the region of 8,000 Afghans (nearly all families with children) in approximately sixty bridging hotels across the UK. Three of these hotels are in Kent - two in Canterbury and one in Ashford. The Government recently announced that these will need to be closed in the coming months.

2.6 Preliminary meetings have already taken place with the Home Office resettlement team who are happy for Dover DC to deliver the support package should DDC decide to adopt this.

The MOD Offer of Accommodation

2.7 KCC has been in negotiations with the Ministry of Defence (MOD) which has offered a number of vacant properties across the County, for the purposes of providing interim housing for Afghan refugees who supported the British Military.

2.8 Fifteen of these properties fall within the Dover District. All are at Burgoyne Heights, Guston and are a mix of two- and three-bedroom houses.

2.9 An inspection of seven of the properties was carried out in March 2023 by a DDC Building Surveyor. Overall, the buildings were found to be in a fair condition, and it is not anticipated that any major works would be required during the three years of the lease. A detailed schedule of condition of all fifteen properties will be carried out in May 2023.

- 2.10 The MOD do not want to let the properties directly to the refugees but have agreed to lease the properties to the relevant Local Authorities for a 3-year period at £5,000 per year, payable at occupation, to be let to the Afghan families at Local Housing Allowance (LHA) rates. If all fifteen of the properties are leased from the MOD, this will cost DDC a total of £225,000 over the three years.
- 2.11 The properties would be classed as interim (temporary) accommodation and the families occupying them would be issued with Non-Secure Tenancies. The families will be able to stay for the duration of the lease period however there is an expectation that some will move to privately rented accommodation during that time and there is Government funding available to support this.
- 2.12 Depending on the remaining lease period, further families may be placed in the properties, on the same non-secure basis.

The Anticipated Income to Support the Scheme

- 2.13 The income will be from three sources:
- £20,520 per person over 3 years
 - £7,500 per person for Afghans who have come from bridging hotels
 - Rent income
- 2.14 A comprehensive funding package to support integration of the Afghan refugees over a 3-year period at £20,520 per person is available to Dover DC. The funding is front loaded and is intended to cover 3 years. A full funding allocation can be found at appendix 2.
- 2.15 An additional £7500 will be made per individual housed by the local authority should they come from a bridging hotel. KCC are keen to allocate individuals from the Kent hotels to DDC if we have capacity to take them.
- 2.16 The Afghan families will also be able to claim Housing Benefit to meet their rents. Current LHA rates for two-bedroom properties are £132.33 pw (£573.43 pm) and for three bedrooms it is £172.60 pw (£747.93 pm).
- 2.17 The annual rent charged by DDC for the two-bedroom houses would generate £6,881.16 pa and £8,975.16 for the three bedrooms.

The Anticipated Expenditure to Operate the Scheme

- 2.18 In addition to the cost of leasing the properties from the MOD, as set out above, DDC would also employ a Dover Asylum Resettlement Team (DART) of up to 5 officers, an Asylum Resettlement Team Leader, three resettlement officers and 1 admin support, sitting within the Community Services Team. Please see appendix 2 with regards to suggested support network (Mind Map).
- 2.19 During the tenancy, the DART team of support workers from DDC would be required to assist the refugees into finding permanent accommodation and moving out of the MOD properties.

Risks and Uncertainties

- 2.20 There are significant risks and uncertainties in such schemes. These cannot easily be quantified but the main points are set out below.
- What happens at the end of the scheme
 - Afghan citizens have limited leave to remain in the UK under the ARAP scheme and are therefore eligible for homelessness assistance. This means that any families living in the MOD properties at the end of the lease will be owed a homelessness duty and must be found alternative accommodation. This may be in the form of further interim (temporary) accommodation which may not be owned by DDC and would therefore place a financial pressure on the council.

- What mix of Afghan families will we receive and what funding will this generate
- The level of funding will depend upon family size and whether the families come direct from bridging accommodation.
- Turnover
- The funding for 3 years is “front ended”. Roughly 65% is provided in year one, with roughly 22% years 2 and remaining year 3. Therefore, if families move on after a year and are replaced, the funding received by the council will be greater. This has not been included in the financial modelling.
- Rental Income
- Although it is to be hoped that all rent due will be paid by the families, in any rental situation there is a risk of bad debt. The financial modelling assumes 95% of rent will be paid.
- Mitigations
- The properties will only be drawn from the MOD as families arrive. We are very unlikely to have surplus empty properties.
- Following conversation with the Home Office and Kent County Council it is assumed that 15 families will come from bridging hotels. It is likely to be more than this.
- Recruitment of the DART team will only be stepped up as families arrive. We will not employ surplus staff. The team will make every effort to place families so there is a minimal level of homelessness at the end – but this aspect remains by far the biggest financial risk to DDC.

Financial Summary

- 2.21 The summary below is a “best estimate” based on a 3-year scheme with all 15 MOD properties fully occupied for 3 years:

<u>Estimated Income over 3 years</u>	£
Government grant 15 properties, 4 persons per household	(1,231,200)
Additional bridging hotel move grant for 15 families for 1 year	(450,000)
Rent (95% collection rate assumed)	
6 two-bedroom houses, £6,880 pa x 95% x 3 years	(118,000)
9 three-bedroom houses, £8,975pa x 95% x 3 years	(230,000)
<u>Total Income</u>	(2,029,200)
<u>Estimated Expenditure over 3 years</u>	
Lease of MOD Properties	225,000
DART Team (assuming 5% pa inflation) for 3 years	650,000
Initial furnishing of houses at £12k	180,000
Management, maintenance, insurance at £1k pa	45,000
Testing for electrical, boiler, salmonella, asbestos.	12,000
Homeless costs – 50% homeless at year 4, for 1 year (national average costs)	600,000
End of lease reinstatement @1.5k per property	22,500

<u>Total Expenditure</u>	1,734,500
<u>Net Total Income</u>	294,700

2.22 The estimated net total income over the 3 years of the project is £294,700k, but that is subject to the assumptions which underpin the table above, particularly regarding the costs of homelessness and the DART team. It should also be noted that all costs are scalable dependent on family numbers. If the family numbers are lower or occupancy in the houses less than three years these income costs will be lower. Also at the stage no management and administration costs have been applied due to the various variables described in delivery and will be applied as necessary in the future.

2.23 In addition, there are funds for ESOL, schooling and other training and learning costs dependent on age and circumstance. These will be paid to KCC.

3. Identification of Options

3.1 Option 1 - Accept ARAP offer and enter into a three-year lease agreement with the MOD for all fifteen properties. – this is the preferred option.

3.2 Option 2 – Accept ARAP offer and enter into a three-year lease agreement with the MOD for some of the properties.

3.3 Refuse ARAP offer and not lease any of the MOD properties.

4. Evaluation of Options

4.1 Option 1 - This offer gives the Council the opportunity to rehouse Afghan refugees who supported the British military efforts currently living in hotels or awaiting placement into interim housing until they find permanent accommodation.

4.2 This option shows a net income of £294,700 over the 3 years., but carries the risks of a financial pressure if:

- there are families occupying the houses at the end of the lease who would need to be moved to alternative accommodation which may be interim (temporary);
- If there are redundancies for DART team staff at the end of the project.

4.3 Option 2 – as for option one, except the cost to DDC for the leasing arrangement would be less, in addition the income generated by the rents charged, and the Government funding per household member would also be less.

4.4 This option may reduce the financial risk to the council at the end of the lease period should there still be families occupying the properties, however as stated, this provides less financial resource to DDC.

4.5 Note both options 1 and 2 will entitle Dover DC to claim the associated resettlement support costs per individual housed, as previously highlighted within the report.

4.6 Option 3 - Refuse ARAP offer - this would delay the rehousing of Afghan families in bridging hotels and other means to remain. There would also be no support package funding available. Potentially other costs to the Council may occur if the refugees later present as homeless.

5. Resource Implications

5.1 All costs and staffing time for this work would be cost neutral to the General Fund due to the direct Home Office resettlement funding allocations available per person to the local authority. Additional resources as necessary would be recruited or realigned into the project with use of the external funding available.

6. **Corporate Implications**

6.1 Comment from the Director of Finance (linked to the MTFP): Has been consulted in compiling this report and has no further comment. MD

6.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make. HR

6.3 Comment from the Equalities Officer: This report relating to the Afghan Relocations and Assistance Programme (ARAP) does not specifically highlight any equality implications, however in discharging their duties members are required to comply with the public sector equality duty as set out in Section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15/section/149> KM

7. **Appendices**

Appendix 1 – Home Office Resettlement funding 2023-2024 guidance

Appendix 2 – Suggested support network - Mind Map

Appendix 3 – Asylum Resettlement Officer Job Description

Background Papers

ARAP – eligibility criteria:

<https://www.gov.uk/government/publications/afghan-relocations-and-assistance-policy/afghan-relocations-and-assistance-policy-information-and-guidance>

Information relating to the use of MOD properties for Afghans:

<https://questions-statements.parliament.uk/written-questions/detail/2022-03-18/142485/>

Contact Officers: Elly Toye, Housing Needs Manager and Shaun Taylor, Community Services Manager



Home Office

Funding Instruction for local authorities in the support of the Afghan Citizens Resettlement Scheme and Afghan Relocation and Assistance Policy

Afghan Relocations and Assistance Policy (ARAP) and Afghan Citizens Resettlement Scheme (ACRS) plus eligible British Nationals

INTEGRATION SUPPORT

Grant Reference Number: 392

Financial Year 2023-2024

Resettlement Operations

Lunar House

Croydon

CR9 2BY

Date of issue 23 May 2023

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TERMS AND CONDITIONS OF FUNDING

1. DEFINITIONS

- 1.1. An “**Adult**” for the purpose of the English language provision means a Beneficiary who is 19-years of age or older, or who turns 19 within the first twelve (12) Months of arrival in the UK.
- 1.2. An “**Annex**” means the annexes attached to this Funding Instruction.
- 1.3. The “**Authority**” means the Secretary of State for the Home Department acting through the Home Office’s Resettlement Operations on behalf of the Crown.
- 1.4. A “**Beneficiary**” means: (i) those resettled under the Afghan Citizens Resettlement Scheme (ACRS) and their immediate dependants (including family members of British Nationals) under Pathway 1; and (ii) those relocated under the Afghan Relocation and Assistance Policy (ARAP) scheme and their immediate dependants; and (iii) eligible British Nationals, (iv) in addition the ACRS has been expanded to include those who have been recognised as Refugees by UNHCR and resettled to the UK under ACRS Pathway 2, and (v) those relocated under the ACRS Pathway 3.

Beneficiary is defined as each adult, child and baby arriving in the UK.

- 1.5. “**Branding Manual**” means the HM Government of the United Kingdom of Great Britain and Northern Ireland’s Branding Manual ‘Funded by UK Government’¹ first published by the Cabinet Office in November 2022, including any subsequent updates from time-to-time;
- 1.6. A “**British National**” means a person who holds one of the six types of British nationality. The six types are set out here: <https://www.gov.uk/types-of-british-nationality>
- 1.7. A “**Case of Interest**” means a Beneficiary has:
- Been arrested for an offence involving violence; weapons; terrorism/extremism; sexual offences (criminality).
 - Been subjected to a hate crime (hate crimes).
 - Had a PREVENT referral made regarding them (PREVENT referral).
 - Suffered a serious negative impact (or perceived they have) because of an act or omission by the Home Office and/or local authorities/delivery partners’ (perceived failing).
 - Been involved in any other incident which the media is aware of (potential media coverage).
- 1.8. A “**Community Sponsor**” (or “**Sponsor**”) means a group or organisation which:
- 1.8.1. exists and works for the benefit of the community rather than private shareholders, and

¹ <https://gcs.civilservice.gov.uk/guidance/marketing/branding-guidelines/>

- 1.8.2. is registered as either a charity (or from 2013 as a charitable incorporated organisation), or a community interest company, or is an individual or body falling within Section 10(2)(a) of the Charities Act 2011, and
- 1.8.3. has been approved by the Authority to support those resettled to the UK under the ACRS or the UK Resettlement Scheme (UKRS), and
- 1.8.4. can claim Funding to support English Language Provision for Adult Beneficiaries resettled under the ACRS as at Schedule 1 Part 6 and Void Costs at **Annex D**.
- 1.9. A “**Clause**” means the clauses in this Funding Instruction.
- 1.10. “**Commencement Date**” means the date on which the Funding Instruction comes into effect and from which Eligible Expenditure may be claimed, being the 01 April 2023.
- 1.11. The “**Community Sponsorship Scheme**” means the programme developed by the Authority to enable a Community Sponsor to support those resettled to the UK under the ACRS or the UKRS for a period of twenty-four (24) Months following the start of their support by a Community Sponsor.
- 1.12. “**Key Performance Indicators**” means the indicators required to assess the success of the Funding against its intended outcome.
- 1.13. “**Crown Body**” (or “**Crown**”) means the governments of the United Kingdom (including the Northern Ireland Assembly and Executive Committee, the Scottish Executive and the National Assembly for Wales), including, but not limited to, ministers and departments and particular bodies, persons, commissions, or agencies from time-to-time carrying out functions on its behalf.
- 1.14. “**Data Protection Legislation**” means (i) the UK GDPR, (ii) the Data Protection Act 2018 (‘DPA 2018’) to the extent that it relates to the processing of Personal Data and privacy, (iii) all applicable Law about the processing of Personal Data and privacy, and (iv) (to the extent that it applies) the EU GDPR.
- 1.15. The “**Data Sharing Protocol**” (or the “**DSP**”) means the set of principles detailed in **Annex B** which govern the processes and practicalities of information sharing between the Authority and the Recipient, and which the Recipient agrees to abide by and comply with.
- 1.16. “**Day**” means any calendar day Monday through Sunday (inclusive).
- 1.17. “**Delivery Partner**” means any Third-Party, who is not a Beneficiary, whether an organisation or an individual working with the Recipient, whether remunerated or not, in the delivery of this Funding Instruction for the provision of the Purpose.
- 1.18. “**Eligible Expenditure**” means all costs, expenses, liabilities, and obligations that are related to, incurred by, or arise out of the delivery, activities, and operations of the Purpose by the Recipient during the funding period 01 April 2023 to 31 March 2024 and which comply in all respects with the eligibility rules set out in this Instruction as determined by the Authority at its sole discretion.
- 1.19. “**Eligible British Nationals**” are those who:

a) were evacuated from Afghanistan by UK military, other NATO countries or regional state during Operation PITTING

OR

b) were assisted by HMG to leave Afghanistan after Operation PITTING, with this assistance commencing before 6 January 2022.

[For the purpose of this funding instruction, assistance means eligibility was established by the FCDO for inclusion in Qatari Government charter flights from Kabul to Doha; or FCDO assistance to enable legal border facilitation from Afghanistan to a third country (such as submitting Note Verbales to host governments to seek permission for British Nationals to cross their borders).]

AND

c) entered bridging accommodation **OR** presented as homeless to a council.

- 1.20. **“ESOL”** means a formal ‘English for Speakers of Other Languages’, or other equivalent formal language skill support.
- 1.21. **“Exceptional Costs”** means additional expenses incurred by a Recipient in supporting a Beneficiary for which the Authority has a budget and may, on a case-by-case basis, agree to reimburse.
- 1.22. A **“File Share Area”** (or the **“FSA”**) means the designated area within MOVEit from where a Recipient can access files that the Authority has made available to share.
- 1.23. **“Find Your Own Accommodation”** or **“FYOA”** means where Beneficiaries are supported to find their own settled accommodation.
- 1.24. **“Formal Language Training”** means the provision of ESOL that, where possible, should lead to Beneficiaries attaining accredited qualifications from a provider regulated by an appropriate national body (i.e. OFQAL, SQA or Qualifications Wales). This also includes courses which do not themselves lead to an accredited qualification, but which help Beneficiaries to later access a course which does lead to an accredited qualification. For instance, non-regulated provision offered by providers at pre-entry level, for which there are no accredited qualifications. All formal language training must meet the following key characteristics:
- 1.24.1. Their delivery is led by qualified tutors, and
- 1.24.2. They are appropriate to individual Beneficiary’s abilities as identified following a diagnostic assessment led by a qualified ESOL tutor, and
- 1.24.3. They follow agreed curricula.²
- 1.25. The **“Funding Instruction”** (or the **“Instruction”**) means this document which describes the conditions under which a Recipient may claim Funding.
- 1.26. The **“Funding Period”** means the period for which the Grant is provided from the Commencement Date to 31 March 2024.
- 1.27. **“Funding”** means the Authority’s financial contributions towards a Recipient’s Eligible Expenditure incurred supporting Beneficiaries for up to thirty-six (36) Months following their arrival into a local authority area and the

² Please also refer to [the Excellence Gateway](#) for further information on the ESOL national curriculum and Skills for Life Curriculum

commencement of the provision of housing and support and in accordance with the terms and outcomes of this Instruction.

- 1.28. **“Informal Language Training”** means language training provision that does not have any or all of the characteristics described in 1.24 for example, it can take place in any location, may or may not have a pre-set curriculum and will usually be provided in a structured or semi-structured way, delivered by a range of people including volunteers. It can include confidence building, active citizenship and a whole host of leisure or community activities.
- 1.29. **“Information Acts”** means the Data Protection Legislation, Freedom of Information Act 2000 (‘FOIA’), the Environmental Information Regulations 2004 (‘EIR’) and any subordinate or amended legislation made under these Acts from time to time together with any guidance or codes of practice issued by the relevant government department(s) concerning the legislation.
- 1.30. **“In Writing”** means modes of representing or reproducing words in visible form including but not limited to paper correspondence, email, display on screen and electronic transmission.
- 1.31. **“Law”** means any applicable law, statute, byelaw, regulation, order, regulatory policy, guidance or industry code, judgement of a relevant court of law, or directives or requirements of any regulatory body, delegated or subordinate legislation.
- 1.32. A **“Month”** means a calendar month.
- 1.33. **“MOVEit”** means the Authority’s online two-way file-sharing service that allows the sharing of Official and Official-Sensitive (IL2) data with other government departments, non-departmental public bodies, and external organisations, in a completely secure environment. Files including PDFs, all types of Office documents, images, and WinZip of up to 2GB in size may be shared.
- 1.34. An **“Overpayment”** means Funding paid by the Authority to the Recipient in excess of the amount actually due.
- 1.35. **“Personal Data”** has the meaning given to it in UK Data Protection Legislation.
- 1.36. A **“Recipient”** means a participating local or regional authority to which the Authority has agreed to provide Funding under this Instruction as a contribution towards eligible expenditure incurred supporting Beneficiaries.
- 1.37. **“Refugee”** means an eligible person who, regardless of their nationality has:
- 1.37.1. been accepted as being in need by the Authority following referral by UN High Commissioner of Refugees (UNHCR), and
 - 1.37.2. arrived in the UK having been admitted to the Schemes,
 - 1.37.3. and has been resettled in England, Scotland, or Wales.
- 1.38. **“Schedule”** means the Schedules attached to this Funding Instruction.
- 1.39. **“The Schemes”**, for the purposes of this Funding Instruction, means the Afghan Citizens Resettlement Scheme (ACRS) and the Afghan Relocation and Assistance Policy (ARAP), plus Eligible British Nationals.
- 1.40. **“Social Value”** means the Authority’s commitments to delivering Value for Money, environmental and social benefits, Net Zero by 2050, efficient use of resources, greater social inclusion, support for innovation, better risk management and improved supplier relationships. These principles are

underpinned by the obligations laid down in the Social Value Act 2012, the Modern Slavery Act 2015 and the Equality Act 2010;

- 1.41. **“Staff”** means any person employed or engaged by the Recipient and acting in connection with the operation of this Instruction including the Recipient’s owners, directors, members, trustees, employees, agents, suppliers, volunteers, and Delivery Partners (and their respective employees, agents, suppliers, and Delivery Partners) used in the delivery of the funded outcomes
- 1.42. **“SMP”** means Strategic Migration Partnership.
- 1.43. **“Third Party”** means any party whether person or organisation other than the Authority or the Recipient.
- 1.44. **Value for Money** means securing the optimum combination of cost, quality and effectiveness, including relevant Social Value criteria over the whole period of use; it does not mean minimising upfront prices i.e., the lowest or cheapest option.
- 1.45. A **“Working Day”** means any day Monday to Friday (inclusive) excluding any recognised UK public holidays.

2. THIS INSTRUCTION

- 2.1. This Instruction consists of fourteen (14) Articles, one (1) Schedule, and seven (7) Annexes and replaces any funding instructions previously issued by the Authority providing financial contributions towards Recipients’ costs incurred supporting Beneficiaries.
- 2.2. This Instruction provides Funding enabling a Recipient to support Beneficiaries:
 - 2.2.1. during the first twelve (12) Months following arrival in the Recipient’s area, including Educational costs (YEAR 1) – Schedule 1, Part 1,
 - 2.2.2. during the subsequent twenty-four (24) Months (YEARS 2 – 3) – Schedule 1, Part 2,
 - 2.2.3. on the Community Sponsorship Scheme (for ACRS Beneficiaries only) – Schedule 1, Part 3,
 - 2.2.4. improve their English language skills in order to assist with integration and improve employability – Schedule 1, Part 4, and
 - 2.2.5. with childcare needs to attend Formal Language Training – Schedule 1, Part 5.
- 2.3. This Funding Instruction replaces any previously agreed terms and conditions between the Authority and the Recipients(s) to deliver support beneficiaries of the ARAP Scheme who arrived from 22 June 2021 onwards.

3. SCOPE

- 3.1. Claims can be made under this instruction for Beneficiaries who have arrived in the UK under one of the schemes stated at paragraphs 3.1.1 and 3.1.2, plus Eligible British Nationals.
 - 3.1.1. The Afghan Citizens Resettlement Scheme (ACRS), which will prioritise those who have assisted the UK efforts in Afghanistan and stood up for values such as democracy, women’s rights and freedom of speech, the rule of law; and vulnerable people, including women

and girls at risk, and members of minority groups at risk. This scheme will resettle up to 20,000 people at risk. Spouses, partners, and dependent children under the age of 18 of identified eligible individuals will be eligible for the scheme. Other family members may be eligible in exceptional circumstances. Unaccompanied children may be offered resettlement under the ACRS where it is determined that resettlement to the UK is in their best interests, and they have been identified as eligible for the scheme. Unaccompanied children resettled under ACRS will (unless in exceptional circumstances) be treated in the same way as Unaccompanied Asylum-Seeking Children (UASC) for funding purposes, and local authorities who accept unaccompanied children under the Scheme will be reimbursed in accordance with the relevant year's UASC Funding Instruction not this Instruction.

3.1.2. The Afghan Relocations and Assistance Policy (ARAP), which went live on 1 April 2021, offers relocation or other assistance to those who served alongside our armed forces in Afghanistan and provided important support to His Majesty's Government defence and security mission there, predominantly those who were employed directly, or in certain special cases via contractors, and who are assessed to be at serious risk as a result of such work. It is available to people regardless of rank or role, or length of time served, and builds on the long-standing support already available. The policy provides for the principal applicant to bring their close family members (spouse and under 18 children) to the UK and significantly expands the eligibility criteria from the previous scheme. Other family members may be eligible in exceptional circumstances. **Claims under this instruction can only be made for Beneficiaries who started receiving support from a Recipient on or after 22 June 2021.**

3.2. To further support these commitments, the Community Sponsorship Scheme has been developed enabling Sponsors, instead of the Recipient, to provide comprehensive wrap-around support to those resettled to the UK under the ACRS for a period of two (2) years.

3.3. The Afghan Citizens Resettlement Scheme (Pathway 2) is run in partnership with the United Nations High Commission for Refugees (The 'UNHCR'). It demonstrates the UK's support for the UNHCR's global effort to relieve the humanitarian crisis through the provision of resettlement opportunities for vulnerable people into communities within the UK who:

3.3.1. have registered with the UNHCR; and

3.3.2. the UNHCR consider meet one of their resettlement submission categories ³.

3.4. The Afghan Citizens Resettlement Scheme (Pathway 3) is run in partnership with the Foreign Commonwealth and Development Office (FCDO). This pathway will relocate those at risk who supported the UK and international effort in Afghanistan, as well as those who are particularly vulnerable, such as women and girls at risk and minority groups. In the first year of this pathway, the government will offer ACRS places to the most at-risk British Council and GardaWorld contractors and Chevening Alumni. [OBJ]

³ See Annex B

- 3.5. The Recipient has made commitments to support the Schemes, and the Authority has agreed to provide Funding to the Recipient as a contribution to supporting Beneficiaries for up to three (3) years after first arrival in the Recipient's area as further described in this Instruction.
- 3.6. Unless specifically stated otherwise, any Funding will be in respect of a Recipient's costs in fulfilment of its statutory duties, and anything otherwise agreed with the Authority.
- 3.7. Funding can be available for beneficiaries who are owed homelessness duties under the Housing Act 1996 and have been moved into settled accommodation via the scheme in discharge of those duties.
- 3.8. The Recipient shall be free to determine how best to utilise the Funding but for monitoring and Schemes' evaluation purposes must be able to demonstrate that the Funding has been committed in supporting Beneficiaries and furthering the aims of the Schemes.

4. DURATION

- 4.1. This Instruction sets out the terms under which the Authority will make Funding available to the Recipient, in respect of expenditure incurred supporting Beneficiaries. Claims under this instruction can only be made for Beneficiaries who started receiving support from a Recipient on or after 01 April 2023 to 31 March 2024.
- 4.2. In keeping with established HM Treasury funding policies, the Authority will issue a fresh instruction for each financial year for which Funding is approved. This will occur whether or not any changes are made.

5. TRANSPARENCY, CONFIDENTIALITY, DATA PROTECTION AND DATA SHARING

- 5.1. The Recipient acknowledges that grant funded arrangements issued by Crown Bodies may be published on a public facing website and that the Authority shall disclose payments made against this Instruction in accordance with the UK Government's commitment to efficiency, transparency, and accountability.
- 5.2. The Recipient undertakes to keep confidential and not to disclose, and to procure that their staff keep confidential and do not disclose any information which they have obtained by reason of this Instruction.
- 5.3. Nothing in this Article 5 applies to information which is already in the public domain or the possession of the Recipient other than by reason of breach of this Article 5. Further, this Article 5 shall not apply to information which is required to be disclosed pursuant to any law or pursuant to an order of any court or statutory or regulatory body.
- 5.4. The Recipient and the Authority will comply at all times with its respective obligations under UK Data Protection Legislation.
- 5.5. The Recipient shall ensure that any personal information concerning any Beneficiary disclosed to them in the course of delivering these Schemes is treated as confidential and should only be disclosed to a third party in accordance with the provisions of UK Data Protection Legislation. In the event

of any doubt arising, the matter shall be referred to the Authority whose decision on the matter shall be final. In particular, the Recipient shall:

- 5.5.1. have in place appropriate policies and procedures to recognise and maintain the Beneficiary's need for confidentiality; and
 - 5.5.2. ensure that without the consent of a Beneficiary, details of that individual Beneficiary are not released to any organisation not party to this Instruction.
- 5.6. The Recipient shall not use any information which they have obtained as a result of delivering the Schemes (including, without limitation, any information relating to any Beneficiary) in any way which is inaccurate or misleading.
 - 5.7. On receipt of personal data from the Authority, the Recipient will become an independent controller of that data in that the Recipient, in delivering the Schemes, will, at any time determine the purpose and means of the processing of the personal data. In doing so they shall comply with the applicable Data Protection Legislation in respect of their processing of such Personal Data, will be individually and separately responsible for its own compliance and with respect to its processing of Personal Data as independent Controller, implement and maintain appropriate technical and organisational measures to ensure a level of security appropriate to that risk, including, as appropriate, the measures referred to in Article 32(1)(a), (b), (c) and (d) of the GDPR, and the measures shall, at a minimum, comply with the requirements of the Data Protection Legislation, including Article 32 of the GDPR.
 - 5.8. In the event of any unauthorised disclosure, the Recipient is responsible for following its local data protection arrangements and referring any personal data breach to the Information Commissioner's Office within 72 hours of identifying the initial incident.
 - 5.9. In the event of any unauthorised disclosure the Authority must be informed without delay. The Authority will decide on what, if any, remedial action should take place and the Recipient shall be bound by and will abide by the decision of the Authority.
 - 5.10. Where a Recipient is responsible for an unauthorised disclosure in breach of this Instruction, that Recipient will be liable for any consequences of such unauthorised disclosure, including (but not confined to) any civil or criminal liability.
 - 5.11. Prior to departure for the UK, ACRS Pathway 2 and Pathway 3 refugees will have signed a consent form confirming their willingness to share personal data with executive bodies and relevant delivery partners. The Authority will retain these forms and will allow inspection by the Recipient as requested.
 - 5.12. The Authority also expects the Recipient to share relevant information on the delivery of the Schemes and on Beneficiaries with its partners; before doing so, the Recipient must ensure that a formal agreement has been signed with the relevant deliverers of the Schemes which flows down the terms of the Data Sharing Protocol.
 - 5.13. The UNHCR Resettlement Registration Form (RRF) or any other related document created by UNHCR about a Beneficiary (refugee), must only be shared with delivery partners on a need-to-know basis.

- 5.14. The RRF and related documents must not be shared with the Refugee concerned, nor with any other party outside of appropriate Delivery Partners, without the specific agreement of UNHCR London office.
- 5.15. All approaches made by any person or organisation not party to this Instruction in respect of delivery to fund the Schemes must be referred to the Authority's press office for their advice and/or action.
- 5.16. Where applicable, the Recipient and the Authority are required to comply at all times with its respective obligations under the Information Acts, any subordinate legislation made, and any guidance issued by the Information Commissioner.
- 5.17. The Recipient shall abide by the terms of the Data Sharing provisions set out in Annex C. The Recipient shall ensure that it has adequate provisions and effective controls in place to manage:
 - 5.17.1. data and prevent Data Incidents.
 - 5.17.2. the processing of data shared between itself and any Delivery Partner and/or Beneficiary (and vice versa); and
 - 5.17.3. compliance with its obligations arising from the Data Protection Legislation.
- 5.18. The Recipient agrees to assist and cooperate with the Authority to enable the Authority to comply with its obligations under the Information Acts whenever a request is made for information which relates to or arises out of this Instruction.
- 5.19. No information shall be disclosed if such disclosure would be in breach or is exempted from disclosure under the Information Acts.
- 5.20. The Recipient shall ensure that it, and its Staff, comply with the Authority's data sharing protocols as described in **Annex C**.
- 5.21. The provisions of this Article 5 shall survive the conclusion of this Instruction, however that occurs.

6. FUNDING

Eligible Expenditure

- 6.1. Monies provided must not be used for any purpose other than achieving delivery of the Schemes outcomes detailed at Schedule 1 of this Instruction, nor is it permissible to vire any such funds elsewhere without prior written consent from the Authority.
- 6.2. Any funding issues resulting from a Beneficiary moving permanently from a participating local authority during the maximum thirty-six (36) Month term of the Funding are to be resolved between the Recipient and the relevant local authority.
- 6.3. No aspect of the activity funded by the Authority may be party-political in intention, use or presentation.
- 6.4. The Funding may not be used to support or promote religious activity. This will not include activity designed to improve inter-faith relationships and/or working.

Overpayments

- 6.5. The Authority must be notified at the earliest opportunity if a Recipient expects its Funding requirement to be lower than expected, in order to avoid Overpayments.
- 6.6. In the event that an Overpayment is made, howsoever caused, the Authority must be notified as soon as reasonably practicable. In such instances, the Authority may require immediate reimbursement of the Overpayment or may adjust subsequent payment(s) accordingly.

Cessation of Funding

- 6.7. The Authority's responsibility for providing Funding under this Instruction will cease no later than the thirty-six (36) Month anniversary of the commencement of support to Beneficiaries under the Schemes and Funding is not claimable for any support provided beyond this anniversary.
- 6.8. Payments may also cease where the Beneficiary:
 - 6.8.1. dies,
 - 6.8.2. leaves the Recipient's area to live in another UK local authority area,
 - 6.8.3. indicates that they no longer wish to receive support under the Schemes,
 - 6.8.4. indicates that they are leaving the UK permanently,
 - 6.8.5. applies for some other Immigration status within the UK, or
 - 6.8.6. otherwise leaves or becomes ineligible for the Schemes.
- 6.9. In the event of any such occurrence under Clause 6.8, the Recipient must notify the Authority without delay.
- 6.10. For the purposes of Clause 6.7, the thirty-six (36) Month period will commence on the date that the Beneficiary arrives with the Recipient, and the commencement of support, and will continue unbroken until the end of that thirty-six (36) Month period.
- 6.11. The Authority reserves the right to cease making payments through this Instruction if it has reasonable grounds to believe that the Beneficiary has sought to deceive the Authority, the relevant Recipient, or a partner agency in relation to their circumstances, including their inclusion on the Schemes or their activities whilst so involved.

Exceptional Costs

- 6.12. Payments may also be made to cover additional essential costs incurred by the Recipient above and beyond what could reasonably be regarded as normal expenditure and not available through other mainstream funding mechanisms. Funding from the Exceptional Costs budget may be used, amongst other things, to pay for:
 - Property Adaptations (**see Annex D**)
 - Property Void Costs (**see Annex E**)
 - Support for children with identified educational needs
 - Social Care provision
 - Universal Credit nominal top-up (**see Schedule 1, Clause 1.12**)

- 6.13. Before incurring Exceptional Costs, a Recipient shall seek agreement in writing from the Authority's Afghan Schemes Payments Team or risk having the claim rejected. The Authority will use its reasonable judgement when assessing mitigations for claims where this has not been possible (**see Annex F**).
- 6.14. All applications will be assessed, and payments made, on a case-by-case basis:
- 6.14.1. There is no minimum or maximum amount that can be claimed.
- 6.14.2. Exceptional Costs cannot be claimed for support provided to a Beneficiary that would normally be funded through the per capita health or education funding or through welfare payments.
- 6.14.3. Recipients must submit evidence of Exceptional Cost expenditure incurred (e.g., copy invoices) along with an Exceptional Costs claim form, before claims will be considered for payment.
- 6.15. The Authority will periodically review the operation of the Exceptional Costs process and budget.

Additional Housing Support Costs

- 6.16. The Additional Housing Support Costs funding available in funding instructions for financial years 2021/22 and 2022/23 has now been closed to new claims. The Flexible Housing Fund can instead be claimed by local authorities supporting a household into settled accommodation. More information is available at "Schedule 1, Part 7 – Support into Settled Accommodation: Statement of Outcomes for Flexible Housing Funding".
- 6.17. Local authorities who submitted claims for Additional Housing Support Costs prior to 1 April 2023 will have their claims reviewed and administered if they meet the relevant criteria.
- 6.18. Where, prior to 1 April 2023, a local authority is supporting a household using Additional Housing Costs funding, they can continue to claim until year 3 of that household being in settled accommodation. The previous eligibility criteria will apply.

General

- 6.19. Unauthorised spends that exceed the maximum stated Funding levels at **Schedule 1, 1.39** will not be reimbursed by the Authority.
- 6.20. In all instances, Funding received is to be pooled and managed across all the Beneficiaries supported by the relevant Recipient.
- 6.21. The relevant Recipient will be the single point of contact for invoicing and payments.
- 6.22. Any payments made under this Instruction will also cover VAT or other duties paid by the Recipient to the extent that these are not otherwise recoverable by the Recipient.
- 6.23. Nothing in this Instruction shall be construed as providing or permitting the total relevant benefits to exceed the statutory limit (the 'benefit cap') prevailing at the time of payment.

7. DATA RECONCILIATION AND PAYMENTS

- 7.1. The Recipient shall complete applications for payment in the relevant form set out in Annex A, which includes details of each Beneficiary and the financial support applied for.
- 7.2. Specific instructions for the completion of Annex A are included in the LA funding Excel workbook, which will be supplied by the Authority. The form at Annex A should only be submitted via the Authority's secure data transfer portal, "MOVEIT DMZ", to ensure compliance with Data Protection Legislation.
- 7.3. Payments will be made within thirty (30) Days of receipt of a correctly completed claim.
- 7.4. The Annex A submitted for payment should be received by the Authority no later than three (3) Months after the close of the period to which the application relates; late returns may result in payment being delayed. The Recipient will have the opportunity to make representations if they believe that the level of Funding received is less than that to which they are entitled under the terms of this Instruction. Any discrepancies regarding the amounts paid must be notified by the relevant Recipient to the Afghan Schemes Payments Team within one (1) Month of the Annex A response being sent, following reconciliation against the Authority's records.
- 7.5. At the end of the period for which support is paid, final checks will be carried out to ensure that the payments already made accurately reflect the amounts to which the Recipient is entitled. Payments made as a result of applications are to be regarded as payments on account, which will be finalised when the final claim is confirmed by the Authority. The Recipient should note that the format of the claim spreadsheets **must not** be altered.
- 7.6. Where a Recipient believes that the level of Funding actually paid by the Authority is less than that to which they are entitled under the terms of this Instruction, the Recipient may make representations to the Authority's Funding Team. Any discrepancies must be notified to the Afghan Schemes Payments Team within one (1) Month of a payment being made. Retrospective payments by the Authority for individuals not promptly included in the Annex A claim may be agreed only where exceptional circumstances can be shown.
- 7.7. Payments will be made by BACS using account details that the Recipient must supply to the Authority on headed notepaper, signed by a senior finance official. The Recipient is responsible for ensuring that the Authority has been notified of its correct bank account details and any subsequent changes. The information which the Authority requires to enable a new account or change of BACS payment details is as follows:

Supplier Details

1. Registered name of company
2. Trading name of company
3. Company registration number

Supplier Address Details

1. Registered Address
2. Credit Control/Finance Address

4. Vat registration number

Contact Details

1. Email address for purchase orders
2. Email address for remittance advice
3. Email address for invoice queries
4. Telephone Number for Accounts Receivable/Credit Control

Payment Details

1. Bank Name
2. Branch name and address
3. Company Bank Account Name
4. Bank Account Number
5. Bank Account Sort Code

- 7.8. In the event of a change in bank details, the relevant Recipient should immediately notify the Authority of the new information. Such notification must be provided in writing, in a non-editable PDF format, and in accordance with the requirements of Clause 7.7.
- 7.9. The Recipient must record expenditure in their accounting records under generally accepted accounting standards in a way that the relevant costs can be simply extracted if required. Throughout the year, the Authority's Funding team will work with the Recipient to ensure the accuracy of claims, thereby reducing the need for audits at year-end.

8. MONITORING & EVALUATION

- 8.1. The Recipient should itself manage and administer the quality and level of delivery relating to the support it provides to Beneficiaries.
- 8.2. The Recipient shall monitor the delivery and success of the Schemes throughout the Funding period to ensure that the Purpose is being met and that this Instruction is being adhered to.
- 8.3. The Authority will require the Recipient to provide information and documentation regarding Beneficiaries for monitoring and evaluation purposes.
- 8.4. This will include the provision of individual level information on Beneficiaries for the evaluation of the Schemes. The evidence form should only be submitted via the Authority's secure data transfer portal, "MOVEIT DMZ", to ensure compliance with UK Data Protection Legislation.
- 8.5. The Recipient shall provide information requested to monitor progress against the Statement of Outcomes. Visits may be made from time to time by the Authority or its appointed representatives, including the National Audit Office. Whilst there is no requirement for submission of detailed costings, the Recipient must be able to provide the costs for individual cases and will, if required, be expected to justify, explain, and evidence costs.
- 8.6. In all cases, to assist with monitoring and evaluation of the Schemes, the Recipient shall supply the Authority with all such financial information as is reasonably requested from time-to-time, on an open book basis.

9. BREACH OF FUNDING CONDITIONS

- 9.1. Where a Recipient fails to comply with **any** of the conditions set out in this Instruction, or if any of the events mentioned in Clause 9.2 occur, then the Authority may reduce, suspend, or withhold payments, or require all or any part of the relevant payments to be repaid by the Recipient. In such circumstances, the Recipient must repay any amount required under Clause 9.1 within thirty (30) Days of receiving the demand for repayment.
- 9.2. The events referred to in Clause 9.1 are as follows:
- 9.2.1. The Recipient purports to transfer or assign any rights, interests or obligations arising under this Agreement without the agreement in advance of the Authority, or
 - 9.2.2. Any information provided in the application for Funding (or in a claim for payment or Exceptional Costs) or in any subsequent supporting correspondence is found to be incorrect or incomplete to the extent the Authority considers to be material, or
 - 9.2.3. The Recipient takes inadequate measures to investigate and resolve any reported irregularity.

10. ACTIVITIES – GENERAL

Sub-contracting

- 10.1. When procuring works, goods, or services the Recipient must ensure that it complies with its statutory obligations, for example the Public Contracts Regulations 2015 in England, Northern Ireland, and Wales. In any event, the Recipient shall demonstrate value for money and shall act in a fair, open, and non-discriminatory manner in all purchases of goods and services to support the delivery of the Schemes.
- 10.2. Where the Recipient enters into a contract (or other form of agreement) with any third party for the provision of any part of the Schemes, the Recipient shall ensure that a term is included in the contract or agreement requiring the Recipient to pay all sums due within a specified period: this shall be as defined by the terms of that contract or agreement, but shall not exceed thirty (30) Days from the date of receipt of a validated invoice.
- 10.3. The Recipient must take all reasonable steps to ensure that anyone acting on its behalf shall not bring the Authority or the Schemes into disrepute; for instance, by reason of prejudicing and/or being contrary to the interests of the Authority and/or the Schemes.

Hours of Operation

- 10.4. The Recipient shall note that the Authority performs normal business during the hours of 09.00 to 17.00 on Working Days.
- 10.5. The Scheme shall be provided at a minimum on each Working Day. The Authority recognises that in the interests of efficiency the exact availability and timings of the various service elements will vary. It is envisaged that some out of hours provision will be required from the Recipient.
- 10.6. All premises used to deliver the Schemes elements should meet all regulatory requirements and be suitable for the purpose.

Complaints

- 10.7. The Recipient and/or its delivery partners shall develop, maintain, and implement procedures enabling Beneficiaries to complain about the support and assistance provided by the Recipient.

Staff Standards

- 10.8. At all times whilst delivering the Schemes the Recipient shall be mindful of the intent, and apply the spirit, of the UK Government's "Code of Conduct for Recipients of Government General Grants"⁴ which outlines the standards and behaviours that the government expects of all its Delivery Partners.
- 10.9. The Recipient shall:
- 10.9.1. ensure that the recruitment, selection, and training of Staff, are consistent with the standards required for the performance of the outcomes,
 - 10.9.2. fully equip and train Staff to ensure they are able to fulfil their roles and ensure that appropriate and sufficient security provisions are made for all Staff undertaking face-to-face activities,
 - 10.9.3. ensure that Staff levels are appropriate at all times for the purposes of delivering the Schemes and ensure the security and well-being of all Beneficiaries, dependent children, and its Staff,
 - 10.9.4. take all reasonable steps to ensure that they and anyone acting on their behalf shall possess all the necessary qualifications, licences, permits, skills, and experiences to discharge their responsibilities effectively, safely and in conformance with all relevant law for the time being in force (so far as binding on the Recipient), and
 - 10.9.5. ensure that it has relevant organisational policies in place to deliver the activities funded by this Instruction. These shall remain current for the duration of this Instruction and be reviewed regularly by appropriate senior staff. All staff must be aware of these policies and of how to raise any concerns.
 - 10.9.6. that all applicants for employment in connection with the Schemes are obligated to declare on their application forms any previous criminal convictions subject always to the provisions of the Rehabilitation of Offenders Act 1974.
- 10.10. In addition, the Recipient shall ensure that all Staff:
- 10.10.1. employed or engaged have the right to work in the United Kingdom under applicable immigration law, and
 - 10.10.2. are suitable and of good character to provide support to Beneficiaries. Consideration must be given to eligibility for Disclosure and Barring Service (DBS2) checks. Where such checks reveal prior criminal convictions that might reasonably be regarded as relevant to the appropriateness of the individual to have unsupervised access, particularly to children under the age of 18, or where such checks are not possible because of identification issues, the Recipient shall follow its internal policy and carry out an

⁴ <https://www.gov.uk/government/publications/supplier-code-of-conduct>

appropriate risk assessment before an offer of employment is made, and

- 10.10.3. who are likely to have unsupervised access to children under the age of 18 have been instructed in accordance with the relevant national child protection guidelines e.g. for people working in England, DfE’s Working Together to Safeguard Children, 2015, and Local Authority’s guidance and procedures, and
 - 10.10.4. providing immigration advice should be known to the Office of the Immigration Services Commissioner (OISC) in accordance with the regulatory scheme specified under Part 5 of the Immigration & Asylum Act 1999. The Recipient shall use all reasonable endeavours to ensure that Staff do not provide immigration advice or immigration services unless they are “qualified” or “exempt” as determined and certified by OISC.
 - 10.10.5. apply safeguarding responsibilities and obligations for as long as personnel, including volunteers, have formal involvement with the local authority in delivering resettlement and integration services to the Beneficiary.
- 10.11. The Recipient shall, on request, provide the Authority with details of all Staff delivering the Schemes.
 - 10.12. The Recipient shall, on request, provide the Authority with CVs and/or job descriptions for all Staff selected to work on the project.
 - 10.13. The Recipient shall use all reasonable endeavours to comply with the requirements of the Computer Misuse Act 1990.
 - 10.14. The Recipient shall implement the Schemes in compliance with the provisions of UK Data Protection Legislation.

11. LIABILITY

- 11.1. The Authority accepts no liability to the Recipient or to any third party for any costs, claims, damage, or losses, however they are incurred, except to the extent that they are caused by the Authority’s negligence or misconduct.

12. DISPUTE RESOLUTION

- 12.1. The Parties shall attempt in good faith to negotiate a settlement to any dispute between them arising out of or in connection with this Instruction.
- 12.2. The Parties may settle any dispute using a dispute resolution process which they agree.
- 12.3. If the Parties are unable to resolve a dispute in line with the requirements of Clauses 12.1 or 12.2, the dispute may, by agreement between the Parties, be referred to mediation in accordance with the Model Mediation Procedure issued by the Centre for Effective Dispute Resolution (“CEDR”), or such other mediation procedure as is agreed by the Parties. Unless otherwise agreed between the Parties, the mediator will be nominated by CEDR. To initiate the mediation, the Party shall give notice in writing (the ADR Notice) to the other Party, and that latter Party will choose whether or not to accede to mediation. A copy of the ADR Notice should be sent to CEDR. The mediation will start no later than ten (10) Working Days after the date of the ADR Notice.

- 12.4. The performance of the obligations which the Recipient has under this Instruction will not cease or be delayed because a dispute has been referred to mediation under Clause 12.3 of this Instruction.

13. INTELLECTUAL PROPERTY RIGHTS (IPRS) AND BRANDING

- 13.1. The Parties shall retain exclusivity in their own Background IPRs.
- 13.2. Unless otherwise agreed In Writing, the Recipient shall own all IPR created using the Grant. However, the Recipient shall grant to the Authority at no cost a non-exclusive irrevocable, royalty-free perpetual worldwide license to use and to sub-license the use of any material or IPR created by the Recipient whether partially or wholly funded from the Grant for such purposes as the Authority shall deem appropriate.
- 13.3. Ownership of Third Party software or other IPR necessary to deliver the Purpose will remain with the Recipient or the relevant Third Party.
- 13.4. Neither Party shall have the right to use any of the other Party's names, logos, branding or trademarks on any of its products or services without the other Party's prior written consent.
- 13.5. The Recipient shall at all times during and following the end of the Funding Period:
- a. comply with requirements of the Branding Manual in relation to the Purpose; and
 - b. cease use of the *Funded by UK Government* logo on demand if directed to do so by the Authority
- 13.6. The Recipient shall seek approval from the Authority prior to using the Authority's logo when acknowledging the Authority's financial support of its work. Such acknowledgements (where appropriate or as requested by the Authority) shall include the Authority's name and logo (or any future name or logo adopted by the Authority) using the templates provided by the Authority from time to time.
- 13.7. When using the Authority's name and logo, the Recipient will comply with all reasonable branding guidelines as issued by the Authority from time-to-time.
- 13.8. The Authority may freely share any information, branding, know-how, system or process developed using the Grant during the Funding Period and beyond to support similar or subsequent schemes.

14. SOCIAL VALUE REQUIREMENTS

- 14.1. The Recipient shall be mindful of and take reasonable measures to ensure that all its activities in delivering the Purpose support the UK Government's commitment to Social Value by:
- 14.1.1 fighting climate change in compliance with the UK Government's "Greening Government Commitments"^[1] including the need to avoid

adverse impacts on the environment and contributing to the Net Zero by 2050 ambition

- conserving energy, water, wood, paper and other resources,
- reducing waste,
- reducing fuel emissions wherever possible,
- phasing out the use of ozone depleting substances and minimise the release of greenhouse gases, volatile organic compounds and other substances damaging to health and the environment, and
- having due regard to the use of recycled products, so long as they are not detrimental to the provision of the Purpose or the environment, to include the use of all packaging, which should be capable of recovery for re-use or recycling.

14.1.2 tackling economic inequality through the creation of new businesses, new jobs and new skills, increasing supply chain resilience and capacity, quality apprenticeship schemes, ending the gender pay imbalance, prompt payment throughout its commercial arrangements, and ensuring opportunities for SMEs and Civil Society and those owned or led by protected characteristics, and

14.1.3 supporting equal opportunity and wellbeing by reducing the disability employment gap, tackling workforce inequality, improving health and wellbeing, and improving community integration, and

14.1.4 safe and secure supply chains free from modern slavery and human trafficking through inspection and audit, use of the Modern Slavery Assessment Tool, assessing and recording risks, and supply-chain mapping.

15. CONTACT DETAILS

For queries relating to this Instruction or the submission of payment applications, please email the Resettlement Local Authority Payments team at

ResettlementLAPaymentsTeam@homeoffice.gov.uk

SCHEDULE 1: POST-ARRIVAL RESETTLEMENT SUPPORT

1. PART 1 – YEAR 1 STATEMENT OF OUTCOMES

Provision of accommodation

- 1.1 The Recipient will arrange accommodation for those Beneficiaries they are supporting which:
- 1.1.1 meets local authority standards, and
 - 1.1.2 will be available on their arrival and/or relocation to the local authority area, and
 - 1.1.3 is affordable and sustainable.
- 1.2 The Recipient will ensure that the accommodation is furnished appropriately. The Funding should not be used to procure luxury items: This means that Funding received should be used for food storage, cooking, and washing facilities but should not include the provision of other white goods or brown goods, i.e., TVs, DVD players or any other electrical entertainment appliances. This shall not preclude the Recipient from providing Beneficiaries with additional luxury, white or brown goods through other sources of funding.
- 1.3 The Recipient shall ensure that the Beneficiary is registered with utility companies and ensure that arrangements for payments are put in place (no pre-pay coin or card meter accounts)⁵.
- 1.4 The Recipient will provide briefings on the accommodation and health and safety issues for all new arrivals including the provision of an emergency contact point.
- 1.5 Recipients can make use of the private rented sector and Ministry of Defence Service Family Accommodation for suitable offers of accommodation. Any expenditure incurred from the tariff for this purpose must meet similar thresholds of due diligence to ensure the effective use of public funds. Flexible use of the funding to enable private rented sector procurement may include but is not limited to:
- Deposits
 - Landlord incentives
 - Letting fees
 - Necessary furnishings
- 1.6 No funding will be available to local authorities above the amounts set out in the Tariff and existing Funding Instructions, but local authorities are encouraged to allocate this flexibly and as they see fit to make use of all accommodation options. Local authorities will be expected to deliver on all the

⁵ It is the Authority's preference that pre-pay coin or card meter accounts should not be used as these are generally more costly. Recipients seeking exceptions should liaise through the Authority's relevant Local Authority Engagement Team Strategic Regional lead.

elements as set out in the Statement of Outcomes and are encouraged to proportion expenditure sensibly.

Find Your Own Accommodation

- 1.7 Where the Recipient supports Beneficiaries to find their own accommodation in the private rented sector (via the Find Your Own Accommodation pathway) they need to ensure that points 1.1 to 1.6 of this Schedule are met. There is an expectation for receiving local authorities to make reasonable efforts to ensure private rented accommodation found by Beneficiaries meets reasonable local authority standards, is safe, sustainable and in reasonable condition; and that all families looking for their own accommodation have sufficient guidance to enable them to consider the property's relevant standards.
- 1.8 The Recipient should engage with the bridging local authority (where applicable) to confirm what type of support will need to be provided to the Beneficiary. Local authorities should endeavour to follow the principles in the Find Your Own Accommodation Working Protocol circulated on 26 April 2023.
- 1.9 In the instances, mentioned in 1.1 and 1.8, the Recipient should agree to provide full integration support for 36 months to the Beneficiary to enable the Recipient to have access to this funding.

Initial Reception Arrangements

- 1.10 Transport arrangements to accommodation will vary depending on whether any Beneficiary is arriving directly from abroad or whether they are in a bridging hotel. Where appropriate the Recipient will meet and greet all Beneficiaries arriving from the relevant airport and escort them to their accommodation. In other circumstances, transport to their accommodation will be arranged by the Authority. When Beneficiaries arrive at their accommodation, they should be provided with a briefing on how to use the amenities.
- 1.11 The Recipient will ensure that all Beneficiaries are provided with a welcome pack of groceries on their arrival – the content of this pack should consider the culture and nationality of the Beneficiary(s).
- 1.12 Included in the annual tariff is provision for the Recipient to provide an initial cash allowance for each Beneficiary of £200 – this is to ensure they have sufficient funds to live on while their claim for benefits is processed. If any Beneficiary is already in receipt of mainstream benefits this initial cash allowance should not be provided. Where a Beneficiary is resettled in an area in which Universal Credit has been implemented, the Recipient may provide an additional one-off payment of up to £100 for each Refugee, if required. This should be claimed as an Exceptional Cost on the initial Annex A claim.

Casework Support

- 1.13 The Recipient should ensure that all Beneficiaries are provided with a dedicated source of advice and support to assist with registering for mainstream benefits and services, and signposting to other advice and information giving agencies. This support includes:
- 1.13.1 Assisting with the distribution of Biometric Residence Permits (BRP) cards following arrival. For any Beneficiary coming from overseas, the

Recipient shall distribute BRP cards. This will exclude those in bridging hotels who will already have their BRP cards.

- 1.13.2 Registering with local schools, or if Adults, English language, and literacy classes (see paragraphs 1.26 - 1.36 of this Schedule), or other appropriate training.
 - 1.13.3 Attending local Job Centre Plus appointments for benefit Assessments (where necessary),
 - 1.13.4 Registering with a local GP, and other healthcare providers in line with identified medical needs,
 - 1.13.5 Advice around and referral to appropriate mental health services and to specialist services as appropriate,
 - 1.13.6 Providing assistance with access to employment.
- 1.14 The Recipient shall develop an overarching (or framework) integration support plan and bespoke integration support plans for each family or individual/Beneficiary for the first twelve (12) Month period of their support to facilitate their integration and orientation into their new home/area. The plan should consider the varying needs of individuals within households and how to support these needs and the needs of individuals on the basis of their characteristics.
- 1.15 Throughout the period of resettlement support the Recipient shall ensure interpreting services are available. Any additional interpreting costs incurred, for example attendance at Job Centre Plus or Healthcare appointments, may be claimed as an Exceptional Cost, subject to the prior approval of the Authority.
- 1.16 The above outcomes will be provided through a combination of office-based appointments, drop-in sessions, outreach surgeries and home visits (virtual or in person).
- 1.17 The Recipient shall collate such casework information as is agreed to enable the Authority to monitor and evaluate the effectiveness of the Schemes' delivery.
- 1.18 Where Beneficiaries are not accessing key services, including where needs based on protected characteristics may not be met or where Recipients are otherwise concerned about the welfare of Beneficiaries or their dependants, Recipients are asked to contact their regional contact officer.

Requirements for Beneficiaries with special needs/assessed community care needs

- 1.19 In order to facilitate a Recipient's need to make additional arrangements, such as property adaptations (see also **Annex D**), for each Beneficiary identified as potentially having special needs/community care needs, the Authority will ensure, as far as possible, that these needs are clearly identified and communicated to the Recipient a minimum of forty-two (42) Days prior to the arrival in the UK of each Beneficiary. Where Beneficiary are already residing in temporary accommodation in the UK, this information will be communicated to the Recipient as soon as practicable to enable necessary arrangements to be made.
- 1.20 Where special needs/community care needs are identified only after arrival, the Recipient will use best endeavours to ensure that care is provided by the appropriate mainstream services as quickly as possible.

- 1.21 Where sensitive issues (including safeguarding issues or incidents of domestic abuse, violence, or criminality) are identified by the Authority, the Authority will notify the Recipient immediately, and no longer than one (1) Day, after receipt of the information.⁶

Provision of Education for U18s

- 1.22 The Recipient has a statutory duty for ensuring educational places are available for children of school age.
- 1.23 To support the Recipient in achieving this obligation, the Authority will pay Funding in respect of any Beneficiary aged between 3 and 18 years (including those ACRS Beneficiaries brought in under the Community Sponsorship Scheme) to meet the:
- 1.23.1 provision of education in state-funded establishments; and
 - 1.23.2 Recipient's statutory obligations regarding the assessment of Special Educational Needs & Disabilities (SEND), in respect of which the costs of the assessment will also be met on a case-by-case basis.
- 1.24 The Recipient shall be responsible for ensuring that the appropriate level of funding is paid to places of education (including schools, academies, free schools, and Further Education colleges, as appropriate) who accept Beneficiaries from the relevant age groups.
- 1.25 Further additional payments may also be made in order to cover necessary Exceptional Costs of social care, where compelling circumstances exist. These will be assessed and made on a case-by-case basis.

English Language Provision for Adult Beneficiary

- 1.26 The purpose of language training is to ensure that each Adult Beneficiary is able to progress towards the level of proficiency needed to function in their everyday life; to promote integration; and to support those resettling in the UK to progress towards self-sufficiency, including accessing services or joining the workforce.
- 1.27 The Recipient shall undertake an assessment of each Adult Beneficiary's English language capability to determine their training needs; this assessment should take place at the earliest opportunity. The Adult Beneficiary should be made aware of their assessment level. The assessment should determine whether Formal Language Training is appropriate, and where Informal Language Training should be used to complement, or as a foundation for, Formal Language Training. As a minimum, Adult Beneficiaries should be able to access conversational practice to consolidate/complement their Formal Language Training.
- 1.28 If Formal Language Training is deemed appropriate according to their assessment, the Adult Beneficiary should be able to access a minimum of eight (8) hours per week within one (1) Month of arrival or, for those already in the UK, at the start of Recipient support. This should be provided to Adult Beneficiaries until they have reached Entry Level 3 or for at least twelve (12) months after the start of Recipient Support (whichever is the sooner).

⁶ Case of Interest procedure – further information can be obtained from Local Authority Engagement Team Strategic Regional lead.

- 1.29 Different Adult Beneficiaries will face different barriers to participating in Formal Language Training depending on their unique circumstances. There is, therefore, not a singular uniform activity that this Funding should be used for. Instead, the Recipient's use should be informed by the nature of existing local provision and by each Adult Beneficiary's specific circumstances and requirements. Possible activities include but should not be limited to:
- 1.29.1 Funding payments for mainstream Formal Language Training.
 - 1.29.2 Commissioning discrete Formal Language Training classes for Adult Beneficiaries or funding advanced levels of ESOL for those that have a higher level of English language proficiency.
 - 1.29.3 Supporting the delivery of the minimum eight (8) hours provision per week (Part 1, paragraph 1.28 of this Schedule 1).
 - 1.29.4 Language training or preparation for language proficiency tests supporting access to employment, further education, or higher education.
 - 1.29.5 Commissioning classes at the level which faces the greatest pressure in the area with the agreement that some of the Adult Beneficiaries attend – along with other students – and with the agreement that the additional capacity created allows Adult Beneficiaries at other levels to attend mainstream classes.
 - 1.29.6 Funding evening and weekend classes.
 - 1.29.7 Funding online resources and/or provision to complement face-to-face services, enabling Beneficiaries to access a variety of ESOL support that best meets their requirements.
- 1.30 The Funding is prioritised for participation in ESOL provision. However, if there is a lack of available provision, up to 25% of the Funding can be spent to increase ESOL infrastructure, and therefore future participation rates, where deemed absolutely necessary. ESOL infrastructure could include, for example, training ESOL teachers, buying equipment and resources and renting classroom space. The Recipient will be expected to report back on the proportion of spend on ESOL infrastructure.
- 1.31 For some Adult Beneficiaries, attending Formal Language Training will be more challenging than for others. For example, they might have caring responsibilities, a disability or find attending Formal Language Training difficult. In these instances, it is important that steps are taken to address these barriers so 25% of the ESOL infrastructure element of the Funding (as set out in para 1.30) can be used to support activities that help overcome accessibility barriers [childcare funding should be claimed separately, as described at Part 5].
- 1.32 The Recipient, however, should look to utilise other local or central funding sources or services, wherever possible.
- 1.33 In instances where Adult Beneficiaries arrive outside term time, making immediate access to Formal Language Training difficult, alternative Informal Language Training should instead initially be provided within one (1) month of arrival.
- 1.34 The provision of Informal Language Training is also a suitable alternative in instances where a Beneficiary is assessed as being at pre-entry ESOL level or finds a Formal Language Training environment a barrier to accessibility,

which cannot be resolved using the infrastructure funding set out in paragraph 1.30.

- 1.35 In such instances as set out at paragraphs 1.27 and 1.28, the Recipient should encourage the Adult Beneficiary to access Formal Language Training in the future. This is because Informal Language Training cannot provide accredited qualifications which are often necessary for accessing employment, further study, or training.
- 1.36 An additional amount of Funding is also available to Recipients, to increase Adult Beneficiary access to Language Training appropriate to their ability and needs. This is outlined in Part 4 of this Schedule 1. This is a single payment to be claimed within the first 12 months of arrival or, for those already in the UK, at the start of Recipient support.

Delayed and Cancelled Arrivals

- 1.37 In the event of a delayed arrival, the Recipient can claim void rent costs incurred until arrival. The Recipient should be aware that the tariff has been calculated to pay for a period of void costs. To reflect this, fifty-six (56) days void costs are already built into the tariff to enable Recipients to secure properties before beneficiaries arrive.
- 1.38 In the event of a cancelled arrival funding will be available for those incurring costs (e.g., for void rent costs and set up) for cancelled arrivals if the property/ies cannot be used for another beneficiary. The Authority will accept claims for void costs for the property/ies concerned. Void costs will be considered:
- From the date that you became liable for the rent or the date that the property was formally offered to the Authority (whichever later),
 - To the date the Authority email notifying you to release the property, or
 - In cases where you have already advised the Authority that you could no longer hold the property/ies, void costs will be considered to the date of that notification.

Funding and Claims Process

- 1.39 The Authority agrees to provide Funding as a contribution to the Recipient's eligible expenditure in delivering the outcomes described in Part 1 of this Schedule 1 (paragraphs 1.1 to 1.25, inclusive), on a standard per capita per annum rate for each Beneficiary as follows:

YEAR 1 UNIT COSTS ⁷					
	Adult Benefit Claimant	Other Adults	Children 5-18	Children 3-4	Children U-3
	£	£	£	£	£
Local Authority Costs	10,500	10,500	10,500	10,500	10,500
Education	0	0	4,500	2,250	0
TOTALS	10,500	10,500	15,000	12,750	10,500

- 1.40 Payments will be based on the age of the Beneficiary on arrival in the Recipient's area.
- 1.41 Once these maxima have been reached, no further funding will be paid by the Authority to a Recipient save for any claims made in respect of Exceptional Costs (see Terms & Conditions, Clauses 6.12 and 6.13).
- 1.42 On the Day the Recipient commences the provision of support at set out in this Funding Instruction, the Recipient will be eligible to claim 40% of the total projected annual per capita amount for that person. The Recipient must make a claim on the relevant standard claim form (**Annex A**).
- 1.43 The remainder will be due in two equal instalments at the end of the fourth (4th) and eighth (8th) Months following the Beneficiary's arrival in the UK.
- 1.44 The per capita tariff includes an element for the Recipient to cover up to fifty-six (56) Days (i.e., eight weeks) of void costs. The process for claiming additional/exceptional void costs is explained in **Annex E**.
- 1.45 Funding received is to be pooled and managed across all those identified as supported by the relevant Recipient.
- 1.46 Additional funding to meet the Recipient's SEND responsibilities for any Beneficiary will be met by the Authority on a case-by-case basis as an Exceptional Cost.
- 1.47 Where compelling circumstances exist, the Recipient may request additional funding for educational purposes in respect of any Beneficiary who is 18 years or younger and who is in full-time education. Such requests will be considered on a case-by-case basis, as an Exceptional Cost, with the final decision on payment, duration, and rate (which may be adjusted from time to time) to be set by the Authority.
- 1.48 In submitting a claim under this Funding Instruction, the Recipient is confirming they have to the best of its knowledge and belief, submitted true and accurate information.

⁷ Payment values are valid only for the duration of this Funding Instruction; future years are indicative and may, from time to time, be adjusted by the Authority.

2. PART 2 – YEAR 2 TO 3 STATEMENT OF OUTCOMES

Year 2 – 3 Funding

- 2.1 Year 2 – 3 Funding is intended as a contribution towards a Recipient's costs incurred supporting a Beneficiary's continued participation in the Schemes.
- 2.2 To maximise flexibility, it will be for the Recipient to determine the best use of Funding claimed to support the Beneficiary on their journey towards integration and self-sufficiency. Support should be in line with the person-centred integration goals identified in the personalised integration support plan and should include (but not be limited to) ongoing integration into the communities into which a Beneficiary has been resettled; progress towards and into employment (which may include tailored employment support and sector specific formal or informal language training); social care costs for adults and children; or additional educational support. Support should be tailored and particularly consider how to best support the Beneficiary with particular barriers to integration as well as having due regard to protected characteristics.
- 2.3 The Recipient should be able to explain how they are supporting the Beneficiary and furthering the aims of the Schemes by documenting the type(s) of support provided. This should be done with reference to the individual's personal integration plan and goals.

Funding and Claims Process

- 2.4 The Recipient may claim Funding from the first anniversary (i.e., 12 Months) following the commencement of the provision of support under the Schemes, and for subsequent years until the end of the third year.
- 2.5 The key principles of the Funding are that it:
- 2.5.1 provides a per Beneficiary annualised tariff (see table 2.6),
 - 2.5.2 is not ringfenced,
 - 2.5.3 supports programme evaluation and reporting, and
 - 2.5.4 can be pooled across all Beneficiaries that a Recipient is supporting.
- 2.6 A maximum of two (2) annual flat rate payments may be claimed by a Recipient for each Beneficiary supported:

YEAR 2 TO 3 - UNIT COSTS ⁸		
Timeframe	13-24 months	25-36 months
Tariff	£6,000	£4,020

- 2.7 The Authority will only approve one claim per Beneficiary per annum.

⁸ Payment values are valid only for the duration of this Funding Instruction; future years are indicative and may, from time to time, be adjusted by the Authority

- 2.8 No further Funding will be paid by the Authority to a Recipient apart from for any claims made in respect of Exceptional Costs (see Terms & Conditions, Clauses 6.12 and 6.13).
- 2.9 All claims for Year 2 – 3 Funding must be submitted during the second financial quarter (i.e., from 1 July, but in all cases by 30 September) in the same year: late returns may result in payment requests being delayed or refused. Payment will only be made to recipients for all Beneficiaries who are resident in the local authority area on the date of 30 September. If the Beneficiary is not resident on that date, then payment will be refused. Once satisfied that a payment request has been correctly submitted, the Authority will endeavour to make payments of Funding due during the third quarter of the same financial year (i.e., from 1 October, but no later than 31 December).
- 2.10 Funding will be by means of a single annual payment to be claimed at the times as detailed in the following table:

YEARS 2-3 FUNDING – PAYMENT PROFILE FOR ACRS & ARAP ARRIVALS		
<u>Arrivals into the support of the Local Authority between</u>	<u>Claim funding for</u>	
	Year 2	Year 3
22/06/2021 to 21/06/2022	21/06/2023	21/06/2024
22/06/2022 to 21/06/2023	21/06/2024	21/06/2025

- 2.11 In submitting a claim under this Funding Instruction, the Recipient is confirming they have to the best of its knowledge and belief, submitted true and accurate information.

3. PART 3 –STATEMENT OF OUTCOMES FOR RECIPIENTS IN RELATION TO COMMUNITY SPONSORSHIP FOR ACRS BENEFICIARIES ONLY

- 3.1 A key aspect of the Community Sponsorship Scheme (the ‘Schemes’) is the requirement for each approved Sponsor to have the support of their relevant statutory authorities, including the Recipient.

Reimbursement for Education Costs

- 3.2 In accordance with their statutory duty, a Recipient shall be entitled to claim Funding towards educational costs incurred supporting children of school age up to the following maximum per capita rates:

UNIT COSTS (£GBP) FOR SCHEMES ⁹					
	Adult Benefit Claimant	Other Adults	Children 5-18	Children 3-4	Children U-3
YEAR 1					
Education	0	0	4,500	2,250	0

- 3.3 The Recipient shall be responsible for ensuring that the appropriate level of funding is paid to places of education (incl. schools, academies, free schools, and Further Education colleges, as appropriate) who accept Beneficiaries from the relevant age groups.
- 3.4 The Recipient may request additional funding for educational purposes in respect of all supported Beneficiaries who are 18 years or younger and who are in full-time education, where compelling circumstances exist. Such requests will be considered on a case-by-case basis, with the final decision on payment, duration, and rate (which may be adjusted from time to time) to be set by the Authority.

Reimbursement for other Support Costs during Years 1 and 2

- 3.5 If, for any reason, a Sponsor is unable to fulfil its obligations in delivering the Afghan Citizens Resettlement Scheme (ACRS), the Recipient will be required to step-in and provide the necessary support through:
- 3.5.1 The first twelve (12) Months (Year 1), including the provision of accommodation, casework support, education (incl. Language Training), and social care, as described in Part 1 of this Schedule, and
- 3.5.2 The second twelve (12) Months (Year 2), the provision of accommodation and any other support as the Recipient deems appropriate, as described in Part 2 of this Schedule.
- 3.6 Where a Sponsor becomes unable to fulfil their contractual obligations, or otherwise support those resettled under the ACRS and their immediate dependants, a Recipient may also be eligible to claim Funding for each person supported up to the following maximum standard per capita rates:

⁹ Payment values are valid only for the duration of this Instruction; future years are indicative and may, from time to time, be adjusted by the Authority.

UNIT COSTS (£GBP) FOR SCHEMES¹⁰					
	Adult Benefit Claimant	Other Adults	Children 5-18	Children 3-4	Children U-3
YEAR 1					
Resettlement Costs	10,500	10,500	10,500	10,500	10,500
YEAR 2					
Resettlement Costs	6,000	6,000	6,000	6,000	6,000

- 3.7 It is recognised that a Sponsor may already have fulfilled some of their obligations with respect to an individual or family's support requirements. It will, therefore, be for the Recipient to assess and determine each person's needs against the outcomes described in Part 1 and Part 2 of this Schedule 1.
- 3.8 The exact value of the Funding and timing of the payment will be determined on a case-by-case basis depending on the circumstances of each person for whom the Recipient is claiming.
- 3.9 Funding up to the maxima noted will be dependent on the length of time for which the Recipient is required to provide support for the individual or family. Typically, this will be:
- 3.9.1 More than six (6) Months – full value
- 3.9.2 Less than six (6) Months – 50% of the value
- Funding for Year 3**
- 3.10 A Recipient will be eligible to claim for contributions to costs under the relevant time periods described in Part 2 of this Schedule 1, to be determined on a case-by-case basis.

¹⁰ Payment values are valid only for the duration of this Instruction; future years are indicative and may, from time to time, be adjusted by the Authority.

4. PART 4 – ACCESS TO ESOL: STATEMENT OF OUTCOMES FOR ADDITIONAL FUNDING TO SUPPORT ENGLISH LANGUAGE PROVISION FOR ADULT BENEFICIARIES

Increasing Access to Language Training

- 4.1 As noted in Part 1, paragraph 1.30 of this Schedule 1, the additional Funding available is primarily intended to increase any Adult Beneficiary access to Formal Language Training appropriate to their ability and needs.
- 4.2 It can also be used to support Informal Language Training (Part 1, paragraph 1.27 of this Schedule 1).
- 4.3 In line with existing good practice guidance on resettlement, it is intended that this Funding be used in a way that promotes integration and the journey towards self-sufficiency.

Key Performance Indicators

- 4.4 The Authority has designed a set of indicators to assess the effectiveness of the Funding in achieving its outcome. These Critical Success Factors are:
 - 4.4.1 payments received,
 - 4.4.2 split of spend on participation and spend on non-participation (detailed in Part 1, paras 1.30 -1.31 of this Schedule)
- 4.5 In addition, Recipients should report on the following:
 - 4.5.1 To what extent has the Funding increased local capacity to deliver ESOL. Have there been any delivery barriers which this Funding has not been able to overcome?
 - 4.5.2 To what extent has the Funding improved access to ESOL. Have there been any accessibility barriers which this funding has not been able to overcome?
 - 4.5.3 To what extent has the funding helped improve Adult Beneficiaries' integration and progress towards self-sufficiency, including in the workplace?
- 4.6 The Recipient will be expected to report on these success measures through the annual End of Year monitoring process.

Funding and Claims Process

- 4.7 A per capita payment may be claimed for each Adult Beneficiary provided with language training by the Recipient at the following standard rate:

Unit Costs (£GBP) ¹¹ (see para 4.11 below)	
Adult Beneficiary (aged 19+ at the start of Recipient support)	£850 – claim when Recipient support commences

¹¹ Payment values are valid only for the duration of this Instruction; future years are indicative and may, from time to time, be adjusted by the Authority.

Adult Beneficiary (aged 18+ at the start of Recipient support)	£850 – claim once Beneficiary attains 19 years
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- 4.8 Community Sponsors will claim these per capita payments for those identified as Beneficiary under the ACRS that they support.
- 4.9 A Recipient may ‘pool’ any Funding claimed, at a local or regional level, to maximise its ability to effectively identify individuals’ language training requirements, be responsive to these needs through the most appropriate delivery arrangements and range of providers within a local area.
- 4.10 Following a Beneficiary being assessed as eligible (Part 1, paragraph 1.27 of this Schedule 1) the Recipient will be able to submit a claim.
- 4.11 The Recipient must make a claim on the relevant standard claim form (Annex A) to receive payment. ESOL should be inserted in column O of the Annex and the standard tariff of £850 inserted in column P against each Beneficiary for whom the Funding is being claimed.
- 4.12 Claims for the £850 additional ESOL funding may be claimed for each Adult Beneficiary who, on the start of Recipient support, is 19 years+ or reaches the age of 19 years within the first 12 months of that support.
- 4.13 In submitting a claim under this Funding Instruction, the Recipient is confirming they have to the best of its knowledge and belief, submitted true and accurate information.

5. PART 5 – ACCESS TO ESOL: Statement of Outcome for funding proposals to address barriers to access, in particular childcare support

Outcomes

- 5.1 The Authority recognises that Refugees face barriers to participating in Formal Language Training including childcare and other caring responsibilities, the ability to combine employment with Formal provision and the need for transportation.
- 5.2 Delays in starting to learn English upon arrival make it more difficult for a Beneficiary (in particular, women with families) to integrate and become self-sufficient. Removing this barrier is a key to assisting any Beneficiary effectively settling into their new community.
- 5.3 The Authority is making Funding available to help Recipients, whether receiving authorities, Community Sponsors and/or regional co-ordination bodies (i.e., Strategic Migration Partnerships), across the UK to address this problem.
- 5.4 The Authority agrees to provide Funding as a contribution to the Recipient's eligible expenditure to overcoming barriers to enable the Beneficiary to participate in ESOL training.
- 5.4 Access to the Funding will require potential Recipients to submit proposals for projects using the application form which can be obtained from ESOLChildcare@homeoffice.gov.uk
- 5.6 Projects could provide:
- 5.6.1 traditional forms of childcare such as crèches or playgroups, or
 - 5.6.2 tailored childcare on the same site as ESOL classes, or
 - 5.6.3 innovative approaches such as providing family learning events to help adults learn English when they are unwilling or unable to leave their children. Family learning projects must meet the twin requirements of catering for children and providing language training to adults, or.
 - 5.6.4 mobile provision to bring lessons closer to learners unable to attend mainstream provision. This could be in greater proximity to Refugees' homes, childcare and other care providers, employment and/or in a location that is better connected to existing public transport routes, or.
 - 5.6.5 transport that is not already offered by the Department for Transport, local authorities or other funding streams.
- 5.7 This list at paragraph 5.6 is not exhaustive. Further guidance on Eligible and Ineligible expenditure can be provided by the Authority on request.

Funding and Claims

- 5.8 To ensure a fair distribution of funds, bids will be assessed by the Authority against criteria related to identification of need and outcomes. The Authority will communicate details of the bidding process to Local Authorities, SMPs and

Community Sponsorship groups at the start of the financial year. Further bids can be made on a quarterly basis during the financial year. Please be aware that once the maximum funding available has been allocated then no further funding will be available.

- 5.9 Details of the assessment criteria and how to bid for ESOL childcare can be obtained from ESOLChildcare@homeoffice.gov.uk

	Maximum UK-wide Funding available for Access to ESOL (Childcare) projects in 2023/24¹²
Access to ESOL childcare funding	ACRS - £600,000 ARAP - £600,000

Key Performance Indicators

- 5.10 The Authority has designed a set of indicators to assess the effectiveness of the Funding in achieving its outcome.
- 5.11 Recipients should report on the following:
- 5.11.1 Total number of adults supported to access ESOL due to this funding.
 - 5.11.2 Lessons learned as to the effectiveness of the project, and any recommendations for further measures to increase ESOL participation.
- 5.12 The Recipient will be expected to report on these success measures through the annual End of Year monitoring process. The Authority may also request additional monitoring and evaluation information outside of this process, including for instance case studies illustrating how it has been beneficial on an individual basis.
- 5.13 If you have any questions about this funding stream, please contact: ESOLChildcare@homeoffice.gov.uk

¹² Payment values are valid only for the duration of this Memorandum; future years are indicative and may, from time to time, be adjusted by the Authority

6. PART 6 – COMMUNITY SPONSORSHIP ACCESS TO FUNDING

Reimbursement for Additional Funding to Support English Language Provision for Adult Beneficiaries under Afghan Citizens Resettlement Scheme (ACRS)

- 6.1 Community Sponsors can claim Additional Funding to support English Language provision for Adult Beneficiaries resettled under the ACRS as per Part 4, paras 4.7 to 4.13 of this Schedule.

UNIT COSTS (£GBP) FOR SCHEMES	
Adult Beneficiary (aged 19+ at the start of support by the Community Sponsor group)	£850 – claim when Community Sponsorship support commences
Adult Beneficiary (aged 18+ at the start of support by the Community Sponsor group)	£850 – claim when Community Sponsorship support commences

- 6.2 Claims for the £850 additional ESOL funding may be claimed for each Adult Beneficiary resettled under the ACRS who, on the start of Recipient support, is 19 years+ or reaches the age of 19 years within the first 12 months of that support.
- 6.3 Community Sponsors may also bid for the funding available for childcare to facilitate participating in Formal Language Training activity, as set at in Part 5 of this Schedule 1.

7. PART 7 – SUPPORT INTO SETTLED ACCOMMODATION: STATEMENT OF OUTCOMES FOR FLEXIBLE HOUSING FUNDING

Outcomes

- 7.1. This funding is available to help the Recipient (be that the bridging hotel Local Authority or the receiving Local Authority) move Beneficiaries into settled accommodation. This funding can be used flexibly, to move Beneficiaries from bridging hotels or temporary accommodation, into appropriate settled accommodation at the earliest opportunity.
- 7.2. The Recipient will be free to determine how best to utilise the Funding, but for monitoring and evaluation purposes must be able to demonstrate that the Funding has been used to support Beneficiaries to move into appropriate settled accommodation.
- 7.3. For the purposes of this funding, settled accommodation is defined as accommodation that meets local authority standards and is deemed suitable and sustainable. This may include, but is not limited to, PRS properties (identified through Find Your Own Accommodation), matched properties, Service Family Accommodation or Barratt properties.
- 7.4. Uses for this funding may include (but are not limited to):
 - 7.4.1. Support to access the private rented sector (for example via the Find Your Own Pathway), including (but not limited to):
 - Landlord incentives (such as upfront rent payments)
 - Support with rent guarantees
 - Deposits
 - Initial rent, or ongoing rental top-ups where required
 - Furnishings
 - 7.4.2. Funding may also be used to support the Beneficiary with advice and guidance on tenancy sustainment, for example providing information on how to set-up bills and property up-keep.
 - 7.4.3. Resource support which enables the sourcing, matching and/or management of properties for the Beneficiary, including on related schemes such as the Local Authority Housing Fund (LAHF) or Service Family Accommodation.
 - 7.4.4. Engagement with other organisations to help source appropriate settled accommodation.
 - 7.4.5. Capital spend to bring forward settled accommodation (including but not limited to):
 - Refurbishing and/or converting local authority-owned residential or non-residential buildings, including defunct sheltered accommodation.

- Acquiring, refurbishing and/or converting non-local authority owned residential or non-residential buildings, including bringing empty or dilapidated properties back into use.
- Acquiring new build properties ‘off-the-shelf’, including acquiring and converting shared ownership properties.
- Developing new properties, including through modern methods of construction (MMC).
- Match funding LAHF properties for Afghan families.
- Furnishings.

- 7.5. £7,100 of funding per Beneficiary is available to use flexibly as per the outcomes above.
- 7.6. Funding can be claimed once the Beneficiaries are confirmed as moving into settled accommodation from bridging or temporary accommodation and where a local authority is providing the Beneficiary with support in accessing this accommodation.
- 7.7. Funding, once claimed, will be paid in one lump sum.
- 7.8. Funding can only be claimed once per Beneficiary, irrespective of whether, for example, a Beneficiary moves between different local authorities. If multiple local authorities incur expenditure this should be resolved locally.
- 7.9. The Beneficiary must be in bridging or temporary accommodation as of 1 April 2023 for the local authority to claim this funding.
- 7.10. The key principles of the Funding are that it is:
- 7.10.1. Not ring fenced.
 - 7.10.2. Supports programme evaluation and reporting.
 - 7.10.3. The Authority will only approve one claim per Beneficiary; and
 - 7.10.4. No further funding will be paid by the Authority to the Recipient under Schedule1, Part 7 of this funding instruction

Funding and Claims Process

- 7.11. The Recipient may claim funding from the point at which the Beneficiary moves into settled accommodation.

Flexible Housing Funding available in 2023/24	
Beneficiary – resident in bridging accommodation at 1/4/2023	£7,100 per Beneficiary

- 7.12. The Recipient must make a claim on the specific “FLEXIBLE HOUSING FUND” Annex A to receive this single payment.
- 7.13. Guidance on how the Annex A should be included is included on the “Guidance Tab”.
- 7.14. Claims must be supported with evidence that the Beneficiary has been placed into settled accommodation, this may be in the form of a signed copy of the tenancy agreement or similar documentation.

- 7.15. Both the completed Annex A and the supporting information must be submitted using MOVEIT.
- 7.16. In submitting a claim under this Funding Instruction, the Recipient is confirming they have to the best of its knowledge and belief, submitted true and accurate information.

Monitoring and Evaluation

- 7.17. The Authority will require the Recipient to provide information regarding the use of this funding for monitoring and evaluation purposes to determine how it has been used to support Beneficiaries into settled housing.
- 7.18. Proof of spend is not required for funding to be released, only confirmation that the Beneficiary is confirmed as moving into settled accommodation to allow local authorities to access the funding as soon as possible.

ANNEX A – EXPENDITURE CLAIM PRO-FORMA

The following Annex A Excel spreadsheets, Additional Housing Support Costs claim form and Exceptional Costs claim form will be provided separately by the Afghan Schemes Payments Team.

- ACRS/ARAP Annex A – Year 1 initial claim
- ACRS/ARAP Annex A – Year 1 subsequent claims
- ACRS/ARAP Annex A – Year 2 claims
- Flexible Housing Funding – Annex A 2023/24
- ACRS/ARAP Exceptional Costs claim form – 2023/24

ANNEX B – UNHCR RESETTLEMENT SUBMISSION CATEGORIES

The Authority is responsible for identifying suitable Refugees for resettlement to the UK under the UK Resettlement Scheme in liaison with the United Nations High Commission for Refugees (UNHCR) based upon the following seven resettlement submission categories¹³:

- Legal and or Physical Protection Needs
- Survivors of Torture and/or Violence
- Medical Needs
- Women and Girls at Risk
- Family Reunification
- Children and Adolescents at Risk*
- Lack of Foreseeable Alternative Durable Solutions

*UNHCR's Categories of Children and Adolescents at Risk

- **Unaccompanied children (UAC):** are those children who have been separated from both parents and other relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so.
- **Separated children (SC):** are those separated from both parents, or from their previous legal or customary primary care-giver, but not necessarily from other relatives. These may, therefore, include children accompanied by other adult family members.
- **Children without legal documentation:** This would include children without legal documentation to prove their legal identity, and who may be particularly vulnerable and considered for resettlement, including:
 1. children aged 0-4 years who lack evidence of their birth (no birth certificate, no birth notification passport or family booklet), and where one parent is not present (in particular, where the parent who has the right to pass nationality is not present), or
 2. children aged 12-17 who lack documentation to prove their age and who face other protection risks (child labour, child marriage, child recruitment, children detained or in conflict with the law) who are at particular risk because they lack proof of their status as children and are therefore unable to prove their right to age-specific child protections under the law.
- **Children with specific medical needs:** Child with serious medical condition is a person below the age of 18 that requires assistance, in terms of treatment or provision of nutritional and non-food items, in the country of asylum.
- **Children with disabilities:** A child with disability is a person below the age of 18 who has physical, mental, intellectual, or sensory impairments from birth, or

¹³ As defined in the UNHCR's Resettlement Handbook (<http://www.unhcr.org/46f7c0ee2.pdf>)

resulting from illness, infection, injury, or trauma. These may hinder full and effective participation in society on an equal basis with others.

- **Child carers:** The Child Carer category includes a person below the age of 18, who is not an unaccompanied child and who has assumed responsibility as head of household. This could include, for example, a child who still lives with his/her parents, but has taken on the role of caring for them (and possible siblings) due to the fact that the parents are ill, disabled, etc.
- **Children at risk of harmful traditional practices, including child marriage and female genital mutilation:** Person below the age of 18 years of age who is at risk of, or is a victim/ survivor of a harmful traditional practice. Every social grouping has specific traditional practices and beliefs, some of which are beneficial to all members while others are harmful to a specific group, such as women. Such harmful traditional practices include for instance, female genital mutilation, early marriage, dowry price, widow inheritance, female force feeding, witch hunting, female infanticide, son preference and its implications for the girl child. Depending on the circumstances, certain forms of male circumcision, scarring or tattooing fall also under this category.
- **Child labour:** Includes children engaged in:
 - (i) the worst forms of child labour: Person below the age of 18 who is engaged in the worst forms of child labour, which include all forms of slavery or practices similar slavery (such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict); the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances; the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties; work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children; and
 - (ii) other forms of child labour: Person below the age of 18 who is engaged in forms of child labour other than the worst forms, such as work that is likely to be hazardous or to interfere with his/her education, or to be harmful to his/her health or physical, mental, spiritual, moral, or social development. UNICEF defines child labour as work that exceeds a minimum number of hours, depending on the age of a child and on the type of work. Such work is considered harmful to the child: ages 5-11: at least one hour of economic labour or 28 hours of domestic labour per week; ages 12-14: at least 14 hours of economic labour or 28 hours of domestic labour per week; ages 15-17: at least 43 hours of economic or domestic work per week.
- **Children associated with armed forces or armed groups** are persons below the age of 18 who are or have been recruited into, or used by, an armed force or armed group in any capacity, including as fighter, cook, porter, messenger, spy, or for sexual purposes or forced marriage. It does not only refer to a child who is taking or has taken a direct part in hostilities.
- **Children in detention and/or in conflict with the law:** Person below the age of 18 who is, or has been, charged or convicted for an infringement of the law.

- ***Children at risk of refoulement¹⁴***: Person below the age of 18 who is at risk of being returned to the frontiers of territories where his/her life or freedom would be threatened, or where he/she is at risk of persecution for one of more grounds of the 1951 Refugee Convention, including interception, rejection at the frontier or indirect *refoulement*.
- ***Children at risk of not attending school***: Person below the age of 18 who is unable or unwilling to attend school or is at heightened risk of interruption or discontinuation of his/her education.
- ***Children survivors of (or at risk of) violence, abuse, or exploitation, including Sexual and Gender-Based Violence (SGBV)***: Person below 18 years of age, who is at risk of physical and/or psychological violence, abuse, neglect, or exploitation. The perpetrator may be any person, group, or institution, including both state and non-state actors.

¹⁴ Refoulement means the expulsion of persons who have the right to be recognised as refugees.

ANNEX C – DATA SHARING PROTOCOL (DSP)

1. AIMS AND OBJECTIVES OF THE DSP

- 1.1 The aim of this DSP is to provide a set of principles for information sharing.
- 1.2 This DSP sets out the rules that the Recipient must follow when handling information classified as “personal data” by UK Data Protection Legislation in force.

2. DATA PROTECTION LEGISLATION

- 2.1 The UK Data Protection Legislation stipulates specific obligations upon all individuals who process personal data which must be adhered to. The UK Data Protection Legislation requires that all transfers of information fall within its six data protection principles. The Recipient, when processing personal data in connection with the Instruction, must comply with these principles of good practice.
- 2.2 Personal data must be processed in accordance with the following six data protection principles:
 - i. **Lawfulness:** processed lawfully, fairly and in a transparent manner in relation to individuals.
 - ii. **Fairness and Transparency:** collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes.
 - iii. **Purpose limitation:** adequate, relevant, and limited to what is necessary in relation to the purposes for which they are processed.
 - iv. **Accuracy:** accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased, or rectified without delay.
 - v. **Storage limitation:** kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the UK GDPR in order to safeguard the rights and freedoms of individuals; and,
 - vi. **Integrity and confidentiality (Security):** processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction, or damage, using appropriate technical or organisational measures.

3. SECURITY

3.1 The Recipient and its Staff shall exercise care in the use of information that they acquire during their official role, and to protect information which is held by them in accordance with the UK Data Protection Legislation. Such measures include:

- not discussing information about a Beneficiary in public; and
- not disclosing information to parties who are not authorised to have access to the shared information.

3.2 In addition to the above, the Recipient must ensure that:

- personal data received is processed solely for the purposes of discharging their obligations for supporting the Beneficiary under this Instruction,
- all personal data received is stored securely,
- only people who have a genuine need to see the data will have access to it,
- information is only retained while there is a need to keep it, and destroyed in line with government guidelines,
- all reasonable efforts have been taken to warrant that the Recipient does not commit a personal data breach,
- any information losses, wrongful disclosures or personal data breaches originating from the Authority are reported to the Authority's Security team at HOSecurity-DataIncidents@homeoffice.gov.uk,
- they follow any information as provided by the Authority's Security Team and Data Protection Officer, who will provide direction on the appropriate steps to take e.g., notification of the Information Commissioner's Office (ICO) or dissemination of any information to the Beneficiary.
- The responsibility to notify the Authority is not withstanding the internal policies SMPs, and local authorities will have regarding reporting data breaches to the ICO in their role as data controller in accordance with Clause 5 of this funding instruction.

3.3 Security breaches and incidents can result in government information being made available to those not authorised to have it or violate confidentiality. In the worst cases, a security incident or breach can jeopardise national security or endanger the safety of the public.

3.4 The Authority will make available further information as to what constitutes a personal data breach upon request.

3.5 As public sector bodies the Authority and the Recipient are required to process personal data in line with His Majesty's Government Security Policy Framework ([Security policy framework: protecting government assets - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/policies/security-policy-framework-protecting-government-assets)) guidance issued by the Cabinet Office when handling, transferring, storing, accessing, or destroying information assets.

4. SUBJECT ACCESS REQUESTS

- 4.1 The Authority and the Recipient will answer any subject access or other requests made under the UK Data Protection Legislation that it receives for the data where it is the Controller for that data. In cases where such a request is received, both the Authority and the Recipient shall:
- consult the other before deciding whether or not to disclose the information;
 - allow the other a period of at least five (5) working days to respond to that consultation;
 - not disclose any personal data that would breach the principles of the UK Data Protection Legislation; and,
 - give proper consideration to any arguments from the other as to why data should not be disclosed, and where possible reach agreement before any disclosure is made.

5. DATA TO BE SHARED

- 5.1 The Authority will share a variety of documents with the Recipient providing information on the Beneficiary/s. The type of data will be dependent on how and under which route the Beneficiary arrived in the UK, and may include:
- 5.1.1 Family Questionnaire (where available)
 - 5.1.2. Temporary bridging hotel individual survey
- 5.2 The Authority will share with the Recipient the following documents for an ACRS Pathway 2 Refugee:
- 5.2.1 UNHCR Resettlement Registration Form (RRF)
 - 5.2.2 IOM Migration Health Assessment form (MHA)
 - 5.2.3 UNHCR Best Interest Assessments and Determinations
 - 5.2.4 IOM Pre departure Medical Screening Form (PDMS) and Pre-embarkation Certificate (PEC).
- 5.3 The above documents will contain the following personal information on a Refugee:

UNHCR Resettlement Registration Form (RRF)

- Biographic data for each Refugee including marital status, religion. Ethnic origin, contact details in host country;
- Education, skills, and employment summary;
- Known relatives of the principal applicant and spouse not included in the referral submission;
- Summary of the Basis of the Principal Applicant's Refugee Recognition¹⁵;
- Need for resettlement¹⁶;
- Specific needs assessment¹⁷;

¹⁵ Classed as special category data under UK Data Protection Legislation.

¹⁶ Classed as special category data under UK Data Protection Legislation.

¹⁷ Depending on the content, this could be classed a potentially special category data under UK Data Protection Legislation.

- The number of people within a family due to be resettled, age and gender or family members;
- The language spoken;
- Ability to communicate in English; and
- Any known specific cultural or social issues¹⁸.

MHA Form

- Consent from Refugee to conduct a medical examination;
- Consent from the Refugee to Medical Advisors to disclose any existing; medical conditions to the Authority necessary for the resettlement process¹⁹.

Best Interest Assessments and Determinations

- Information about any particular safeguarding circumstances and an assessment of the best interests of the individuals affected²⁰.

PDMS Form and PEC

- Biographic data for each refugee that requires this form;
- Medical information in relation to the Refugee including medical history, updates on treatments and medication, on-going care requirements.

6. STORAGE, RETENTION AND DESTRUCTION SCHEDULE

- 6.1 The Recipient will keep all personal information shared securely in accordance with the handling instructions associated with the information security classifications as well as its own data retention and destruction schedules.
- 6.2 Recipients will not retain the personal information for longer than is necessary for the purpose of resettlement activity as outlined in the funding instruction.
- 6.3 A regular review shall be conducted by the Recipient to assess the necessity of retaining the Beneficiary's personal data. Once the data is no longer relevant for those purposes it will be destroyed securely.

7. CENTRAL POINTS OF CONTACT FOR ISSUES, DISPUTES AND RESOLUTION

- 7.1 The Recipient shall provide the Authority with reasonable co-operation and assistance in relation to any complaint or request made in respect of any data shared under this data sharing arrangement, including providing the Authority with any other relevant information reasonably requested by the Authority.
- 7.2 Any operational issues or disputes that arise as a result of this DSP must be directed in the first instance to the Local Authority Engagement Team Strategic Regional leads.

¹⁸ Depending on the content, this could be classed a potentially special category data under UK Data Protection Legislation.

¹⁹ Classed as special category data under UK Data Protection Legislation.

²⁰ Depending on the content, this could be classed a potentially special category data under UK Data Protection Legislation.

8. STAFF RESPONSIBILITIES

- 8.1 Staff authorised to access a Beneficiary's personal data are personally responsible for the safekeeping of any information they obtain, handle, use and disclose.
- 8.2 Staff should know how to obtain, use and share information they legitimately need to do their job.
- 8.3 Staff have an obligation to request proof of identity or takes steps to validate the authorisation of another before disclosing any information requested under this DSP.
- 8.4 Staff should uphold the general principles of confidentiality, follow the guidelines set out in this DSP and seek advice when necessary.
- 8.5 Staff should be aware that any violation of privacy or breach of confidentiality is unlawful and a disciplinary matter that could lead to their dismissal. Criminal proceedings might also be brought against that individual.

9. FREEDOM OF INFORMATION REQUESTS

- 9.1 Both the Authority and the Recipient will answer any requests made under the Freedom of Information Act 2000 that it receives for information that it holds solely as a result of, or about, this data sharing arrangement. In such cases where such a request is received, both the Authority and the Recipient shall:
 - Consult the other before deciding whether or not to disclose the information.
 - Allow the other a period of at least five (5) working days to respond to that consultation; and
 - Not disclose any personal data that would breach the principles of the UK Data Protection legislation.

10. METHOD OF TRANSFER OF A BENEFICIARY'S PERSONAL DATA

- 10.1 The Authority will use a secure process, known as MOVEit, to transfer the data which allows internal and external users to share files securely and shall provide the interaction between the parties.
- 10.2 The Recipient shall be given access to MOVEit over a web-based browser. Once this arrangement is operative, the Recipient shall, to the extent from time to time specified by the Authority, be required to use MOVEit for the purpose of its interface with the Authority under this Memorandum.
- 10.3 A list of authorised Staff should be available for inspection if requested by the Authority.

11. RESTRICTIONS ON USE OF THE SHARED INFORMATION

- 11.1 All information on a Beneficiary that has been shared by the Authority must only be used for the purposes defined in Section 3 of this DSP, unless obliged under statute or regulation or under the instructions of a court. Therefore, any further uses made of the personal data will not be lawful or covered by this DSP.
- 11.2 Restrictions may also apply to any further use of personal information, such as commercial sensitivity or prejudice to others caused by the information's release, and this should be considered when considering secondary use of personal information. In the event of any doubt arising, the matter shall be referred to the Authority whose decision – in all instances – shall be final.
- 11.3 A full record of any secondary disclosure(s) must be made if required by law or a court order on the Beneficiary's case file and must include the following information as a minimum:
- Date of disclosure;
 - Details of requesting organisation;
 - Reason for request;
 - What type(s) of data has been requested;
 - Details of authorising person;
 - Means of transfer (must be by secure); and
 - Justification of disclosure.
- 11.4 The restrictions on secondary disclosures as set out in paragraph 11.1 and 11.2 of this DSP apply equally to third party recipients based in the UK and third-party recipients based outside the UK such as international enforcement agencies.

12. AUDITS

- 12.1 The Recipient agrees that it may be audited at the request of the Authority to ensure that the personal data has been stored and/or deleted appropriately, and that they have conformed to the security protocols set out in this DSP.
- 12.2 The Authority confirms that no other information would be reviewed or audited for this purpose.

ANNEX D – PROPERTY ADAPTATIONS FOR BENEFICIARY(S)

1. 'In principle' approval would need to be sought from the Afghan Schemes' Payments Team in advance of any work being undertaken. Costs would be expected to be in line with average costs for each adaptation shown in the table below. The Schemes will also consider reasonable property adaptation reversal costs with approval sought from the Afghan Schemes Payments Team prior to any work.
2. Property adaptations for any Beneficiary who has mobility issues are divided into two categories:
 - a) minor adaptations which are included within the tariff rate, and
 - b) major adaptations which may be paid for from the Exceptional Cases fund.

Minor adaptations

3. These are works that do not need any structural changes to the property including:
 - grab rails
 - stair rails
 - lever taps
 - level access thresholds
 - half steps to doors
 - flashing/vibrating doorbells/smoke alarms, and
 - over bath showers.

These would be paid for from the standard tariff for each Beneficiary.

Major adaptations

4. These are works that do need structural changes to the property and can include:

Adaptation	Estimated average cost (£GBP)
Level access shower facilities	£3,500
Stairlifts	£1,500 (Straight) – £5,000 (Corners)
Ramps	£500 to £1,000
Changing the height of kitchen work surfaces	£2,000
Adapting the home for wheelchair use such as widening doorways	£600 - £800 per door
Ground floor bathroom/bedroom facilities	£2,000 to £3,000

These may be funded by the exceptional cases fund following an assessment by an occupational therapist or similarly qualified person. The maximum that can be spent on any property is £30,000 and should not include extensions.

If a grant is made available for adapting a Social or Private Rented property the landlord is required to make the property available for letting by the tenant for a period of five (5) years upon completion of the work, in line with the Disabled Facility Grant arrangements.

ANNEX E – VOID COSTS FOR *FOUR BEDROOM PROPERTIES

1. Local authorities are already able to use the Year One tariff (see Schedule 1, Part 1) to pay for a period of void costs. To reflect this, fifty-six (56) Days void costs ('voids') are already built into the tariff to enable Recipients to secure properties before Beneficiary families arrive.
2. The Authority understands the supply challenges associated with securing *four (4) or more bedroom properties. To support Recipients and Community Sponsors to secure these properties when they become available, the Authority has agreed to fund an additional twenty-eight (28) Days voids as an Exceptional Cost outside of the tariff. This will bring the total period of voids covered up to eighty-four (84) Days.

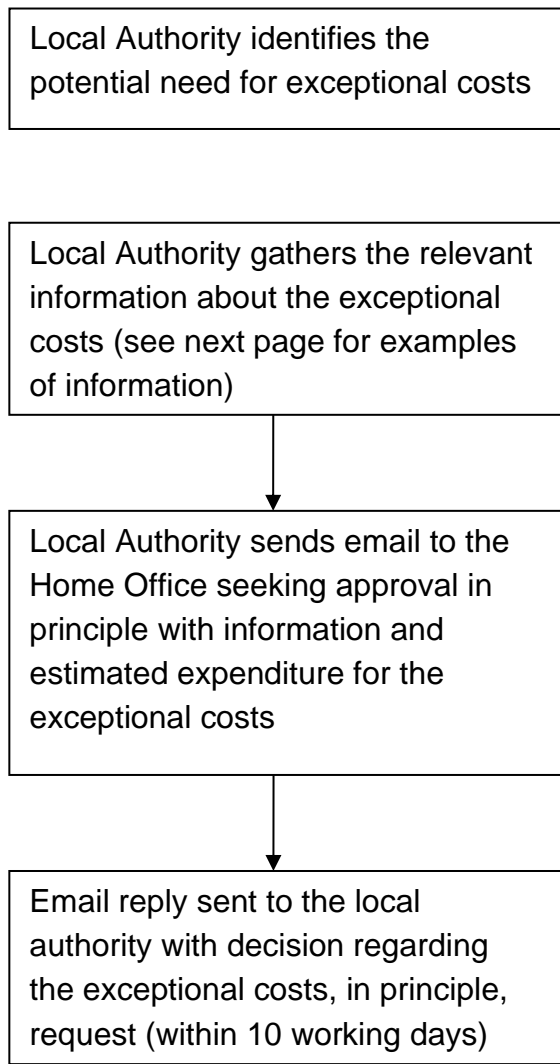
Criteria

3. Recipients are able to submit an Exceptional Costs claim to pay for up to an additional twenty-eight (28) Days voids for four (4) or more bedroom properties only.
4. All claims must be accompanied by evidence demonstrating excess voids were incurred over and above the tariff fifty-six (56) Days, up to a maximum of an additional twenty-eight (28) Days.
5. The Authority will also consider other voids in exceptional circumstances, such as non-arrival of a family after the property has been secured.
6. Recipients are asked to contact their regional contact officer to discuss if they believe exceptional circumstances apply.

ANNEX F – GUIDE TO CLAIMING EXCEPTIONAL COSTS

1. In most circumstances 'In principle' approval would need to be sought from the Resettlement LA Payments Team in advance of any work being undertaken. Where there is an urgency, please contact the Resettlement LA Payment Team lead.

Approval in principle



Delays may occur when the Home Office receives insufficient information to decide in principle.

Examples of supporting information

Property adaptations

- Information about the need for the adaptations e.g. OT assessment, other medical information.
- Estimate of cost of each adaptation – at least two estimates should be supplied, to demonstrate that the best value for money has been achieved.

Void costs

- Remember the tariff includes funding to cover the first 56 days for property rental.
- Reason for claiming additional void costs.
- Evidence of expenditure e.g. rent invoices.
- Evidence of the date that the property was acquired for resettlement.

SEND costs

- Information about the specific client needs, supported by Education, Care and Health Assessment (ECHA), Special Educational Needs Co-ordinator (SENCO) report or similar. Include details of what is being requested.
- Cost of dedicated teaching support.
- Advertisement for the teaching support.
- Details and estimated costs of any specialist equipment, providing estimates to show best value for money.

Social Care costs

- OT and medical assessments.
- Details and estimated costs of specialist care.
- Details and estimated costs of any specialist equipment, providing estimates to show best value for money.

Processing an exceptional cost claim

- Once expenditure has occurred, Local Authority may submit claim for pre-approved exceptional costs.

- Local Authority completes “Exceptional Costs” claim form.
- Claim submitted with the all the evidence of expenditure, either by email to ResettlementLAPaymentsTeam@homeoffice.gov.uk (if no personal information); or via MOVEit SRP Annex A account.

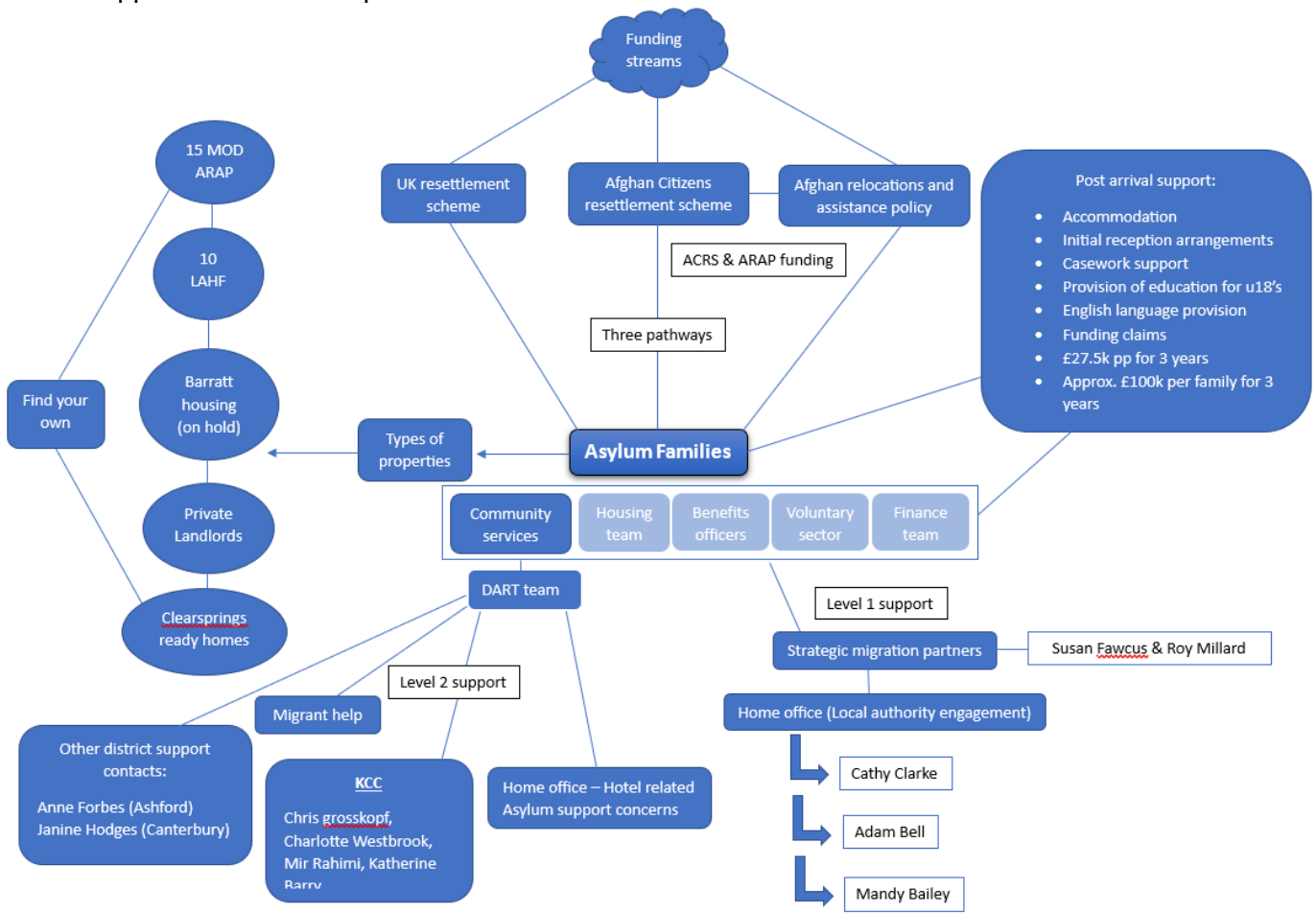
- Afghan Scheme Payments team checks all the information submitted by the Local Authority.
- If claim is complete, it will be approved for payment within 10 working days.

- Payment Advice sent to Local Authority

ANNEX G – RECORD OF CHANGES TO THESE FUNDING INSTRUCTIONS (TO PREVIOUS PUBLISHED VERSION)

Page/paragraph number	Details of change
Clause 1.5, page 5	Definition added: Branding Manual
Clause 1.40, page 8	Definition added: Social Value
Clause 13, pages 21	Added: Intellectual Property Rights and Branding
Clause 14, page 21-22	Added: Social Value Requirements
Schedule 1, Part 1, 1.8, page 24	Added under Find Your Own Accommodation; The Recipient should engage with the bridging local authority (where applicable) to confirm what type of support will need to be provided to the Beneficiary. Local authorities should endeavour to follow the principles in the Find Your Own Accommodation Working Protocol circulated on 26 April 2023.
Schedule 1, Part 1, 1.48, page 29	Added: In submitting a claim under this Funding Instruction, the Recipient is confirming they have to the best of its knowledge and belief, submitted true and accurate information.
Schedule 1, Part 2, 2.11, page 31	Added: In submitting a claim under this Funding Instruction, the Recipient is confirming they have to the best of its knowledge and belief, submitted true and accurate information.
Schedule 1, Part 4, 4.13, page 35	Added: In submitting a claim under this Funding Instruction, the Recipient is confirming they have to the best of its knowledge and belief, submitted true and accurate information.
Schedule 1, Part 7, 7.1-18, page 39-41	Added: Part 7 Covering Support Into Settled Accommodation: Statement Of Outcomes For Flexible Housing Funding

Appendix 2: Mind Map



JOB PROFILE

IDENTIFYING FACTS

Post Title: Asylum Refugee Resettlement Officer
Department: Community Services
Responsible to: Asylum Refugee Resettlement Team Leader

JOB PURPOSE

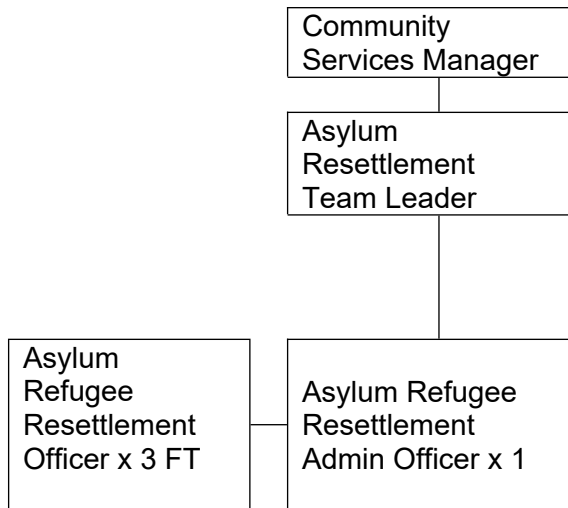
- To work in partnership with local communities, stakeholders and with statutory agencies to deliver a person-centred approach to a resettlement programme within the Dover District. Provide advice to Asylum refugees being resettled in the Dover District. This includes information, advice, advocacy, and guidance where necessary for Asylum refugees and involves dealing with a range of issues, including welfare benefits, housing, health and wellbeing services, education, English language provision and employment. Enabling them to live independently and successfully integrate into our community and our community into theirs.
- To participate in the delivery of group briefings to refugee families and the organisation of activities where required.
- The job entails working with a range of partners and stakeholders (including in the statutory and voluntary sector and key government departments) to ensure the relevant services are available, and if not, signpost and promote independence for the Asylum refugees to use the resources they have available to them. Whilst ensuring the expectations of what is available to them is made clear and the process of how things work is fully explained.
- To support all Asylum families to look at what's next; to include but not limited to, accommodation, work and families.

RESPONSIBILITIES

- Manage a caseload assessing ongoing need and provide information, advice, advocacy, and guidance that will assist individuals and families to access the services and support that they require.
- Liaise and work with partners to ensure key services and support are available, signposting and helping to develop bespoke solutions where necessary. This will involve working collaboratively with partners to consider options for meetings various needs whilst working within the relevant legal frameworks.
- Liaise with the relevant KCC (Kent County Council) departments, district housing authorities, local NHS (National Health Service), local Police, and other local services in order both to keep up to date with relevant policies and procedures and to update these partners on developments as required.

- Advise and signpost regarding resettlement options for long term accommodation and work with Local Authority housing departments to ensure the prevention of homelessness and or prevent the need for temporary accommodation. Working with housing to secure deposits and rent for private rented accommodation and apply for necessary move on funding for items needed for new accommodation.
- Coordinate appropriate additional support from charities and volunteers to ensure that there is a targeted approach to the provision of services.
- Provide advice that is fully understood (using interpreters where needed), culturally sensitive, empathetic and complies with the need for confidentiality, data protection and the maintenance of personal boundaries.
- Ensure accurate and up to date records on all individuals and issues worked on and actions taken are recorded and maintained. Produce reports on this work as required to support the team leader in submitting funding applications.
- Alerting any safeguarding issues as soon as possible and raising the concern with the designated safeguarding lead.
- Carrying out in person visits whilst adhering to lone working policy.

STRUCTURE



PERSON SPECIFICATION

Area	Definition
<p>Technical Professional Experience</p>	<ul style="list-style-type: none"> • Experience in community engagement, stakeholder management, or external communication. • The required experience can either be in a paid or voluntary capacity. • Working with refugees or other vulnerable groups. • Solving complex problems faced by families and individuals, building on their strengths and capabilities. • Providing advice, information, and guidance on a range of issues, for example benefits, housing, health services, education, and employment. • Working with a variety of people from diverse cultures and backgrounds and dealing with a range of organisations in the statutory and voluntary sector. • Experience of using Microsoft teams, excel and other programs proficiently.
<p>Knowledge</p>	<ul style="list-style-type: none"> • A working knowledge of best practice in community engagement. A good understanding of the social and economic issues affecting communities across the Dover District. Knowledge of local government policies and people/project management skills • An understanding of safeguarding issues and the system for dealing with these in Dover District Council and Kent County Council. • Good understanding of the systems of support for families and individuals on low incomes and/or vulnerable due to their refugee experience, health, and disability issues. This should include: <ul style="list-style-type: none"> The UK benefits system, especially Universal Credit, other means-tested support, and non-means-tested benefits such as PIP and DLA. The support available via the NHS, adult social care, children’s services, and mental health services. • Basic knowledge of the schemes for assisting refugees through resettlement schemes. • An understanding of the UK education system and the key issues regarding employment for refugees (e.g. impact on benefits).

	<ul style="list-style-type: none"> • A good awareness of the issues and challenges faced by people relocating to the UK, particularly under traumatic circumstances. • Ideally, good knowledge of the district they wish to work in.
Qualifications/Skills and Abilities	<ul style="list-style-type: none"> • Car driver with current driving licence or be willing to use other forms of transport to travel across the district • Educated to GCSE level at Grade C or above in 5 subjects, including Maths and English. • Effective communication skills (both written and verbal) and proficient in the main IT systems. • Effective negotiating skills with a wide range of individuals and partners. • Assessment skills. • The ability to empathise with the experiences of people fleeing difficult and traumatic situations and develop appropriate solutions to meet their needs. • Well organised, flexible and the ability to work under pressure and on own initiative. • Qualified to A level standard (desirable) • Relevant technical or subject specific qualification (desirable)

Communication

- Listens to and appreciates the views of others, with the ability to make sound decisions
- Is approachable and seeks to engage people in discussion
- Innovative, and looks for creative solutions
- Communicates information clearly (verbal and written)
- Acts as an ambassador and champion

Managing/Accepting Change

- Participates in planning the implementation of change initiatives in the team
- Suggests potential improvements in work practices
- Reacts positively and flexibly to change
- Explains reasons for change to internal and external customers

Teamwork and Recognition

- Is focused on the achievement of team objectives
- Respects different views, values and opinions
- Participates as a team player and looks at projects holistically rather than in a silo
- Solicits input from other team members and recognises the value of technical expertise
- Takes action to build team spirit and effectiveness

Continuous Improvement

- Takes an active interest in the organisation to better inform decisions

- Actively keeps themselves up-to-date of relevant changes within the organisation
- Deals well with unpredictable problems
- Demonstrate a willingness to take on issues that do not fall within their remit
- Pro-actively provide information to other departments that affects them
- Develops relationships throughout the organisation to improve and share learning

Customer Focus

- Communicates a positive and genuine interest in their role and the organisation in their interactions with others
- Treats customers with respect and sensitivity at all times
- Understands the diverse needs of the community and endeavours to tailor the services to meet those needs
- Deliver what is promised and be accountable
- Ability to flex style to meet customer requirements

Subject:	HACKNEY CARRIAGE NUMBERS – UNMET DEMAND SURVEY
Meeting and Date:	Cabinet – 5 June 2023
Report of:	Louise May, Strategic Director (Corporate and Regulatory)
Portfolio Holder:	Councillor Jamie Pout, Portfolio Holder for Transport, Licensing and Regulatory Services
Decision Type:	Key Decision
Classification:	Unrestricted

Purpose of the report:	To consider the report of LVSA (Licensed Vehicle Surveys & Assessment) in respect of the Unmet Demand Survey.
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Recommendation:	That Cabinet resolves to issue an additional 5 Hackney Carriage Licences to wheelchair-accessible vehicles.
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1. Summary

- 1.1 In accordance with the provisions of the Town & Police Clauses Act 1847, as amended by the Transport Act 1985, Dover District Council currently limits the number of Hackney Carriage licences to 69.
- 1.2 Limitation of Hackney Carriage numbers is only permitted where the Licensing Authority is satisfied that there is no significant unmet demand in its area.
- 1.3 The Department of Transport published guidance in 2010 which advises that licensing authorities may continue to choose to limit the number of Hackney Carriage licences, provided that, in order to justify the imposition of quantity restrictions, they conduct an unmet demand survey at least every three years to assess any significant unmet demand.
- 1.4 That survey has now been carried out which identifies an unmet demand in the Dover District. A decision is now required in respect of the limit number.

2 Introduction and Background

- 1.5 Hackney Carriages are permitted to ‘ply for hire’ as well as taking bookings. As such they can be ‘flagged down’ by customers and may also use the Hackney Carriage ranks in the district. Private Hire vehicles must be pre-booked and are not permitted to ply for hire, or to wait at hackney carriage ranks for fares.
- 1.6 Under the Town Police Clauses Act 1847, a licensing authority had an unfettered discretion to limit the number of Hackney Carriage licences as it thought fit. It was a power, which was widely used by many authorities, to restrict the numbers of Hackney Carriages for the purpose of exercising control and supervision over them. Under the Transport Act 1985, the position in law changed and the 1847 Act, as now amended by Section 16, provides as follows:

“the grant of a licence may be refused for purposes of limiting the number of hackney carriages..., if but only if, the person authorised to grant a licence is

satisfied that there is no significant demand for the services of hackney carriages... which is unmet”.

- 2.3 Related Public Health legislation also provides a procedure whereby unsuccessful applicants for Hackney Carriage licences may appeal directly to the Crown Court. The Authority would then need to demonstrate that it is satisfied that no significant unmet demand exists. If the Authority fails to meet this requirement, the appeal against the refusal to issue a licence will be successful.
- 2.4 Prior to the recent survey carried out in 2022, Dover District Council last commissioned an unmet demand survey in 2017. The next survey was due to be carried out in 2020, but had to be delayed due to the impact the coronavirus pandemic was having on the local economy at the time, as this would not have been a fair or accurate assessment of the demand.
- 2.5 The Council has engaged consultants to carry out an unmet demand survey in order to ascertain if the Hackney Carriage provision within the District is sufficient. The survey has now been completed and a copy of it can be seen at **Appendix A**. The conclusion of the report shows that there is a significant unmet demand for Hackney Carriages in the district.

Survey

- 2.6 Data was collected through consultation with key stakeholders, the trade and members of the public. In addition, observations of activity at taxi ranks were undertaken to record volumes of Hackney Carriages and passengers using each rank and whether any passengers had to wait for Hackney Carriages to arrive at the ranks. Of the 733 passengers observed boarding Hackney Carriages during the period, 248 passengers had to wait at the rank for a Hackney Carriage to arrive. When the last survey was carried out in 2017, 1,779 passengers were observed and only 69 passengers had to wait at the rank for a Hackney Carriage to arrive.
- 2.7 The report says that with regard to vehicle condition, availability, driver professionalism, knowledge and appearance, public and stakeholder perception of the Hackney Carriage fleet was favourable. However, there was evident discontent amongst public and stakeholder respondents with the level of availability of licensed vehicles in general.
- 2.8 In addition to the limited availability of licensed vehicles perceived by stakeholders and the public, a particular issue was identified regarding the availability of wheelchair-accessible licensed vehicles. The number of wheelchair accessible Hackney Carriages and wheelchair accessible Private Hire vehicles licensed by Dover District Council has declined in recent years. In 2013, there were 26 wheelchair-accessible licensed vehicles, and by 2022 the number of wheelchair-accessible vehicles had dropped to 8, of which only 2 are Hackney Carriages.
- 2.9 The number of licensed vehicle drivers has dropped since pre-Covid times. Also, the number of Private Hire vehicles licensed in Dover District has dropped since pre-Covid times. As demand for licensed vehicles has recovered from the impact of Covid-19 mitigation measures, the level of supply has not kept pace. Consequently, the number of rank hires observed has dropped significantly and the level of latent demand is indicative of people who would like to hire Hackney Carriages from ranks but cannot because not enough are available.

- 2.10 In order to reduce the level of unmet demand, additional licensed vehicle capacity would need to become available. The report states (page 5 of 65): *Hackney carriages and private hire vehicles are operated as independent businesses and the Council cannot exert direct influence on where and when licensed vehicles are operated. The Council can control the maximum fares tariff for hackney carriages and the number of hackney carriages licensed. Therefore changes to the limit on the number of hackney carriages licensed and/or the taxi fares tariff could be considered, if it was felt that such measures could increase the level of availability of licensed vehicles.*
- 2.11 It should be noted that the Hackney Carriage tariff at Dover District Council was increased in 2022, and prior to that there was another increase in 2021. The national average 2-mile Hackney Carriage fare at tariff one is £7.04. The average 2-mile Hackney Carriage fare at tariff one in the Dover District is £7.10.
- 2.12 It is necessary for Cabinet to determine whether to delimit the number of Hackney Carriage licences issued by this authority or to retain a limit on numbers. If the latter is determined the Authority may retain the current limit on numbers or may set a new limit based on the evidence contained within the survey report.
- 2.13 The report carried out by LVSA suggests that in order to ensure that there is no unmet demand within the Dover District, the number of Hackney Carriages would need to be increased by 5 (Page 7 of 65 of the report, paragraph 4).

3. Considerations

Delimitation

- 3.1 One of the difficulties associated with delimitation is that there are a limited number of ranks available for use in the district, currently just 23 spaces are provided for a total of 69 Hackney Carriages. Dover Town is in a slightly better position than most areas of the district given the additional, concessionary ranks provided at Dover Priory Station, the Eastern Docks, and the Western Docks Cruise Terminal. Any delimitation of Hackney Carriage vehicle licences would undoubtedly result in an exponential increase in Hackney Carriage licence applications resulting in an unsustainable demand for rank space.
- 3.2 In most places where quantity restrictions are imposed, vehicle licences command a premium, often in tens of thousands of pounds; this is the case in the Dover District. This indicates that there are people who want to enter the Hackney Carriage market and provide a service to the public, but who are being prevented from doing so by the quantity restrictions. There was a waiting list held by Dover District Council for those who were interested in obtaining a Hackney Carriage licence but it was too long and as there was no movement on it, the list was abolished some years ago, as Hackney Carriage plates that are no longer required are sold with the car and transferred to a new owner. There is no provision within the legislation to prevent the transfer of licences in this way. We are told that licences have transferred for up to £30k. The council/tax-payer does not receive any of this money other than the 'cost recovery' fee to administer the transfer. Removing the limit on the number of licences we issue would remove the inflated 'market value', but it would also have significant consequences for anyone who has 'invested' in a licence. They would almost certainly lose the value of their investment immediately. That said, loss of investment is not a reason for withholding more licences. The only legal reason to refuse a Hackney Carriage vehicle licence is because there is no significant demand which is unmet.

- 3.3 Delimitation would, however, benefit Private Hire Vehicle drivers as they could apply for a Hackney Carriage Licence which would enable them to ply for hire and wait on the ranks, potentially increasing their business. It could also be argued that delimitation would have a positive effect on the service provided to the public, as people would potentially be able to ‘flag down’ an increased number of Hackney Carriage vehicles in the district.

Wheelchair-Accessible Licensed Vehicles

- 3.4 The lack of wheelchair-accessible licensed vehicles is a significant problem for wheelchair bound residents of the District. Perceived cuts to bus services and hospital transport services, coupled with the reduced number of wheelchair-accessible vehicles available, has increased problems experienced with travel. The issue has been further exacerbated since Covid, with the general reduction in licensed vehicles capacity, associated with reduced driver numbers.
- 3.5 There are currently only 2 wheelchair accessible Hackney Carriage vehicles within the Dover District. There are a further 6 more such vehicles licensed as Private Hire vehicles. If additional Hackney Carriage licences are issued, it would be appropriate to stipulate that these must be wheelchair-accessible vehicles and that they must remain so if the vehicle is transferred in the future.

Legislation and Framework

- 3.6 The licensing of Hackney Carriages, as opposed to Private Hire vehicles, falls within the provisions of the Town Police Clauses Act 1847 as amended. Section 37 of this act states:

“ A local authority may from time to time licence to ply for hire within the prescribed distance, or if no distance is prescribed within five miles from the General Post Office of the city town or place to which the special act refers (which in that case shall be deemed the prescribed distance,) hackney coaches or carriages of any kind or description adapted to the carriage of persons”

Section 171, Public Health Act 1875 amended the legislation to align the “prescribed distance” with the local authority administrative area

Section 16, Transport Act 1985 provides that a local authority may only limit the numbers of hackney carriages if they are satisfied that there is “no significant unmet demand”

The situation was further clarified following the judgement in R (on application of Maud) v Castle Point Borough Council, 2002 where it was held:

- a) Before a local authority can refuse an application for a vehicle licence in order to limit the number of licensed taxis, they must be satisfied there is no significant demand for the services of taxis, within the area to which the licence would apply, which is unmet,
- b) If the local authority are thus satisfied, a discretion, as opposed to an obligation, arises to refuse the grant of a licence; but
- c) If the local authority is not so satisfied, they cannot refuse to grant a licence for the purpose of limiting the number of licensed hackney carriages and are thus obliged to grant it.

- 3.7 Cabinet will no doubt be aware that some previous decisions in relation to limit of Hackney Carriages had been made by full Council. Since this time, there has been a very significant decision in the Court of Appeal in relation to the discharge of local authority functions. In the case of *R. (on the application of 007 Stratford Taxis Ltd) –v- Stratford on Avon DC [2011] EWCA Civ.160* the Court adopted a very restrictive view of the interpretation of the Local Authorities (Functions & Responsibilities) (England) Regulations 2000. The effect of this decision is that some decisions which had previously been widely regarded as being decisions to the ‘council side’ of the authority must now be discharged by the executive – even though they appear to underpin regulatory functions.

4 Identification of Options

- 4.1 To consider the unmet demand report prepared by LVSA, and agree an increase in the number of Hackney Carriage Vehicle Licences by five (5), with a requirement that any additional Hackney Carriage plates must be issued to wheelchair-accessible vehicles, and that any subsequent transfers must be to wheelchair-accessible vehicles only. **This is the preferred option.**
- 4.2 To consider the unmet demand report prepared by LVSA and agree an alternative increase in the number of Hackney Carriage Vehicle Licences.
- 4.3 To consider the unmet demand report prepared by LVSA and agree to **remove** the existing limit on Hackney Carriage Vehicle Licences. This option would require a further period of consultation with the trade.
- 4.4 To consider the unmet demand report prepared by LVSA and agree to retain the current limit on Hackney Carriage Vehicle Licences.

5 Evaluation of Options

- 5.1 The option at 4.1 is the preferred option. There is a shortage of wheelchair-accessible vehicles in general across the Dover District, and increasing the number of Hackney Carriage Vehicle Licences with a stipulation that these must be wheelchair-accessible vehicles will help to alleviate the problem. A decision which goes against the recommendations of the report of the results could lead to a Judicial Review from the Taxi trade.
- 5.2 If the decision is taken to issue more Hackney Carriage licences within the Dover District, it is very likely that more than 5 applications will be made and therefore it may be necessary to allocate the available licences by ballot to those applicants meeting the Council’s application criteria. The Council wishes to avoid any discrimination in favour of, or against, any group. Because of the limited number of licences available, the Council will not consider multiple applications by an individual or applications made on behalf of third parties. A public ballot for new licences would then be held in the Council Chamber, with an additional 5 applicants put onto a reserve list should any of the first 5 applicants determined be unable to meet the criteria for the grant of a licence or withdraw for any reason. Applicants will be advised that they must not proceed with acquiring a vehicle until the process is completed.
- 5.3 Consideration has been given to alternative options to the ballot, in particular as a way to encourage more electric vehicles onto the fleet, to drive forward the Council’s climate change agenda. An alternative option of a scoring system was considered but it is felt that this could preclude those who are unable to afford electric wheelchair-accessible vehicles. This will be reviewed as the electric charging infrastructure develops across the district and the cost of electric vehicles comes down.
- 5.4 The remaining options at 4.2 – 4.4 are not recommended for the reasons set out earlier in this report.

6 **Resource Implications**

- 6.1 There are no resource implications. The cost of the survey is met by the Hackney Carriage trade over a 3-year period as part of the Hackney Carriage licence fee.

7 **Corporate Implications**

- 7.1 Comment from the Section 151 Officer: 'Accountancy has been consulted on the report and have no further comments to add. (MR)'
- 7.2 Comment from the Solicitor to the Council: The Principal Lawyer – Litigation and Regulatory has been consulted during the preparation of this report and has no further comment to make.
- 7.3 Comment from the Equalities Officer: 'This report of the Licensed Vehicle Surveys & Assessment in respect of the Unmet Demand Survey highlights the lack of wheelchair accessible vehicles in the Dover district. It proposes an increase in Hackney Carriage Vehicle Licences with the stipulation that these must be wheelchair accessible vehicles to help mitigate the negative impact for those with a protected characteristic. In discharging their duties members are required to comply with the public sector equality duty as set out in Section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15/section/149>'

8. **Appendices**

Appendix A – Copy of the LVSA Unmet Demand Survey dated April 2023

9. **Background Papers**

The Office of Fair Trading Report 2003
Department of Transport Best Practice Guidance 2010

Contact Officer: Rebecca Pordage, Licensing Manager, ext 42279



Hackney Carriage Unmet Demand Survey

Dover
April 2023



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Executive Summary

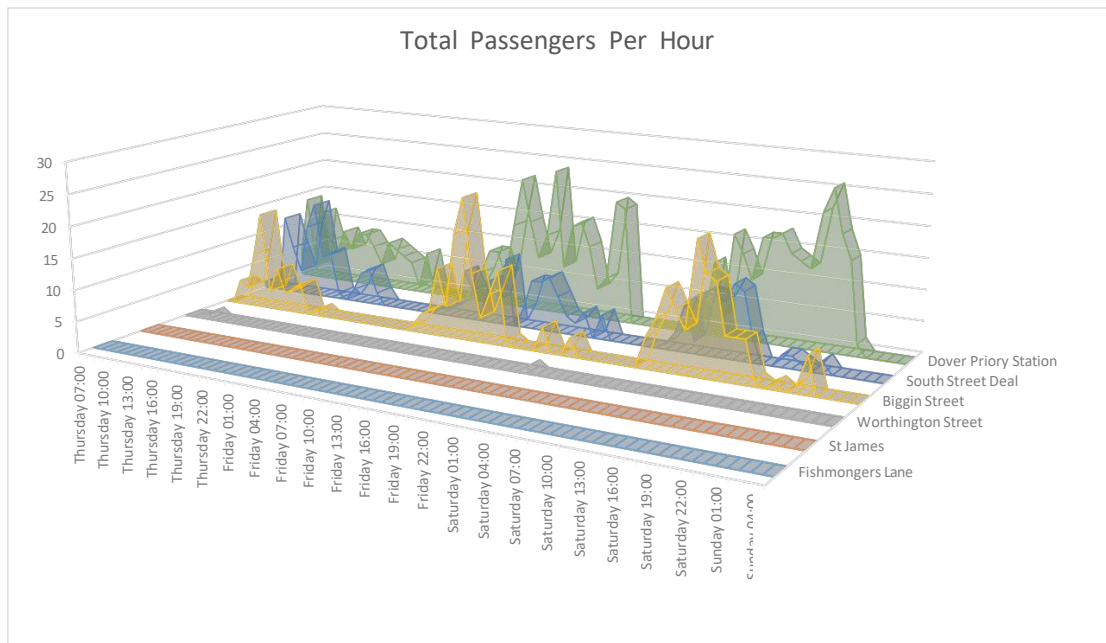
This Hackney Carriage Unmet Demand Survey has been undertaken on behalf of Dover Council, following the guidance of the April 2010 DfT Best Practice Guidance document, and all relevant case history in regard to unmet demand.

The council maintains a limit regarding the number of hackney carriages which may be licensed. The current limit is set at 69 vehicles.

Data has been collected through consultation with key stakeholders, the trade and members of the public. In addition, observations of activity at taxi ranks were undertaken to record volumes of hackney carriages and passengers using each rank and whether any passengers had to wait for hackney carriages to arrive at the ranks.

Surveys were undertaken at taxi ranks in Dover, over three days, from Thursday 16th June 2022 to the early hours of Sunday 19th June 2022. Video cameras were used to record activity at the taxi ranks during this period and the levels of activity during active periods were tabulated and analysed.

The relative levels of activity at the ranks are presented in the following figure.



A total of 733 passengers were observed boarding Hackney Carriages.

For the majority of passengers, Hackney Carriages were found at the ranks, waiting for passengers. However, 248 passengers (33.8% of passengers) had to wait at the ranks for Hackney Carriages to arrive.

A hackney carriage unmet demand survey was undertaken in 2017. The total passengers observed during the 2017 survey was 1,779. The number of passengers observed dropped to 733 passengers in 2022.

69 passengers (3.9% of passengers) were observed waiting for hackney carriages to arrive at the ranks in 2017. The number of waiting passengers rose to 248 in 2022.

With regard to features such as; vehicle condition, availability, driver professionalism, knowledge and appearance, public and stakeholder perception of the Hackney Carriage fleet was generally favourable.

However, there was evident discontent amongst public and stakeholder respondents with the level of availability of licensed vehicles in general.

A significant proportion of hires undertaken by hackney carriages in Dover District are pre-booked hires.

The number of licensed vehicle drivers working in the trade has dropped since pre-covid times. Also, the number of private hire vehicles licensed in Dover District has dropped since pre-Covid times. As demand for licensed vehicles has recovered from the impact of Covid-19 mitigation measures, the level of supply has not kept pace. Consequently, the number of rank hires observed has dropped significantly and the level of latent demand for hackney carriages has increased. This high level of latent unmet demand is indicative of people who would like to hire hackney carriages from ranks, but cannot, because not enough are available.

Changes in the availability of hackney carriages at the ranks has been a consequence of several factors. These are summarised as:

- Reduced number of hackney carriage drivers
- Reduced number of private hire vehicles and private hire drivers
- Less wait time between hires of hackney carriages
- Changes to working practices, with reduced willingness to work anti-social hours.

The number of hackney carriages which are licensed remain the same as the number prior to Covid-19. However, some drivers of these hackney carriages are no longer operating in the trade. The reduction in private hire drivers and vehicles appears to be more significant than the reduction in hackney carriage drivers. Consequently, some of the shortfall in capacity in the private hire fleet appears to have been taken up by hackney carriages undertaking pre-booked hires. The level of demand for pre-booked hires has led to reduced wait times between bookings and less time for hackney carriages to visit the ranks. With fewer drivers and fewer licensed vehicles operating, competition between drivers has reduced. It appears that, as a consequence of reduced competition,

drivers are better able to choose the hours that they would prefer to work. Some drivers will avoid working anti-social hours at night, if they don't need to work these hours. Also, some hackney carriages were previously driven by multiple drivers and the second driver worked the night hours. Many of the second drivers who operated hackney carriages at night are the drivers who have left the trade. Consequently, coverage of night time hours appears to be disproportionately affected by the reduced number of drivers.

Several coefficients are calculated from the rank survey results and from public consultation. The coefficients are entered into a formula to calculate the Index of Significant Unmet Demand (ISUD). The index value for the 2022 survey was 366.6. This value exceeds the threshold value of 80, and suggests that there is significant unmet demand.

The ISUD value, considered along with feedback from stakeholders and the public leads to the conclusion that there **is significant unmet demand**.

In order to reduce the level of unmet demand, additional licensed vehicle capacity would need to become available.

Hackney carriages and private hire vehicles are operated as independent businesses and the Council cannot exert direct influence on where and when licensed vehicles are operated. The Council can control the maximum fares tariff for hackney carriages and the number of hackney carriages licensed. Therefore changes to the limit on the number of hackney carriages licensed and/or the taxi fares tariff could be considered, if it was felt that such measures could increase the level of availability of licensed vehicles.

Some potential measures which could be considered, in order to increase the level of availability of hackney carriages to meet rank based demand are as follows:

- **Do nothing** – There is some interest from people who would like to become licensed drivers. Over time, it is likely that the number of licensed vehicle drivers will increase. Similarly, it is likely that some new drivers will also license a private hire vehicle which they will operate.
- **Increase the number of hackney carriage licences** – Feedback from the trade indicated that if more hackney carriage licences are released, some of these licences would be likely to be taken up by existing licensed vehicle drivers, who currently own and/or drive a private hire vehicle. They would convert their private hire vehicle licence to a hackney carriage licence. As such, the net increased availability of licensed vehicles may be limited. However, some additional capacity would be likely to be provided by new drivers entering the trade, either to directly operate a new hackney

carriage licence, or to fill the gap left by existing drivers transferring from operating a private hire vehicle, to a hackney carriage vehicle.

- **Change tariff 2** – Hackney carriage fares increase by 50% after midnight, when the fares change from tariff 1 to tariff 2. If the changeover time was moved to an earlier time, this may encourage more drivers to work evenings and nights.
- **Increase fares** – The hackney carriage fares level in Dover District is below average for the country as a whole. Potentially, increased fares income could encourage more people to become licensed vehicles drivers.

In addition to the limited availability of licensed vehicles perceived by stakeholders and the public, a particular issue was identified, regarding availability of wheelchair accessible licensed vehicles.

The number of wheelchair accessible hackney carriages and wheelchair accessible private hire vehicles, licensed in Dover District, has declined in recent years. In 2013, there were 26 wheelchair accessible licensed vehicles (10 HC & 16 PHV). By 2022, the number of wheelchair accessible vehicles had dropped to 8 (2 HC & 6 PHV).

The lack of wheelchair accessible licensed vehicles is a significant problem for wheelchair bound residents of the District. Perceived cuts to bus services and hospital transport services, coupled with the reduced number of wheelchair accessible licensed vehicles available has increased the problems experienced with travel. The issue has been further exacerbated since Covid, with the general reduction in licensed vehicle capacity, associated with reduced driver numbers.

With respect to measures aimed at increasing availability of wheelchair accessible licensed vehicles, there are some potential measures which may be explored:

Identify the potential income from targeting mobility impaired passengers – People with mobility impairments tend to use licensed vehicles more frequently than the general public at large. In some parts of the country, mobility impaired users are successfully targeted by operators who have identified this as a valuable market sector. Where reliable services are provided, mobility impaired passengers are more likely to travel for discretionary trips, such as to restaurants and cinemas etc.

Issue additional hackney carriages vehicle licenses for wheelchair accessible vehicles only – Additional wheelchair accessible vehicles in the hackney carriage fleet may provide additional opportunities for wheelchair users to hire an appropriate vehicle. However, it should be noted that there is no guarantee that any holder of a wheelchair

accessible vehicle hackney carriage license will actively seek hires from wheelchair users.

Recommendation

In order to take action to address the shortfall in hackney carriage capacity available to the travelling public, the potential measures available for the Council to implement are limited. It is not feasible to directly apply measures to recruit additional drivers, or to force more drivers to operate at night.

Measures are limited to increasing the number of hackney carriages which may be licensed and increasing the fares which may be charged by hackney carriages.

Recommendations regarding changes to taxi fares are not covered within the scope of this study. However, a recommendation is made regarding the number of additional hackney carriages which would need to be licensed, in order to address the level of unmet demand.

In order to bring the level of unmet demand measured by the ISUD index, to a value below 80, the number of hackney carriages would need to be increased by 5.

Incidences of passenger waiting, with the introduction of 5 more hackney carriages, will not be completely reduced to zero. However, it is anticipated that fewer passengers would have to wait at taxi ranks and the wait times would be lower. In consequence, the level of unmet demand would be anticipated to fall below the threshold value which is deemed to be significant.

The availability of wheelchair accessible licensed vehicles has declined in recent years. There has been feedback through consultation that the lack of availability of wheelchair accessible vehicles significantly limits travel opportunities for some disabled users. Consequently, if additional hackney carriage vehicle licences are released, the Council may want to consider applying vehicle type conditions to ensure that any additional hackney carriage vehicles are suitable wheelchair accessible vehicles.





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1 General introduction and background

Dover Council is responsible for the licensing of Hackney Carriage and Private Hire Vehicles operating within the Council area. It retains a limit on the number of Hackney Carriage vehicles licensed. There is no legal means by which either Private Hire Vehicle numbers, Private Hire or Hackney Carriage driver numbers, or the number of Private Hire Operators can be limited.

This review of current policy is based on the Best Practice Guidance produced by the Department for Transport in April 2010 (BPG). It seeks to provide information to the licensing authority to meet section 16 of the Transport Act 1985 "that the grant of a Hackney Carriage vehicle licence may be refused if, but only if, the licensing authority is satisfied that there is no significant demand for the services of Hackney Carriages within its local area, which is unmet." This terminology is typically shortened to "no SUD".

Current Hackney Carriage, private hire and operator licensing is undertaken within the legal frameworks set by the Town Polices Clause Act 1847. This has been amended by various following legislation including the Transport Act 1985, Section 16 in regard to Hackney Carriage vehicle limits, and by the Local Government (Miscellaneous Provisions) Act 1976 with reference to Private Hire Vehicles and Operators. Many of the aspects of these laws have been tested and refined by other more recent legislation and more importantly through case law. Beyond legislation, the experience of the person in the street tends to see both Hackney Carriage and Private Hire Vehicles both as 'taxis' – a term we will try for the sake of clarity to use only in its generic sense within the report. We will use the term 'licensed vehicles' to refer to both Hackney Carriage and private hire.

The legislation around licensed vehicles and drivers has been the subject of many attempts at review. The limiting of Hackney Carriage vehicle numbers has been a particular concern as it is often considered to be a restrictive practice and against natural economic trends. The three most recent reviews were by the Office of Fair Trading in 2003, through the production of the BPG in 2010, and the Law Commission review which published its results in 2014. None of these resulted in any material change to the legislation involved in licensing.

The upshot of all these reviews in respect of the principal subject of this survey is that local authorities retain the right to restrict the number of Hackney Carriage vehicle licenses. The Law Commission conclusion included retention of the power to limit Hackney Carriage vehicle numbers but utilizing a public interest test determined by the Secretary of State. It also suggested the three- year horizon also be used for rank reviews and accessibility reviews.

After introduction of the 1985 Transport Act, Leeds University Institute for Transport Studies developed a tool by which unmet demand could be evaluated and a determination made if this was significant or not. The tool was taken forward and developed as more studies were undertaken. Over time this 'index of significance of unmet demand' (ISUD) became accepted as an industry standard tool to be used for this purpose. Some revisions have been made following the few but specific court cases where various parties have challenged the policy of retaining a limit. Some of the application has differed between Scottish and English authorities due to some court cases in Scotland taking interpretation of the duty of the licensing authority further than is usual in England and Wales.

The DfT asked in writing in 2004 for all licensing authorities with quantity restrictions to review them, publish their justification by March 2005, and then review at least every three years since then. In due course, this led to a summary of the government guidance which was last updated in England and Wales in 2010 (but more recently in Scotland).

The BPG in 2010 also provided additional suggestions of how these surveys should be undertaken, albeit in general but fairly extensive terms. A key encouragement within the BPG is that "an interval of three years is commonly regarded as the maximum reasonable period between surveys". BPG suggests key points in consideration are passenger waiting times at ranks, for street hailing and telephone bookings, latent and peaked demand, wide consultation and publication of "all the evidence gathered".

The most recent changes in legislation regarding licensed vehicles have been enactment of the parts of the Equality Act related to guidance dogs (sections 168 to 171, enacted in October 2010), the two clauses of the Deregulation Act which were successful in proceeding, relating to length of period each license covers and to allowing operators to transfer work across borders (enacted in October 2015), and most recently enactment of Sections 165 and 167 of the Equality Act, albeit on a permissive basis (see below).

In November 2016, the DfT undertook a consultation regarding enacting Sections 167 and 165 of the Equality Act. These allow for all vehicles capable of carrying a wheel chair to be placed on a list by the local council (section 167). Any driver using a vehicle on this list then has a duty under section 165 to:

- Carry the passenger while in the wheel chair
- Not make any additional charge for doing so
- If the passenger chooses to sit in a passenger seat to carry the wheel chair
- To take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort

- To give the passenger such mobility assistance as is reasonably required

This was enacted from April 2017. There remains no confirmation of any timetable for instigating either the remainder of the Equality Act or the Law Commission recommendations, or for the update of the BPG.

In respect to case law impinging on unmet demand, the two most recent cases were in 1987 and 2002. The first case (R v Great Yarmouth) concluded authorities must consider the view of significant unmet demand as a whole, not condescending to detailed consideration of the position in every limited area, i.e. to consider significance of unmet demand over the area as a whole.

R v Castle Point considered the issue of latent, or preferably termed, suppressed demand consideration. This clarified that this element relates only to the element which is measurable. Measurable suppressed demand includes inappropriately met demand (taken by Private Hire Vehicles in situations legally Hackney Carriage opportunities) or those forced to use less satisfactory methods to get home (principally walking, i.e. those observed to walk away from rank locations).

In general, the determination of conclusions about significance of unmet demand must take into account the practicability of improving the standard of service through the increase of supply of vehicles. It is also important to have consistent treatment of authorities as well as for the same authority over time.

In conclusion, the present legislation in England and Wales sees public fare-paying passenger carrying vehicles firstly split by passenger capacity. All vehicles able to carry nine or more passengers are dealt with under national public service vehicle licensing. Local licensing authorities only have jurisdiction over vehicles carrying eight or less passengers.

These are split between Hackney Carriages which are alone able to wait at ranks or pick up people in the streets without a booking, and private hire who can only be used with a booking made through an operator. If any passenger uses a Private Hire Vehicle without such a properly made booking, they are not insured for their journey.

2 Local background and context

The authority has a current population of 118,514 based on 2020 DfT statistics, which in turn are used to reference current licensed vehicle statistics.

All licensing authorities have full powers over licensing the vehicles, drivers and operators serving people within their area. Dover Council has chosen to utilize its power to limit Hackney Carriage vehicle numbers.

Dover Council undertakes regular review of its policy to limit Hackney Carriage vehicle numbers in line with the BPG.

Table 1 and Figure 1 illustrate the fleet composition for the licensing authorities in the South East Region (as defined by the DfT). The authority statistics are grouped by whether the authority limits the number of Hackney Carriages or does not limit. Within these groups, the authorities are arranged in order of increasing licensed vehicles per 1,000 population.

Licensed Vehicle numbers are based on March 2022 figures and Mid 2020 population data.

The statistics for Dover are: 0.6 Hackney Carriages per 1000 people and 0.8 Private Hire Vehicles per 1000 people. These proportions combine to form a total (allowing for rounding) of 1.4 licensed vehicles per 1000 people.

The proportion of licensed vehicles in Dover is second lowest out of all the licensing authorities which limit the number of Hackney Carriages.

Table 1 - Comparison of Licenced Vehicles per 1,000 population

Licensing Area	Mid 2020 population estimate	Hackney Carriages	Private Hire Vehicles	Total licenced vehicles	Hackney Carriages per 1,000 population	Private Hire Vehicles per 1,000 population	Total licenced vehicles per 1,000 population
Maidstone [Limited]	173,132	48	141	189	0.3	0.8	1.1
Dover [Limited]	118,514	69	92	161	0.6	0.8	1.4
Test Valley [Limited]	127,163	44	168	212	0.3	1.3	1.7
Tunbridge Wells [Limited]	118,939	107	134	241	0.9	1.1	2.0
Mid Sussex [Limited]	152,142	154	168	322	1.0	1.1	2.1
Slough [Limited]	149,577	103	373	476	0.7	2.5	3.2
Brighton and Hove [Limited]	291,738	590	395	985	2.0	1.4	3.4
Thanet [Limited]	141,458	92	398	490	0.7	2.8	3.5
Milton Keynes [Limited]	270,203	201	790	991	0.7	2.9	3.7
Havant [Limited]	126,339	36	490	526	0.3	3.9	4.2
Portsmouth [Limited]	214,692	202	721	923	0.9	3.4	4.3
Oxford [Limited]	151,584	107	546	653	0.7	3.6	4.3
Southampton [Limited]	252,872	281	1,025	1,306	1.1	4.1	5.2
Reading [Limited]	160,337	216	660	876	1.3	4.1	5.5
Crawley [Limited]	112,474	123	547	670	1.1	4.9	6.0
Wokingham [No Limit]	173,945	64	78	142	0.4	0.4	0.8
Runnymede [No Limit]	90,327	48	35	83	0.5	0.4	0.9
Spelthorne [No Limit]	99,873	55	49	104	0.6	0.5	1.0
Horsham [No Limit]	145,474	46	115	161	0.3	0.8	1.1
Dartford [No Limit]	114,051	66	70	136	0.6	0.6	1.2
Arun [No Limit]	161,123	192	17	209	1.2	0.1	1.3
Bracknell Forest [No Limit]	124,165	55	117	172	0.4	0.9	1.4
Rother [No Limit]	96,716	102	34	136	1.1	0.4	1.4
Gosport [No Limit]	84,679	61	65	126	0.7	0.8	1.5
Tandridge [No Limit]	88,542	92	42	134	1.0	0.5	1.5
Ashford [No Limit]	131,018	102	97	199	0.8	0.7	1.5
Mole Valley [No Limit]	87,547	100	33	133	1.1	0.4	1.5
Swale [No Limit]	151,015	181	52	233	1.2	0.3	1.5
West Berkshire [No Limit]	158,465	119	137	256	0.8	0.9	1.6
Adur [No Limit]	64,187	39	66	105	0.6	1.0	1.6
Winchester [No Limit]	125,925	89	120	209	0.7	1.0	1.7
Waverley [No Limit]	126,556	164	49	213	1.3	0.4	1.7
Isle of Wight [No Limit]	142,296	186	54	240	1.3	0.4	1.7
Worthing [No Limit]	110,727	60	127	187	0.5	1.1	1.7
Wealden [No Limit]	162,733	124	161	285	0.8	1.0	1.8
Gravesham [No Limit]	106,890	135	53	188	1.3	0.5	1.8
Basingstoke and Deane [No Limit]	177,760	43	285	328	0.2	1.6	1.8
West Oxfordshire [No Limit]	111,758	106	109	215	0.9	1.0	1.9
Elmbridge [No Limit]	137,215	111	155	266	0.8	1.1	1.9
Surrey Heath [No Limit]	89,204	75	100	175	0.8	1.1	2.0
New Forest [No Limit]	179,649	99	261	360	0.6	1.5	2.0
East Hampshire [No Limit]	123,838	84	176	260	0.7	1.4	2.1
Hart [No Limit]	97,608	138	69	207	1.4	0.7	2.1
Sevenoaks [No Limit]	121,387	158	108	266	1.3	0.9	2.2
Medway [No Limit]	279,142	386	226	612	1.4	0.8	2.2
Vale of White Horse [No Limit]	137,910	249	63	312	1.8	0.5	2.3
Fareham [No Limit]	116,338	147	119	266	1.3	1.0	2.3
Guildford [No Limit]	150,352	143	229	372	1.0	1.5	2.5
Folkestone and Hythe [No Limit]	113,320	219	71	290	1.9	0.6	2.6
Rushmoor [No Limit]	94,387	107	182	289	1.1	1.9	3.1
Chichester [No Limit]	121,508	37	348	385	0.3	2.9	3.2
Eastleigh [No Limit]	135,520	103	350	453	0.8	2.6	3.3
Cherwell [No Limit]	151,846	178	380	558	1.2	2.5	3.7
Tonbridge and Malling [No Limit]	132,571	140	350	490	1.1	2.6	3.7
Buckinghamshire [No Limit]	547,060	335	1,724	2,059	0.6	3.2	3.8
Canterbury [No Limit]	166,762	209	425	634	1.3	2.5	3.8
South Oxfordshire [No Limit]	143,782	417	135	552	2.9	0.9	3.8
Hastings [No Limit]	92,554	53	321	374	0.6	3.5	4.0
Eastbourne [No Limit]	103,324	95	325	420	0.9	3.1	4.1
Windsor and Maidenhead [No Limit]	151,273	144	538	682	1.0	3.6	4.5
Woking [No Limit]	100,008	129	370	499	1.3	3.7	5.0
Reigate and Banstead [No Limit]	149,243	90	693	783	0.6	4.6	5.2
Lewes [No Limit]	103,525	120	495	615	1.2	4.8	5.9
Epsom and Ewell [No Limit]	81,003	32	482	514	0.4	6.0	6.3

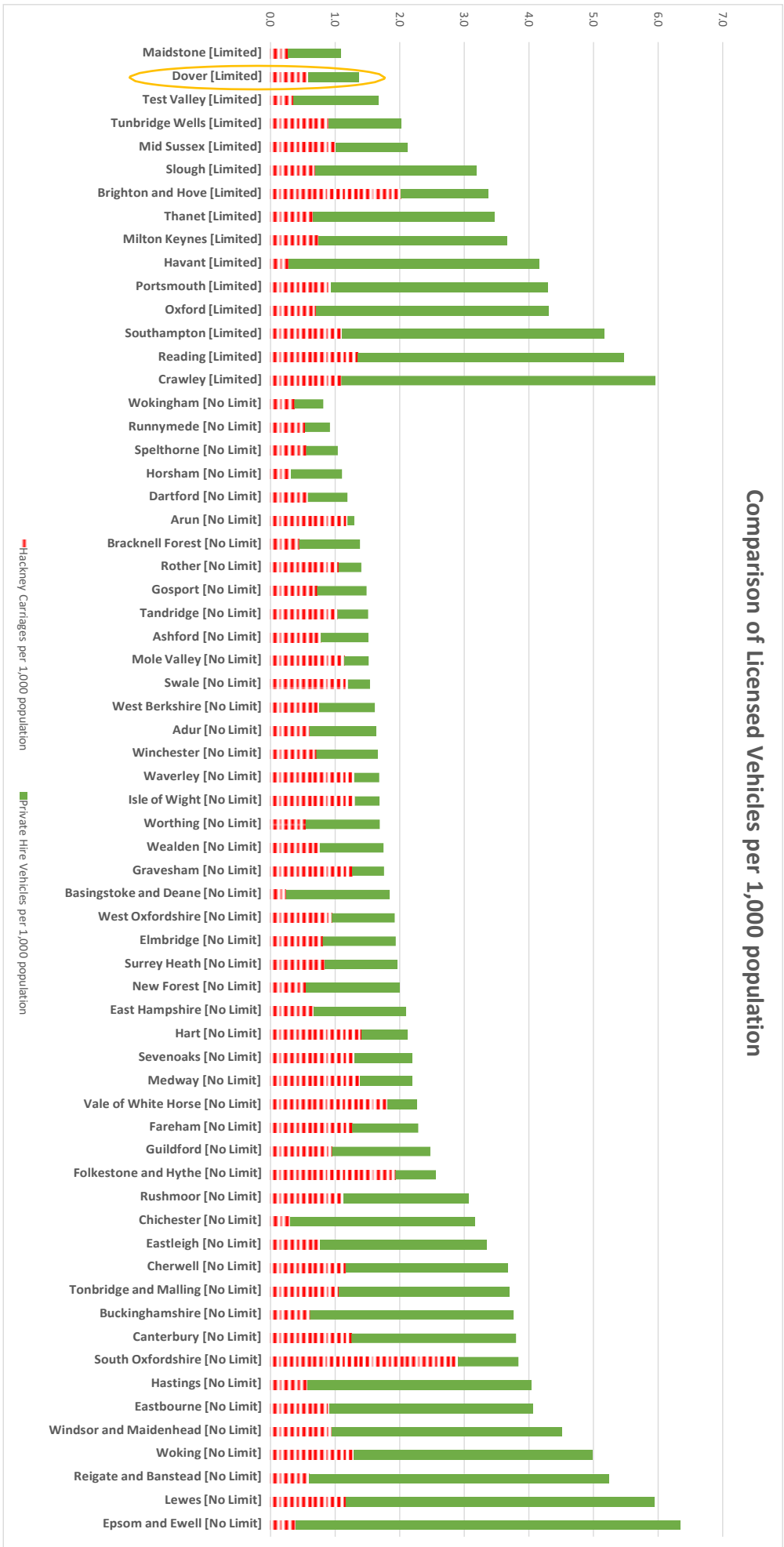


Figure 1 - Comparison of Licensed Vehicles per 1,000 population

Dover Hackney Carriage Unmet Demand Survey

Historic trends

The number of hackney carriages and private hire vehicles licensed in recent years is presented in Table 2. The trend for wheelchair accessible licensed vehicles is presented in Figure 2.

Since 2013, the number of licensed taxis [hackney carriages] has remained constant at 69. The number of private hire vehicles increased from 117 in 2013 to a peak of 139 in 2018. Since 2018, the number of private hire vehicles has dropped to 92.

The number of wheelchair accessible vehicles has generally declined since 2013. Current provision of wheelchair accessible licensed vehicles is less than a third of those available in 2013.

The capacity of the licensed vehicle fleets to cater for passenger demand is dependent on the number of licensed vehicle drivers, as well as the number of licensed vehicles. Since 2013, the number of licensed vehicle drivers increased from 241 to a peak of 307 in 2019. However, since 2019, the number of drivers has dropped to 240.

Table 2 - Historic licensing data (DfT)

Year	Wheelchair accessible taxis	Other taxis	Total taxis	Wheelchair accessible PHVs	Other PHVs	Total PHVs	Total licensed vehicles	Total driver licences issued	Total accessible vehicles	Ratio of drivers to vehicles
2013	10	59	69	16	101	117	186	241	26	1.30
2015	9	60	69	15	111	126	195	278	24	1.43
2017	6	63	69	15	110	125	194	281	21	1.45
2018	4	65	69	19	120	139	208	275	23	1.32
2019	4	65	69	11	122	133	202	307	15	1.52
2020	4	65	69	8	102	110	179	274	12	1.53
2021	5	64	69	8	90	98	167	258	13	1.54
2022	2	67	69	6	86	92	161	240	8	1.49

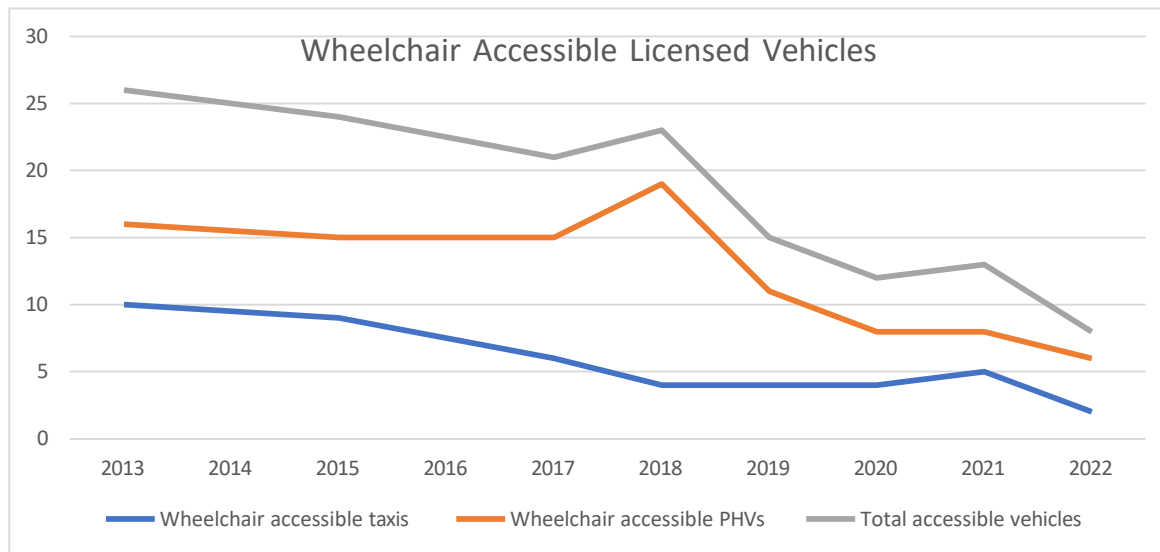


Figure 2 - Wheelchair accessible licensed vehicles

Private Hire and Taxi Monthly magazine publish monthly league tables of the fares in Licensing Authorities in the UK. The Tariff 1 fares for a two mile journey (distance costs only) are compared and ranked. The lower the ranking (number), the more expensive the journey, compared with other authorities. The November 2022 table indicated that the fares in Dover were ranked 213 out of 345 authorities listed. This indicates that taxis in Dover are less expensive than average compared with most authorities.

A comparison of the fares ranking of neighbouring authorities is presented in Table 3

Table 3 - Comparison of Hackney Carriage fares ranks in adjacent authorities

Local Authority	Rank
Folkestone & Hythe	197
Canterbury	73
Dover	213
Thanet	247

3 Patent demand measurement (rank surveys)

The active ranks in the survey area were surveyed to determine whether there was any evidence of patent unmet demand.

Six locations were surveyed. Five of the locations were marked taxi ranks, on the public highway. One of the ranks, at Dover Priory Railway Station, is on railway property and is controlled by the railway operators. Not all Hackney Carriages are permitted to operate from this rank.

In addition to the ranks surveyed, there are also ranks at the Port of Dover ferry terminal and at the cruise terminal. The cruise terminal was active on Thursday 16th June, with a single ship calling at the cruise terminal. No other cruise ships called at the port during the period surveyed. The ferry terminal rank was in operation. The port operators refused permission to survey at the ranks at the ferry terminal or cruise terminal.

The covered by the rank surveys were:

- Fishmongers Lane, Dover
- St James, Dover
- Worthington Street, Dover (Feeder rank to Biggin Street)
- Biggin Street, Dover
- South Street, Deal
- Dover Priory Station

Rank surveys

Surveys were undertaken using video cameras which recorded activity at the ranks from Thursday to the following Sunday morning. Footage was recorded from 07:00 on Thursday 16^h June 2022 to 07:00 on Sunday 19th June.

Overview of observations

During the course of our survey, some 733 vehicles were observed departing the ranks, with passengers. This equates to approximately 11 hires per vehicle (with a fleet size of 69) over the three days of observation. Given that the observation period encompasses the period which is normally expected to be the busiest period of the week, the average hires per vehicle is lower than one would expect, if the Hackney Carriages were solely reliant on rank based hires. It is likely that some vehicles also participate in undertaking pre-booked hires, either as part of a booking circuit, Private Hire or Hackney, or through personal direct hires, by telephone, or indeed, through regular contract hires. In addition, it is acknowledged that some hires are likely to have been undertaken at the ferry terminal, or cruise terminal and not observed during this survey.

During the course of the surveys, 12 passengers were observed, who appeared to have some form of mobility restriction. No passengers were observed who were wheelchair users.

Numerous incidences of passenger waiting were observed. Out of 733 passengers observed using Hackney Carriages, 248 had to wait for a Hackney Carriage to arrive at a rank. This equates to approximately 33.8% of all passengers. The average waiting time for all passengers who had to wait for a Hackney Carriage, was approximately 4 minute and 30 seconds. The average waiting time for all passengers, including those who didn't have to wait, was around 1 minute.

The levels of passenger activity at the ranks were analysed and the graph presented below summarises the profile of activity across all of the ranks.

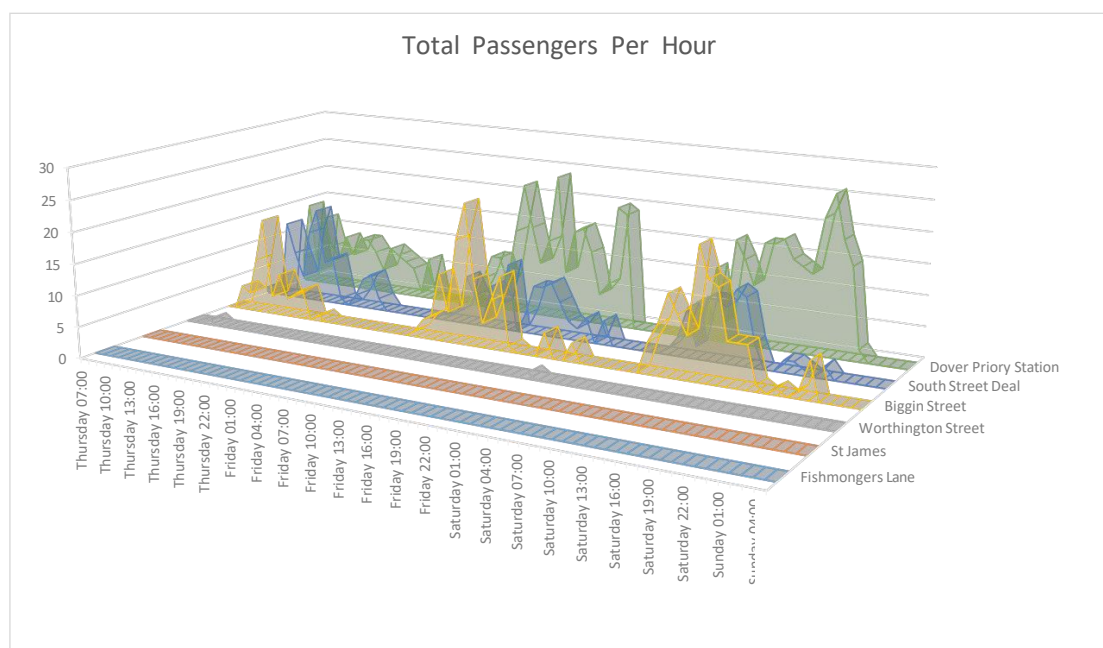


Figure 3 – Observed volumes of passengers through each rank

The ranks at South Street, Deal, Biggin Street, Dover and Dover Priory Station were active from early morning to late evening. The rank at Worthington Street in Dover, effectively acted as a feeder rank for the Biggin Street rank in Dover. Consequently, whilst there were Hackney Carriages passing through this rank throughout each day, most of the Hackney Carriages left empty to move on to Biggin Street.

When we consider the total hires obtained from the rank and aggregate these for all ranks, we can see that the profile of hire volumes does not follow the traditional peak demand on Friday and Saturday nights.

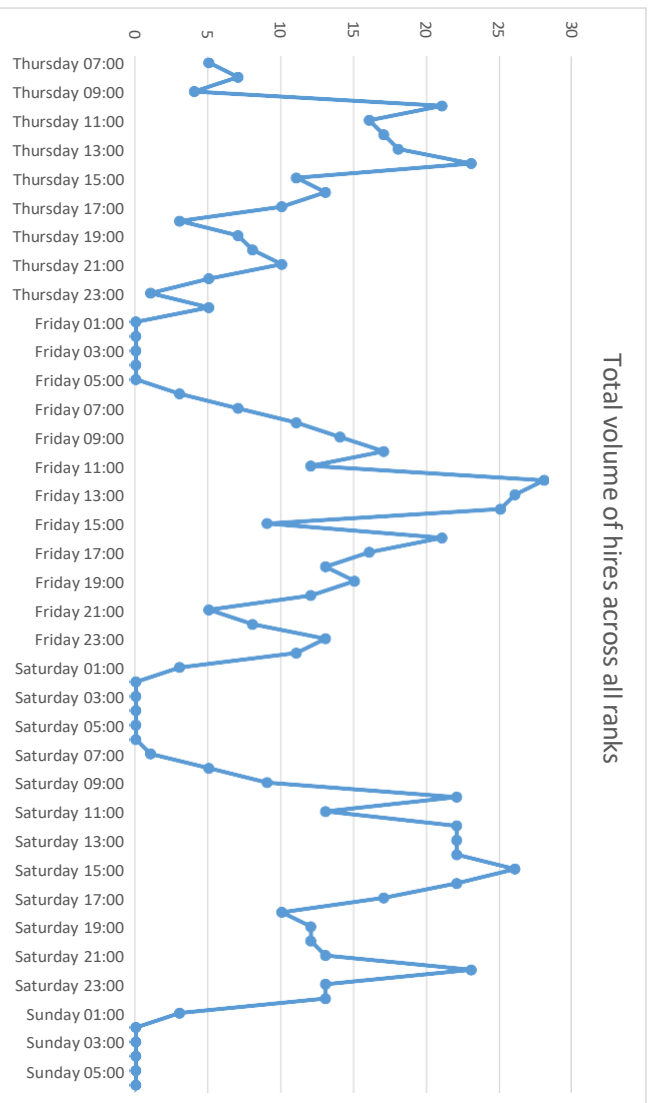


Figure 4 - Total hires per hour in Dover town

Figure 4 illustrates the profile of rank hires in Dover town (aggregated from all town ranks). On each of the survey days, the peak night time hire volume was lower than peak daytime hire volumes.

The profile of hires at the rank on South Street, Deal is presented in

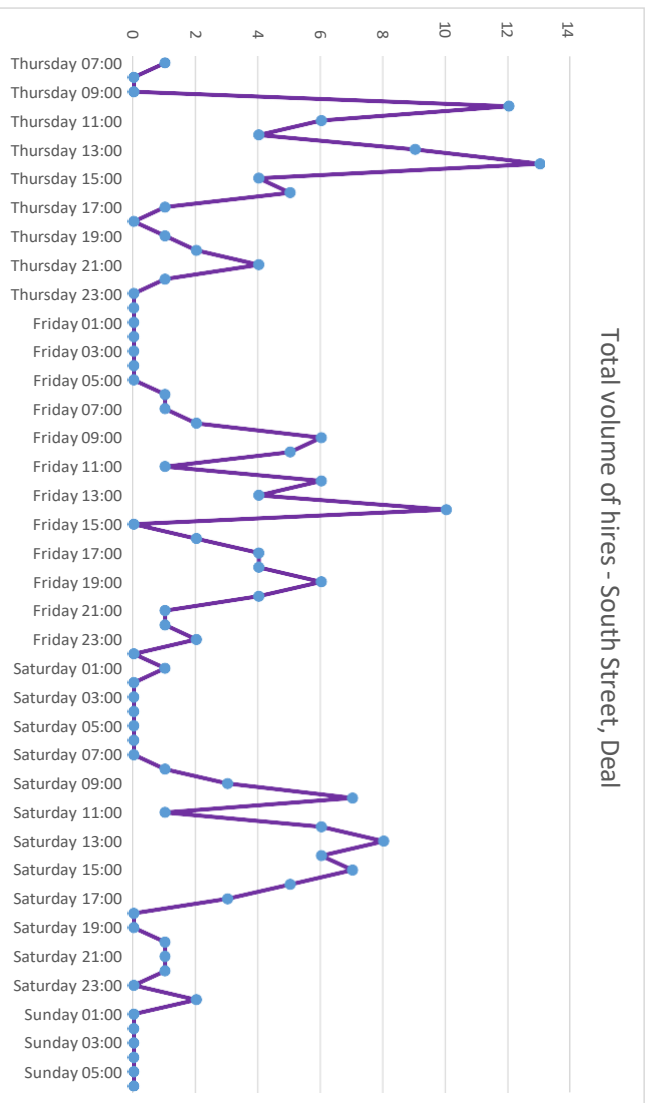


Figure 5. The difference between daytime and night time hires in Deal is even more counter intuitive than those in Dover town. The number of hires on Saturday night was significantly lower than the volume of hires observed on Saturday daytime.

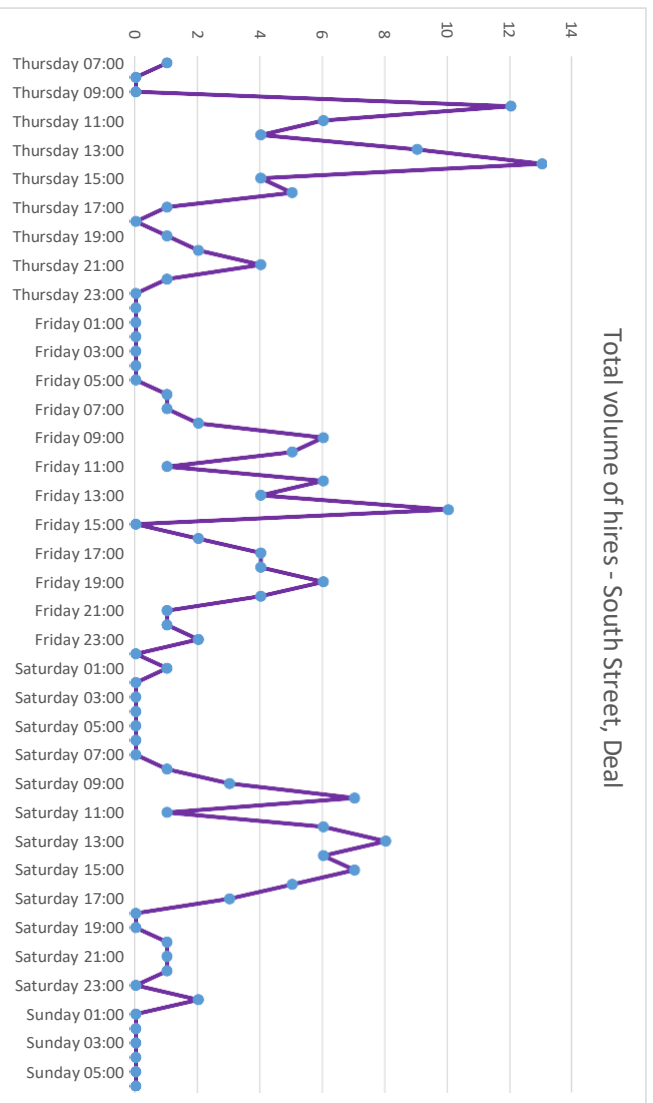


Figure 5 - Hires per hour at the South Street, Deal rank

Hackney Carriage Vehicle Waiting Time at ranks

The time spent by Hackney Carriages waiting at the ranks was recorded.

The average time each vehicle waited at each rank, in each hour, is presented in the following figure:

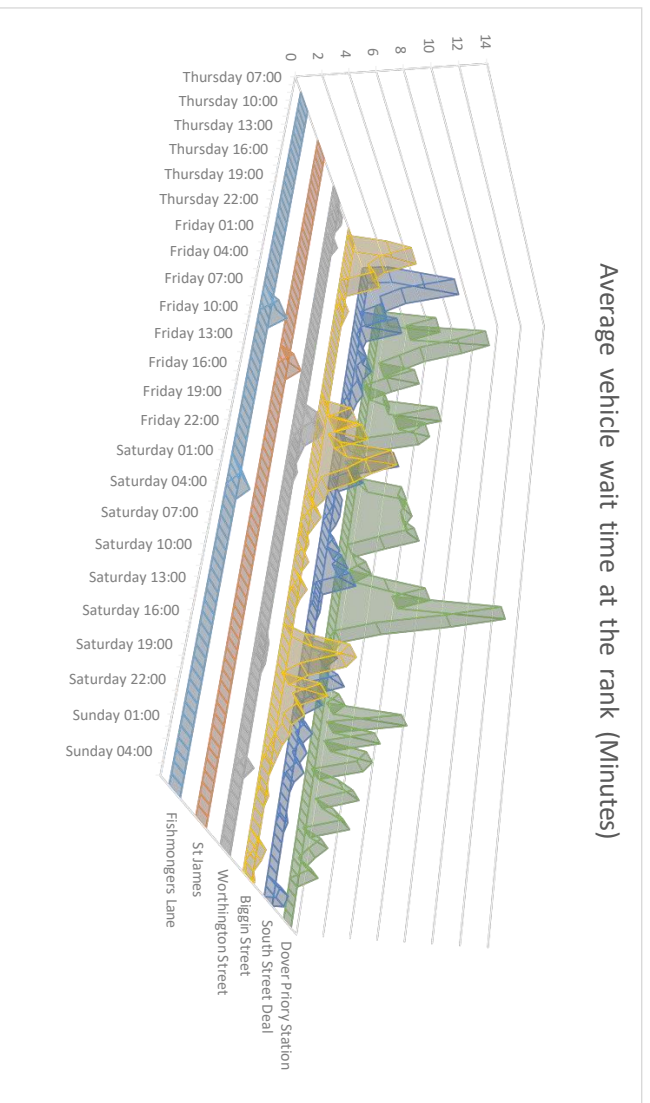


Figure 6 - Hackney Carriages average vehicle wait time (Minutes)

The proportion of Hackney Carriages leaving the ranks empty, varied significantly by rank.

The following proportions of Hackney Carriages leaving the ranks empty were observed:

Table 4 - Proportion of Hackney Carriages leaving ranks empty

Rank	Proportion of Hackney Carriages leaving the rank empty
Fishmongers Lane	100.0%
St James	100.0%
Worthington Street	94.9%
Biggin Street	25.1%
South Street Deal	52.0%
Dover Priory Station	19.0%
All ranks	34.3%

The high proportion of Hackney Carriages leaving the Worthington Street rank empty, relates to its role as a feeder rank for the Biggin Street rank. Including the data from the Worthington Street rank tends to skew the results for all ranks. If we consider all ranks, excluding Worthington Street, the overall proportion of Hackney Carriages leaving the rank empty, was 32.1%.

The reasons for leaving a rank without passengers can vary. Reasons can commonly include, moving to another rank, having waited without obtaining a hire, or leaving to service a booking made by telephone or mobile app. In Dover, a further reason for Hackney Carriages leaving ranks, would be to service the rank at the ferry terminal, when an arriving ferry is due.

The number of empty departures from the ranks in Dover, is indicative of a mixture of reasons, including moving between ranks, servicing bookings and moving to the ferry terminal to service the rank there. Feedback from the trade, together with operator livery displayed on many vehicles, suggests that many Hackney Carriages derive fares from pre-booked hires.

In Deal, the proportion of Hackney Carriages leaving the ranks empty, is high. The potential to move between ranks is more limited in Deal, compared with in Dover. Also, the distance to the ferry terminal in Dover means it is unlikely that drivers based in Deal will travel there on a speculative basis to seek hires. The most probable reason for leaving the rank empty, is to service bookings. This hypothesis is supported by feedback from the trade together with extensive display of liveries on the Hackney Carriages which provide alternative means of booking.

Comparison with the 2017 survey

A hackney carriage unmet demand survey was undertaken in 2017. The total passengers observed during that survey was 1,779. The number of passengers observed dropped to 733 passengers in 2022.

69 passengers were observed waiting for hackney carriages to arrive at the ranks in 2017. The number of waiting passengers rose to 248 in 2022.

4 General public views

It is very important that the views of people within the area are obtained about the service provided by Hackney Carriage and private hire. A key element which these surveys seek to discover is specifically if people have given up waiting for Hackney Carriages at ranks (the most readily available measure of latent demand). However, the opportunity is also taken with these surveys to identify the overall usage and views of Hackney Carriage and Private Hire Vehicles within the study area, and to give chance for people to identify current issues and factors which may encourage them to use licensed vehicles more.

Such surveys can also be key in identifying variation of demand for licensed vehicles across an area, particularly if there are significant areas of potential demand without ranks, albeit in the context that many areas do not have places apart from their central area with sufficient demand to justify Hackney Carriages waiting at ranks.

Surveys of the public were undertaken by online survey. A total of 190 responses were received.

The results of the surveys are presented in the following tables and analysis. Please note, not all respondents answered all questions. So whilst 190 responses were received, not all respondents answered all questions.

Dover public attitude survey results

89% of respondents had used a hackney carriage or private hire vehicle in the Dover area in the past three months.

Respondents were asked which area, within Dover District, that they most commonly used licensed vehicles. Around 60% of respondents used licensed vehicles in Dover town. Around 18% used licensed vehicles in Deal. The remainder of respondents used licensed vehicles in other parts of Dover District.

The respondents who had used a licensed vehicle in the last three months were asked which type of licensed vehicle they had used for their last trip. 54% had used private hire vehicle. 37% of respondents had used a hackney carriage and 9% could not recall which type of licensed vehicle they had used.

75% of the public could correctly describe the difference between the way in which Hackney Carriage and Private Hire Vehicles may be hired.

The most common ways in which the respondents normally book a hackney carriage are listed in the following table.

How do you normally obtain a hackney carriage within this area?	Proportions
From a rank	27%
Book by telephone	65%
Use a mobile app	8%

Respondents were asked to rate their most recent trip by licensed vehicle in a number of categories including, vehicle quality, driver, price and customer service. 1 being very poor and 5 being very good, average ratings were as follows:

Category	Average rating
Cleanliness of interior	3.93
Cleanliness of exterior	3.97
General condition	3.95
Driver helpfulness	3.82
Driver appearance	3.76

Respondents were asked how much was the fare for their last trip in a licensed vehicle. Responses were grouped into ranges and the proportions for each range were as follows:

Fare range	Proportion of respondents
Up to £5	14%
From £5.01 to £10.00	57%
From £10.01 to £15.00	17%
From £15.01 to £20.00	2%
From £20.01 to £30.00	5%
From £30.01 to £50.00	0%
From £50.01 to £100.00	2%
More than £100	3%

The average fare paid was £12.66

Respondents were asked how frequently they travel by hackney carriage, as opposed to private hire vehicles in Dover District.

Responses were as follows:

Frequency of hackney carriage use	Proportion of responses
Never	13%
Less than once a month	38%
Once per month	0%
A few times a month	37%
Once a week	6%
Almost daily	6%

Respondents were asked how they felt about the number of hackney carriages in Dover District.

Views regarding the number of hackney carriages	Proportion of responses
No opinion	13%
Not enough	66%
About the right number	16%
Too many	5%

Respondents were asked if they would like to see any improvements to hackney carriage services. The most common response was regarding availability of hackney carriages. These responses related to availability at weekends and evenings, availability of accessible taxis, availability in rural areas and willingness to take passengers from Dover to rural locations.

In addition, the following responses were received, in descending order of popularity:

- More ranks in central area of Dover
- Cheaper fares

The following individual responses were also received.

- All taxis to be hackney's no private hire
- Stop them all driving for the just eat/uber delivery companies. Taxi should be used for the carriage of people not food. Impossible to get a cab in the evenings as they are all delivering food for Â£50 an hour.one of the worse towns for Taxi service I've been two.
- More licenced drivers
- Cleaner seats
- Make hailing signs bigger so we can see and increase public awareness
- electric cars
- DBs checks and vehicle maintenance better
- Clearer Ranks

Respondents were asked if they had experienced any problems with the local hackney carriage service. Some respondents indicated multiple problems. The problems identified, in decreasing order of frequency were as follows:

- Delay in getting a taxi
- Position of ranks
- Cleanliness
- Driver issues
- Design of vehicles
- Price

If respondents had indicated that they had experienced problems, they were asked to provide further details. The following responses are representative of the comments received:

- Our taxi driver charged what was on the meter but stopped his mobile app and cleared while driving some time before he dropped us off. So if he makes £1.20 onto of every cleared job a night he's making a good little side profit
- To many private cars on the ranks the taxis can't get on them and will drive past to sit else where.
- You can never get a taxi at night they will not pull off the station rank
- It's always a struggle trying to get a taxi lately. I most often need it to or from Dover Priory. Often the rank is empty or it's a race for the only one. Last time I wanted taxi from town centre all ranks where empty there as well.
- Any Friday or Saturday night is literally impossible to get a taxi. Biggin Street rank in the town centre is always empty, not a single Hackney carriage in sight. Phoning for one normally results in being told there are none available.
- At Dover priory, 4pm, 6pm, 8pm on weekdays, never any there
- There are just hardly any private hire vehicles available at any time of day - booking is also near impossible as many won't pre book or if they do they don't accurately record the booking so claim they never received it
- Struggle to get a taxi in the evening
- Can never seem to get one
- Not enough taxis available
- I don't like the way they chat away on their phone in a foreign language, it's very rude and that shows they are not paying due attention to the road. Its actually intimidating for my Girlfriend when she walks to get a cab at Dover Priory and they are all chatting away in their native tongue and all stare at her.
- Trying to book a taxi for 4am to get me to work is sometimes impossible
- The rank outside of Boots in Dover making it difficult for large vehicles to get out of Worthington Street
- 2 ranks in Dover. One at train station - nearly always empty and very rude staff whom refuse payment by card despite having card machines. The other isn't far from this one. Always empty any time of day.
- No hackneys at night, and couldn't get a private taxi. Had to walk home on my own
- None available, several hours wait time, generally late and have to phone again to chase
- There are not enough cars to keep up with the demand

- Next to no taxis available on Friday or Saturday nights, always told 2 or 3 hour wait so I walk home in the dark alone
- Complete lack of drivers and cars!
- There needs to be more ranks
- You can't get one! I was told they are doing just eat.
- Driver quite rude asking if he could turn music down, when coming home from blue birds and the vehicle needs body work and engine sounds needing a check
- Not enough taxis to service the area
- Taxi cancelled twice
- No taxis around in the evening about 9pm
- Many drivers use their mobiles or are on the phone when driving. There is a constant shortage of drivers and they are not disabled user friendly.

Respondents were asked for factors which could encourage them to use hackney carriages or to use hackney carriages more often. Those respondents who answered this question generally indicated multiple features.

Better vehicles	9%
Better drivers	12%
Better located ranks	30%
More hackney carriages I could phone for	41%
More hackney carriages I could hail or get at a rank	43%
Cheaper	6%

Do you consider you, or anyone you know, to have a disability that means you need an adapted vehicle? (Not necessarily a licensed vehicle)

Yes. Someone I know needs a wheelchair accessible vehicle	9%
Yes. Someone I know needs an adapted vehicle but not a wheelchair accessible vehicle	4%
Yes. I need a wheelchair accessible vehicle	3%
Yes. I need an adapted vehicle but not a wheelchair accessible vehicle	4%

If you arrived at a rank and there were saloon and wheelchair accessible vehicles there, which vehicle would you choose?

The first one available	70%
A saloon car	20%
A wheelchair accessible vehicle	6%
No response	4%

Respondents were asked to provide a reason for their response to the previous question.

Those who selected a saloon car provided the following reasons:

- Don't need the extra space, bigger car bigger fare
- Would leave the wheelchair vehicle for someone that needs it
- Convenience

Those who selected wheelchair accessible vehicle provided the following reasons:

- Buggy friendly
- I have a fold up mobility scooter bigger boot
- More flexibility
- More space for the chair and mobility equipment

Some of the respondents who selected the 'first available vehicle' provided some additional reasoning as follows:

- You will find if you try to take a taxi that is not at front of the rank will cause arguments
- Not wanting to take a disability vehicle in case someone else needed it
- Any vehicle is fine with me
- You have to take the 1st available 1 as the driver points you to the 1st cab
- No reason
- Any it makes no difference as long as one is there!

Are there any locations where you would like to see new taxi ranks?

No	19%
Yes	41%
Don't know / no opinion	35%

Suggestions for new ranks (excluding suggestions for existing ranks), in descending order of popularity, were as follows:

- Market Square, Dover
- Seafront, Dover
- Pencester Road, Dover
- Supermarkets

- Deal Station
- Deal town centre
- Deal seafront
- Buckland Avenue
- Walmer train station
- Park Street, Deal
- Whitfield
- Hospital
- Tower Hamlets, Dover
- Folkestone Road, Dover
- Linces, Dover
- Cherry Tree Avenue, Dover

How would you rate the level of service provided by Hackney Carriages in Dover District? Please rate from 1 to 5. (1 being very poor and 5 being very good). The average rating was 3.06.

Which features would do most to improve ranks in Dover District?
Responses in descending order of popularity were:

- Improved signage
- Shelters
- Seating
- Lighting
- Improved signage to discourage vehicles parking on ranks

40.8% of respondents indicated that they had given up waiting for a Hackney Carriage at a rank, or by hailing.

31.6% of respondents said they had not been able to hire a hackney carriage within a reasonable time, when telephoning for one.

The percentage of respondents who had given up waiting for a Hackney Carriage at a rank or by hailing is used as an indication of the level of latent unmet demand.

What would you say is the principal factor which limits your use of Hackney Carriages (e.g. use a car, or prefer to use buses, rarely go out at night etc.)

Lack of availability was the principal reason offered by the majority of respondents who provided feedback on this question. The next most common reason was that the respondent had a car available. The remaining two reasons given were that disabled respondents couldn't rely on finding a suitable licensed vehicle and price was an issue.

Would you welcome the provision of taxi marshals at ranks?

Yes	13%
No	19%
No opinion / no response	68%

Thinking back to times prior to the spread of Covid-19 and comparing your use of licensed vehicles at that time, do you feel that your use of licensed vehicles now is different to the level of use prior to Covid-19?

I use licensed vehicles less now, compared with prior to Covid-19	22%
No difference	58%
I use licensed vehicles more now, compared with prior to Covid-19	17%

Those who felt that their level of use of licensed vehicles had changed, were asked to expand on why their level of use had changed. The reasons given by those who used licensed vehicles less were dominated by statements indicating that availability of licensed vehicles was much lower now than prior to Covid-19. Other reasons given were:

- Concerns over cleanliness
- Don't go out as much
- Now use a different mode of transport

Those who indicated that they used licensed vehicles more now, compared with prior to Covid-19, gave the following reasons:

- Distrust other public transport as people don't wear face masks
- Health has deteriorated
- Moved house

Do you have regular access to a car?

Yes	65%
No	32%

Are you a student or permanent resident in Dover District?

Yes, permanent resident	91%
Yes, student	2%
No, neither of the above	4%

What gender are you?

Male	40%
Female	57%
Prefer not to say	1%

Which of the following age groups do you fall into?

16 - 30 years old	9%
31 - 55 years old	52%
Over 55 years old (56+)	37%

Other comments from the public were:

One particular driver in Dover has always given superb service and that is Richards Taxi.

Never enough hackney carriages wish it was more like Folkestone

More drivers, cheaper or get uber

It's off-putting when you see drivers smoking in the vehicle when on the rank or when driving around empty. Thought taxis were a no smoking environment yet the drivers flout this rule.

There is only one single reliable taxi firm of any kind in the Dover district. That company is St Margaret's village cars. The ONLY company that is reliable in the area. Bring Uber to Dover and we might have a chance to get home

Would be cool to have a central app or phone service to book taxis from instead of calling ten different companies every time. Also I hate how unreliable getting taxi from train station is.

When cruise ships are in, local residents can forget getting a taxi. None of the taxis in Dover are interested because of the money they make from the ships and that, to me, is not right

We need more competition in Dover and more private hire vehicles available at all times of day. Everyone seems to think they have either just given up after Covid or they are now doing Deliveroo and Just Eat deliveries etc.

We are very fortunate in Sandwich the local firm, Sandwich Cars, always go over and beyond for their clients.

Keep the price low. Lower fuel for the taxi means lower cost of the end user.

Bring Uber into the district

Given the crime rates in Dover, taxis should be more readily available & able to book in advance

Did not know Dover had a Hackney Carriage service. Private hire very hard to get of an evening of night.

We need a lot more private drivers. Since covid there has been a shortage which makes it hard to just ring for taxi when shopping finished. Sometimes wait is half hour

Extremely poor service in Dover and Deal.

Evenings tend to be worse.

Increased cost is off putting as getting very expensive now.

Rudeness from drivers refusing payment by card although they have card machines. I was told by one it is because they then have the money in their pocket.

The town businesses will not thrive if people of an age with disposable income cannot use taxis to get to restaurants and bars. No town is safe to walk through at night so if no cabs, no one goes to the town

Make more hackney plates available, make them at a more affordable cost, one company particularly have cars that are very dirty inside and out. Also The same company have drivers and even the owner smoking in their car (not very nice when you wish to put a baby in the car).

Absolute shortage of taxis in Dover. Not just Hackney carriages.

Bring on Uber.

Taxis were always very clean inside and out but not any more and smart attire but not any more.

Trying to get a private hire to pick up from home can be difficult and you can't get a hackney taxi to pick up from home. Also do not go into town as much as cannot guarantee to be able to a get a taxi to get home.

Taxis should all be booked through one system for all companies

Not enough taxi availability at night in Deal and they don't always travel outside of Deal.

DDC should be investing in a better bus service not increasing the number of taxis.

Try it yourself ! Phone for a cab Friday Saturday night . Go into town and see if you can get home by a real taxi. I bet you can't! I was embarrassed to be a Shark, when a whole family couldn't get a cab from the train station to the cruise boat and had to walk with all their luggage.

*What a s**t taste of Dover they got having to walk by the wreck of JG's Banksy building and dirty York Street . With the burnt out night club then tackle the A20. The cruise boats won't last long if that's how their passengers are treated. I'd be embarrassed to be running this town!*

Drivers need DBS checks

I have been in a couple of private hire vehicles where the seat belts in the rear of the vehicle didn't clip properly. Once you are in the taxi booked for an event, it's too late to rebook a taxi. Not sure if there is any legislation on this.

We need more taxis.

With the proposed reduction in rural bus services, the ability to be able to use any type of taxi could be crucial.

Deal has one very good private hire in Direct Cars, the others not so as have a lot less availability. There are no Hackney cars and no Uber. We are so very much behind the times

No wheelchairs taxis in deal at the weekends I am housebound otherwise.

Comments on public attitude survey results

The proportion of consultees who identified non-valid means of hiring a Private Hire Vehicle was relatively low in Dover. Both Hackney Carriages and Private Hire Vehicles are generally perceived as good quality. Driver quality was generally considered to be good or very good by the majority of respondents. Customer service is seen as good.

Telephone booking is a popular means of hiring both Private Hire Vehicles and Hackney Carriages.

Comments and responses were dominated by feedback indicating discontent with the level of availability of licensed vehicles. In particular, lack of availability at night was identified as a particular issue.

5 Key stakeholder consultation

The following key stakeholders were contacted in line with the recommendations of the BPG:

- Supermarkets
- Hotels
- Pubs / night clubs
- Other entertainment venues
- Restaurants
- Hospitals
- Police
- Disability representatives
- Rail operators
- Other council contacts within all relevant local councils

Comments received have been aggregated below to provide an overall appreciation of the situation at the time of this survey. In some cases there are very specific comments from stakeholders. The comments provided in the remainder of this Chapter are the views of those consulted, and not that of the authors of this report.

Our information was obtained by telephone, email or face to face meeting as appropriate. The list contacted includes those suggested by the Council, those drawn from previous similar surveys, and from general internet trawls for information. Our target stakeholders are as far as possible drawn from across the entire licensing area to ensure the review covers the full area and not just specific parts or areas.

For the sake of clarity, we cover key stakeholders from the public side separately to those from the licensed vehicle trade element, whose views are summarized separately in the following Chapter.

Supermarkets

Feedback from supermarkets indicated that customers who used licensed vehicles made their own arrangements. None of the representatives contacted were aware of any notable issues with the availability of licensed vehicles for customers.

Hotels

Hotels and guest houses were contacted by telephone. Generally, hotels rarely got involved with booking a licensed vehicle for guests. Some of the hotel representatives indicated that, based on feedback from some guests, availability of licensed vehicles during 'school run' times in the mornings and afternoons could be limited and lead to extended wait times. Other than during those periods, they were not aware of any particular issues.

Pubs and Clubs

Some licensed premises in Dover town indicated that there were frequently issues with availability of taxis at night. As far as they were aware, most people tried to book a licensed vehicle by phone or app. However, many people appeared to make arrangements to be picked up by private vehicles (not licensed vehicles) or walked home. Much of the feedback was anecdotal as the respondents were generally only aware of the immediate vicinity of the premises.

In Deal, licensed premises indicated that as far as they were aware, most people, if using a licensed vehicle, would pre-book in advance. There was some perception that availability was limited late at night.

In other areas around Dover District, feedback varied. It was felt by some that few people arrived or left by licensed vehicle. Others felt that customers who used licensed vehicles appeared to have booked in advance for the return journey, anticipating a particular time for their return journey.

Railway station (Dover)

In Dover, at the railway station, staff indicated that there were always taxis at the ranks during times when trains were running. Some people came from outside the station to use the taxis at the ranks. When trains arrived, sometimes a queue of passengers could form at the rank. However, hackney carriages generally came to the rank within a few minutes.

Other Council contacts

No feedback received.

Councillors, parish councils and town councils

All councillors and parish and town councils were contacted to seek any views on licensed vehicle services. Some responses were received. Some concern was expressed that rural bus services were experiencing cuts and the role of licensed vehicles was likely to become more crucial as a mode of transport in rural areas, in order to compensate for lack of bus availability.

A comment was received regarding Deal and Walmer areas. "There are significant challenges finding available cars at weekends and in the evenings, with many firms requiring pre booking a day or more in advance. It is almost impossible to call for a cab to request an ASAP collection at these times, and firms will often refuse bookings that will take them too far 'out of area'. This situation has existed for some years, but has noticeably worsened as a result of the COVID-19 pandemic."

“Re taxis in Deal. I have had complaints from a local disability support group that there is very poor provision of taxis suitable for people in wheelchairs and power chairs. There seems to be only one working in Deal and this is sometimes unavailable, so people cannot get to medical appointments.”

Further comments corroborated the indications that the number of wheelchair accessible vehicles in operation has reduced recently and that some companies, which previously offered wheelchair accessible vehicles, no longer offer this option. The issues with lack of availability appear to be most noticeable in areas outside Dover town.

Disability representatives

Some disabled representatives, independent living facilities and care homes were consulted.

The availability of licensed vehicles in general, in rural areas, seems to have been reduced, compared with pre-Covid times. In particular, the availability of wheelchair accessible vehicles has reduced. Some of the providers regularly used in the past by wheelchair bound users, no longer operate wheelchair accessible vehicles.

Some elderly, or disabled people rely heavily on licensed vehicles to travel for appointments and leisure trips, as they are not able to drive themselves, for a variety of reasons. In order to reduce stress and anxiety relating to availability of suitable vehicles for travel, most users prefer to pre-book travel in advance. Some providers are able to accept bookings days in advance, others cannot accept bookings other than for later the same day. For some appointments for specific times, such as doctor's or dentist appointments, uncertainty over whether a trip by licensed vehicle can be booked to arrive on time, is a source of anxiety. Examples were provided of appointments which have been missed, owing to inability to book a licensed vehicle on the same day. Similarly, examples were provided for doctors appointments that had to be cancelled (having booked the appointments several weeks in advance), owing to non-availability of licensed vehicles for pre-booking before the day of travel. These concerns exist amongst mobility impaired travellers, who are able to use saloon car licensed vehicles, as well as those who need to use wheelchair accessible licensed vehicles.

For users who use wheelchairs, including those who cannot readily transfer from the wheelchair to the licensed vehicle, the issues are often more significant. Examples were provided where users in wheelchairs were not able to pre-book a wheelchair accessible vehicle for appointments.

Cuts in bus services, cuts in available hospital transport services and reduced availability / longer wait times for ambulances have all been

perceived as factors which exacerbate the problems associated with reduced availability of wheelchair accessible licensed vehicles.

An example was provided from a wheelchair user, who was feeling unwell on a Sunday afternoon. The wheelchair user called NHS 111 with symptoms and was advised to get to hospital. The wheelchair users tried calling licensed vehicle providers in Deal, attempting to hire a wheelchair accessible vehicle to travel to the nearest hospital in Deal. No wheelchair accessible vehicles were available before 11.00 pm that night. No hospital transport would be available until the next day. So an ambulance had to be called. The wheelchair user was admitted to hospital and advised that they may not have survived if they had waited until 11.00 pm. It was felt that the stress of seeking and failing to find available transport to get to hospital may have exacerbated the condition. It was felt that if more wheelchair accessible licensed vehicles were readily available for immediate hire, this would have reduced stress on the wheelchair user and reduced pressure on the ambulance service.

Feedback provided examples of other issues experienced with wheelchair accessible vehicles. Some wheelchair users have motorised wheelchairs. These wheelchairs are made in a variety of sizes and some are significantly heavier than self-propelled wheelchairs or those pushed by an assistant. The heavier wheelchairs may require a larger wheelchair accessible vehicle. However, the high floor height of some of these vehicles means that the gradient of the loading ramp is steep and cannot be used by some wheelchairs.

Some powered wheelchairs are also collapsible, enabling them to be carried in standard saloon cars, if the wheelchair user can transfer into the vehicle. However, even collapsible wheelchairs are heavy and not all drivers may feel able to lift the wheelchair into the vehicle.

Comments on Stakeholder Consultation

Some of the stakeholders who provided feedback had no direct awareness of any issues with licensed vehicle availability. However, others provided feedback which indicated that licensed vehicles in general and wheelchair accessible licensed vehicles in particular offered limited availability at times and in some locations.

Lack of availability of licensed vehicles was the dominant element of feedback from stakeholders who provided a response.

No comments on the quality of vehicles or drivers were received.

6 Trade views

The BPG encourages all studies to include 'all those involved in the trade'. There are a number of different ways felt to be valid in meeting this requirement, partly dependent on what the licensing authority feel is reasonable and possible given the specifics of those involved in the trade in their area.

An online questionnaire was hosted and links to the online questionnaire sent to licensed vehicle owners and drivers. Eighteen responses were received.

In addition to the direct consultation questionnaire, telephone consultation was undertaken with some booking office operators.

Online survey responses

Of those responding, 72% said they normally drove Hackney Carriage vehicle.

In terms of typical hours worked, the respondents were asked how many hours they typically worked during daytime hours (06:00 to 18:00) and night time (18:00 to 06:00). The majority of respondents worked the majority of their working hours, during the day time. Few of the respondents worked night time hours, including not working on Friday and Saturday nights. The average hours per week worked was around 55 hours.

Respondents were asked which ranks they worked from (if they drove a hackney carriage). The majority of respondents indicated that they worked from the main ranks in Dover, Biggin Street, Worthington Street, Railway Station and Port of Dover. Around a quarter of hackney carriage driver respondents operated from the rank on South Street, Deal. None of the drivers who operated in Deal, indicated that they worked from any of the ranks in Dover. Similarly, none of the drivers who worked in Dover, operated from the rank in Deal. Two drivers indicated that they also operated from Pencester Road in Dover. Not all hackney carriage drivers indicated that they worked from ranks, some indicated that they normally only undertook pre-booked hires or contract hires.

All of the hackney carriage driver respondents indicated they pick up journeys from ranks. The average number of hires from ranks per week day varied significantly, from 11 hires per week to over 100 hires per week. The average number of rank hires was around 52 hires per week.

Most of the hackney carriage driver respondents indicated that they normally pick up fewer than 10 hires per week from hailing or flagging down at the roadside. Some drivers indicated that they picked up between 11 and 20 hires per week from hailing.

Most of the hackney carriage driver respondents indicated that they owned their own vehicles.

Respondents were asked how many journeys they pick on average each week, from telephone bookings. All hackney carriage drivers and all private hire vehicle drivers indicated that they undertake some hires obtained through telephone bookings

Approximately how many journeys on average do you pick up each WEEK from telephone bookings?	Up to 10	11 to 20	21 to 30	31 to 40	51 to 60	61 to 70	71 to 80	111 to 120	141 to 150	201 or more
Hackney carriage drivers	55%	0%	9%	9%	9%	9%	9%	8%	8%	0%
Private hire vehicle drivers	0%	50%	0%	0%	50%	0%	0%	0%	0%	33%

Amongst the hackney carriage drivers responding, those who undertook higher volumes of pre-booked hires, tended to undertake fewer, or no rank based hires.

Around three quarters of driver respondents indicated that they generally didn't undertake any hires which involved the carriage of wheelchairs. The remaining quarter indicated that they normally undertook up to 5 hires per week, which involved the carriage of a wheelchair. Hires which required carriage of a wheelchair were split evenly between rank hires and prebooked hires, for hackney carriages. Around half of those respondents who regularly undertook wheelchair user hires, had regular clients who were wheelchair users.

Around 44% of respondents had regular clients with some form of mobility impairment.

Some of the hackney carriage drivers are members of a WhatsApp social media group. This is used to inform drivers if people are waiting at a particular rank or if a special vehicle is required at a rank.

Around a third of respondents indicated that their vehicle was driven by more than one person, for different shifts.

Issues highlighted which could adversely affect the successful operation of the Hackney Carriage trade included the following comments:

- Totally different rules to other local councils on how long we can keep a car as a taxi. Totally non level playing field as our overheads far outweigh other firms in neighbouring areas i.e. Thanet where some of their vehicles are 15+ years old.. We therefore are undercut on airport runs & school contracts etc.
- Private hires taking rank customers

- Private vehicles parking on the Taxi rank and abusing us when we politely ask them to move. Often, we cannot wait for hires as the rank is taken by private drivers.
- Drunk and disorderly people
- If the amount of hackney plates available are increased as it's only for a few months of the year and then it's difficult to make a living
- More Drivers will solve the issues, with that said, It's a supply and Demand issue, prices need to increase to meet demand. Also after 8pm, we should operate on time and Half, as most drivers will only work during the day and they don't need to come out at night and deal with drunks, etc. if they're not incentivised to do so!
- Also, for a 3-year period, reduce the age Limit on the age of Cars, Reduce regulation and allow people with driving licenses to drive a taxi.
- Public not understanding difference between hackney and private hire
- Technology
- Traffic gridlock in Dover
- Vehicles parking on the Taxi Ranks and Ranks being moved to places where no public can see them (I.e Market Sq) and St James Rank not in the right place as it was promised
- Rail strikes, port issues leading to gridlock of Dover's roads

Respondents were asked if the supply of Hackney Carriages was adequate to meet the needs of the public. Around two thirds responded with 'yes'. Similarly, they were asked if the Private Hire Vehicle supply was adequate. Around a quarter of respondents responded with 'yes'.

Respondents were asked about the impact of a hypothetical situation, what would be the impact of increasing the number of Hackney Carriage vehicle licences in Dover. Responses included the following statements:

- Private hire vehicle would leave company [to be licensed as a hackney carriage] & sit on ranks. Then when people phone the company, they would not get a service. We only have 6 good spaces in town so you would not get on a rank
- We would need more taxi ranks in Deal
- Maybe more availability at weekends when hackney drivers are also part of a busy office
- They would be taken up by current Private Hire licensed vehicles, and would not increase the number of licensed vehicles in the area.
- It is hard enough trying to earn a living in this current time, it would probably make it harder, which is why most of us have clients who phone for a Taxi. Especially useful when you cannot get on the rank due to the amount of times it is used by members of the public to park.

- Less work for the ones already working, there is not enough jobs for all of us already.
- In Deal we only have one main rank that everyone uses so at certain times would be inadequate to increase number of hackney plates since COVID there is a shortage of drivers at weekends so the rank is under-serviced.
- More time waiting for my next job, sometimes hours sitting at present.
- Should all be Hackney carriages so the fares will all be the same.
- Not enough work for us.
- More pre bookings would be "stolen".
- There is very little work between September and April. We struggle enough as it is. in the winter months we sometimes make £30 per day after fuel and expenses.
- There will be no impact due to it being a driver shortage, Drivers are leaving for better paid Jobs, PRICES NEED TO INCREASE DRAMATICALLY TO MEET WITH DEMAND.
- No space on the ranks.
- Less work for current owners
- To many taxis for the ranks that work in Dover.
- Even worse private hire supply

Respondents were asked about the impact of a hypothetical situation if some hackney carriage licences were surrendered in Dover and not renewed. Responses included the following statements:

- There is a shortage of taxi drivers and people struggle to get taxis on weekends as it is. I think reducing the hackneys would only make this problem worse.
- If you take away the Hackney drivers then you would not only jeopardise jobs but also the availability of jumping in a car on the rank ,forcing people to wait for a private hire car to turn up , which is just not viable and people prefer an immediate taxi rather than waiting. I've been both private hire and hackney over the years and people would miss the Hackneys because on the rank they are immediate, and a lot of local shoppers like the taxis being on the rank. Plus tourists look to the rank for a taxi as they don't have local taxi phone numbers.
- Will be even less on the road
- Still be okay
- More pre books would be taken
- More deterioration in this depleting industry, due to over-regulation regarding price and entry barrier and the Time it takes to obtain a license.

Respondents were asked are there any factors which limit the supply of hackney carriages or private hire vehicles at certain times or in certain locations? Responses included the following statements:

- Driver are not safe at night & ranks are too small or in the wrong place
- Working as a female driver I have recently taken the decision not to work at night due to the fact I don't feel safe and there is not enough in place to protect us when incidents occur. For example, when previous incidents have been reported they aren't taken seriously and no further action is taken, meaning these customers get away with it and will be likely to repeat their actions again. I have been touched inappropriately, had inappropriate comments made to me, been threatened with physical violence, unpaid fares, been spat at, had customers try and use drugs in the back of the car and made to feel generally uncomfortable by the customers. Although a small amount of this is to be expected its becoming more and more regular, happening multiple times through the night.
- The sheer lack of drivers means that most taxis are run by one person, and for their own safety they can only drive for so many hours a day. The bulk of the work is during the day, so we have a severe lack of drivers for evening, night and weekend shifts.
- The rank by St James is in the wrong place. People do not want to walk to the top of St James with heavy shopping. I have sat down there for up to 2 hours before without a job. No fare, no money. Since it has been there, I have had 1 job and it's wasting time with no earnings to sit there. The one at fishmongers is only useful at night when people are out. Pencester is dead, it is right opposite a private hire firm which people tend to use more. The docks have been deadly these last 2.5 years as bus firms had the contract to pick up crew due to Covid and there were no foot passengers again due to Covid. It's only just beginning to pick up now. Most jobs come from Biggin St or Worthington St, although there we have trouble getting on the rank at times as everyone else parks their car or van there for coffee, shopping or deliveries. If you check the footage from the cameras that were up, you will see it is a constant battle (often abusive to us) when we ask them to move so we can work.
- The low fares, the fact that Tuesdays and Wednesdays are usually dead for the trade, and people not using taxis as they used to. They call Private hire companies, and when they can't supply the cars in time the put us all in the same pot saying there's not enough taxis in Dover.
- No major factors, more space on ranks in Worthington St would be good as when rank is full we have to drive round in circles for half an hour or wait for a space on double yellow lines
- Late at night less cars out now and what there used to be
- Safe spaces for private hire vehicles to pull into to drop passengers off as they are not allowed to stop in Hackney bays

- Rank space definitely, as there is nowhere to queue while waiting for a space on a rank if they are full, without getting a parking fine and also when Dover gets gridlocked due to port congestion which is now far too often.
- Security is a concern, especially late at night, also the unsociable hours, why work at night when you can earn as much during the day? Allow the Tariff to increase after 8 pm this will Help this.
- Rank space. no drivers for nights
- Not enough drivers
- Traffic gridlock in Dover
- Security or safety concerns when asking people to move of ranks who should not be parked there. We get sworn at. Some taxis go on School jobs so at those times [there is low availability] and Council not giving us the fare increase quickly, so Private hire are changing more than hackneys.

Respondents were asked if any ranks need to be improved and if so, how. The responses included the following comments:

- Maybe more signage?
- We have our main rank in South Street Deal, which has in recent years been updated. During the consultation period, we all expressed [concern regarding] the ridiculousness of the design. Deal hackney vehicles are for the main part attached to a company running both tiers of licensed vehicles and are given work from their respective offices. Consequently, big gaps must be left on the rank between cars, to allow them to drive over the raised Kerbs to answer an office call when sat on the rank.
- Yes, cameras on the ranks to protect us. Also, immediate fines issued to any non hackney vehicle that parks there. A longer rank would be good in the high traffic shopping areas. A taxi rank inside St James would make it easier for shoppers to use us. Likewise a rank close to the Market Square that is visible, rather than hidden around a corner, perhaps behind the new bus stop as it makes it easier for people to find us.
- Outside Costa coffee, needs moving to the other end outside boots
- Yes, put cameras on it.
- Biggin street could be bigger as it only takes 3 cars and nowhere to queue while waiting for a rank space.
- South Street. Kerb too high on passenger [side,] making it difficult to exit top half of the rank
- Biggin Street rank could be bigger
- YES, all off them in Dover Town ie Market Sq back in the Sqare. Biggin St should be in the Precinct outside B&M, so people can get in the taxis more safely and St James outside M&S as promised.
- Better signage & `policing`.

Respondents were asked if any new ranks need to be established? If so, where should they be located and why?. Responses included the following statements:

- The White cliffs and Dover Castle
- Deal Station.
- St James, Dover

Respondents were asked if they were aware of any times or locations where members of the public may face difficulties hiring a Hackney Carriage? Responses included the following statements:

- School run time
- Friday and Saturday nights, 10pm onwards
- Every night and most of the whole weekend. During the school term, before school and when school finishes are also testing times.
- Yes, St James, The market and at school times many of the ranks are busy so Hackneys are coming and going.
- Market square and Bigging Street at 2.30 am on Friday and Saturday. Can't be helped, nobody wants to deal with drunk people who probably can't afford the fare at 2.30 am.
- Mainly weekends and during school term.
- During the gridlock shambles when Dover often comes to a standstill due to operation stack
- When is shortages of private hires

Respondents were asked if the signage and marking for current taxi ranks was effective. If not, how could this be improved? Are there any particular issues at particular ranks? Responses included the following statements:

- The signage should explain the difference between hackney & private hire cars & why private hire vehicles can't use the ranks or be flagged down.
- Signage could be improved and more noticeable. Most members of the public park on the ranks because they aren't even aware it's a rank.
- Existing signs are too small , I've had people before tell me it's a loading bay and that it's not a taxi rank. The signs need to be larger with a warning that people will be fined by post for parking their car there and the fine needs to be big enough that they take notice!
- Signage in the pedestrianised town where we cannot have a rank could have signage to taxi ranks. Also St James retail park signage to the taxi rank.

- Taxi [rank] direction in the pedestrian Area of Dover
- All Dover ranks need much better signs and markings

Respondents were asked; Do you feel that the level of customer care and service quality from Hackney Carriage drivers in general in Dover District is satisfactory? 83% of respondents felt that customer care and service was satisfactory.

Respondents were asked; Are there any benefits to the public associated with restricting the number of hackney carriages? If so, could you tell us what advantages there are? Responses included the following statements:

- If private hire cars became hackney carriages then the public would not be able to call for a taxi to pick them up at their home or other location. They would have to walk to a taxi rank.
- Increasing the number of Hackney Carriage Licenses, would not benefit the Public, as they would be snapped up by existing private hire vehicle owners, so would not increase the supply. The only way increasing the number of HV would benefit the public is if the type of vehicle had to be satisfied to get a new HV licence i.e wheelchair accessible, MPV etc
- No I wouldn't say it would benefit the public either way, usually they wait at the rank as they know a taxi will be back soon, the impatient ones tend to opt for private hire if there is no taxi on the rank.
- None open it up so everyone can be a Hackney.
- Yes as it encourages drivers into the trade, as if there were more Hackney carriages people would struggle to make ends meet on the current level of trade, it also promotes good conduct as the Dover federation also demands good standards from Hackney drivers. There are also enough taxis for the current business level.
- The problem is the Lack of Private hire Drivers, and the drivers are just getting older and no young new drivers coming through the Ranks, this is the biggest issue that started before Covid.
- More Hackney plates would have a detrimental effect on current takings and discourage people from the trade.
- Restriction by survey (no significant unmet demand) means there is already sufficient number.

Respondents were asked if they had driven a private hire vehicle or hackney carriage, in Dover District, prior to the spread of Covid-19. 83% of respondents indicated that they had driven a licensed vehicle prior to the spread of Covid-19.

Those who had been driving prior to the spread of Covid-19 were asked for opinions regarding their work patterns, working hours and levels of demand.

Around 56% of hackney carriage drivers indicated that they worked a different pattern of daytime and night time hours. Around 50% of hackney carriage drivers felt that there was less night time demand currently.

Around 40% of private hire drivers indicated that they worked a different pattern of daytime and night time hours and around 60% of private hire drivers felt that there was less night time demand currently.

Respondents were asked if there were any other comments that they would like to make. Comments included the following statements:

- I think more should be done to stop private hires taking hackneys fare off ranks
- I would like to have a face to face meeting with a member of the survey team. I am a Director of a mixed HV and PHV taxi firm operating in Deal. I am not sure if this is allowed, so I have completed this form to the best of my ability.
- I feel that the ranks need to be better placed and better monitored, I know parking services do their best but they are not there all the time , with better signage on the ranks and cameras, that way the people who park there could be fined and it would make them think twice . The taxi rank is where we work, I don't go into peoples offices and sit in front of their computer so they can't work, but it seems acceptable? for people to sit where I work. The camera footage of number plates could go straight to parking services to be processed ,(The DDC would reap back what was spent on making our ranks a safer place to work in a few months) and eventually we would be able to wait on the ranks for work because then we would be able to.
- I have held a taxi license for 40 years. Since COVID, things have changed a lot. Most drivers that remain only want to work Monday to Friday days so weekends and nights that is not enough cars to cover the work and the sad thing is i can only see things getting worse.
- DDC Licensing do a good job but we very very rarely see anyone out on the ranks, that would be nice.
- As a fairly new private hire driver, I have received more "grief" from Hackney drivers than anyone else in my time as a taxi driver. They are very territorial and constantly blame private hire for "stealing" their fares when in actual fact I have watched some of them try and coax prebooked customers into their cabs after being told that they had prebooked. Furthermore, I have been "offered" fares by Hackney drivers that they don't want to take, e.g. from the

cruise terminal to dover marina hotel because it's not a good enough fare for them.

- I think the picture this year is not at all representative of what will be an average year. More people are doing staycations in place like Dover on the coast due to lack of confidence because of the following :- lack of confidence in booking P&O ferries due to the farce and uncertainty after sacking all the crew. Lack of confidence in traveling from Airports due to the baggage staff, flight cancellations and Border force shortages. The unprecedented heat wave drawing people to coastal towns. All these teething problems after Covid things have contributed to a false picture this year of the average year and going forward.
- I've been an operator for over 20 years, and I talk to other operators who are willing or are considering packing up altogether, a lot of these Private hire companies are not making money, due to a Lack of Drivers, etc, and are barely keeping afloat. But the suggestions I have highlighted if implemented may help to bring this industry back to life.
- As is, with the entire Local economy is suffering somewhat due to the Lack of Taxis. Who is going to go out for a meal etc. if you can't get home?
- More assistance from licensing to make it easier to get new drivers through. Look at vehicle age under current climate new/used cars are 40% more expensive so why can't a vehicle of 8years of age be looked at and extended. Other authorities allow vehicles of 12-15 years old. if they are roadworthy and clean/tidy what's the issue with extended it's life cycle as a taxi.
- I would to see more action taken against Drivers parking on Dover taxi ranks as we are abused on a daily bases if we ask them to move. Maybe a rank like Deal where only taxis can go in.
- Recently, more Hackney demand due to dwindling private hire supply

Other comments from respondents and trade representatives.

The greatest challenge facing the licensed vehicle trade in Dover District appears to be related to limited driver numbers. During the Covid-19 restrictions, many drivers took up other opportunities to earn a living, as the income from driving hackney carriages and private hire vehicles was very limited. Many of the drivers who left the trade, have not returned as demand increased.

Some new potential drivers have expressed interest in becoming licensed drivers. However they have been put off by the cost and time associated with becoming a licensed driver. i.e. the cost of a medical certificate, DBS certification, knowledge test and licensing fees.

Getting drivers to cover night time shifts is difficult. Drivers prefer to work daytime hours, if they can earn enough on those shifts. Consequently and understandably, drivers prefer not to work anti-social hours and face additional hassle from drunk people late at night.

Overview of trade consultation

Lack of drivers was a significant issue and booking office operators would welcome more drivers into the trade. They feel that there is more demand which could be met with more drivers.

Responses from the trade indicated that there was significant reliance on pre-booked hires for much of the trade.

From the drivers' perspective, there is less night time demand than in the past.

The hackney carriage trade is largely split geographically between Dover and Deal and drivers tend to stick to one area.

Vehicles parking on the ranks can be an issue, as is lack of sufficient space for all the vehicles which may want to wait on particular ranks from time to time.

7 Evaluation of unmet demand and its significance

It is first important to define our specific view about what constitutes unmet demand. Our definition is when a person turns up at a Hackney Carriage rank and finds there is no vehicle there available for immediate hire. This can lead to a queue of people building up, some of who may walk off, whilst others will wait till a vehicle collects them. Later passengers may well arrive when there are vehicles there, but because of the queue will not obtain a vehicle immediately.

There are other instances where a queue of passengers can be observed at a Hackney Carriage rank, whilst a queue of Hackney Carriages is present, waiting to pick up passengers. This can occur when the level of demand is such that it takes longer for vehicles to move up to waiting passengers than passengers can board and move away. This often occurs at railway stations, but can also occur at other ranks where high levels of passenger arrivals occur. We do not consider this is unmet demand, but geometric delay and although we note this, it is not counted towards unmet demand being significant.

The industry standard index of the significance of unmet demand (ISUD) was initiated at the time of the introduction of section 16 of the 1985 Transport Act as a numeric and consistent way of evaluating unmet demand and its significance. The ISUD methodology was initially developed by a university and subsequently adopted by consultants undertaking the surveys made necessary to enable authorities to retain their limit on Hackney Carriage vehicle numbers. The index has been developed over time to take into account various court challenges. It has now become accepted as the industry standard test of if identified unmet demand is significant.

The index is a statistical guide derived to evaluate if observed unmet demand is in fact significant. However, its basis is that early tests using first principles identified based on a moderate sample suggested that the level of index of 80 was the cut-off above which the index was in fact significant, and that unmet demand therefore was such that action was needed in terms of additional issue of plates to reduce the demand below this level, or a complete change of policy if it was felt appropriate. This level has been accepted as part of the industry standard. However, the index is not a strict determinant and care is needed in providing the input samples as well as interpreting the result provided. However, the index has various components which can also be used to understand what is happening in the rank-based and overall licensed vehicle market.

ISUD draws from several different parts of the study data. Each separate component of the index is designed to capture a part of the operation of the demand for Hackney Carriages and reflect this numerically. Whilst the

principal inputs are from the rank surveys, the measure of latent demand comes from the public on-street surveys, and any final decision about if identified unmet demand is significant, or in fact about the value of continuing the current policy of restricting vehicle numbers, must be taken fully in the context of a careful balance of all the evidence gathered during the survey process.

The present ISUD calculation has two components which both could be zero. In the case that either are zero, the overall index result is zero, which means they clearly demonstrate there is no unmet demand which is significant, even if other values are high.

The first component which can be zero is the proportion of daytime hours where people are observed to have to wait for a Hackney Carriage to arrive. The level of wait used is ANY average wait at all within any hour. The industry definition of these hours varies, the main index user counts from 10:00 to 18:00 (i.e. eight hours ending at 17:59). The present index is clear that unmet demand cannot be significant if there are no such hours. The only rider on this component is that the sample of hours collected must include a fair element of such hours, and that if the value is non-zero, review of the potential effect of a wider sample needs to be considered.

The other component which could be zero is the test identifying the proportion of passengers which are travelling in any hour when the average passenger wait in that hour is greater than one minute.

If both of these components are non-zero, then the remaining components of the index come into play. These are the peakiness factor, the seasonality factor, average passenger delay, and the latent demand factor.

Average passenger delay is the total amount of time waited by all passengers in the sample, divided by the total number of passengers observed who entered Hackney Carriages.

The seasonality factor allows for the undertaking of rank survey work in periods which are not typical, although guidance is that such periods should normally be avoided if possible particularly as the impact of seasons may not just be on the level of passenger demand, but may also impact on the level of supply. This is particularly true in regard to if surveys are undertaken when schools are active or not.

Periods when schools are not active can lead to more Hackney Carriage vehicles being available whilst they are not required for school contract work. Such periods can also reduce Hackney Carriage demand with people away on holiday from the area. Generally, use of Hackney Carriages is

higher in December in the run-up to Christmas, but much lower in January, February and the parts of July and August when more people are likely to be on holiday. The factor tends to range from 0.8 for December to 1.2 for January / February.

There can be special cases where summer demand needs to be covered, although high peaks for tourist traffic use of Hackney Carriages tend not to be so dominant at the current time, apart from in a few key tourist authorities.

The peakiness factor is generally either 1 (level demand generally) or 0.5 (demand has a high peak at one point during the week). This is used to allow for the difficulty of any transport system being able to meet high levels of peaking. It is rarely possible or practicable for example for any public transport system, or any road capacity, to be provided to cover a few hours a week.

The latent demand factor was added following a court case. It comes from asking people in the on-street questionnaires if they have ever given up waiting for a Hackney Carriage at a rank in any part of the area. This factor generally only affects the level of the index as it only ranges from 1.0 (no-one has given up) to 2.0 (everyone says they have). It is also important to check that people are quoting legitimate Hackney Carriage rank waits as some, despite careful questioning, quote giving up waiting at home, which must be for a Private Hire Vehicle (even if in Hackney Carriage guise as there are few private homes with taxi ranks outside).

The ISUD index is the result of multiplying each of the components together and benchmarking this against the cut-off value of 80. Changes in the individual components of the index can also be illustrative. For example, the growth of daytime hour queueing can be an earlier sign of unmet demand developing than might be apparent from the proportion of people experiencing a queue particularly as the former element is based on any wait and not just that averaging over a minute. The change to a peaky demand profile can tend towards reducing the potential for unmet demand to be significant.

Finally, any ISUD value must be interpreted in the light of the sample used to feed it, as well as completely in the context of all other information gathered. Generally, the guide of the index will tend not to be overturned in regard to significant unmet demand being identified, but this cannot be assumed to be the case – the index is a guide and a part of the evidence.

ISUD value

For the 2022 survey, average passenger delay was 1.03 minutes (1 minute 2 seconds). Periods when passengers had to wait for a hackney

carriage to arrive at the rank amounted to 7.9% of the observed off peaks hours.

32 % of passengers travelled in hours when there was an average wait of over a minute. The demand profile did not exhibit highly peaked demand, resulting in a factor of 1.0 being used. The seasonal factor is 1.0. The latent demand factor was 1.408. The resultant **ISUD** value of **366.6** is greater than the value of 80 that would suggest the observed unmet demand might be significant. Consequently, this suggests that there **is significant unmet demand**.

Table 5 ISUD Components

ISUD component	2022
Average passenger delay	1.03
Off peak hours with observed waiting	7.9
% of passengers travelling in hours with average queue over a minute	32
Seasonal factor	1.0
Peak factor	1.0
Latent demand factor	1.408
Overall ISUD index estimate	366.6

8 Comments on population growth and railway statistics

Population growth

The population is forecast to grow from 118,514, in 2020 to approximately 134,300 people by 2040, based on KCC Housing Leds Forecast 2021.

The demand for licensed vehicles is related to a variety of drivers, these include population levels, transport interchange and visitor numbers related to business travel and tourism. With a stable population level, demand will tend to grow, in response to increased affluence and disposable income. Thus there is an elasticity of demand relative to population, related to growth in disposable income. With the addition of population growth, the growth in demand for licensed vehicles, including Hackney Carriages will tend to grow in line with the combination of population growth and the demand elasticity.

Visitor numbers tend not to be directly related to local population, but are linked to visitor attractions and accommodation availability. Business visitors tend not to be linked directly to population levels but are driven by business premises which tend to attract visitors. For example, in towns and cities which have higher numbers of business headquarters, these premises tend to host more visitors than other types of business premises. When we compare the licensed vehicles per 1,000 population statistics of larger towns and cities, with smaller towns, the influence of business travel and interchange trips (airport and main rail station licensed vehicle trips) tends to result in higher ratios of licensed vehicles per population.

In Dover district, the cruise terminal and passenger ferry terminal, in Dover, draw trips. Some of the people travelling to and from the cruise terminal and the ferry terminal also use rail travel to and from Dover Priory Station, for part of their trip. Travel by licensed vehicle between the railway station and the ferry and cruise terminals is a common generator of demand. This feature illustrates how demand for licensed vehicles can be generated by facilities within the District, which are not related to population.

Railway Statistics

Some demand for licensed vehicles is related to rail passenger volumes. Where rail passenger volume increases, we would expect to observe some increase in associated use of licensed vehicles by rail passengers.

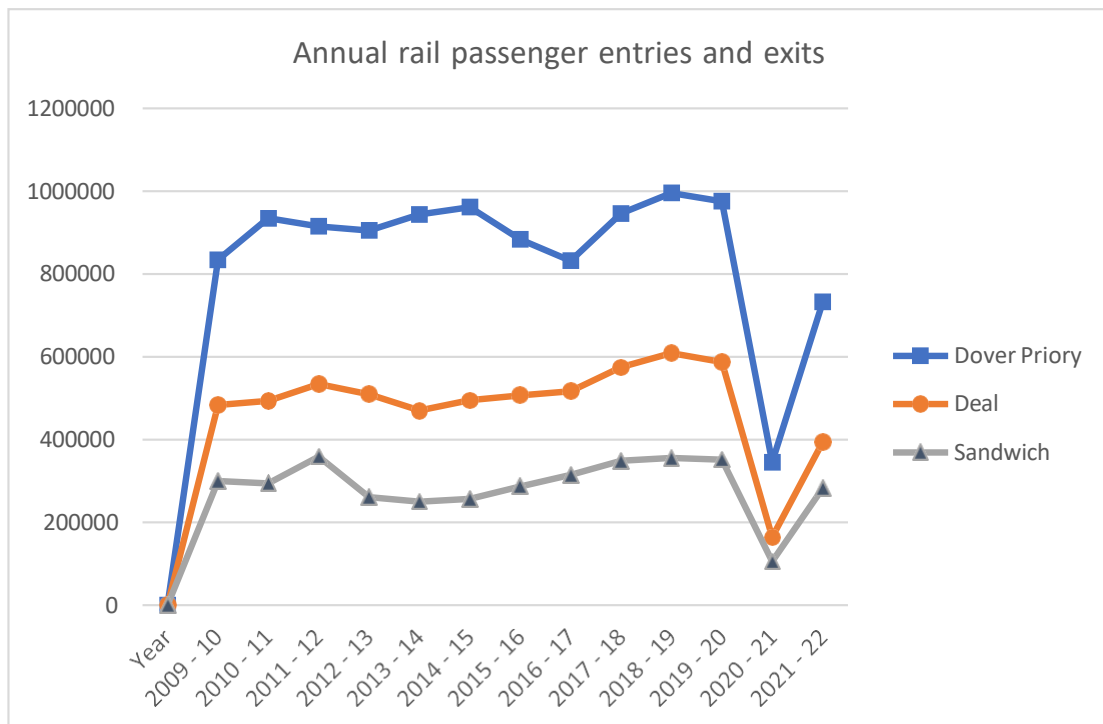


Figure 7 - Annual passenger movements at principal Railway Stations

Data is available for annual passenger numbers each year, from 2009 to 2022.

Dover Priory station has a taxi rank and we would anticipate a direct correlation between changes in rail travel demand and demand for Hackney Carriages hired from the rank. The stations in Deal and Sandwich are not directly served by attended taxi ranks and hence demand for licensed vehicles is likely to relate to hires booked by telephone or mobile app. Notwithstanding this feature, the general demand for licensed vehicle travel to and from the stations is likely to be influenced by patronage levels.

Patronage for the 2020 – 21 year was dramatically reduced for each of the three stations featured. This year was impacted by Covid-19 mitigation measures, including travel restrictions and encouragement to work from home where feasible. As a consequence, public transport volumes on all modes were affected.

Rail travel had partially recovered to pre-Covid levels. During the year 2021 – 22. However, volumes remain suppressed at around 80% of pre-Covid levels.

8 Summary and study conclusions

General availability

Feedback from the public and stakeholders suggests some dissatisfaction and concern regarding availability of licensed vehicles at times. There was particular concern regarding availability at night.

Feedback from the trade indicates that lack of drivers, particularly private hire vehicle drivers, has led to shortages of provision. The reduction of active licensed vehicle drivers is a national phenomenon in the UK. Licensed vehicle drivers took up alternative means of earning an income during Covid-19 mitigation measures. Whilst these measures are no longer in place and demand for licensed vehicles has increased since then, drivers have not all returned to their previous occupation, driving private hire vehicles and hackney carriages. The licensing statistics indicated in Table 2 indicate a decline in recent years in both private hire vehicles and licensed vehicle drivers. The proportionate drop in total licensed vehicles and total licensed vehicle drivers is similar. It is likely that the statistics for drivers may lag behind the actual number of actively operating licensed vehicle drivers. Drivers are generally licensed for 3 year periods. So some drivers who have left the trade, during the Covid-19 related downturn in trade, may still be licensed, even though they are working in another field of employment.

In Dover District, the number of private hire vehicles licensed has decreased since 2019, whilst the number of hackney carriages has remained constant.

The level of licensed vehicle capacity available to the travelling public, is dependent on how many licensed vehicles are operational combined with how many licensed vehicle drivers are available to drive these vehicles.

Pre-booked hires are a significant component of the work undertaken by hackney carriages in Dover District. Indeed, for some, all hires are obtained without visiting taxi ranks. Not all areas within Dover District have active taxi ranks. Any restrictions in availability of private hire vehicles (through reduced vehicle and driver numbers) are likely to have a knock on impact on hackney carriage hires and availability. Pre-booked demand for private hire vehicles is likely to transfer readily to hackney carriages.

Some booking office operators book trips for both private hire and hackney carriages. The customers of such operators may make no distinction between the type of licensed vehicles which fulfil their bookings.

If hackney carriages are kept busy with back to back pre-booked hires, they are likely to have less time available between hires to visit taxi

ranks. This phenomenon can lead to a significant increase in passenger waiting at taxi ranks, related to relatively modest changes in demand. A relatively modest increase in availability of hackney carriages at the ranks would be likely to significantly reduce the level of passenger waiting at ranks.

A particular issue for the public is lack of availability of licensed vehicles at night. This applied both to rank based availability and availability to pre-book a licensed vehicle. Feedback from the trade indicates a preference amongst active drivers to work daytime hours rather than more anti-social night time hours. This is understandable, as the night time hours are perceived as higher risk and more difficult, owing to having to deal with drunk passengers.

There was a notable perception within the trade questionnaire feedback that drivers perceived that night time demand was low. This contradicts public feedback that availability of licensed vehicles at night is low and feedback indicating high levels of latent unmet demand. This situation could well lead to a self-fulfilling prophecy as; if the trade don't recognise the existence of demand at night and customers don't expect to be able to hire a licensed vehicle at night, potential passengers will not attempt to hire licensed vehicles and drivers will not provide the capacity at those times.

It is noted that booking offices are aware of the unmet night time demand and are frustrated at the lack of drivers available to meet that demand.

Reduced driver numbers may have reduced competition between drivers and reduced wait times between hires, for both private hire and hackney carriage drivers. If so, this phenomenon would result in drivers being busier than they would have been pre-Covid, when more drivers were operating. Consequently, drivers would have more freedom to choose the hours that they work in order to meet earnings targets.

If the number of operating drivers were to increase in the future, it is likely that increased competition would encourage more drivers to work the more anti-social night time periods.

Wheelchair accessible vehicles

Lack of wheelchair accessible licensed vehicles has been raised as an issue which had been growing in severity in recent years, including prior to Covid-19. Lack of licensed vehicle drivers has also exacerbated the issue.

Wheelchair users face limitations in the availability of wheelchair accessible licensed vehicles. Some wheelchair users can travel in vehicles, having moved out of their wheelchairs and therefore, do not need a wheelchair accessible vehicle. However, others are not able to move from their wheelchairs, as they cannot travel without the support their wheelchair offers. Other wheelchair users could potentially transfer

out of their wheelchair into a vehicle seat, but cannot achieve this without extensive assistance. Not all drivers are able or willing to offer assistance to physically assist passengers out of wheelchairs and into the seats in a licensed vehicle.

Some motorised wheelchairs are substantially heavier than self-propelled wheelchairs. Some wheelchair accessible vehicles, with high floors have ramps with steep gradients to board wheelchairs. Drivers of some vehicles with steep ramps cannot readily cope with the weight of a heavy electric wheelchair combined with the weight of the wheelchair user.

The historic decline in the number of wheelchair accessible licensed vehicles which are licensed in Dover District corroborate the feedback from stakeholders that problems which wheelchair users face, have become worse over recent years.

Wheelchair users face anxiety and stress associated with trips which other members of the community would undertake with little concern. Some wheelchair users can feel trapped in their homes.

Some buses offer space for wheelchair users to board the buses and travel on scheduled services. The use of buses is seen as relatively reliable. However, there is some perception that the availability of scheduled bus services has been reduced in recent years, leading to greater reliance on licensed vehicles. Therefore, the reduced availability of wheelchair accessible licensed vehicles increases the frustration and isolation perceived by wheelchair users.

Demand versus supply

Passenger volume at taxi ranks at night was low, compared with daytime levels of use. This pattern of use, whilst somewhat counter intuitive, corroborates feedback from the trade and from the public. The majority of night time demand appeared to be met by pre-booked hires. These pre-booked hires were fulfilled by both hackney carriages and private hire vehicles.

Public consultation indicated a relatively high level of latent unmet demand for hackney carriages available to be hired from ranks, especially at night. If the public don't expect to find hackney carriages available at the ranks at night then they are less likely to visit the ranks to hire hackney carriages.

Booking offices and licensed vehicle owners have indicated that they need more drivers to meet demand.

Potential measures to consider

Some potential measures which could be considered, in order to increase the level of availability of hackney carriages to meet rank based demand are as follows:

- **Do nothing** – There is some interest from people who would like to become a licensed driver. Over time, it is likely that the number of licensed vehicle drivers will increase. Similarly, it is likely that some new drivers will also license a private hire vehicle which they will operate.
- **Increase the number of hackney carriage licences** – Feedback from the trade indicated that if more hackney carriage licences are released, some of these licences would be likely to be taken up by existing licensed vehicle drivers, who currently own and/or drive a private hire vehicle. They would convert their private hire vehicle licence to a hackney carriage licence. As such, the level of increased availability of hackney carriages may be limited. However, some additional capacity would be likely to be provided by new drivers entering the trade, either to directly operate a new hackney carriage licence, or to fill the gap left by existing drivers transferring from operating a private hire vehicle, to a hackney carriage vehicle.
- **Change tariff 2** – Hackney carriage fares increase by 50% after midnight, when the fares change from tariff 1 to tariff 2. If the changeover time was moved to an earlier time, this may encourage more drivers to work evenings and nights.
- **Increase fares** – The hackney carriage fares level in Dover District is below average for the country as a whole. Potentially, increased fares income could encourage more people to become licensed vehicles drivers.

With respect to measures aimed at increasing availability of wheelchair accessible licensed vehicles, there are some potential measures which may be explored:

Identify the potential income from targeting mobility impaired passengers – People with mobility impairments tend to use licensed vehicles more frequently than the general public at large. In some parts of the country, mobility impaired users are successfully targeted by operators who have identified this as a valuable market sector. Where reliable services are provided, mobility impaired passengers are more likely to travel for discretionary trips, such as to restaurants and cinemas etc.

Issue additional hackney carriages vehicle licenses for wheelchair accessible vehicles only – Additional wheelchair accessible vehicles in the hackney carriage fleet may provide additional opportunities for wheelchair users to hire an appropriate vehicle. However, it should be noted that there is no guarantee that any holder of a wheelchair accessible vehicle hackney carriage license will actively seek hires from wheelchair users.

Recommendation

In order to take action to address the shortfall in hackney carriage capacity available to the travelling public, the potential measures available for the Council to implement are limited. It is not feasible to directly apply measures to recruit additional drivers, or to force more drivers to operate at night.

Measures are limited to increasing the number of hackney carriages which may be licensed and increasing the fares which may be charged by hackney carriages.

Any change in the fares table are not covered within the scope of this report. However, a recommendation is made regarding the number of additional hackney carriages which would need to be licensed, in order to address the level of unmet demand.

In order to bring the level of unmet demand measured by the ISUD index, to a value below 80, the number of hackney carriages would need to be increased by 8.1%. This equates to between 5 or 6 additional hackney carriages.

The lower level of 5 additional hackney carriages is recommended.

The recommended increase is based on the current number of hackney carriages which attend the ranks at different times of day. It is anticipated that the introduction of more hackney carriages will also influence working practices of existing drivers.

Incidences of passenger waiting, with the introduction of 5 more hackney carriages, will not be completely reduced to zero. However, it is anticipated that fewer passengers would have to wait at taxi ranks and the wait times would be lower. In consequence, the level of unmet demand would be anticipated to fall below the threshold value which is deemed to be significant.

The availability of wheelchair accessible licensed vehicles has declined in recent years. There has been feedback through consultation that the lack of availability of wheelchair accessible vehicles significantly limits travel opportunities for some disabled users. Consequently, if additional

hackney carriage vehicle licences are released, the Council may want to consider applying vehicle type conditions to ensure that any additional hackney carriage vehicles are suitable wheelchair accessible vehicles.

Subject:	APPOINTMENT OF MEMBERS TO OUTSIDE BODIES 2023/24
Meeting and Date:	Cabinet – 5 June 2023
Report of:	Louise May, Strategic Director (Corporate and Regulatory)
Portfolio Holder:	Councillor Kevin Mills, Leader of the Council
Decision Type:	Non-Key
Classification:	Unrestricted

Purpose of the report: For Cabinet to determine the appointments to outside bodies for 2023/24.

- Recommendation:**
1. That Cabinet determines the appointments to outside bodies detailed at Appendix A (subject to paragraph 2 below).
 2. That Cabinet determines whether to continue to appoint representatives to those bodies detailed at paragraph 2.2 which do not provide insurance cover for Members against public and personal liability.
 3. That Cabinet requests the Leader of the Council to nominate an alternative Member to substitute at meetings on an ad hoc basis when the appointed Member is not available (and where the constitution of the body allows this).
 4. That Cabinet approves the appointment of the Chief Executive to the Kent Forum.
-

1. Summary

- 1.1 The Cabinet is responsible for appointing Members at the start of each Council year to serve on a range of outside bodies. The appointments to be made by Cabinet for 2023/24 are shown at Appendix A.
- 1.2 Cabinet's attention is drawn to the fact that three of the outside bodies to which appointments are due to be made do not currently have insurance cover in place to indemnify our Members against public and personal liability.

2. Introduction and Background

- 2.1 Members who serve on outside bodies solely to represent the Council's views, or for observational purposes, are covered by the Council's insurance policies. However, Zurich Municipal, the Council's insurance provider for personal and public liability, has confirmed that it will not insure Members who are expected to make decisions on behalf of the body to which they have been appointed. There are three bodies that require Members to make decisions on their behalf but which do not currently have the appropriate insurance cover in place, as detailed in the table at 2.2.
- 2.2 It is unlikely that these bodies would be willing and/or able to arrange insurance cover for our Members. That said, most, if not all, of the decisions being taken by

Members will be relatively innocuous, and the risk is therefore likely to be low. Nevertheless, it is possible that a member of the public could initiate legal proceedings against an outside body in relation to a decision in which one of our Members (or representative) has been involved. Members serving on these bodies have been (or will be) warned of the implications and advised not to participate in a decision if they have concerns.

Outside Body	Current Appointee 2022/23	Strategic or Community Classification
Industrial Communities Alliance	Councillor S Manion	Strategic
Sandwich & Pegwell Bay Management Committee	Councillor S Chandler	Community
Tourism South East	Councillor T J Bartlett	Strategic

Municipal Charities of Dover

- 2.3 The two appointments to Municipal Charities of Dover are to replace Mrs Pauline Beresford (whose appointment expires in June) and Mrs Sue Nicholas who stood down as a trustee last year. The charity's constitution requires that trustees should reside within the charity's 'area of benefit' which is defined as the old Borough of Dover plus the parishes of Alkham, Capel-le-Ferne, Langdon, Hougham Without, River, Shepherdsweil-with-Coldred, Temple Ewell and Whitfield.

Dover Fastrack Board

- 2.4 It is recommended that the Portfolio Holder for Transport, Licensing and Regulatory Services is appointed as the Council's representative on the Board. The role of the Fastrack Advisory Board is to support the planning, delivery and operation of the Dover Fastrack Service.

Kent Resource Partnership Members' Board

- 2.5 The Board comprises the Cabinet members responsible for waste and recycling from each local authority in Kent. The Board's priority is the ongoing delivery of the Kent Joint Municipal Waste Management Strategy, and it meets three times a year.

Saint Edmund of Abingdon Memorial Trust

- 2.6 The purpose of the Trust is to manage and maintain St Edmund's Chapel, Priory Road, Dover as an ecumenical centre for Christian worship. The Trust meets once per annum in Dover, Abingdon or London. In accordance with the Trust's rules, the term of appointment is for 5 years.

3. Identification of Options

- 3.1 Option One – To appoint representatives to all the bodies outlined in Appendix A of the report (including those without appropriate insurance cover).

3.2 Option Two – To appoint representatives to only some of the bodies outlined in Appendix A of the report (possibly to include withdrawing representation from all or some of those bodies without appropriate insurance cover).

4. Evaluation of Options

4.1 The benefits of having Members on those bodies without insurance outweigh any risks, which are considered to be low. Furthermore, appointments to external organisations classified as strategic help to promote linkages between the Council and other organisations for the purpose of furthering the Council's objectives. The community appointments made by Cabinet are considered to be part of the community role of Members, but also support various targets within the Corporate Plan relating to issues such as health, leisure and communities. For these reasons, Option One is the recommended option.

5. Resource Implications

5.1 Members appointed will be entitled to claim the appropriate levels of travel and subsistence allowance in relation to performing these duties. This expenditure will be funded from existing Member budgets. Members serving as charity trustees are not permitted to claim expenses from the Council since there is a legal principle that charity trustees should not benefit from their participation in the affairs of the charity. Members in this position are expected to claim expenses from the charity concerned.

6. Climate Change Implications

6.1 None.

7. Corporate Implications

7.1 Comment from the Section 151 Officer: The S151 Officer has been consulted and has no further comments (MD).

7.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make.

7.2 Comment from the Equalities Officer: 'This report regarding the appointment of members to outside bodies 2023/24 does not specifically highlight any equality implications. However, in discharging their duties, Members are required to comply with the public sector equality duty as set out in Section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15/section/149>'.

8. Appendices

Appendix A – Schedule of Member Appointments for 2023/24

9. Background Papers

Democratic Services' Outside Bodies Files

Contact Officer: Kate Batty-Smith, Democratic Services Officer (ext. 42303)

Appendix A

Outside Bodies

Schedule of Member Appointments for 2023/24

Organisation Name	Expiry Date	Number to Appoint	Term	Current Appointee(s) (2022/23)	Proposed Appointee(s) 2023/24
Action with Communities in Rural Kent	June 2024	2	1 Year	D Beaney M Rose	
Aylesham & District Workshop Trust	June 2024	1	1 Year	P Walker	
Deal Fairtrade Steering Group	June 2024	1	1 Year	T Bartlett	
Dover, Deal & District Citizens Advice Bureau	June 2024	1	1 Year	D Hawkes	
Dover Fairtrade Steering Group	June 2024	1	1 Year	D Hannent	
Dover Fastrack Advisory Board	N/A	1	N/A	M Bates	
East Kent Spatial Development Co.	June 2024	1	1 Year	T Bartlett	
Industrial Communities Alliance	June 2024	1	1 Year	S Manion	
JAC Kent Downs AONB Partnership	June 2024	1	1 Year	N Kenton	
Kent County Playing Fields Association	June 2024	1	1 Year	T Bond	
Kent Forum	June 2024	1 + Officer	1 Year	T Bartlett	
Kent Resource Partnership Members' Board	June 2024	1	1 Year	N Kenton	
Local Enterprise Partnership Board & Executive	June 2024	1	1 Year	T Bartlett	
Local Government Association – General Assembly	June 2024	1	1 Year	T Bartlett	
Local Government Association Coastal Special Interest Group	June 2024	1	1 Year	N Kenton	
Manston Skills and Education Board	June 2024	1	1 Year	D Murphy	

Municipal Charities of Dover	June 2027	2	4 Years	Mrs P Beresford Mrs S Nicholas	
PATROL (formerly National Parking Adjudication Service)	N/A	1	N/A	N Collor	
Police & Crime Panel for Kent	June 2024	1	1 Year	O Richardson	
River Dour Partnership	June 2024	1	1 Year	N Collor	
River Stour (Kent) Internal Drainage Board	June 2024	2	1 Year	M Conolly P Jull	
Saint Edmund of Abingdon Memorial Trust	June 2028	1	5 Years	N Collor	
Sandwich & Pegwell Bay National Nature Reserve Management Committee	June 2024	1	1 Year	S Chandler	
South East England Councils (SEEC)	June 2024	1	1 Year	T Bartlett (sub: O Richardson)	
Tourism South East	June 2024	1	1 Year	T Bartlett	

Subject:	APPOINTMENT OF PROJECT ADVISORY GROUPS FOR 2023/24
Meeting and Date:	Cabinet – 5 June 2023
Report of:	Louise May, Strategic Director (Corporate and Regulatory)
Portfolio Holder:	Councillor Kevin Mills, Leader of the Council
Decision Type:	Non-Key
Classification:	Unrestricted

Purpose of the report: For Cabinet to:

- (a) Approve the membership of the following Project Advisory Groups (PAGs) for 2023/24: (1) Local Plan; (2) Dover Beacon and Dover Town Regeneration; (3) Tides; (4) Climate Change (5) Homelessness; and (6) Investment Advisory.
- (b) Agree to rename the Dover Town Regeneration Advisory Board as the Dover Beacon and Dover Town Regeneration Project Advisory Group and approve its revised Terms of Reference.

Recommendation:	<ol style="list-style-type: none"> 1. That Cabinet appoints a Local Plan Project Advisory Group for the Council Year 2023/24 on the basis outlined at Appendix A of the report. 2. That Cabinet appoints a Dover Beacon and Dover Town Regeneration Project Advisory Group for the Council Year 2023/24 on the basis outlined at Appendix B of the report. 3. That Cabinet appoints a Tides Project Advisory Group for the Council Year 2023/24 on the basis outlined at Appendix C of the report. 4. That Cabinet appoints a Climate Change Project Advisory Group for the Council Year 2023/24 on the basis outlined at Appendix D of the report. 5. That Cabinet appoints a Homelessness Project Advisory Group for the Council Year 2023/24 on the basis outlined at Appendix E of the report. 6. That Cabinet appoints an Investment Advisory Group for the Council Year 2023/24 on the basis outlined at Appendix F of the report. 7. That Cabinet agrees the revised Terms of Reference for the Dover Beacon and Dover Town Regeneration Project Advisory Group, as set out at Appendix G of the report.
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1. Summary

- 1.1 The Cabinet annually appoints Members and, in some cases, external representatives, to serve on the Council's Project Advisory Groups (PAGs). There are six PAGs to which Members need to be appointed.

Dover Town Regeneration Advisory Board

- 1.2 As well as the usual appointments, Cabinet is requested to agree that the Dover Town Regeneration Advisory Board is renamed as the Dover Beacon and Dover Town Regeneration Project Advisory Group and its area of responsibility expanded to cover both projects at Bench Street (known as the Dover Beacon Project).
- 1.3 Cabinet is also requested to approve the PAG's revised Terms of Reference (Appendix G). Amongst other things, these will give powers to the PAG to establish a sub-group (to be known as the Dover Beacon Discussion Forum). It is a requirement of the funding body that there should be monthly briefings of the board responsible for overseeing the project. For practical reasons it is considered that this requirement would be better met by creating a discussion forum where members (drawn from the PAG) can receive monthly briefings and hold general discussions about the project and report on progress to the PAG. The PAG will meet as and when considered necessary and retain responsibility for making recommendations to the Portfolio Holder and/or Cabinet.

2. Introduction and Background

- 2.1 The Council's Constitution advises that, unless agreed otherwise by the Leader of the Council/Cabinet, Advisory Groups shall:
- (a) comprise of 5 members including the Leader or appropriate Portfolio Holder who shall chair the Group;
 - (b) be appointed, as far as possible, in accordance with the rules on political balance; and
 - (c) shall include a relevant ward member.
- 2.2 The purpose of Advisory Groups is:
- (a) To provide a forum for consultation with other members of Council before particular issues are determined by the executive;
 - (b) To advise the Leader or Cabinet/Portfolio Holder on any matter which concerns a project or relevant function/activity to be determined by the Leader/executive;
 - (c) To assist and support the Leader or Cabinet/Portfolio Holder with regard to background information or preliminary work or research in connection with a project or function/activity to be determined by the Leader/executive.

3. Identification of Options

- 3.1 Option 1 - To appoint all six PAGs based on the proposed memberships set out in Appendices A to F and confirm that the Dover Town Regeneration Advisory Board should be renamed and cover all elements of the Dover Beacon project.
- 3.2 Option 2 – To change the composition and/or membership of some or all of the PAGs.
- 3.3 Option 3 – Not to appoint Members to some or any of the PAGs.

4. **Evaluation of Options**

4.1 Option 1 is the recommended option.

5. **Resource Implications**

5.1 None. PAG meetings are normally (but not always) held on Teams as they are not subject to the same legislation as other committees which requires Members to attend meetings in person. There are therefore minimal resource implications arising from Member travel claims for attending the offices.

6. **Climate Change Implications**

6.1 None.

7. **Corporate Implications**

7.1 Comment from the Section 151 Officer: The S151 Officer has been consulted and has no further comments (MD).

7.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make.

7.3 Comment from the Equalities Officer:

7.4 Other Officers (as appropriate): None.

8. **Appendices**

Appendix A – Proposed Membership of the Local Plan PAG

Appendix B – Proposed Membership of the Dover Beacon and Dover Town Regeneration Project Advisory Group

Appendix C – Proposed Membership of the Tides PAG

Appendix D – Proposed Membership of the Climate Change PAG

Appendix E – Proposed Membership of the Homelessness PAG

Appendix F – Proposed Membership of the Investment Advisory Group

Appendix G – Revised Terms of Reference for the Dover Beacon and Dover Town Regeneration Project Advisory Group.

9. **Background Papers**

Democratic Services files.

Contact Officer: Kate Batty-Smith, Democratic Services Officer – 01304 872303

Appendix A

APPOINTMENT OF LOCAL PLAN PROJECT ADVISORY GROUP

Councillor E A Biggs (Portfolio Holder for Planning and Environment) - Chairman

Councillor M J Nee (Chairman of Planning Committee) – Vice-Chairman

Councillor C A Vinson (Chairman of Overview and Scrutiny Committee)

Group Nominations

Labour Group: **Councillors S B Blair, J P Loffman, D J Parks and H M Williams**

Conservative Group: **3 Members – to be advised** (2022/23 members: Councillors D G Beaney, T A Bond, P D Jull and S C Manion)

**APPOINTMENT OF DOVER BEACON AND DOVER TOWN REGENERATION
PROJECT ADVISORY GROUP**

Councillor K Mills (Leader of the Council) – Chairman

Councillor C D Zosseder (Portfolio Holder for Community and Corporate Property) – Vice-Chairman

Councillor S H Beer (Portfolio Holder for Finance, Governance, Digital and Climate Change)

Mayor of Dover

Three (non-voting) tenant representatives (to be invited to meetings where the Dover Beacon Project is due to be considered)

Group Nominations

Labour Group: **Councillors E A Biggs, P M Brivio, S Hill + 1 to be advised**

Conservative Group: **4 Members – to be advised** (2022/23 members: Councillors M Bates, D G Beaney, N J Collor, D Hannent)

APPOINTMENT OF TIDES PROJECT ADVISORY GROUP

Councillor S H Beer (Portfolio Holder for Finance, Governance, Digital and Climate Change) – Chairman

Councillor C D Zosseder (Portfolio Holder for Community and Corporate Property) – Vice-Chairman

Group Nominations

Labour Group: **2 Members – to be advised** (2022/23 member: Councillor H M Williams)

Conservative Group: **1 Member – to be advised** (2022/23 members: Councillors D A Hawkes and N S Kenton)

APPOINTMENT OF CLIMATE CHANGE PROJECT ADVISORY GROUP

Councillor S H Beer (Portfolio Holder for Finance, Governance, Digital and Climate Change) – Chairman

Group Nominations

Labour Group: **Councillors K Mills, J L Pout, H M Williams + 2 to be advised**

Conservative Group: **3 Members – to be advised** (2022/23 members: Councillors M Bates, N J Collor, D R Friend, N S Kenton and O C de R Richardson)

APPOINTMENT OF HOMELESSNESS PROJECT ADVISORY GROUP

Councillor P M Brivio (Portfolio Holder for Social Housing, Port Health, Skills and Education) – Chairman

Group Nominations

Labour Group: **Councillors M J Nee and H M Williams**

Conservative Group: **2 Members – to be advised** (2022/23 member: Councillor S C Manion)

APPOINTMENT OF INVESTMENT ADVISORY GROUP

Councillor S H Beer (Portfolio Holder for Finance, Governance, Digital and Climate Change) – Chairman

Councillor H M Williams (Chairman of Governance Committee) – Vice-Chairman

Group Nominations

Labour Group: **Councillor E A Biggs**

Conservative Group: **2 Members – to be advised** (2022/23 member: Councillor O C de R Richardson)

DOVER BEACON AND DOVER TOWN REGENERATION

PROJECT ADVISORY GROUP

TERMS OF REFERENCE

Membership:

Leader of the Council (Chairman)
Portfolio Holder for Community and Corporate Property (Vice-Chairman)
Portfolio Holder for Finance, Governance, Digital and Climate Change
4 members of the Controlling Group
4 members of the Opposition Group
and
Mayor of Dover

Dover Beacon Project

Three tenant representatives (non-voting)

(One representative for each of the three buildings (i.e. creative centre, business centre and further education campus) to be invited to meetings of the PAG (and its sub-group) where the project forms part of the agenda)

Terms of Reference:

Scope

The Project Advisory Group has been established to examine and advise on the development of high priority and high impact strategic projects that will make a visible and tangible positive difference to Dover and its residents, visitors, businesses, stakeholders and communities.

Focus will include the creation of a structured approach to investment, growth, place-making and the regeneration of the four quarters of Dover Town (Town Quarter, Western Quarter, Waterfront Quarter and Eastern Quarter – as identified in the Vision for Dover Town Centre 2021), turning assets into opportunities, recognising no-use empty and Dover need, as well as responding to the challenges of jobs and skills, productivity, climate change, active travel, our changing high streets and the impacts of the Covid-19 pandemic. For the period 2023-2026, the PAG will have a specific focus on the Dover Beacon Project which will deliver a creative centre, a business centre and a further education campus building on the site.

Action will be focused on a series of key strategic sites spread across the core area of the town, bringing them together under a single Place Plan and Cultural Framework (including a supportive Parking Strategy) which emphasises the Council's objective to level up and make Dover and the District 'a great place to live, work, visit, learn and invest.' This coherent, strategic, phased development plan is vital to provide Dover with maximum connectivity within and to all parts of the town, whilst also extending opportunities to restore local pride, boost productivity, enhance employment and skills, and grow tourism and the visitor economy, as well as encouraging a legacy of green, sustainable connections and growth.

The PAG will receive regular briefings as appropriate and provide guidance on matters such as:

- Key sites identified for inclusion in the Plan;
- Progress on engagement with developers, owners, funding bodies and other agencies, as appropriate, to encourage early intervention and delivery in the investment, regeneration, growth, place-making and promotion of Dover Town;
- Progress on corporate projects such as the Dover Place Plan, Dover Cultural Framework, Parking Strategy, Market Square Refurbishment, Stembrook, Dover Beacon, Fastrack and Maison Dieu which support the holistic regeneration of the town centre;
- Review business cases for potential projects, using robust appraisal methods to determine where the funds included within the Council's Capital Programme are best allocated to provide the maximum benefit to the community as a whole;
- Ensuring that proposals being brought forward are aligned with the adopted Corporate Plan, Economic Growth Strategy, Tourism & Visitor Economy Strategy, Climate Change Strategy and evolving Local Plan, and in particular that the proposed fabric, form and function of any development, including the location of employment, commercial, retail, restaurant, residential and other uses, are of a calibre and in keeping with expectations for the town centre, waterfront area and Western Heights;
- Development of quality promotional material in both digital and paper form focused on the delivery of projects to support the investment, growth and regeneration of Dover Town.

Dover Beacon Project

Description:

- Bench Street East – business centre, campus building, public realm (parklet) and car park (funded by the Levelling Up Fund)
- Creation of 6 cycle hubs (funded by the Levelling Up Fund)
- Bench Street East Creative Centre (funded by the Future High Streets Fund)

The PAG will consider the sign-off reports produced by the design team at the completion of each RIBA project stage, and submit recommendations to the decision-maker (Portfolio Holder or Cabinet). To assist the PAG with its recommendations, the Council's internal audit team will scrutinise and evaluate the RIBA stage sign-off reports and provide advice to the PAG.

The PAG will have powers to establish a sub-group known as the Dover Beacon Discussion Forum. The Forum will meet monthly to receive briefings and report back to the PAG on progress.

Confidentiality:

A number of the issues that will be discussed by the PAG will be of a confidential nature and commercially sensitive. PAG members will be expected to respect this confidentiality and should not discuss such matters outside the PAG until they have been formally placed in the public realm.

Conflicts of Interest:

Members of the PAG will be expected to declare any Disclosable Pecuniary Interest (DPI) or Other Significant Interest (OSI), and the precise nature of that interest, in accordance with the adopted procedures, and must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a DPI or OSI. They must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation permitting them to do so.

External participants will be expected to declare a conflict of interest, and the precise nature of that interest, as soon as they become aware of its existence. Whilst the existence of an interest may not necessarily bar them from participating in discussions, they are advised to refer to the relevant protocol of their organisation/governing body.

The Executive is required to appoint a Member to serve as Vice-Chairman of the Dover Joint Transportation Advisory Board (DJTAB) for 2023/24, in accordance with the agreement on Joint Transportation Advisory Boards made between Kent County Council and Dover District Council. The chairmanship/vice-chairmanship alternates annually between KCC and DDC.

The current DDC membership of the DJTAB is as follows:

Councillor E A Biggs	Councillor J S Back (Chairman 2022/23)
Councillor S B Blair	Councillor M Bates
Councillor G Cowan	Councillor M F Hibbert
Councillor D J Parks	

DOVER DISTRICT COUNCIL

NON-KEY DECISION

EXECUTIVE

CABINET – 5 JUNE 2023

EXCLUSION OF THE PRESS AND PUBLIC

Recommendation

That, in accordance with the provisions of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the public be excluded from the remainder of the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraph of Schedule 12A of the 1972 Act set out below:

<u>Item Report</u>	<u>Paragraph Exempt</u>	<u>Reason</u>
Purchase of New Shared Ownership Housing at Willowbank, Sandwich	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted