



Council Agenda

6.00 pm, Thursday, 24 November 2022

Central Hall, Dolphin Centre, Horsemarket, Darlington. DL1 5RP

Members of the Public are welcome to attend this Meeting.

1. Introductions / Attendance at Meeting.
2. Minutes - To approve the Minutes of the Meeting of this Council held on 29 September 2022 (Pages 7 - 10)
3. Declarations of Interest.
4. Sealing.
5. Announcements.
6. Questions - To answer questions (where appropriate notice has been given from):-
 - (a) The Public;
 - (b) Members to Cabinet/Chairs;
7. Council Reports.
 - (a) Interim Review of Polling Districts, Polling Places and Polling Stations –
Report of the Group Director of Operations
(Pages 11 - 28)
 - (b) Interim Review of Policies and Conditions relating to Hackney Carriages, Private Hire
Vehicles and their Drivers and Operators –

Report of the Group Director of Services
(Pages 29 - 190)

8. Cabinet Reports.

- (a) Overview Report of the Leader of the Council; (Pages 191 - 194)
- (b) Overview Report of the Local Services Portfolio; (Pages 195 - 198)
- (c) Overview Report of the Adults Portfolio; (Pages 199 - 202)
- (d) Overview Report of the Children and Young People Portfolio; (Pages 203 - 208)
- (e) Overview Report of the Economy Portfolio; (Pages 209 - 214)
- (f) Overview Report of the Health and Housing Portfolio; (Pages 215 - 218)
- (g) Overview Report of the Resources Portfolio; and (Pages 219 - 220)
- (h) Overview Report of the Stronger Communities Portfolio; (Pages 221 - 226)
- (i) Council Tax Support - Scheme Approval 2023-24 –
Report of the Group Director of Operations
(Pages 227 - 276)
- (j) Council Tax Exemption for Care Leavers 2023-24 –
Report of the Group Director of Operations
(Pages 277 - 282)
- (k) Treasury Management Annual Report and Outturn Prudential Indicators 2021/22 –
Report of the Group Director of Operations
(Pages 283 - 302)
- (l) Darlington Transport Plan, Darlington Town Centre Transport Plan and Darlington
Parking Strategy –
Report of the Group Director of Services
(Pages 303 - 456)
- (m) Cabinet Urgent Decisions –
Report of the Chief Officers Executive
(Pages 457 - 460)

9. Scrutiny Reports - To consider Scrutiny Overview Reports:-

- (a) Adults Scrutiny Committee; (Pages 461 - 464)
- (b) Children and Young People Scrutiny Committee; (Pages 465 - 470)

(c) Communities and Local Services Scrutiny Committee; (Pages 471 - 474)

(d) Economy and Resources Scrutiny Committee; and (Pages 475 - 478)

(e) Health and Housing Scrutiny Committee. (Pages 479 - 480)

10. Notice of Motion

(a) To consider a Motion submitted by Councillor Snedker, and seconded by Councillor Holroyd –

Preamble :-

If Darlington is to achieve the ambitions of its Climate Change Action Plan and meaningfully contribute to the national zero net carbon emissions target, then improving the relative attractiveness of local bus services as a transport option is one of the quickest, cheapest and most effective way to improve the trajectory of emissions from transport. This applies both over the shorter-term in enabling modal shift away from higher emissions-per-head forms of transport, as well as over the long-term as fleets are electrified.

Bus services, and “modal shift” (to lower emission forms of transport) more generally, is critical for achieving our net zero targets and levelling up our area.

England’s urban bus networks provide a net economic benefit of £2.5 billion, half of which reflects benefits to bus users including employment and amenities, and half of which benefits non-users, related to reductions in congestion and pollution. With the soaring cost of living, well-funded, accessible and regular bus services are critical to assisting our residents during this time.

Council Resolves to :-

1. Recognise the importance of a properly funded public transport system in solving the climate emergency.
2. Recognise the importance of a properly funded public transport system in delivering levelling up for Darlington.
3. Ask the responsible Cabinet Member to consult with the Transport and Capital Projects team to agree a figure which is ring-fenced specifically for the support of local bus services and report to Council on the outcome no later than January 2023.
4. Ask the responsible Cabinet Member to write to the Department for Transport to ask for further support for bus services.

- (b) To consider a Motion submitted by Councillor Holroyd, and seconded by Councillor Layton –

Crustacean Deaths

Preamble

First dead crustaceans were washed up on our region's beaches, followed by dead seabirds and emaciated seal pups. More recently, vast amounts of seaweed, dead razor clams, and fish washed up. It is an environmental and economic disaster in the short term.

The report of the Government joint agency investigation into the crab and lobster deaths was published – inconclusively -in May 2022, but as healthy animals were being found, the investigation was closed. It is considered that the decision to close the investigation was premature.

A number of universities have undertaken research on the loss of marine life. Newcastle University research identified high levels of pyride – a chemical with a long history of release into the river Tees, a by product of the coking process in steel production, and petro-chemicals – in tissues of the dead crabs on the North East and North Yorkshire coasts, and in Tees surface sediments.

More must be done to investigate the cause of the mass deaths of sea creatures on the Teesside coast from October 2021 to the present day.

Council Resolves :-

1. That it writes to the Government and demands that it re-opens its Joint agency investigation into the crab and lobster deaths swiftly to consider the reasons for the initial and on-going deaths of marine life around the Tees mouth in light of further independent analysis.
2. That it joins the special joint working group which is being set up by each Tees Valley Council to monitor the on-gong situation.
3. That it works with the Tees Valley local authorities to commission a new independent report, to further examine the issues in the light of the inconclusive official report and new evidence of the presence and acute toxicity of pyridine to crustaceans for presentation to Government.
4. That it writes to the Tees Valley Combined Authority and other organisations involved with high risk disturbance activities in the Tees estuary such as piling and demolitions at Teeswork and non-maintenance dredging in highly contaminated parts of the Tees and asks for all works to be paused until the cause of the marine die offs is determined and a risk assessment and plan for how to safely proceed with these developments is created, if needed.

5. That it writes to the appropriate bodies (which should include EA, Cefas, NEIFCA, MMO, FSA and the UK Health Security Agency (UKHSA), Teesworks and the TVCA) to :-
 - (i) detail what action or recommendations can, or have been taken to support the future of our region;
 - (ii) explain how they will improve monitoring and regulation to prevent contamination events from occurring in the UK – particularly whether the suite of chemicals tested for is adequate given the Tees’ industrial heritage

11. Membership Changes - To consider any membership changes to Committees, Subsidiary Bodies and Other Bodies.



Luke Swinhoe
Assistant Director Law and Governance

Wednesday, 16 November 2022

Town Hall
Darlington.

Membership

The Mayor, Councillors Ali, Allen, Baldwin, Bartch, Bell, Boddy, Dr. Chou, Clarke, Cossins, Crudass, Crumby, Mrs Culley, Donoghue, Dulston, Durham, Harker, Haszeldine, Heslop, Holroyd, C L B Hughes, L Hughes, Johnson, B Jones, Mrs D Jones, Keir, Laing, Layton, Lee, Lister, Lucas, Marshall, McCollom, McEwan, Mills, Newall, K Nicholson, M Nicholson, Paley, Preston, Renton, A J Scott, Mrs H Scott, Snedker, Sowerby, Tait, Tostevin, Wallis, Willis and Wright

If you need this information in a different language or format or you have any other queries on this agenda please contact Paul Dalton, Elections Officer, Operations Group, during normal office hours 8.30 a.m. to 4.45 p.m. Mondays to Thursdays and 8.30 a.m. to 4.15 p.m. Fridays
Email: paul.dalton@darlington.gov.uk or Telephone 01325 405805

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COUNCIL

Thursday, 29 September 2022

PRESENT – The Mayor, Councillors Ali, Allen, Bell, Boddy, Clarke, Crudass, Mrs Culley, Donoghue, Dulston, Durham, Harker, Haszeldine, Holroyd, C L B Hughes, Keir, Laing, Lee, Marshall, McCollom, McEwan, Mills, Newall, K Nicholson, M Nicholson, Preston, Renton, A J Scott, Snedker, Tait, Tostevin, Wallis and Willis.

APOLOGIES – Councillors Baldwin, Bartch, Cossins, Crumbie, Heslop, L Hughes, Johnson, B Jones, Mrs D Jones, Layton, Lucas, Paley, Mrs H Scott, Sowerby and Wright.

ABSENT – Councillors Dr. Chou and Lister.

23 **MINUTES - TO APPROVE THE MINUTES OF THE MEETINGS OF THIS COUNCIL HELD ON 14 JULY 2022 AND 15 SEPTEMBER 2022**

Submitted – The Minutes (previously circulated) of the meetings of this Council held on 14 July 2022 and 15 September 2022.

NOTE: That it be noted that at the Special Meeting of the Council on 15 September 2022, Members stood and observed a minutes silence in memory of Queen Elizabeth II.

RESOLVED – That the Minutes of the meetings of this Council held on 14 July 2022 and 15 September 2022, be approved as correct records.

24 **DECLARATIONS OF INTEREST.**

There were no declarations of interest reported at the meeting.

25 **SEALING.**

Presented – The Register showing the documents which had been sealed since the last meeting of Council.

26 **ANNOUNCEMENTS.**

Death of George Ward – The Mayor reported on the death of George Ward, also known by the stage name Cherry Valentine, who had passed away on Sunday, 18 September 2022.

The Mayor stated that Mr. Ward had been born in Darlington, and had appeared in the second series of 'Ru Paul's Drag Race', before going on to star in the BBC documentary 'Cherry Valentine – Gypsy Queen and Proud' in January 2022.

As a mark of respect, Members stood and observed a short silence in memory of George Ward.

Northumbria in Bloom – The Mayor announced that Darlington has been awarded two 'Golds' in the annual Northumbria in Bloom competition, along with the best improved entry overall.

The Mayor informed Members that, in total, staff, Friends of South Park, Street Champions, Darlington Carers volunteers, residents and businesses had worked together to bring home two Golds, two Silver Gilt, two Best in Categories, and the Most Improved Overall Entry in the competition.

The Mayor congratulated all those involved.

27 QUESTIONS - TO ANSWER QUESTIONS (WHERE APPROPRIATE NOTICE HAS BEEN GIVEN FROM):-

(1) THE PUBLIC;

There were four questions, with notice, from Members of the Public, who each received an answer thereon.

(2) MEMBERS TO CABINET/CHAIRS;

There were no questions from Members, where notice had been given, for the Mayor, Members of the Cabinet, or the Chairs of the Scrutiny Committees.

28 COUNCIL REPORTS

(1) THE INDEPENDENT PERSON

The Assistant Director Law and Governance and Monitoring Officer submitted a report (previously circulated) to advise Members of the recently vacated Independent Person role, and to invite Members to approve the appointments as set out in the recommendations.

The submitted report stated that the former Independent Person had been appointed as a circuit judge and had advised that she would no longer be able to discharge the Independent Person role. The submitted report provided further details of the role and set out the recruitment process undertaken.

It was reported that the Council is required to have at least one Independent Person, however, for reasons outlined in the report, the recommendation was to make two appointments.

RESOLVED - (a) That the recruitment process undertaken to fill the vacated Independent Person role be noted;

(b) That the appointment of two Independent Persons on the terms of appointment as set out in the report be agreed;

(c) That the appointment of Beverley Boal and Julie Mathieson as Independent Persons from 30 September 2022, be approved;

(d) That the thanks of the Council be given to the former Independent Person, Joanne Kidd, for her service in the role and to congratulate her on her appointment as a circuit judge.

REASONS - (a) To make appointments to the role occasioned by former office holder vacating the role;

(b) To help in promoting the good conduct of Members in the Council and the Parish Councils;

(c) To comply with the requirements of the Localism Act 2011.

29 CABINET REPORTS.

The Cabinet Members each gave a report (previously circulated) on the main areas of work undertaken under their relevant portfolio during the previous cycle of meetings. Cabinet Members answered questions on their portfolios.

30 SCRUTINY REPORTS - TO CONSIDER SCRUTINY OVERVIEW REPORTS:-

The Scrutiny Committee Chairs each submitted a report (previously circulated) on the main areas of work undertaken by their relevant Scrutiny Committee during the last cycle of Committee meetings, and responded to any questions thereon.

31 MEMBERSHIP CHANGES - TO CONSIDER ANY MEMBERSHIP CHANGES TO COMMITTEES, SUBSIDIARY BODIES AND OTHER BODIES.

There were no membership changes reported at the meeting.

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COUNCIL
24 NOVEMBER 2022

INTERIM REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS 2022

Responsible Cabinet Member -
Councillor Scott Durham, Resources Portfolio

Responsible Director -
Elizabeth Davison, Group Director of Operations

SUMMARY REPORT

Purpose of the Report

1. To give consideration to the outcome of the recent interim review of Polling Districts, Polling Places and Polling Stations, ahead of the Local Government (Borough Council) Elections in 2023.

Summary

2. The Representation of the People Act 1983 requires that local authorities conduct reviews of the Polling Districts, Polling Places and Polling Stations within their local authority area. The next compulsory review is due to commence within a sixteen-month period beginning on 1 October 2023.
3. A local authority can also conduct an interim review at any time, but it will still have to conduct a full review during the compulsory timeframe. At the July 2022 Council meeting it was agreed that an interim review of Polling Districts, Polling Places and Polling Stations should be conducted.
4. The interim review has been subject to consultation (as set out in this report) and the recommendations are informed by the responses. In addition the suitability of Polling Places has been considered in light of the steer from Central Government to avoid where possible, the use of schools as Polling Places, and also from the perspective of the new duties contained within the Elections Act 2022.
5. This report sets out a small number of changes to the Polling Places and Polling Stations that have been previously used in past elections.

Recommendation

6. Council are requested to:-
 - (a) Note the consultation responses received;

- (b) Approve the changes proposed to the existing Polling Places and Polling Stations ahead of the Local Government Elections in May 2023, as follows:
- (i) That the polling place in Cockerton Ward (Polling Districts CKA) is changed to Cockerton Library, Woodland Road, Darlington (in place of Holy Family R.C. Primary School);
 - (ii) That the polling place in College Ward (Polling Districts COA, COB and COC) is changed to the Sports Pavilion, Abbey Road Sports Field, Abbey Road, Darlington (in place of the classrooms in the main Queen Elizabeth Sixth Form College);
 - (iii) That the polling place in Hummersknott Ward (Polling Districts HKA and HKB) is changed to Salutation Hall, Salutation Road, Darlington (in place of John Caden Hall at Carmel College);
 - (iv) That the polling place in Sadberge and Middleton St. George Ward (Polling Districts SMA and SMC) is Bishopton Village Hall, Church View, Bishopton (as Great Stainton Church Hall has ceased to be available); and
 - (v) That the polling place in Sadberge and Middleton St George Ward (Polling Districts SMI and SMJ) be changed to Middleton St. George Community Centre, Station Road, Middleton St. George (in place of Middleton St. George Women's Institute Hall).
- (c) Authorise the publication of the proposals for Polling Places, as set out in **(Appendix C)**.

Reasons

7. The reasons for the request are:-

- (a) To ensure that polling places and polling stations are accessible to voters and have reasonable facilities for voting.
- (b) To comply with the requirements of the Representation of the People Act 1983, the Equality Act 2010 and the Elections Act 2022.
- (c) To enable the decisions to be made, publicised and implemented in good time for the elections scheduled for May 2023.

Elizabeth Davison
Group Director of Operations

Background Papers:

Council Report, of 14 July 2022, entitled 'Interim review of Polling Districts, Polling Places and Polling Stations.

Lynne Wood: Extension 5803

S17 Crime and Disorder	The report has no direct impact on crime and disorder.
Health and Wellbeing	There are no issues relating to health and wellbeing which this report needs to address.
Carbon Impact and Climate Change	There are no issues relating to carbon impact and climate change.
Diversity	All polling places are assessed to ensure that they are accessible for voters who have a disability.
Wards Affected	All wards are affected, but in particular the wards where polling places or stations change (as set out in the recommendations).
Groups Affected	The proposals affect Darlington voters.
Budget and Policy Framework	The report does not change the Council's budget or Policy Framework but needs to be considered by Council.
Key Decision	The is not a key decision.
Urgent Decision	This not an executive decision.
Council Plan	There report has no links to the Council Plan.
Efficiency	There are no efficiency proposals identified as part of this review.
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

MAIN REPORT

Information and Analysis

Review of Polling Districts, Polling Places and Polling Stations

8. At the July 2022 Council meeting it was agreed that an interim review of Polling Districts, Polling Places and Polling Stations should be conducted.
9. A Notice advising of the formal start of the review was placed on the Council's website (**Appendix A**) on Monday, 18 July 2022. All Members of the Council, local political groups, the Members of Parliament (MPs) for the constituencies of Darlington and Sedgefield, Parish Councils, Darlington Association on Disability, and a number of community groups were also advised that a review was taking place, and that representations could be made accordingly.
10. Those minded to submit representations which objected to the current Polling Place were encouraged to suggest alternative venues within the Polling District. In addition, Presiding Officers, Polling Station Inspectors, stakeholders and residents of the Borough were invited to comment.
11. Representations were invited in writing and via e-mail, with information placed on the Council's website <https://www.darlington.gov.uk/your-council/democracy/elections-and-electoral-registration/interim-review-of-polling-districts-polling-places-and-polling-stations-2022/> and social media profiles.
12. The initial consultation period ran from Monday, 18 July 2022 to Friday, 2 September 2022, and encouraged respondents to comment on our existing Polling Districts and Polling Places (**Appendix B**), or make suggestions as to alternative provision.
13. The initial proposals did not recommend any changes to Polling Districts, as the current boundaries are well-defined and reflect natural boundaries within each area (main thoroughfares, railway lines, rivers, etc.). We have not been informed of any major obstacles in place that would prohibit electors from reaching their Polling Place.

Representations Received

14. During the initial consultation stage, representations were received from one Presiding Officer and one Ward Councillor (the representations are outlined below).

Representation 1 – Polling Station No. 7 – St. John's Church of England Academy

15. The following representation was received from the Presiding Officer at St. John's Church of England Academy:

"My only comment on Polling Station Number 7, at St John's Church of England Academy, concerns the room size. It isn't really big enough, there's not much space left once tables, chairs and the voting booth are in. There's some school items and furniture that are left

in the room too. It's not great for wheelchair users, I seem to recall there's a slight step/rise to the floor level of the room and the door is barely wide enough."

16. An inspection of the premises was conducted on 28th July 2022, and Officers concluded that the room was big enough, should the school items and furniture be removed. Should a disabled elector struggle to enter through the entrance door to the Polling Station, an alternative access through the Main Reception Area should be used.
17. As the school remains central to the main residential area with the Polling District, and as no further suitable venues within the Polling District have been identified, it is proposed that we continue to use St John's Church of England Academy as the Polling Place in Polling District BLD.

Representation 2 – Polling Station No. 57 and 58 – Middleton St. George Women's Institute Hall

18. The following representation was received from one of the Ward Councillors for the Sadberge and Middleton St. George Ward:

"We would like to request that the Polling Station for Middleton St George reverts back to using the Community Centre and not the W.I. Hall. At the last election there was several complaints that residents had to queue and many unable to get in to vote, consequently we lost a lot of votes. If you need further help or support with this please let us know and we can help. The Management Committee of the Community Centre are more than willing to accommodate."

19. An inspection of Middleton St George Community Centre was conducted on 26th July 2022, and Officers concluded that the premises would be acceptable as a Polling Place. The premises fulfil the requirements of the Equality Act 2010, in terms of disabled accessibility, and certainly allows sufficient space to accommodate the additional duties contained within the Elections Act 2022.
20. For comparison, the existing Polling Place at Middleton St. George Women's Institute Hall also complies with the Equality Act 2010, and would have sufficient space to accommodate the additional duties imposed by the Elections Act 2022.
21. Both the existing Polling Place and the Middleton St. George Community Centre are relatively central to the village of Middleton St. George itself, with the existing Polling Place slightly nearer to the village of Middleton One Row, which is also contained within the Polling District.
22. Whilst both premises are suitable venues, the existing Polling Place does lack any car parking provision, with electors having to park on street, whereas the Middleton St. George Community Centre can offer car parking for approximately 20 cars. Due to the provision of additional car parking, it is proposed that the Polling Place in Middleton St George is changed to Middleton St George Community Centre.

Additional Changes

23. In addition to the two representations above, taking into consideration recent Government requests to, where possible, avoid the use of schools, and of the previously expressed views made by some Headteachers, a number of changes are proposed:
24. To cease using John Caden Hall at Carmel College (Polling Stations No. 26 and 27) and to use Salutation Hall on Salutation Road as the polling place. This worked well during the Coronavirus pandemic
25. To cease using Holy Family R. C. Primary School (Polling Station No. 8) and to use Cockerton Library as the polling place. This was also successfully used as an alternative Polling Place during the Coronavirus pandemic.
26. To cease using two classrooms within the Queen Elizabeth Sixth Form College (Polling Stations No. 11 and 12) and to use the Sports Pavilion at Abbey Road Sports Field (also owned by the Queen Elizabeth Sixth Form College) as the Polling Place. This was another successful change made during the Coronavirus pandemic. Changing the location of the Polling Place significantly reduces the chance of electors mixing with college students and is supported by the Principal at the Queen Elizabeth Sixth Form College.
27. Great Stainton Church Hall, Glebe Road, Great Stainton (Polling Station No. 53) is no longer available as a polling place, and so it is proposed that the polling station is relocated to Bishopton Village Hall (which will become a dual station).

Draft Recommendations

28. Taking these representations and views into consideration, and giving consideration to the provisions within the Elections Act 2022 and the draft recommendations of the Parliamentary Boundary Review 2023, we reviewed our findings between Monday, 5th September 2022 and Friday, 16th September 2022, and revised our draft recommendations, as set out in **Appendix C**.
29. These draft recommendations were then published on the Council's website on Monday, 19 September 2022 for further consultation, together with the observations of the Returning Officer and the situation of Polling Stations within Polling Places, and a link to the relevant webpages was once again circulated to interested parties, and those who had previously made representations.

Further Representations Received

Representation 3 – Polling Station No. 32 - Hurworth Primary School, Westfield Drive, Hurworth

30. The following representation was subsequently received from Hurworth Parish Council during the second round of consultation:

“Hurworth Parish Council suggest that Hurworth Grange is a more suitable location to locate the Polling Station. There is ample parking, ideal facilities with disabled entrances and toilets. Access is much easier than adding to the already congested traffic down Roundhill Road through the housing estate. Also there is the major advantage that by not using the school, there will be no disruption to the school classes or alterations to their learning schedules. Please put this recommendation forward to the Council.”

31. An inspection of Hurworth Grange was conducted on Wednesday, 28 September 2022, and Officers concluded that the premises would be acceptable as a Polling Place. The premises fulfil the requirements of the Equality Act 2010, in terms of disabled accessibility, and certainly allows sufficient space to accommodate the additional duties contained within the Elections Act 2022. For comparison, the existing Polling Place at Hurworth Primary School also complies with the Equality Act 2010, and would have sufficient space to accommodate the additional duties imposed by the Elections Act 2022.
32. In terms of location, Hurworth Grange sits on the boundary of Polling District HUA, which is served by Polling Station No. 31 (Linden Court, Linden Drive, Hurworth) and Polling District HUB, which is served by Polling Station No. 32 (Hurworth Primary School, Westfield Drive, Hurworth).
33. Should Polling Station No. 32 be moved to Hurworth Grange, it is felt that it may disenfranchise the electors of Polling District HUB, as the existing Polling Station at Hurworth Primary School is central to the main residential area within the Polling District. It should be considered that Hurworth Primary School is also better placed to serve the electors residing in the new housing recently built on Roundhill Road.
34. It is appreciated that the closure of any school causes disruption to staff, parents and children alike, and therefore the Council only seeks to use a school where it remains the best, or only, solution within a Polling District. The decision to close any school used as a Polling Place is made solely by the Head Teacher of that school, and not the Returning Officer.
35. The Representation of the People Act 1983 allows the Returning Officer to use schools and public rooms, free of charge, for the purposes of taking the poll:

‘Use of schools and public rooms

22 (1) The Returning Officer may use, free of charge, for the purpose of taking the poll –

(a) a room in a school to which this rule applies;

(b) a room the expense of maintaining which is payable out of any rate. This rule applies –

(i) in England and Wales, to a school maintained or assisted by a local education authority or a school in respect of which grants are made out of

moneys provided by Parliament to the person or body of persons responsible for the management of the school.'

36. This does not necessarily mean that a school must close, and the Elections Team have worked closely with schools and colleges across the Borough in an attempt to keep many schools fully, or partially, open, where suitable safeguarding arrangements can be implemented.

37. Guidance received from the Department for Education states:

"Schools which need to close as a result of being used as Polling Stations can move to alternative accommodation or make up the lost day by other means. The lost day could be made up at the beginning or end of a term, or a training day could be arranged on the day of the poll if the head teacher or governors so wish."

38. As the school remains central to the main residential area with the Polling District we continue to propose that Hurworth Primary School serve as the Polling Place in Polling District HUB.

Legislation

39. The Representation of the People Act 1983 (RPA 1983), as amended by the Electoral Registration and Administration Act 2013, requires that local authorities conduct reviews of the Polling Districts, Polling Places and Polling Stations within their local authority area.

40. The Electoral Registration and Administration Act 2013 subsequently governs the timing of compulsory Polling District, Polling Place and Polling Station Reviews, with the next compulsory review due to commence within the sixteen-month period beginning on 1 October 2023.

41. A local authority may, however, conduct an interim review at any time, although it will still have to conduct a full review during the compulsory timeframe.

42. The Equality Act 2010 prohibits local authorities from doing anything that constitutes unlawful discrimination, including over the provision of services when exercising public functions and requires reasonable adjustments to enable disabled people to be able to vote.

43. The Elections Act 2022 includes voter ID requirements for people who vote in person. Suitable arrangements will need to be available at polling places to allow people who choose to wear a face covering to have their identity checked in a way that respects privacy, religious or cultural beliefs.



NOTICE OF REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS

In accordance with the Representation of the People Act 1983 (RPA 1983), as amended by the Electoral Registration and Administration Act 2013, Darlington Borough Council ('the Council') hereby gives Notice of its intention to conduct an Interim Review of Polling Districts, Polling Places and Polling Stations.

This Review will commence on **Monday, 18th July 2022**, and will be completed by **Tuesday, 15th November 2022**, after which the Council will draft final recommendations for submission to the Ordinary Meeting of the Council on Thursday, 24th November 2022.

Electors within Darlington Borough Council's area may make representations to the Returning Officer, but should, if possible, give alternative places that may be used as Polling Places.

Local political parties and Councillors will be consulted and views are invited from electors. The Council will also welcome comments and representations from any person or body with expertise in access for persons with any type of disability.

Initial representations should be submitted by **Friday, 2nd September 2022**. The Council will then prepare draft recommendations, which the Returning Officer will then comment upon, and interested parties can then make further representations between **Monday, 19th September 2022** and **Friday, 28th October 2022**, before final recommendations are considered by Council on **Thursday, 24th November 2022**.

Information on the current Polling Districts and Places, and plans of individual Polling Districts can be obtained from the Elections Team at the address provided below, or by visiting [Darlington Borough Council - Interim Review of Polling Districts, Polling Places and Polling Stations 2022](#)

Representations should be sent, in writing or by e-mail, to the following address:

**The Returning Officer,
Elections Team,
Darlington Borough Council,
Room 116, Town Hall,
Feethams,
Darlington,
DL1 5QT.**

E-mail: elections@darlington.gov.uk

Website: www.darlington.gov.uk

Please note: In accordance with the Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006, all correspondence received will be published on the Council's website.

Dated: Monday, 18th July 2022

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APPENDIX B

Polling Stations established as at the Polling District, Polling Places and Polling Stations Review 2018

Polling Station Number	Polling District	Polling Place Address	Post Code
1	BFA (D) and BFA (S)	West Park Academy, Alderman Leach Drive, Darlington	DL2 2GF
2	BFB	West Park Academy, Alderman Leach Drive, Darlington	DL2 2GF
3	BFC	Darlington Railway Athletic Club (Snooker Room), Brinkburn Road, Darlington	DL3 9LF
4	BLA	King William Street Community Centre, King William Street, Darlington	DL1 4YS
5	BLB	Rydal Academy, Rydal Road, Darlington	DL1 4BH
6	BLC	Rydal Academy, Rydal Road, Darlington	DL1 4BH
7	BLD	St. John's Church of England Academy, Fenby Avenue, Darlington	DL1 4UB
8	CKA	Holy Family R. C. Primary School, Prior Street, Darlington	DL3 9EN
9	CKB	'Little Learners', Mount Pleasant Primary School, Newton Lane, Darlington	DL3 9HE
10	CKC	The Redeemed Christian Church of God, Eggleston View, Darlington	DL3 9SH
11	COA	Queen Elizabeth Sixth Form College, Vane Terrace, Darlington	DL3 7AU
12	COB, COC	Queen Elizabeth Sixth Form College, Vane Terrace, Darlington	DL3 7AU
13	EAA	Geneva Road Evangelical Baptist Church Hall, Geneva Road, Darlington	DL1 4HS
14	EAB	Firthmoor Community Centre, Burnside Road, Darlington	DL1 4SU
15	EAC	Pilmoor Green Community Centre, West Moor Road, Darlington	DL1 4LN
16	HCA	Heighington Village Hall, Heighington	DL5 6QX
17	HCB, HCE, HCF	Walworth Castle Hotel, Walworth	DL2 2LY
18	HCC, HCD	Summerhouse Village Hall, Summerhouse	DL2 3UD
19	HCG	St. Mary's Church, The Green, Piercebridge	DL2 3SH
20	HCH, HCI	High Coniscliffe Church Hall, The Green, High Coniscliffe	DL2 2LR
21	HCJ, HCK	Whessoe Village Hall, Harrowgate Village, Darlington	DL1 3AA
22	HCL	Brafferton Village Hall, Brafferton	DL1 3LB
23	HHA	Whessoe Village Hall, Harrowgate Village, Darlington	DL1 3AA

24	HHB	Harrowgate Hill Working Men's Club, Salters Lane North, Darlington	DL1 3DT
25	HHC	D.S.R.M. Social Club, Longfield Road, Darlington	DL3 0HX
26	HKA	Carmel College, The Headlands, Darlington	DL3 8RW
27	HKB	Carmel College, The Headlands, Darlington	DL3 8RW
28	HSA	Haughton Children's Centre, Salters Lane South, Darlington	DL1 2AN
29	HSB	Haughton Children's Centre, Salters Lane South, Darlington	DL1 2AN
30	HSC	St. Anne's Church Hall, Welbeck Avenue, Darlington	DL1 2DR
31	HUA	Linden Court, Linden Drive, Hurworth Place	DL2 2DL
32	HUB	Hurworth Primary School, Westfield Drive, Hurworth	DL2 2ET
33	HUC, HUD, HUE	The Reading Room, Neasham, Darlington	DL2 1PH
34	MOA	Mowden Junior School (Staff Room), Federation of Mowden Schools, Conyers Avenue, Darlington	DL3 9QG
35	MOB	Mowden Junior School (Staff Room), Federation of Mowden Schools, Conyers Avenue, Darlington	DL3 9QG
36	NGA, NGB	Corporation Road Community Primary School, Corporation Road, Darlington	DL3 6AR
37	NGC	Borough Road Nursery School, Borough Road, Darlington	DL1 1SG
38	NRA	St. Thomas Aquinas Church Hall, North Road, Darlington	DL1 2PU
39	NRB	Rise Carr College, Eldon Street, Darlington	DL3 0NS
40	NRC, NRD	Northwood Primary School, Pendleton Road South, Darlington	DL1 2HF
41	PEA	St. Augustine's Parish Centre, Larchfield Street, Darlington	DL3 7TF
42	PEB	Borough Road Nursery School, Borough Road, Darlington	DL1 1SG
43	PEC	St. Columba's Church and the Clifton Centre, Clifton Avenue, Darlington	DL1 5EE
44	PED	Skerne Park Children's Centre, The Coleridge Centre, Coleridge Gardens, Darlington	DL1 5AJ
45	PEE	Skerne Park Youth and Community Centre, Coleridge Gardens, Darlington	DL1 5AP
46	PIA	Willow Road Community Centre, Willow Road, Darlington	DL3 6PZ
47	PIB	Willow Road Community Centre, Willow Road, Darlington	DL3 6PZ
48	PIC, PID	Reid Street Primary School, Reid Street, Darlington	DL3 6EX
49	PWA, PWB	All Saint's Millennium Centre, Ravensdale Road, Darlington	DL3 8DT
50	PWC	St. Augustine's Parish Centre, Larchfield Street, Darlington	DL3 7TF
51	RLA	Red Hall Community Centre, Headingley Crescent, Darlington	DL1 2ST
52	RLB	St. Herbert's Church Hall, Yarm Road, Darlington	DL1 1BD

53	SMA, SMC	Great Stainton Church Hall, Glebe Road, Great Stainton	TS21 1NB
54	SMB	Bishopton Village Hall, Church View, Bishopton	TS21 1HB
55	SMD, SMF	Sadberge Village Hall, Sadberge	DL2 1SB
56	SME, SMG, SMH	St. Anne’s Church Hall, Welbeck Avenue, Darlington	DL1 2DR
57	SMI	Middleton St. George Women’s Institute Hall, Neasham Road, Middleton St. George, Darlington	DL2 1LD
58	SMJ	Middleton St. George Women’s Institute Hall, Neasham Road, Middleton St. George, Darlington	DL2 1LD
59	STA	St. James the Great Church Hall, Barton Street, Darlington, (Entrance on Grey Street)	DL1 2LD
60	STB	Eastbourne Sports Complex, Bourne Avenue (off Hundens Lane), Darlington	DL1 1LJ
61	WHA	Whinfield Primary School, Augusta Close, Darlington	DL1 3HT
62	WHB	Whinfield Primary School, Augusta Close, Darlington	DL1 3HT

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APPENDIX C

Proposed Polling Places and Polling Stations 2022/2023

Polling Station Number	Polling District	Ward	Polling Place	Post Code
1	BFA (D) and BFA (S)	Brinkburn and Faverdale	West Park Academy, Alderman Leach Drive, Darlington	DL2 2GF
2	BFB	Brinkburn and Faverdale	West Park Academy, Alderman Leach Drive, Darlington	DL2 2GF
3	BFC	Brinkburn and Faverdale	Darlington Railway Athletic Club (Snooker Room), Brinkburn Road, Darlington	DL3 9LF
4	BLA	Bank Top and Lascelles	King William Street Community Centre, King William Street, Darlington	DL1 4YS
5	BLB	Bank Top and Lascelles	Rydal Academy, Rydal Road, Darlington	DL1 4BH
6	BLC	Bank Top and Lascelles	Rydal Academy, Rydal Road, Darlington	DL1 4BH
7	BLD	Bank Top and Lascelles	St. John's Church of England Academy, Fenby Avenue, Darlington	DL1 4UB
8	CKA	Cockerton	Cockerton Library, Woodland Road, Darlington	DL3 9AA
9	CKB	Cockerton	'Little Learners', Mount Pleasant Primary School, Newton Lane, Darlington	DL3 9HE
10	CKC	Cockerton	The Redeemed Christian Church of God, Eggleston View, Darlington	DL3 9SH
11	COA	College	Sports Pavilion, Abbey Road Sports Field, Abbey Road, Darlington	DL3 7RD
12	COB, COC	College	Sports Pavilion, Abbey Road Sports Field, Abbey Road, Darlington	DL3 7RD
13	EAA	Eastbourne	Geneva Road Evangelical Baptist Church Hall, Geneva Road, Darlington	DL1 4HS
14	EAB	Eastbourne	Firthmoor Community Centre, Burnside Road, Darlington	DL1 4SU
15	EAC	Eastbourne	Pilmoor Green Community Centre, West Moor Road, Darlington	DL1 4LN
16	HCA	Heighington and Coniscliffe	Heighington Village Hall, Heighington	DL5 6QX
17	HCB, HCE, HCF	Heighington and Coniscliffe	Walworth Castle Hotel, Walworth	DL2 2LY
18	HCC, HCD	Heighington and Coniscliffe	Summerhouse Village Hall, Summerhouse	DL2 3UD
19	HCG	Heighington and Coniscliffe	St. Mary's Church, The Green, Piercebridge	DL2 3SH

20	HCH, HCI	Heighington and Coniscliffe	High Coniscliffe Church Hall, The Green, High Coniscliffe	DL2 2LR
21	HCJ, HCK	Heighington and Coniscliffe	Whesoe Village Hall, Harrowgate Village, Darlington	DL1 3AA
22	HCL	Heighington and Coniscliffe	Brafferton Village Hall, Brafferton	DL1 3LB
23	HHA	Harrowgate Hill	Whesoe Village Hall, Harrowgate Village, Darlington	DL1 3AA
24	HHB	Harrowgate Hill	Harrowgate Hill Working Men's Club, Salters Lane North, Darlington	DL1 3DT
25	HHC	Harrowgate Hill	D.S.R.M. Social Club, Longfield Road, Darlington	DL3 0HX
26	HKA	Hummersknott	Salutation Hall, Salutation Road, Darlington	DL3 8JP
27	HKB	Hummersknott	Salutation Hall, Salutation Road, Darlington	DL3 8JP
28	HSA	Haughton and Springfield	Haughton Children's Centre, Salters Lane South, Darlington	DL1 2AN
29	HSB	Haughton and Springfield	Haughton Children's Centre, Salters Lane South, Darlington	DL1 2AN
30	HSC	Haughton and Springfield	St. Anne's Church Hall, Welbeck Avenue, Darlington	DL1 2DR
31	HUA	Hurworth	Linden Court, Linden Drive, Hurworth Place	DL2 2DL
32	HUB	Hurworth	Hurworth Primary School, Westfield Drive, Hurworth	DL2 2ET
33	HUC, HUD, HUE	Hurworth	The Reading Room, Neasham, Darlington	DL2 1PH
34	MOA	Mowden	Mowden Junior School (Staff Room), Federation of Mowden Schools, Conyers Avenue, Darlington	DL3 9DE
35	MOB	Mowden	Mowden Junior School (Staff Room), Federation of Mowden Schools, Conyers Avenue, Darlington	DL3 9DE
36	NGA, NGB	Northgate	Corporation Road Community Primary School, Corporation Road, Darlington	DL3 6AR
37	NGC	Northgate	Borough Road Nursery School, Borough Road, Darlington	DL1 1SG
38	NRA	North Road	St. Thomas Aquinas Church Hall, North Road, Darlington	DL1 2PU
39	NRB	North Road	Rise Carr College, Eldon Street, Darlington	DL3 0NS
40	NRC, NRD	North Road	Northwood Primary School, Pendleton Road South, Darlington	DL1 2HF
41	PEA	Park East	St. Augustine's Parish Centre, Larchfield Street, Darlington	DL3 7TF

42	PEB	Park East	Borough Road Nursery School, Borough Road, Darlington	DL1 1SG
43	PEC	Park East	St. Columba's Church and the Clifton Centre, Clifton Avenue, Darlington	DL1 5EE
44	PED	Park East	Skerne Park Children's Centre, The Coleridge Centre, Coleridge Gardens, Darlington	DL1 5AJ
45	PEE	Park East	Skerne Park Youth and Community Centre, Coleridge Gardens, Darlington	DL1 5AP
46	PIA	Pierremont	Willow Road Community Centre, Willow Road, Darlington	DL3 6PZ
47	PIB	Pierremont	Willow Road Community Centre, Willow Road, Darlington	DL3 6PZ
48	PIC, PID	Pierremont	Reid Street Primary School, Reid Street, Darlington	DL3 6EX
49	PWA, PWB	Park West	All Saint's Millennium Centre, Ravensdale Road, Darlington	DL3 8DT
50	PWC	Park West	St. Augustine's Parish Centre, Larchfield Street, Darlington	DL3 7TF
51	RLA	Red Hall and Lingfield	Red Hall Community Centre, Headingley Crescent, Darlington	DL1 2ST
52	RLB	Red Hall and Lingfield	St. Herbert's Church Hall, Yarm Road, Darlington	DL1 1BD
53	SMA, SMB, SMC	Sadberge and Middleton St. George	Bishopton Village Hall, Church View, Bishopton	TS21 1HB
54	SMD, SMF	Sadberge and Middleton St. George	Sadberge Village Hall, Sadberge	DL2 1SB
55	SME, SMG, SMH	Sadberge and Middleton St. George	St. Anne's Church Hall, Welbeck Avenue, Darlington	DL1 2DR
56	SMI	Sadberge and Middleton St. George	Middleton St. George Community Centre, Station Road, Middleton St. George, Darlington	DL2 1JG
57	SMJ	Sadberge and Middleton St. George	Middleton St. George Community Centre, Station Road, Middleton St. George, Darlington	DL2 1JG
58	STA	Stephenson	St. James the Great Church Hall, Barton Street, Darlington, (Entrance on Grey Street)	DL1 2LD
59	STB	Stephenson	Eastbourne Sports Complex, Bourne Avenue (off Hundens Lane), Darlington	DL1 1LJ
60	WHA	Whinfield	Whinfield Primary School, Augusta Close, Darlington	DL1 3HT
61	WHB	Whinfield	Whinfield Primary School, Augusta Close, Darlington	DL1 3HT

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COUNCIL
24 NOVEMBER 2022

**INTERIM REVIEW OF POLICIES AND CONDITIONS RELATING TO HACKNEY CARRIAGES,
PRIVATE HIRE VEHICLES AND THEIR DRIVERS AND OPERATORS**

**Responsible Cabinet Member -
Councillor Mike Renton, Stronger Communities Portfolio**

**Responsible Director -
Dave Winstanley, Group Director of Services**

SUMMARY REPORT

Purpose of the Report

1. The purpose of this report is for Members to authorise amendments to Darlington Borough Council's 'Private Hire and Hackney Carriage Licensing Policy 2021' following approval from the Licensing Committee on 6 September 2022.

Summary

2. This report seeks Members' approval, following public consultation on changes to the Council's Taxi Licensing Policy following the impact covid and the current economic issues has had on the trade. It includes proposals in line with the Department for Transport (DfT) draft 'Taxi and Private Hire Vehicle Best Practice Guidance', which is awaiting publication. These amendments have been supported by the Licensing Committee following a meeting held on 6 September 2022. The Policy was last approved on 26 November 2020 for implementation on 1 January 2021.

Recommendation

3. It is recommended that this revised Taxi Licensing Policy be approved by Council, which will be applied to all licences from the day of decision.

Reason

4. To provide support to the taxi trade in the Borough through these difficult economic times, whilst maintaining safety standards for the travelling public.

Dave Winstanley
Group Director of Services

Background Papers

- (i) The Equality Act 2010
- (ii) The Town Police Clauses Acts 1847 & 1889
- (iii) The Local Government (Miscellaneous Provisions) Act 1976
- (iv) Darlington Council's Byelaws in respect of Hackney Carriages, 1990
- (v) Immigration Act 2016
- (vi) Department for Transport Statutory Taxi and Private Hire Vehicle Standards
- (vii) The Current Policies and Conditions in respect of Hackney Carriage and Private Hire Vehicles, Drivers and Operators
- (viii) Department for Transport Taxi and Private Hire Vehicle Best Practice Guidance

Colin Dobson: Extension 5988

S17 Crime and Disorder	This report takes into consideration issues relating to criminal behaviour
Health and Wellbeing	There are no issues relating to health and wellbeing which this report needs to address
Carbon Impact and Climate Change	Carbon emissions are considered within this report
Diversity	Consideration has been given to Equality Act issues within this report
Wards Affected	This will affect all wards
Groups Affected	This report takes into account all groups within the community
Budget and Policy Framework	This report does not represent a change to the budget and policy framework
Key Decision	The report does not represent a key decision
Urgent Decision	This does not require an urgent decision
Council Plan	Adequate taxi provision contributes to a vibrant, safe town centre.
Efficiency	There is no impact on the Council's Efficiency agenda as a result of this report
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

MAIN REPORT

Background

5. Hackney carriages are public hire vehicles which are permitted to ply for hire in the controlled district of Darlington and also from designated taxi ranks within Darlington. They may also undertake pre booked fares. Private hire vehicles on the other hand are limited to pre booked fares only and such bookings must be made through a licensed private hire operator. The licensing of hackney carriage and private hire vehicles, drivers and private hire operators is regulated by a range of legislation but specifically the Town Police Clauses Act 1847 and The Local Government (Miscellaneous Provisions) Act 1976.

6. Currently, hackney carriages and private hire vehicles and drivers are controlled by a mixture of Council policies, licence conditions and byelaws.
7. The 1976 Act also gives right of appeal to the Magistrates' Courts to any person who is aggrieved by any of the conditions placed on a licence. Such appeal must be made within 21 days of receipt of the licence.
8. The policies and conditions relating to the taxi trade were last reviewed and approved by Council for implementation on 1 January 2021 following full consultation. The DfT recommends policies should be reviewed every five years but that interim reviews should also be considered where significant issues arise.
9. At the time of writing this report, Darlington Council has 143 licensed Hackney Carriage vehicles and 89 licensed private hire vehicles. Of these 11 are wheelchair accessible, (7 hackney carriages and 4 private hire vehicles). For simplification, both types of vehicles are referred to in this report as "taxis". There are 397 drivers licensed with Darlington, which is 104 less than the month before Covid restrictions were implemented; and 4 private hire operators.

Reasons for interim review

10. Following the removal of Covid restrictions it became apparent that a national shortage of professional drivers for many businesses extended into the taxi trade and it is estimated that we now have between 30% and 40% fewer drivers to service demand. The north-east region has seen the greatest reduction of drivers in the country. Although there were early signs of recovery from this trend, the recent economic situation has seen a slowing of this progress. There are a number of reasons for this decline nationally, however some of those relating specifically to Darlington are that drivers sought new employment opportunities during the Covid regulation period, particularly in home delivery services. Also, following the relaxation of Covid restrictions a number of European drivers returned to their home country and have not returned to the trade. Darlington has a significant eastern European taxi driver demographic. Although some drivers have retained their licence they may not be actively working within the trade.
11. On 28 April 2022 a liaison meeting took place with representatives of the taxi trade and Licensing where proposals were raised that would help them maintain their business through these difficult times. These proposed changes relate to:
 - (a) Vehicle age restrictions
 - (b) Topographical knowledge test
 - (c) Window tint
12. A table of those proposed changes along with a rationale is at **Appendix 1**. Extracts of our current policy is at **Appendix 2** and relevant sections of the Best Practice Guidance document that was consulted upon are produced at **Appendix 3**.
13. Stakeholders felt that these proposals will give a significant boost to the trade in the short term, whereupon the new standards can be incorporated in full before the next scheduled policy review is due to take place in 2025.

14. On 6 June 2022 the Licensing Committee granted approval for these changes to be published for public consultation. Cognisance was taken to Members concerns that Wheelchair Accessible Vehicle's (WAV) would be exempt from the Euro 6 engine requirements under these proposals and that over time this could lead to increased emissions. It was explained that the number of WAV's is low at the moment and this issue would be subject further consideration at the next full review.

Consultation

15. The consultation was advertised through local media and took place between 13 June and 17 July 2022. It was available to view on Darlington Borough Council's website consultations page with links to relevant documentation (**Appendix 4**). In addition, a list of consultees were contacted directly by Licensing, asking for comment (**Appendix 5**).
16. At the end of the consultation period four representations were made; two from members of the public; one from Environmental Health; and one from Darlington Association on Disability (DAD). These have been reproduced in full at **Appendix 6**.
17. In summary, whilst one respondent from the public was in support of removing the locality test, the other felt that by removing this test, it would lead to the removal of the driving test. The DfT Taxi and Private Hire Vehicle Best Practice Guidance does not advocate removing the driving test and indeed emphasises the importance of maintaining professional driving standards, so this is not a consideration.
18. The representative from DAD asked that a condition be made for private hire drivers to have a satnav. It should be noted that Personal Digital Assistants used by private hire drivers to take jobs from operators already use satnav technology.
19. Whilst Environmental Health would like to see all the taxi fleet meet the Euro 6 standards by 1 April 2023, they understand that these are exceptional times and they are happy for the exemption of WAV's to be discussed at the next scheduled review. Comments were made about the need for a vehicle to not just be compliant with Euro 6 but also to be presentable. DBC currently have a bi-annual inspection regime with strict standards, which include presentation.
20. Comment was made by DAD regarding concerns that vulnerable people inside the vehicle will not be seen from outside. This is addressed in the Taxi and Private Hire Vehicle Best Practice Guidance in that where there is supporting evidence, CCTV should be used. Darlington have no evidence to support the requirement for CCTV in taxis, however this is an emerging national discussion issue that can be debated in more detail during the next scheduled full review.
21. At this meeting, Members approved these proposed amendments to the policy for a final decision to be taken by Full Council.
22. The full policy with proposed amendments (in red) is at **Appendix 7**.

Equalities Impact Assessment

23. The full policy has been subject to an Equalities Impact Assessment and DAD have been closely involved in this consultation process. There is nothing contained within this report that would adversely impact upon that assessment.

Financial Implications

24. There are no financial implications arising in respect of this report.

Conclusion

25. The proposed changes to policy and conditions will be welcomed by the licensed trade and ensure the licensing regime will continue to protect the travelling public. They are in line with proposals by the DfT in their Best Practice Guidance following consultation, which is currently awaiting publication.

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APPENDIX 1

TABLE OF PROPOSED CHANGES TO CURRENT POLICY

Subject	Proposed change	Rationale
Page 26 – Age Restrictions	No age restriction of vehicles provided engines are compliant with Euro 6 standards by April 1 st 2023 (with the exception of Wheelchair Accessible Vehicles already licensed)	<p>Emissions is a key factor for vehicle age. All vehicles manufactured after September 2015 will be Euro 6 standards and this will remove older, more polluting vehicles. Safety standards will be maintained through our current vehicle testing regime.</p> <p>Emission free and hybrid vehicles are already less polluting.</p> <p>This has been proposed in the DfT consultation</p> <p>Number of WAV’s not compliant with Euro 6 by April 2023 is very low and removing them will be a disproportionate response when there is a need for more of them</p>
Page 13 - Topographical knowledge test for all drivers prior to licensing	Locality test for a Private Hire Drivers Licence to be removed.	Unlike hackney carriages that can be hired immediately, private hire vehicles take pre-booked journeys only, with routes that can be planned.

		<p>With improved technology routes are often sent directly to a vehicles satnav so that in-depth knowledge is not required for private hire drivers.</p> <p>This test can be off-putting to prospective drivers, however they are still required to pass the remaining modules, so safety will not be compromised</p> <p>Will assist with recruiting new drivers</p>
Page 32 - Window tint - all rear windows have a minimum of 30% light transmission	No tint restriction provided that the tint is standard to the vehicle from the production line	<p>Front windscreen and front passenger windows already have a minimum tint requirement by regulations.</p> <p>Rear windows often have a lower light transmission and can vary from each car production.</p> <p>DfT consultation says that if there are possible safety issues, where these are evidenced, an alternative such as CCTV should be considered.</p> <p>This can be a considerable cost saving to the trade who will not be required to change glass from a standard production line vehicle for it to be licensed.</p>

CURRENT POLICY

Page 26

Age Restrictions

183. The Council has age restriction policies in place requiring the vehicle to be under 4 years of age when first presented for licensing. Vehicle licences will only be renewed up to 8 years old (except for purpose built wheelchair accessible vehicles such as London Cabs which may be licensed up to 10 years of age).

184. From the 1st April 2023, all licensed vehicles must be aged eight years or under.

186. The initial age of the vehicle will be extended from under 4 years to less than 6 years in respect of purpose-built vehicles only i.e. London cabs and similar vehicles to encourage more purpose-built wheelchair accessible vehicles in the fleet.

Page 13

Driver Knowledge/Locality Test

85. In order to determine the fitness of a person to hold a licence, all applicants are required to sit and pass a test on their knowledge of the local geography, driver conduct / conditions, Highway Code, licensing legislation and awareness of Child Sexual Exploitation/Safeguarding. Tests for hackney carriage drivers include a more detailed assessment of local geography, location of hackney carriage stands and knowledge of tariffs and charges. A driver licence will not be issued without the applicant first passing the knowledge test.

Page 32

Tinted Windows

232. The Council's specification relating to the use of tinted windows in licensed vehicles is as follows:

- (a) The windscreen shall have a minimum light transmission of 75%
- (b) All other front windows of any vehicle shall have a minimum of 70% light transmission.
- (c) All rear windows shall have a minimum of 30% light transmission, unless the below criterion can be met where there will be no minimum light transmission.

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BEST PRACTICE GUIDELINES CONSULTATION

Page 38

Vehicle age limits

8.28 The frequency of testing required (see ‘frequency of vehicle tests’ above) to ensure the ongoing safety of vehicles is a separate issue to the setting of maximum age limits at first licensing, or maximum age limits beyond which an authority will not licence a vehicle. The setting of an arbitrary age limit may be inappropriate and counterproductive and result in higher costs to the trade and ultimately passengers. For example, a maximum age for first licensing may have adverse unintended consequences; a five-year-old used electric vehicle will produce less emissions than a new Euro 6 diesel or petrol fuel car – enabling the trade to make use of previously owned vehicles will assist it to transition more rapidly to zero emission vehicles and improve air quality.

8.29 Licensing authorities should not impose age limits for the licensing of vehicles but should consider more targeted requirements to meet its policy objectives on emissions, safety rating and increasing wheelchair accessible provision where this is low

Page 16

Accessibility barriers

4.8 Licensing Authorities should also:

- Incentivise the uptake of wheelchair accessible vehicles where mandating them would be inappropriate.
- Exercise discretion on application of other vehicle requirements if they would prevent suitable wheelchair accessible vehicles from being brought into service where there is unmet demand.

Page 29

Topographical knowledge

6.23 Taxi drivers need a good working knowledge of the area for which they are licensed because taxis can be hired immediately, directly with the driver, at ranks or on the street and so drivers are not able to prepare a route. Licensing authorities should therefore require prospective taxi drivers to pass a test of local topographical knowledge as a pre-requisite to the first grant of a licence. The Department’s view is that the stringency of the

test should reflect the complexity or otherwise of the local geography, in accordance with the principle of ensuring that barriers to entry are not unnecessarily high.

6.24 Private hire vehicles are not legally available for immediate hiring. To hire a private hire vehicle the prospective passenger must go through an operator, so the driver will have an opportunity to check the details of a route before starting a journey and plan or enter it in a navigation system. Licensing authorities may set private hire vehicle drivers a topographical test, but are not required to do so

Page 36

Tinted windows

8.14 The rules for tinted vehicle windows are available on gov.uk. For most cars on the road today, the minimum light transmission for windscreens is 75% and 70% for front side windows. Vehicles may be manufactured with glass that is darker than this fitted to windows rearward of the driver, especially in luxury, estate and people carrier style vehicles.

8.15 If the objective of the authority's prohibition of tinted windows is to address a concern that illegal activity is taking place in a vehicle, the evidence for this should be established and alternative options should be considered, for example, CCTV in vehicles. When licensing vehicles, authorities should be mindful of this as well as the significant costs and inconvenience associated with changing glass that conforms with the requirements of vehicle construction regulations.

8.16 In the absence of evidence to show that a requirement for the removal of factory fitted windows is necessary and proportionate, licensing authorities should not require their removal as part of vehicle specifications. However, authorities should carefully consider the views of the public and the trade when considering the acceptance of 'after-market' tinting.

Private hire and hackney carriage licensing policy review

Since the Covid pandemic the UK has had a shortage of taxi and private hire drivers.

The trade has also experienced increasing vehicle maintenance and replacement costs.

The Department for Transport are currently consulting on a revised best practice guide.

We are taking the opportunity to carry out an interim review of our private hire and hackney carriage licensing policy.

We have considered proposals in the draft best practice guide, alongside our current policy.

The trade feels they could adopt the following changes before a full review of the policy is carried out in 2024.

This will provide a much-needed boost and maintain a service that is so important to the public.

The proposed changes

Vehicle age

No age restriction of vehicles.

Provided engines are compliant with Euro 6 standards by April 1st 2023 except for wheelchair accessible vehicles already licensed.

This will be subject to further discussion at the time of the next full review.

Tints

No tint restriction.

Provided the tint is standard to the vehicle from the production line.

Locality test

Removal of the locality test for a private hire driver's license.

Your views

We would like your views of the proposed changes to our policy.

Please provide a written response to licensing@darlington.gov.uk.

Further information

- [Current Private hire and hackney carriage licensing policy](#) [pdf document]
- [GOV.UK - Taxi and private hire vehicle best practice guidance](#) [external link]

APPENDIX 5

LIST OF CONSULTEES

HC and PH trade
PH Operators
Durham Constabulary
British Transport Police
Home Office Immigration Enforcement
Durham and Darlington Fire Authority
Darlington Association on Disability (DAD)
Highways
Environmental Health
Trading Standards
Planning
Public Health
Darlington Safeguarding Partnership
Citizens Advice Bureau (CAB)
Parish Councils
Schools Home to School Transport Section
Local transport providers
Tees Valley Local Authorities
North East Strategic Licensing Group (NESLG)
DBC Councillors

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CONSULTATION RESPONSES

Environmental Health

Whilst it would be good to retain a vehicle age restriction the requirement for taxis to meet Euro 6 standards by April 1st 2023 will be the most effective measure in achieving reductions in vehicle emissions from the taxi fleet and have the greatest impact in improving air quality. Whilst in terms of air quality Environmental Health would prefer the vehicle age restriction to remain in place we acknowledge that other factors require consideration and are pleased to see that if a decision is made to remove the age restriction that this will be further considered at the next Taxi Licensing Policy review in 2024.

Thanks

Carol Whelan

Environmental Health Manager (Environmental Protection)

DAD

Interim Taxi Policy review consultation

- No age restriction of vehicles, provided engines are compliant with Euro 6 standards by April 1st 2023 (with the exception of Wheelchair Accessible Vehicles already licensed. This will be subject to further discussion at the time of the next full review).

A vehicle needs to be presentable not just compliant with Euro 6 standards.

- No tint restriction, provided that the tint is standard to the vehicle from the production line.

I have concerns for the safety of some vulnerable people being inside a vehicle where they can't be seen from outside.

- Locality test for a Private Hire Drivers Licence to be removed.

If this was to be allowed it must come with a condition that drivers must have a satnav. Many disabled people cannot give instructions on how to get to where they need to go. Most people with sight loss will not be able to guide the driver. This will be the same for some disabled people with a learning impairment or lack communication skills.

Darlington Association on Disability.

Public response 1

Hello licencing,

I am righting this email to share my views on purposed changes if I may ;

I don't know the reasoning for the vehicle euro 6 part I would expect the shortage of cars to play apart in that factor but I believe there should be some sort of minimum term just for the fact the cars do a lot of miles and as much as the up keep is good and standards high, The reliability is some what compromised after a certain point and the interiors become tatty and represent the trade in a bad light.

Furthermore the locality test my viewpoint on that is why only limit it to private hire if you where going to implement that why not do that for Hackney vehicles as well, Both I would not like to see to be honest as I find this part of the test just as much as anything else to be a necessity as that is the job after all .The test is meant to be exactly that a test I believe dropping that would not be beneficial to the trade and in the end up with a load of disgruntled end users. I truly believe The council and the processes the council put applicants through are fair and just and give reasonable standard to be met that a applicant will be some what capable at the job and truly the problem of the industry is country wide and falls on the pay structure and opportunity's private hire gives there drivers.

I believe that if you remove the locality you will get some people who best serves them lobbying to remove the Dsa test as well in hindsight they are both Job specific and reflect on the minimum floor of the job to be met.

I would like to conclude by thanking you for your time and wishing you a good day.

Yours

Public response 2

I most say there is definitely need for a more private hire drivers because comes to school hours you've got no chance to get a taxi to save your life!

Or weekends all day all night also like myself I've lost my business during pandemic and very seriously considered to be come a taxi driver or private hire driver but the knowledge test made it impossible now I'm still on universal credit and I really do hope they will scrap the knowledge test and let people get jobs I believe it will be great help to many people and boost to local econ omy



Appendix 7

Private Hire and Hackney Carriage Licensing Policy 2021

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Chair of Licensing Committee

Chair of Licensing Committee

Councillor Cyndi Hughes

Introduction

1. Hackney carriages and private hire vehicles play an important part in the provision of local transport. They provide a flexible form of public transport and can play an increasingly important role in improving accessibility. They are also used by all social groups.
2. The purpose of the Local Authority when licensing hackney carriages and private hire vehicles, drivers and operators is to protect the public. Darlington Council (The Council) is aware that the public should have reasonable access to safe and comfortable hackney carriages and private hire vehicles because of the role they play in local transport provision.
3. A hackney carriage is a public transport vehicle with no more than 8 passenger seats, which is licensed to "ply for hire". This means that it may stand at designated taxi stands or be hailed in the street by members of the public.
4. Private hire vehicles will have no more than 8 passenger seats however, they must be booked in advance through an operator and cannot ply for hire in the street.
5. Local authorities are responsible for the licensing, administration and enforcement of hackney carriage and private hire vehicles in their areas.

Powers and Duties

6. The Council has adopted Part 2 of The Local Government (Miscellaneous Provisions) Act 1976 (Minute C140/Feb/80). This legislation, together with the provisions of The Town Police Clauses Act 1847, places on the Council the powers and duties to carry out licensing functions in respect of hackney carriage and private hire licensing. As such the Council is responsible for the licensing of private hire drivers, vehicles and operators and hackney carriage drivers and vehicles. This document sets out the policy that the Council will apply when making decisions about new applications and licences currently in force.
7. On the 21 July 2020 the Department for Transport published 'Statutory Taxi and Private Hire Vehicle Standards.' The department expects these recommendations to be implemented unless there is a compelling local reason not to.

Objectives

8. The principal purpose of Hackney Carriage and Private Hire licensing is to protect the public and promote public safety.
9. The objectives of this Policy are as follows:
 - (a) To protect the interests of the travelling public, safeguarding children and the vulnerable by;

- (b) Ensuring that the drivers of such vehicles and private hire operators are “fit and proper” persons.
 - (c) Ensuring that safe, clean, reliable and accessible hackney carriage and private hire vehicles are available for all who require them.
 - (d) To provide clarity for licensees with regard to the Council’s expectations and the decision making process.
 - (e) To encourage environmental sustainability.
 - (f) To encourage high standards of professionalism in the hackney carriage and private hire trade.
10. This policy shall apply in respect of applications, renewals, transfers and any other related matters connected to the following licences:
- (a) Hackney carriage driver
 - (b) Hackney carriage vehicle
 - (c) Private hire driver
 - (d) Private hire vehicle
 - (e) Private hire operator
11. This Policy shall also apply in respect of disciplinary and enforcement measures and will introduce a code of conduct to be followed by all persons licensed under this Policy.
12. In promoting these licensing objectives, the Council will generally expect to see licence holders and applicants continuously demonstrate that they meet or exceed the standards set by the Council.

Licensing Methods

13. The methods we shall use are as follows:
- (a) Setting the standards for the licensing of drivers, vehicles and operators.
 - (b) Annual licensing and routine inspection of vehicles, with appropriate follow up action.
 - (c) Routine inspection of insurance policies and Certificates of Compliance / MOT certificates, with appropriate follow up action.
 - (d) Checks of driver’s immigration status, medical health, criminal record, driving ability, knowledge of safeguarding vulnerable passengers and knowledge of the Borough, including legislative controls.

- (e) Investigation of complaints with appropriate follow up action.
 - (f) Liaison with the Police and other agencies regarding issues of mutual concern in relation to offences or the conduct of licensees.
 - (g) Liaison with the hackney carriage and private hire trade by way of open meetings and the use of modern communication methods.
 - (h) Taking enforcement and/or disciplinary action including the issue of prosecution proceedings, verbal and written warnings, simple cautions, suspension or revocation of licences for breaches of legislation or conditions.
 - (i) Jointly authorise officers from other licensing authorities, so that compliance and enforcement can be taken against licensees outside their area.
 - (j) Conditions added to licences.
 - (k) The issue of guidance notes.
 - (l) Disability awareness training.
 - (m) Any other training relevant to vulnerable groups such as those suffering from dementia.
14. When considering applications and taking enforcement action the Council is subject to the Regulatory Compliance Code, the Council's Enforcement Policy and the Code for Crown Prosecutors.

Best Practice Guide

15. In formulating this Policy the Council has considered the most recent best practice guidance issued by the Department for Transport (DfT) along with guidance issued by the Local Government Association and the Secretary of State.

Status

16. In exercising its discretion in carrying out its regulatory functions, the Council will have regard to this Policy and the objectives set out above.
17. Notwithstanding the existence of this Policy, each application or enforcement measure will be considered on its own merits. Where it is necessary for the Council to depart from the Policy, clear and compelling reasons will be given for doing so.

Implementation and Review

18. This Policy will take effect from 1 January 2021. From the effective date, this Policy will override and supersede all existing policies in relation to the licensing of private hire and hackney carriages, their drivers and operators.
19. The Council will keep this Policy under review and will consult where appropriate on proposed revisions. A full review of the Policy will be conducted every five years

from the date of effect above.

20. When this Policy is implemented, the Council will require licence holders to comply with its terms immediately or, where appropriate, from the renewal of a current licence.

Where it is not possible to comply with part of the Policy due to an outstanding action required by the Council, information will be provided as to an implementation date for that part.

21. The Council may monitor and review this Policy or areas of the Policy prior to the five year review period when considered necessary.
22. After the introduction of this Policy, the Council may make decisions, which change the content of this Policy. The changes may either have immediate effect or come into effect on a given date. This Policy document will be regularly updated to reflect these changes. Amended copies of the Policy will be available from the Licensing Office and via the internet.

Consultation

23. In preparing this policy the council has consulted widely and a full list of those consulted is set out in Appendix 24.

Local Area Profile

24. Darlington is a medium sized town with a total population of just over 106,000. The River Tees and North Yorkshire lie to the south, the Teesside conurbation to the east, County Durham to the north and rural Teesside to the west. There are excellent communication links with a principal station on the East Coast rail mainline, the A1 (M) Motorway and Teesside International Airport.
25. Most of the population are long term residents, however an estimated 7.8% of the population moves to or leaves Darlington every year. Darlington also has a higher than average population of children and older people compared to the North East and England. Self-defined ethnicity in Darlington was 6.2% in the 2011 census compared to 20.3% for England with the largest ethnic minority group comprising of Gypsy, Roma and Traveller communities.
26. Most businesses are now in the public, health and education sector or financial and business services. The town centre is of sub-regional importance for shopping and services and the town is also an important employment centre. Generally Darlington is an economy of small, owner-managed businesses that co-exist with branch factories, offices and shops. It has performed relatively well in recent years, however there has been a closure of several retail operators in high profile locations.
27. The late night economy of the Borough is principally centred around the town centre where a number of entertainment premises, pubs and takeaway establishments are situated. Darlington's plan is to merge the day and night time economy with an evening economy.

These activities will support the cultural diversity of the Borough and contribute to its overall economy. Darlington has a Purple Flag status, which is an accreditation similar to the Green Flag award for parks and the Blue Flag for beaches. It allows members of the public to quickly identify town & city centres that offer an entertaining, diverse, safe and enjoyable night out.

28. The Council recognises and welcomes the contribution that the Private Hire and Hackney Carriage trade make to the transport and tourism industry in the area.

Partnership Working

29. The Council will work in partnership with the following agencies and individuals to promote the policy objectives:

- (a) Local Hackney Carriage and Private Hire Trade;
- (b) Durham Constabulary;
- (c) Local Transport Authorities;
- (d) Planning Authority;
- (e) Local residents;
- (f) Disability groups;
- (g) Tees Valley Combined Authority;
- (h) North East Strategic Licensing Group (NESLG);
- (i) Service users;
- (j) Driver and Vehicle Standards Agency (DVSA);
- (k) HM Revenue and Customs;
- (l) Department for Work and Pensions (DWP);
- (m) Home Office Immigration Enforcement;
- (n) Tees Valley Licensing Group.

Related Policies and Strategies

30. This Policy will be integrated with local planning, transport, tourism, equality and cultural strategies, and other plans introduced for the management of the Borough for the evening and night-time economies.
31. The Council, as a member of the Tees Valley Licensing Group will work with the other council representatives to seek harmonisation of policies and conditions, where applicable, across the Tees Valley District.

The Council will also work in partnership with other agencies including those referred to in paragraph 29, above.

Equality

32. The Council is committed to ensuring equality in employment and service delivery. To achieve this standard the Council is aware of its duties under the Equality Act 2010 and The Human Rights Act 1998.

Duties and Obligations under the Equality Act 2010

33. The Equality Act 2010 consolidates the legislation previously set out in the Disability Discrimination Act 1995 and the Disability Discrimination Act 2005 to increase access to transport services and infrastructure by disabled people. Those who provide transport services by way of Hackney Carriage and Private Hire vehicles are advised to contact the Equality and Human Rights Commission for further information and advice on avoiding discrimination.
34. It is a requirement of a vehicle licence that wheelchair accessible vehicles have the appropriate equipment so as to transport passengers in wheelchairs at all times. Any vehicle proprietor found in breach of this may face formal action.
35. Licensed drivers are under a duty to carry guide, hearing and other prescribed assistance dogs in their vehicles without any additional charge. Drivers who have a medical condition that is aggravated by exposure to dogs may apply for an exemption from the duty on medical grounds. A medical certificate must be provided, at the drivers expense, from the drivers own GP stating the details of their medical condition. A register will be kept of those drivers exempted. Persons who breach duties may be guilty of a criminal offence. In addition to any criminal sanction, the driver would be liable to disciplinary procedures that may include licence suspension or revocation.
36. Further information is available from the Equality and Human Rights Commission at www.equalityhumanrights.com

Duties and Obligations under the Human Rights Act 1998

37. Article 1 of Protocol 1 of the European Convention of Human Rights confers on Individuals (and companies) the Right to Peaceful Enjoyment of their possessions and the Protection of Property. Once granted, a Licence is a possession and no one can be deprived of his property or have controls put on his property except where the action is permitted by law and justifiable in the public or general interest.
38. When considering matters relating to the grant, revocation, renewal or refusal of licences and the placing of conditions on licences, the Council must consider whether the decision affects an individual, group or company's Human Rights as set out in the Convention and if it does, whether the interference with those rights is permissible by reason of the justifications set out in the Convention. In addition, consideration must be given to whether the interference is proportionate.

Crime and Disorder Act 1998 Section 17

39. Section 17 of the Crime and Disorder Act 1998, places a duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

Drivers

Licenses

40. The Council issues licences for Private Hire and Hackney Carriage drivers. In addition, drivers may hold both licences and these are referred to as Dual or Combined licences.
41. Licences are issued subject to proof of eligibility – driving licence, driving assessment, knowledge/locality test, Child Sexual Exploitation (CSE) awareness certificate, criminal records check, right to work and medical assessment.
42. The statutory and practical criteria and qualifications for each licence are broadly identical and therefore this chapter will apply to all driver licences. However where differences exist between the licensing regimes reference will be made to it in this policy.
43. At all times, the Council's legitimate aim is to protect members of the public who are using vehicles and drivers licensed by the Council and thus if the documentation produced does not satisfy the Council then the application will be refused.

Driving Experience

44. An applicant for the grant of a hackney carriage or private hire driver licence must have held a full DVLA driving licence for a period of 12 months before an application for the grant of a driver's licence will be accepted. This is a legal requirement under Section 51 of the Local Government (Miscellaneous Provisions) Act 1976. This Licensing Authority will follow all requirements as directed by government in relation to EU driving licences.
45. In addition, applicants are required to have passed an approved driving assessment and produce the original copy of the pass certificate. Drivers can also carry out an enhanced test for wheelchair accessible vehicles.

DVLA Driving Licences

46. The DVLA no longer issues a driving licence counterpart (D740). In order to be satisfied that an applicant has a current DVLA driving licence and also to be aware of any penalty points on the licence, the Council will require access to the DVLA on line checking system to establish driving entitlement and driving history.
47. The DVLA requires the holder of the licence to give permission for access to driver records by providing the Council with a unique access code provided by the DVLA.

Therefore, all drivers wishing to be licensed as a hackney carriage or private hire driver must either provide written consent or present to the Council an acceptable unique access code to allow their DVLA driving licence to be checked prior to a licence being approved.

48. Any driver holding an EEA/EU driving licence will be required to exchange this licence for a photo card licence issued by the DVLA prior to the grant or renewal of Hackney Carriage or Private Hire driver licence.
49. The Council will continue to follow licence requirements issued by the government.
50. A driver with 9 penalty points or more on their DVLA drivers licence may be referred to the Licensing Committee for consideration as to whether they are, or remain, a safe and suitable person to hold a licence.

Right to Work

51. The prevention of illegal working in the UK is governed by legislation that may change from time to time. The Council will undertake the necessary checks required to comply with such legislation. The Government's Department of Transport (DfT) Best Practice Guidance in relation to hackney carriage and private hire provides for licensing authorities to check on an applicant's right to work in the UK before granting a licence.
52. All applicants for a private hire operator and/or a private hire and hackney carriage driver licence will be required to prove that they have a right to work in the UK before being considered for a licence. In doing so, the Council may seek information regarding the immigration status of an individual from the Home Office.
53. For British applicants without a current British passport, a full birth certificate which includes the name(s) of at least one of the holder's parents and proof of National Insurance number is required. A National Insurance Card is not an acceptable form of ID
54. As the UK is no longer a member of the EU, this Licensing Authority will follow government directions in relation to applicants from Switzerland or one of the EEA countries ability to work in the UK providing they can produce evidence of their right to work in the UK.
55. Applicants who are non-EU nationals will have to provide proof of the right to work in the UK in accordance with current Home Office guidance on preventing illegal working. Usually a Biometric Residence Permit and a valid passport should be provided before any application can be accepted.
56. Licences may be time limited to coincide with an applicants limited rights to stay in the UK.
57. A licence will not be granted until an applicant is able to prove they have a right to work in the UK. Checks will be made at each renewal process. All documentation will be copied and kept on the applicant's personal file.

Language Proficiency

58. A lack of language proficiency could impact on a driver's ability to understand written documents, such as policies and guidance, relating to the protection of children and vulnerable adults and applying this to identify and act on signs of exploitation. Oral proficiency will be of relevance in the identification of potential exploitation through communicating with passengers and their interaction with others. If there is any doubt as to an applicant's ability to communicate in English (spoken or written), they shall be required to undertake and pass a Council approved English assessment at their own cost.

Applicants who have spent time abroad

59. If an applicant is newly resident in the UK they must still apply for an enhanced DBS check regardless of the period of time they have spent in the UK.
60. Where an applicant has spent 3 months or more living abroad or has not lived in the UK for a continuous six year period at the time of the application, an enhanced DBS disclosure in itself will usually be insufficient to satisfy the Council that the applicant is a fit and proper person. This is because the DBS does not routinely provide criminal record information from non UK countries. These applicants will be required to provide a Certificate of Good Conduct or an equivalent document, translated into English by a recognised, impartial body, from each country where they have been living
61. A Certificate of Good Conduct or equivalent document is an extract from the judicial record or administrative authority in the relevant country testifying to good conduct and/or to any criminal convictions recorded against the individual. The Council will take advice from the DBS in identifying the appropriate authority where available.
62. The Council may approach the relevant Embassy or appropriate body directly to verify documents provided. Any costs involved must be met by the applicant.
63. The applicant is advised to submit additional information with the application e.g. verifiable references from former employers and persons in positions of trust, which may demonstrate that they are a fit and proper person. The Council may require the applicant to submit additional information.
64. Where an individual is aware that they have committed an offence overseas, which may be relevant, they should seek independent expert or legal advice to ensure they provide information that is accurate and truthful.
65. Existing licensed drivers must notify the Council in writing when they intend to leave the country for an extended period of 3 months or more. They must also notify the Council on their return and complete a statutory declaration on the form provided by the Council.
66. Details of where applicants can access information concerning Certificates of Good Conduct is contained in Appendix 8

Disclosure and Barring Service and Criminal Records

67. The Disclosure and Barring Service (DBS) helps employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children.
68. The DBS are responsible for:
- (a) processing requests for criminal records checks;
 - (b) deciding whether it is appropriate for a person to be placed on or removed from a barred list;
 - (c) placing or removing people from the DBS children's barred list and adults' barred list for England, Wales and Northern Ireland.

Any person who is on the DBS Barred List will be deemed not to be a fit and proper person to hold a private hire and/or hackney carriage driver licence.

69. A criminal record check on a driver is an important safety measure. Enhanced Disclosure through the DBS is required (applied for through the Council's Licensing Office). Enhanced disclosures include details of spent and unspent convictions, police cautions and Police intelligence.
70. The Rehabilitation of Offenders Act 1974 does not apply to applicants for hackney carriage or private hire driver licences by virtue of the Rehabilitation of Offenders Act 1974 (Exception) Order 1977 and therefore applicants are required to disclose all convictions, including those that would normally be regarded as spent.
71. Before an initial application for a driver's licence will be considered, the applicant must apply for an Enhanced Disclosure of criminal convictions through the Council. The application will not be determined until the results are received. DBS checks are not portable and only DBS checks applied for through Darlington Council will be accepted unless an applicant is appropriately registered with the Disclosure & Barring Update Service. It is for the applicant to ensure that the DBS are informed of any changes to banking details. In addition, DBS disclosures will only be acceptable up to one month from the date of issue.
72. The Council is a Body registered with the DBS and can apply for the Disclosure at the applicant's request subject to the appropriate fee. Guidance notes (including proof of identity requirements) are available from the Licensing Office. The Council is bound by rules of confidentiality.
73. The disclosure report will be sent to the applicant's home address. The Council will NOT receive a copy of the report and the applicant must produce the entire original copy of the DBS certificate to the Licensing Office.

Photocopies or part disclosures will not be accepted. If the Council receives an e-mail to say the report is clear, the application can be processed.

74. Once a copy has been received it will be referred to an Authorised Officer for checking and if satisfactory, it will be returned immediately. If an officer is not available, the DBS disclosure will be placed within the driver's folder and stored in a secure location until an Authorised Officer is able to check it. Please note that copies of disclosures are not stored on drivers' files at any time unless the driver authorises the storage in lieu of the criminal conviction declaration.
75. Any applicant for a new licence or renewal of licence is required to provide details of all criminal, motoring and licensing convictions including fixed penalties, spent convictions, speed awareness courses and cautions. It is an offence to knowingly or recklessly make a false statement or to omit information required by the Council (s.57 Local Government (Miscellaneous Provisions) Act 1976).
76. All licensed drivers will be required to provide evidence of continuous registration with the DBS update service to enable the licensing authority to routinely check for new information every six months.

DBS Update Service

77. All licence holders must also subscribe to the Disclosure and Barring Service Online Update Service throughout the duration of their licence. Any costs associated with maintaining this subscription must be met by the licence holder. The licence holder must give consent for the Council to undertake checks of their DBS status should the Council consider it necessary to do so. The Council will use the update service to monitor the criminal record of licence holders. The update service can be used when a licence is renewed – if there are no changes recorded on the DBS certificate then a full DBS check will not be required. In all other cases a full Enhanced DBS check will be required before a licence is renewed. Failure to maintain subscription to the update service will result in the suspension of the driver's licence until a new disclosure is provided. Existing licence holders who have not already subscribed to the updating service will be required to do so when their next DBS disclosure application is submitted. Further details and guidance can be found at: www.gov.uk/db-update-service
78. If a driver does not renew their licence, a new disclosure will be required at the time of any subsequent application.

Benefits to Drivers

- Saves time and money
- No more DBS application forms to fill in. One DBS Certificate is all that is required.
- DBS Certificate can be taken from role to role within the same workforce.
- Personal control of DBS Certificate.

Benefits to employer or Council

- Instant online checks of DBS Certificates.

- Less bureaucracy.
- Saves time and money.
- Enhanced safeguarding processes help reduce risks.

Relevance of Convictions, Cautions and Conduct

79. In assessing whether the applicant is a fit and proper person to hold a licence, the Council will consider each case on its own merits and will have regard to the adopted guidelines on the relevance of convictions a copy of which is attached at Appendix 7
80. Darlington Borough Council provides information to the National Register of Taxi Licence Refusals and Revocations (NR3), a mechanism for licensing authorities to share details of individuals who have had a Hackney Carriage drivers licence or Private Hire Vehicle (PHV) driver's licence revoked, or an application for one refused. This is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Council – that is, assessing whether an individual is a fit and proper person to hold a hackney carriage or PHV licence.
81. Where a hackney carriage/ PHV driver's licence is revoked, or an application for one refused, the authority will automatically record this decision on NR3.
82. A decision to refuse or revoke a licence of an individual thought to present a risk of harm to a child or vulnerable adult will be referred to the DBS.
83. All applications for a new driver's licence or licence renewal will automatically be checked on NR3. If a search of NR3 indicates a match with an applicant, the authority will seek further information about the entry on the register from the authority which recorded it. Any information received as a result of an NR3 search will only be used in respect of the specific licence application and will not be retained beyond the determination of that application.
84. Information will be retained on NR3 for a period of 25 years.

Driver Knowledge/Locality Test

85. In order to determine the fitness of a person to hold a licence, all applicants are required to sit and pass a test on their knowledge of the local geography, driver conduct / conditions, Highway Code, licensing legislation and awareness of Child Sexual Exploitation/Safeguarding. Tests for hackney carriage drivers include a detailed assessment of local geography, location of hackney carriage stands and knowledge of tariffs and charges. (A private hire driver will not be required to pass a locality test but must still pass the remaining modules of the knowledge test. Licensed private drivers who do not take the locality test must demonstrate they have access to sat nav or similar electronic device.) A driver licence will not be issued without the applicant first passing the knowledge test.

86. The cost for one knowledge test is currently included in the licence fee. If an applicant fails to pass the test, a further fee will be charged for every subsequent test. Such fees are to be paid prior to the test date being booked. Bookings for a test appointment will not be accepted without the payment of the fee.
87. Should an applicant fail to pass the knowledge test within six attempts, the application will be refused. This should provide the applicant with sufficient opportunities to develop the necessary knowledge required in order to successfully undertake the knowledge test.
88. Applicants should note that where an application is pending in excess of 6 months the applicant will be obliged to provide a new DBS Certificate or code for the update service and a new Medical Assessment or a letter from the GP who carried out the original medical confirming that there has been no change in the medical fitness of the applicant will be required.
89. If an applicant cancels a test with less than two working days' notice, fails to attend a test or is more than 10 minutes late for the test without a reasonable excuse, a further fee shall be required prior to a re-test being booked.

Medical Assessment

90. Under s.57 of the Local Government (Miscellaneous Provisions) Act 1976 the Council may require an applicant for a hackney carriage or private hire drivers licence to produce a certificate signed by a registered medical practitioner to the effect that s/he is physically fit to be a driver of such a vehicle. The Council requires a medical certificate upon an initial application for a licence. In addition to such a certificate the Council may require an applicant to submit to examination by a registered medical practitioner selected by the Council as to his/her fitness to be a driver of a hackney carriage or private hire vehicle.
91. In line with DVLA recommendations, the Council applies the DVLA Group 2 driver standard for medical fitness for hackney carriage and private hire drivers. This is a higher medical standard than that required for drivers of other motor vehicles due to the length of time the driver may spend at the wheel and the responsibility they have for the safety of their passengers and the public. In addition, drivers may have to assist disabled passengers and handle luggage.
92. Upon an initial application for a driver's licence the applicant shall produce a completed Medical Certificate provided by the Council. This must be completed by the applicant's own GP or a medical practitioner with access to the applicant's full medical history.
93. The applicant is responsible for paying the fee for the examination. If necessary, the GP may return the completed form direct to the Licensing Office. The medical certificate will be valid for a period of 6 months after which either a new medical form or a letter from the GP who carried out the original medical confirming that there has been no change in the medical fitness of the applicant will be required. Once the medical is 12 months old a letter will not be accepted and a new medical will be required.

94. The medical practitioner must confirm that:
- (a) they have examined the applicant;
 - (b) the applicant is registered with the practice; and/or they have had full and complete access to the applicant's medical records;
 - (c) The medical examination was carried out to the Group II standard;
 - (d) (S)he considers the applicant to be fit to act as the driver of a hackney carriage or private hire vehicle in accordance with this standard.
95. Applicants aged over 45 years must provide evidence of their medical fitness to hold a licence every five years and once they reach the age of 65 years an annual medical will be required. For drivers who have chosen a three-year licence, they must provide a medical certificate on the same basis as that detailed above and, where this falls mid-licence, the driver must provide a new medical certificate on their 50th, 55th, 60th and 65th birthday.
96. If a driver has a medical condition that requires notification to the DVLA e.g. sleep apnoea they must also notify the Council in writing at the same time that DVLA is notified.
97. In addition to the above requirements where a driver suffers from a condition that requires monitoring but would not prevent him/her from driving (s)he is required to provide written confirmation from his GP or consultant, as recommended by the DVLA standards, each year that s/he remains fit to carry out the duties of a driver and/or may be required to submit an annual medical.
98. If the Licensing Authority is not satisfied as to the medical fitness of an applicant, a hackney carriage or private hire drivers licence will not be granted. If the Licensing Authority is not satisfied as to the medical fitness of a licensed hackney carriage or private hire driver there will be reasonable cause to suspend, revoke or refuse to renew the licence under s.61 Local Government (Miscellaneous Provisions) Act 1976. This suspension may also be undertaken in accordance with s.52 of the Road Safety Act 2006 on the grounds of public safety. This means that the suspension takes immediate effect and although the driver may appeal they are unable to drive pending the appeal.

Application Procedure

99. An application for a driver's licence is to be made prior to the applicant taking the required knowledge test. (Part application may be accepted to begin the process provided it contains a DBS application). The following documents with relevant fees are to be submitted in person for a new application:
- (a) A completed Application form
 - (b) A Group II Medical Assessment

- (c) A DBS application on-line form with appropriate identity documents (or alternative)
 - (d) A CSE Awareness Training Certificate
 - (e) Taxi Driver Test "Pass Certificate" and/or the Hackney Wheelchair Enhanced Certificate or Wheelchair Exercise Certificate when applicable.
 - (f) A Valid DVLA Driving Licensing (old style pre-1998 paper licence) or DVLA Driver Photo-Card driving licence where applicable. Photo cards must show a valid date for the entire period of the imminent licence. Expired licences will not be accepted.
 - (g) Right to work
 - (h) DVLA access code to review licence
100. Drivers who hold other European driving licences must apply to the DVLA to exchange their EU driving licence to a UK photo-card licence.
101. All documents must correspond in respect of the full name and address of the applicant or the application will be rejected. Any incorrectly completed forms will not be accepted.
102. The application will not be determined until the knowledge test has been passed and DBS check is received. Where it is considered that the application will be determined by the Licensing Committee the knowledge test can be deferred pending that decision.
103. If the application is withdrawn or refused a fee may be refundable minus the charge incurred to process this application. This may vary depending on the amount of work carried out by Officers. Where an application is refused and subject to appeal, further charges will be incurred and no refund will be given.
104. It is expected that the entire application process shall be fully completed within 3 calendar months from the date of the initial application and with the introduction of an on-line application system the normal processing time should be much shorter than 3 months. This will be subject to the production of relevant documentation and availability of a Licensing Committee where applicable. Where an application is pending in excess of a six month period, the applicant will be obliged to provide a new DBS Certificate and a new Medical Assessment or a letter from the GP who carried out the original medical confirming that there has been no change in the medical fitness of the applicant will be required.
105. The following documents for a new application are to be submitted in person or by post. With the introduction of an on-line licensing process applications will no longer be accepted in person or by post. The relevant fee for an application will only be accepted electronically when an on-line system has been introduced.
- (a) A completed application renewal form.

- (b) A Group II Medical Assessment (if required) or other specified medical documentation.
 - (c) A valid DVLA Driving Licence (Old style paper licence or photo-card driving licence where applicable.) Photo cards must show a valid date for the entire period of the imminent licence.
 - (d) DVLA access code for licence renewal.
 - (e) DBS reference number for the update service.
106. Holders of existing driver's licences must apply to renew their licence in the first two weeks of the month preceding the expiry date. Ideally the application should be submitted at least 7 working days prior to the expiry of the previous licence to allow for the production of the new licence, as the legislation does not allow for continuity of licence. Applications received more than a day after the expiry date will be dealt with as a new application (i.e. expiry 31 January – application will be accepted for renewal no later than 01 February)
107. Renewal applications will be processed and issued pending any required enhanced DBS check, DVLA and medical requirements unless the Council has reasonable grounds for concern. In this situation the renewal application will not be determined until or unless these concerns have been alleviated.
108. If details of new convictions or charges are received during the renewal process the application to renew will be dealt with on its merits according to this Policy.
109. If details of any convictions or cautions are received through the DBS check process and a declaration has been signed stating that there are no new convictions or cautions this will be treated very seriously and the appropriate action taken.
110. The Licensing Manager or Assistant Licensing Manager may at any time refer a decision to grant or renew a licence to the Council's Licensing Committee.
111. All drivers will be issued with a badge detailing their licence number, expiry date and a photograph of the licence holder. The badge must be prominently worn at all times when the driver is working.
112. Lost or damaged badges must be reported on the next working day to the Licensing Office. A fee will be charged for a replacement badge.

Term of Licence

113. New applicants and applicants for renewal of licence may apply for a 3 year licence in those cases where there are no any issues concerning the application.
114. In addition, all 3 year licence holders shall be required to have valid DVLA licences, medicals and criminal record checks throughout the 3 year period.

115. Applicants may choose to bring forward such checks to align them to a 3 year licence, however if any of these expire within the 3 year period a pro rata licence (with pro rata fee) will be considered.
116. In cases where applicants/renewal applicants are referred to the Council's Taxi Licensing Sub Committee in respect of matters of concern e.g. criminal or medical issues or serious complaints, it is proposed that a maximum one year licence will normally be granted and repeated for the first 3 years.
117. If there are no further concerns after that time period the opportunity to apply for a 3 year licence shall be offered.
118. Licence holders that are subject to specific annual checks e.g. an annual medical will be limited to an annual licence.
119. Licences which exceed one year, will be subject to a higher licence fee.
120. Applicants can choose to apply for a one year licence

Conditions of Licence

121. The legislation pertinent to licensed drivers is detailed at Appendix 1 and the Council's policies in respect of the licensing of drivers are detailed at Appendix 2. The Council is empowered to attach such conditions to a private hire driver's licence as are considered reasonably necessary. The conditions set out at Appendix 3 are considered reasonably necessary and as such may be legally imposed in respect of private hire drivers.
122. The legislation does not permit the Council to attach conditions to a hackney carriage driver's licence. Hackney Carriage Drivers will however be subject to the Council's byelaws, a copy of which will be provided to them as part of their licence. The Byelaws are detailed at Appendix 4.

Code of Good Conduct

123. This serves to promote the Council's licensing objectives in respect of hackney carriage and private hire licensing. The Code of Good Conduct will be taken into consideration in disciplinary matters. All licence holders will be provided with a copy of the Code and the driver's file will be updated to confirm receipt. The Code of Conduct is attached at Appendix 5 to this policy.

Driver's Dress Code

124. A dress code serves to enhance the professional image of the hackney carriage and private hire trade, and promotes the concept that drivers of licensed vehicles are vocational drivers. In order to raise the profile of the licensed trade, drivers should operate, at all times in a professional manner and conform to a minimum standard of dress. The Council's Dress Code for licensed drivers is detailed at Appendix 6. Failure to comply with the Dress Code may be taken into consideration in disciplinary matters.

Driver Training

125. At present there is no requirement for new applicants or existing drivers to undergo any form of formal training. In recent years the following formal training packages have been developed and delivered locally:
- (a) The BTEC Award – Transporting Passengers by Taxi and Private Hire Trade
 - (b) NVQ Level 2 in Road Passenger Vehicle Driving
126. The Awarding Bodies have indicated that the best option is for candidates to undertake both courses as the BTEC training underpins the NVQ assessment and it is usual for them to be run side by side.
127. Due to the high cost of these awards, the Council is not insisting on new applicants or existing drivers to undertake one of the above training packages.

Disability Awareness Training

128. Tees Valley Licensing Group (TVLG) is collaborating with Darlington Association on Disability (DAD) to establish on-line disability awareness training for drivers. Once established, new applicants and existing drivers will be required complete this training in a locally agreed time frame. It is also recommended that private hire controller staff complete this training so that they have an appreciation of disability issues raised by customers.

Child Sexual Exploitation Awareness Training

129. Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them sexual activities. Violence, coercion and intimidation are commonly involved in exploitative relationships.
130. Darlington Borough Council Licensing Section and Darlington Safeguarding Partnership is tackling child sexual exploitation and trafficking, by working together with Durham Constabulary. By key agencies working together and sharing information, we can prevent sexual exploitation, protect children and young people and prosecute perpetrators of sexual exploitation.
131. Safeguarding children and young people is everyone's business. Sharing information with Durham Constabulary helps to protect young people from harm. Taxi drivers are key in identifying victims of sexual exploitation and may come into contact with children and young people who are transported in taxis.

SAY SOMETHING IF YOU SEE SOMETHING

132. If you are concerned about the safety of someone and you believe there is an immediate risk of harm then contact Durham Constabulary on 999. In all other circumstances, you can call the non-emergency number which is 101.

Taxi Drivers Requirement to Undertake Safeguarding Vulnerable Passenger Awareness Training

133. Applicants for private hire, hackney carriage driver licences and private hire operators will be required to have undertaken Child Sexual Exploitation/Vulnerable Adult awareness training and will be required to produce a certificate as evidence of such training as part of their application.
134. The training will be an online package where at stages during the programme there will be questions to answer. If the candidate achieves the required pass mark, a certificate can be printed and provided to this licensing authority at the time of application and renewal of driver licence. Questions in relation to this will be included in the Knowledge Test.

Changes to Licence Details

135. Drivers shall notify the Council in writing (electronically will be accepted) within 7 days of any change to their home address or any change to their name that appears on their licence.

Voluntary Return of Licence

136. Although there are no statutory provisions within the Town Police Clauses Act 1847 or the Local Government (Miscellaneous Provisions) Act 1976 which allow for the voluntary return of a driver's licence, the Council recognises that there are many legitimate reasons why a driver may wish to return their licence. This could include, for example, changes in their medical condition, personal circumstances or the driver may simply wish to pursue another career path. In such circumstances it is likely that the Council will accept the return of the driver's licence and arrange for a pro-rata refund of the licence fee, minus any administration charges. A voluntary return of licence will not be considered whilst an active investigation is being carried out.
137. Any request to return a driver's licence shall be made in writing and the Council will consider each case on its merits.

Vehicles – Hackney Carriage and Private Hire

Specifications

138. The Department for Transport Best Practice Guidance recommends that local licensing authorities should adopt the principle of specifying as many different types of vehicle as possible. They are, however, encouraged to make use of the "type approval" rules within any specifications they determine. This Licensing Authority will comply with any changes to vehicle requirements made by government following our withdrawal from the EU.

139. All vehicles, therefore, shall have an appropriate 'type approval' which is either:
- (a) European Whole Vehicle Type approve
 - (b) British Individual Type Approval
140. Vehicle type approval is the confirmation that production samples of a design will meet specified technical, safety and performance standards. The specification of the vehicle is recorded and only that specification is approved.
141. All vehicles subject to new applications for hackney carriage and private hire vehicle licences, shall have M1 European Whole Vehicle Type Approval (EWVTA).
142. EWVTA is based around EC Directives and provides for the approval of whole vehicles which is accepted throughout the EU without the need for further testing until standards or designs change. Category M1 covers vehicles designed and constructed for the carriage of passengers, comprising no more than 8 seats in addition to the driver's seat
143. Most large volume production vehicles produced in the UK and EU states after 1987 will satisfy British and/or European Whole Type Approval. Specialist vehicles or any vehicle that has been structurally modified, converted or imported from a non-EU State since its original manufacture will require separate SVA and/or Department for Transport approval and such documentation must be submitted with an application.
144. Vehicles will, in general, be licensed for the carriage of up to four passengers, but applications in relation to larger vehicles that can accommodate up to eight passengers will be accepted, provided that there is compliance with the specifications applicable to such vehicles.
145. Vehicles may also be licensed to carry fewer passengers subject to compliance with specifications relating to passenger comfort and vehicle conditions.
146. Applications in respect of novelty vehicles and stretched limousines will be determined on their individual merits but should as a minimum have either:
- (a) British National Type approval: or
 - (b) British Single Vehicle Approval (SVA) (before 29 April 2009) or;
 - (c) Individual Vehicle Approval (from 29 April 2009)
147. Vehicles that have at any time been declared an 'insurance write off' in category A, B, and S and/or have their V5 document endorsed as being 'accident damaged' will not be licensed. Category N (non-structural damage) may be considered, subject to a satisfactory engineers report and mechanical examination. If a licensed vehicle is involved in an accident which results in the vehicle being declared an insurance write off (other than category N) then the licence will be revoked and the no further application to licence the vehicle will be permitted.

148. Appendix 9 sets out the legislation pertinent to vehicles and Appendix 10 sets out the Council's policies in respect of licensed vehicles.

Hackney Carriage Vehicles

149. A hackney carriage vehicle is a wheeled vehicle used in standing or plying for hire that is required to have a numbered plate fixed upon it. The legal definition of a hackney carriage is contained in the Town Police Clauses Act 1847.

150. A hackney carriage can ply for hire and also wait at a hackney carriage stand.

151. Conditions can be imposed upon the grant of a hackney carriage proprietor's licence and the Council has Byelaws to control the conduct of both the proprietors and the drivers. These Byelaws are attached at Appendix 14.

152. The Council has imposed conditions relating to the specifications of the vehicle and other matters. These are attached at Appendix 15

153. In addition, all hackney carriages must be:

- (a) Red in colour
- (b) Maintained to the standard prescribed by the Council.
- (c) Fitted with an approved roof sign bearing the word "TAXI".
- (d) Display the Council's licence plates, which must be securely attached to the exterior front and rear of the vehicle as prescribed by a condition of the Council.
- (e) Fitted with a meter of an approved type with the fares charged as determined by the Council.
- (f) Meters, after being checked for accuracy, must be sealed by an agent approved by the Council.
- (g) Display decals issued by the Council attached centrally to both front doors of the vehicle.

Booking Records for Hackney Carriages

154. There has been an increasing practice of hackney carriages being used for private hire purposes, i.e. pre-bookings of vehicles. Hackney carriage vehicle conditions require that booking records are kept of all such pre-arranged bookings. The condition specifies the type of information to be kept and the retention period for such information. Full details can be found in Appendix 15.

Meters

155. It is a requirement for all hackney carriages to be fitted with a meter to calculate the journey fare.

156. Meters must comply with the Measuring Instruments (Taximeters) Regulations 2006 and must be of the calendar control type which is locked and sealed by an approved manufacturer/suppliers and/or installer so that tariff rates change automatically and cannot be changed or tampered with manually by the driver. This specification also applies to private hire vehicles where a meter is fitted.

Private Hire Vehicles

157. A private hire vehicle is a motor vehicle constructed or adapted to seat up to 8 passengers (plus the driver) which is provided for hire with the services of a driver for the purpose of carrying passengers. Every hiring for a private hire vehicle must be pre-booked through a licensed private hire operator. Any vehicle used as a private hire vehicle must be licensed under the provisions of the Local Government (Miscellaneous Provisions) Act 1976.
158. Before granting a vehicle licence the Council must be satisfied that the vehicle meets the following criteria:
- (a) Is suitable in type, size and design for use as a private hire vehicle.
 - (b) Is not of such design and appearance as to lead any person to believe that the vehicle is a hackney carriage.
 - (c) Is in a suitable mechanical condition.
 - (d) Is safe.
 - (e) Is comfortable.
159. Conditions may be attached to the grant of a licence as are considered reasonably necessary.
160. In addition to the legislative requirements, the Council has imposed conditions relating to the specifications of the vehicle and other matters. These are attached at Appendix 11.
161. In addition, all private hire vehicles must:
- (a) Not be red
 - (b) Be exceptionally well maintained to the standard prescribed by the Council until 1st April 2023 when this will no longer apply
 - (c) Not be fitted with a roof sign of any description.
 - (d) If the vehicle is fitted with a meter, it must be properly tested and sealed.

- (e) Display the Council's licence plates, which must be securely attached to the exterior front and rear of the vehicle as prescribed by a condition of the Council.

162. General conditions are attached to private hire vehicle licences relating to the identification of the vehicle and safety issues. These are attached at Appendix 11.

Novelty Vehicles and Stretched Limousines

163. The Council recognises the role novelty vehicles (e.g. converted fire engines) and stretched limousines play in the private hire trade to meet a public demand and has developed a separate licensing regime for such vehicles. Please see Appendix 12. (NB this includes any additional conditions in respect of such vehicles, relating to driver uniform, material change and exemption from window tint). Such vehicles will only be licensed as private hire vehicles.
164. It is not appropriate for such vehicles to be used for standard hiring (see section on Exempted Private Hire Vehicles) and licensed operators shall only send such a vehicle when it has been specifically requested by the hirer.
165. Most novelty vehicles, in particular stretched limousines are imported for commercial purposes and are required to have undertaken an Individual type approval (ITA) test. This ensures that the vehicles meet modern safety standards and environmental standards before being used on public roads.
166. Stretched limousines shall also have Qualified Vehicle Modifier or Cadillac Coach Builder approval where appropriate.
167. There shall be no sale or provision of alcohol (or provision of regulated entertainment) from any vehicle without a current premises licence under the Licensing Act 2003 being in force and if any of the occupants, (save for the driver and accompanying responsible adult), are under the age of 18 then there shall be no alcohol at all in the vehicle for consumption or otherwise.
168. Where the passengers in the vehicle consist of children and young persons they must be accompanied by a responsible adult, (other than the driver) who is over the age of 18 and is not connected to the driver.
169. There is no requirement for a vehicle to be licensed where it is being used in connection with a funeral, or is being wholly or mainly used by a person carrying on the business of a Funeral Director for the purpose of funerals. Similarly, a vehicle does not need to be licensed while it is being used wholly in connection with a wedding.

Exemptions for Private Hire Vehicles

170. Private hire vehicles used for executive hire or novelty vehicles or stretched limousines will be permitted to apply for an exemption under Section 75(3) Local Government (Miscellaneous Provisions) Act 1976 from the requirement to display licence plates.

171. Any proprietor of a licensed private hire vehicle wishing to apply for this exemption should be engaged substantially (i.e. more than 80% of hiring's) in the provision of a 'chauffeur style' executive service or the vehicle operated should be an executive type vehicle, stretched limousine or other novelty vehicle as agreed by the Council.
172. Any proprietor of a licensed private hire vehicle wishing to apply for this exemption must satisfy the Council that:
- (a) the specification of the vehicle constitutes an executive vehicle and;
 - (b) the overall level of service provision constitutes an executive hire, or;
 - (c) the overall specification of the vehicle constitutes a novelty vehicle.
173. The submission of contract specifications and/or evidence of all contract and account customers, including usage will be required to support any application for an exemption. Applications for exemptions are to be made in writing with a proposed business case.
174. If an Exemption is granted, a Notice will be issued to the proprietor. The Notice shall be valid for a period not exceeding one year and shall expire alongside the private hire vehicle licence.
175. A rear licence plate will also be issued and this shall be carried in the boot of the vehicle at all times whilst the vehicle is being used in accordance with the exemption notice.
176. In addition, a discreet sign will be issued which must be displayed in or on the front windscreen at all times whilst the vehicle is being used in accordance with the exemption notice.
177. The Exemption Notice, the rear licence plate and the front sign shall be produced to an authorised officer or police officer when requested.
178. Whilst the vehicle is being used in accordance with the Notice, the driver of the vehicle shall be required to carry his private hire driver badge in the vehicle but shall be exempt from wearing it.
179. No advertisements of any kind shall be displayed in, on or from the vehicle at any time whilst the Exemption Notice is in force. Company logos shall not be displayed on any part of the vehicle.
180. Roof signs shall not be permitted and the overall appearance of the vehicle both externally and internally shall be that of an unlicensed private vehicle at all times.
181. The Exemption Notice is granted subject to the licensed private hire vehicle being operated in accordance with standard conditions and any additional conditions. Failure to comply with these conditions may result in the withdrawal of the Exemption Notice.

The Policy for and Conditions for Novelty Vehicles and Stretched Limousines are attached at Appendix 12 and Exempted Licence Conditions in relation to Executive Vehicles is attached at Appendix 13 to this Policy.

182. The private hire operator, proprietor and driver operating under the provisions of an executive Exemption Notice, remain subject to the requirements of the Local Government (Miscellaneous Provisions) Act 1976 with regard to the respective licences and the conditions attached in each case.

Age Restrictions

183. The Council has no age restriction provided all vehicles comply with Euro 6 engine standards or emission free from 1st April 2023. (Wheelchair accessible vehicles will be exempt from this requirement.)

Accessibility

184. The Council will licence both a purpose built wheelchair accessible vehicle and a vehicle that is suitable in size and design, and has been converted or adapted after the date of first registration to enable the carriage of a Reference Wheelchair as defined in Schedule 1, Part 2 of The Public Service Vehicles Accessibility Regulations 2000 (see Appendix 23 for dimensions). This is provided that the conversion is carried out by an approved vehicle convertor such as the Wheelchair Accessible Vehicle Converters' Association and a certificate of fitting provided by the convertor is supplied as an original document.

Incentives

185. The Council will licence both a purpose built wheelchair accessible vehicle and a vehicle that is suitable in size and design, and has been converted or adapted after the date of first registration to enable the carriage of a Reference Wheelchair as defined in Schedule 1, Part 2 of The Public Service Vehicles Accessibility Regulations 2000 (see Appendix 23 for dimensions). This is provided that the conversion is carried out by an approved vehicle convertor such as the Wheelchair Accessible Vehicle Converters' Association and a certificate of fitting provided by the convertor is supplied as an original document.
186. A licensing incentive is given to all-purpose built, fully accessible vehicles by way of a 25% reduction in the annual licence fee.
187. A similar reduction will be given to all approved vehicles that have been adapted or converted to carry wheelchairs on production of written evidence that each driver has undertaken training in handling passengers with disabilities which the Council may from time to time approve.
188. Where a vehicle licence attracts an incentive there shall be an expectation that the vehicle shall be made available for a reasonable period each day for the carriage of disabled passengers unless the vehicle is mechanically unfit for use, at which time the vehicle licence will be suspended.

189. An incentive may be withdrawn at any time should the Council receive complaints that the vehicle is not available for the use of passengers with disabilities for which the incentive was given.

Limitation of Numbers

190. The present provisions on restriction of numbers for hackney carriages are set out in section 16 of the Transport Act 1985. This provides that the grant of a hackney carriage licence may be refused, for the purpose of limiting the number of licensed taxis "if, but only if, the local Authority is satisfied that there is no significant demand for the services of hackney carriages (within the area to which the licence would apply) which is unmet".
191. Any Local Authority that does restrict numbers is required to justify their policy every 3 years, in writing, to the Department for Transport. In addition, this justification must feature in the 5 yearly Local Transport Plan.
192. Where a limitation on numbers is in effect, any new application for a hackney carriage vehicle licence which would be in excess of that number can be refused if the Council is satisfied that there is no significant unmet demand for taxi services within the area. An applicant whose licence is refused has a right of appeal to the Crown Court.
193. To establish whether or not there is unmet demand requires a survey to be conducted. The average cost of such survey would be met from the taxi licensing budget.
194. This issue has been raised by the Trade on many occasions. The Council, in line with the DfT Best Practice Guidance does not intend placing a limit on the number of licences it will issue, relying instead on market forces to dictate the level of licence applications. This position will be kept under review as the Evening and Night Time Economies continue to develop within the Borough.
195. No powers exist for licensing authorities to limit the number of private hire vehicles that they licence.

General Requirements for Vehicles

Insurance

196. All vehicles must have a current valid policy of insurance at all times appropriate to the vehicle and its use. This policy must be in place before a licence can be granted.
197. Certificates for private hire vehicles are not acceptable if they include cover for public hire purposes, unless a valid reason can be demonstrated as to why the vehicle should be insured for public hire as well.
198. Individual policies shall be provided for each vehicle. However, a fleet insurance policy will be accepted as long as it includes a schedule of all the vehicles covered. If the fleet policy covers a mixed fleet of both private hire and hackney carriage

vehicles, the policy shall make it clear that cover for private and public hire services is subject to the appropriate local authority licences being held. It is the responsibility of the applicant to produce a valid certificate of insurance and the policy document when applying for the grant or renewal of a vehicle licence.

199. It is an offence to drive a vehicle without the appropriate insurance in place. Requests to produce insurance may be made during the term of the licence. These requests must be complied with in accordance with the time scales stipulated in the request.
200. If a vehicle is off the road and uninsured the proprietor must advise the Licensing Office in writing immediately or in any event within 72 hours.

Advertisements, Signs, Notices etc.

201. No signs, notices, advertisements, video or audio display etc. or other markings shall be displayed on, in or from the vehicle subject to the following exceptions:
- (a) Any sign, notice or other marking required to be displayed by legislation or any condition attached to this licence.
 - (b) Signage or advertising approved in writing by the Council.
202. Signs, notices or advertisements must not be of a content that the Licensing Officer deems to be offensive or abusive. Further guidance as to the content of the advert may be sought from the Advertisement Standards Authority, www.asa.org.uk
203. No commercial advertising on vehicles shall be allowed or affixed without prior approval of the Council and specifically shall not:
- (a) Be affixed to any window of the vehicle.
 - (b) Be affixed to any door or panel on which the Council required sign is located.
 - (c) Be affixed to any part of the interior or exterior of any private hire vehicle operating under an Exemption Notice.
 - (d) Any unauthorised advertisements will be required to be removed and appropriate action will be taken for failing to comply.
 - (e) Any queries regarding advertisements must be referred to the Council.

Accident Notification

204. The proprietor is required by Section 50 (3) of The Local Government (Miscellaneous Provisions) Act 1976 to notify the Council in writing within 72 hours of any accident that results in damage to the vehicle.
205. The proprietor must comply with any request to either produce evidence of insurance for the vehicle and/or produce the vehicle for inspection so that its

roadworthiness can be assessed. Any failure to do so is an offence and the appropriate action will be taken including suspension of the vehicle and potential prosecution for failure to produce insurance.

206. The proprietor shall submit the vehicle for any further testing and/or examination as requested by the Council and shall be responsible for the production of any independent engineers' reports considered necessary by the Council.
207. Where a vehicle has sustained accident damage and is subsequently declared an 'insurance write off' (i.e. in category A, B, and S) and/or the V5 document is endorsed as being 'accident damaged' the vehicle will no longer be allowed to remain as a licensed vehicle. Non-structural damage will be considered subject to a satisfactory engineers report and mechanical examination.

Vehicle and Meter Testing

208. All vehicles are required to undergo an inspection conducted by a vehicle examiner prior to being licensed and within every 6 months thereafter. Any vehicles failing this test will be required to have a retest and the licence will be suspended.
209. Any vehicle which fails to be presented for a pre-arranged inspection at the Council's Testing station will be deemed to have failed the test.
- A further test and full payment of the test fee will be required and the vehicle licence shall be suspended until the test has been successfully undertaken.
210. A vehicle test may be cancelled by providing a minimum of 2 working days' notice, in writing, to the Licensing Section prior to the date of the test without loss of the test fee. The vehicle licence may however be suspended until such time as the vehicle test is successfully undertaken.
211. Evidence of taxi meter testing is also required. The Best Practice Guidance suggests that an annual test may be appropriate for all vehicles and that more frequent tests may be appropriate for older vehicles and suggests twice yearly for vehicles more than 5 years old. However given the large number of miles undertaken in any one year by licensed vehicles no change in the number of tests is proposed.
212. This policy is also currently in accordance with that of the Tees Valley Authorities and also reflects a national approach to vehicle testing by the majority of local authorities.
213. It shall be the proprietor's responsibility to ensure that their licensed vehicle is roadworthy and maintained to the Council's standards at all times. Proprietors failing to maintain their vehicles in a safe and roadworthy condition may have their licence(s) suspended or revoked by the Council.

Application Procedure

214. The following original documents, along with the appropriate fee are to be submitted in person or by post (only accepted on-line when the new system is

introduced) for new and replacement vehicle applications. Only original documents will be accepted, however e-mails may be accepted provided they are sent by the Company. With the introduction of a proposed on-line licensing system only on-line applications will be accepted:

- (a) Application form. This must be from a named person(s) or Company.
 - (b) The Vehicle registration document (V5C – log book) in the Applicant's name (Registered Keeper). Where an applicant has joined the Driver and Vehicle Licensing Agency (DVLA) V5C on Demand Scheme the printable PDF of the vehicle details from within their View Vehicle Record will be accepted as an alternative to the V5C document so long as it is accompanied by a copy of the letter from the DVLA confirming that the applicant has joined the V5C on Demand scheme.
 - (c) Appropriate valid certificate of motor insurance, public liability insurance and vehicle test "Pass" certificate from the Council's testing station.
 - (d) A current MOT certificate for the vehicle or legal equivalent (HC 1 year PH 3 year).
 - (e) Swivel seat installation certificate or proof of purchase (when applicable).
 - (f) In the case of a wheelchair accessible vehicle Certification from the Vehicle Certification Agency (VCA) confirming that the vehicle meets the European Community Whole Vehicle Type Approval Standards in the M1 Category.
 - (g) Meter calibration certificate where applicable.
 - (h) If the proprietor is not already a licenced driver, a basic DBS check will be required at the time of application.
215. Although applications may be made by post (subject to the introduction of an on-line application process), plates must be collected in person. Applicants may also wish to provide original documents in person. Applications for licence renewals should be made at least 7 working days prior to the licence expiry date to allow for the application to be processed.
216. Applications will not be determined until the Council receives all documents listed above. Only then will the application process be completed and the vehicle licence and plates will then be produced.
217. If the application is withdrawn the fee will be refundable minus the current admin charge. If an application is refused by the Licensing Committee then the fee will not be returned.
218. The Council has the discretion to attach, amend or remove a condition of licence.
219. Proprietors should be aware that the Council is obliged to provide information in respect of joint proprietors to any government office, if requested to do so by any

officer acting in an official capacity.

Transfer of Interest

220. The proprietor shall notify the Council on the appropriate form, giving the name and address of the new proprietor, within 14 days if the interest in the vehicle is transferred to another person not currently named on the licence. If the interest is transferred to a person currently named on the licence the Council should be advised in writing and will remove the outgoing proprietor.

221. The new proprietor shall provide the following documents to the Council:

- (a) Change of address - the proprietor must advise the Council in writing (or electronically) within 7 days of a change of address during the period of the licence.

CCTV in Vehicles

222. The Department for Transport Best Practice Guidance recommends that licensing authorities look sympathetically on or even actively encourage the installation of security measures such as a screen between driver and passengers or CCTV systems as a means of providing some protection for vehicle drivers. The Statutory Taxi and Private Hire Standards document highlights the benefits of CCTV in deterring and preventing crime; reducing the fear of crime; assisting with investigations; and assisting insurance companies when investigating accidents.

It is not currently proposed that such measures should be required as part of the licensing regime at this time, however this will be kept under constant review and further action may be required if there is evidence that this would be a proportionate approach.

223. If CCTV is installed, the proprietor of any vehicle with CCTV must register with the Information Commissioners Office ('notification') and produce documented evidence of that registration to the Council. They must comply with all legislation in relation to use of cameras along with codes of practice and guidance. They must also display a sign approved by the Council advising passengers that a CCTV system is in operation in the vehicle.

224. Where CCTV is in place there is an expectation that it is in working order when passengers are being carried. The CCTV system should be maintained to the manufacturer's standards and recording must be retained for 28 days to be made available for viewing by a Police Officer or an authorised officer of the Council on request. Any failure to comply with this request will be reported to the Council.

225. Any reports of misuse of CCTV or recorded images may result in the immediate referral to the Licensing Committee with a view to suspending both the vehicle and driver licences.

226. It should be noted that external facing front and rear cameras used for the purposes of recording accidents or incidents outside the vehicle may be installed

without prior authorisation from the Council.

Such cameras shall not be used for recording audio from within the vehicle, nor shall they be moved to record images inside the vehicle.

Tinted Windows

227. The Council's specification relating to the use of tinted windows in licensed vehicles is as follows:

- (a) The windscreen shall have a minimum light transmission of 75%
- (b) All other front windows of any vehicle shall have a minimum of 70% light transmission.
- (c) **There will be no minimum light transmission requirement for rear windows provided they are the standard manufactured glass for that vehicle, with sufficient light transmission to see passengers in normal daylight conditions. No unapproved self-adhesive material (tinted or clear) shall be affixed to any part of the glass.** There will be no minimum light transmission in the below criterion:

228. The minimum light transmission criteria is relaxed in the following circumstances:

- (a) the windscreen and front side windows of any vehicle exempt from the criteria, when the vehicle is an executive hire or novelty hire vehicle or stretched limousine operating under an Exemption Notice, and;
- (b) the vehicle will not be engaged at all in any contract or provision of vehicle for the carriage of school children or based around the carriage of unaccompanied children/young persons (under age 18 years unless accompanied by an adult other than the driver). The driver must not act as the accompanying adult, and;
- (c) written approval has been given by the Council.

Environmental Considerations

229. The DfT guidance asks licensing authorities to consider how far their vehicle licensing policies can and should support any local environmental policies that they may have adopted, bearing in mind the need to ensure that benefits outweigh costs (in whatever form). They suggest that authorities may, for example, wish to consider setting vehicle emissions standards, perhaps by promoting cleaner fuels.

230. The council recognises the introduction of Clean Air Zones (CAZ) around the country and supplies weekly data to DfT as required for enforcement.

231. Hackney carriage and private hire vehicles are an essential form of transport in the Darlington Council area. Many people depend on such vehicles for trips that buses and other forms of public transport are unable to fulfil.

232. Licensed vehicles often achieve higher occupancy rates than a private car and so to some extent already play their part in helping to achieve environmental

improvements in the Borough. It is, however, clearly important that emissions from hackney carriage and private hire vehicles are reduced as far as possible.

233. It is therefore proposed that efforts should be made to improve, as far as possible, the efficiency of licensed hackney carriage and private hire vehicles by, in particular, reducing the levels of CO2 emitted.
234. Certain types of fuel efficient vehicles will be offered a 25% reduction in licensing fees. Vehicles types include:
- (a) Electric
 - (b) Petrol Electric (Hybrid)
 - (c) Liquid Petroleum Gas (LPG)
 - (d) Compressed Natural Gas (NGV)
235. Other alternative fuels will be considered to qualify for a reduction in the licence fee as technology improves.
236. Clearly, emissions from hackney carriage and private hire vehicles could be reduced further by encouraging better maintenance and by **switching off engines when stationary or idling, particularly at taxi ranks**. It is, however, proposed that this aspect continues to be tackled through education and promotion. This approach will be kept under review as further research into the effects of emissions emerge.
237. The Council is committed to improving air quality and to continue to reduce vehicle emissions within the Borough. This is shown by the commitment to tougher emission standards for all licenced vehicles and longer-term plans aimed at promoting 'cleaner' vehicles, expanding the electric charging infrastructure to encourage uptake of electric vehicles amongst the taxi trade, as well as educational interventions particularly around vehicle idling at taxi ranks.

European Emission Standards

238. Darlington Borough Council has noted the advice given by the DfT to consider how far their vehicle licensing policies can and should support any local environmental initiatives by, perhaps, setting vehicle emissions standards or promoting cleaner fuels.
239. In their advice the Government has suggested that, by adopting targeted air quality policies for road transport, significant reductions can be achieved for noxious pollutants in the atmosphere.
240. It highlights the impact European wide emission limits are having on improving air quality. In private cars, these standards were introduced for new vehicles as follows:

- (a) Euro I – mandatory for new cars from 1993
- (b) Euro II – mandatory for new cars from 1997
- (c) Euro III – mandatory for new cars from 2001
- (d) Euro IV– mandatory for new cars from 2006
- (e) Euro V - mandatory for new cars from 2011
- (f) Euro VI – mandatory for new cars from September 2015

241. In the interests of the environment tougher emissions standards will be introduced for all licensed vehicles. These standards will be phased, with strict retirement dates for vehicles that fail to meet the latest standards.

242. The stricter emission standard of Euro VI for new or replacement vehicles came into effect in September 2015.

243. Applications from proprietors of “classic” vehicles older than 12 years will be exempt from this requirement. This exemption will be kept under review.

Demand Responsive Transport

244. The Council welcomes initiatives such as taxi sharing schemes and taxi buses and the environmental and improved service benefits that they bring.

The Council recognises that these services can play a valuable role in meeting a range of transport needs and is keen to promote such services in order to increase the availability of transport to the travelling public. The Council will work with service providers to bring about such schemes where there is a demand for them.

245. The main legal provisions under which flexible services can be operated are listed below.

Shared Taxis - Immediate Hiring's (Section 10, Transport Act 1985)

246. The local authority can develop a scheme whereby hackney carriages can be hired at separate fares by up to eight people from ranks or other places that have been designated by the authority. The authority is required to set up such a scheme if holders of 10% or more of the hackney carriage proprietors in the Borough ask for one. The success or otherwise of such a scheme is dependent on the agreement of the passengers.

Shared Taxis and Private Hire Vehicles – (Advance Bookings, Section 11, Transport Act 1985)

247. Hackney carriage and private hire vehicles can provide a service at separate fares for up to eight passengers sharing the vehicle. The operator takes the initiative to

match up passengers who book in advance and agree to share the vehicle at separate fares lower than that for a single hiring.

Taxi buses (Section 12, Transport Act 1985)

248. Hackney carriage proprietors can apply to the Traffic Commissioner for a 'restricted public service vehicle PSV operator licence'. The hackney carriage proprietor can use the vehicle to run a bus service for up to eight passengers.

249. The route must be registered with the Traffic Commissioner and must have at least one stopping place in the area of the local authority that licensed the hackney carriage, though it can go beyond it. This provision is also being extended to Private hire vehicles.

Private Hire Operators

Requirements and Obligations

250. Any person who operates private hire vehicles must apply to the Council for a private hire operator licence. The Local Government (Miscellaneous Provisions) Act 1976 defines the terms 'operate' as meaning 'in the course of business to make provision for the invitation or acceptance of bookings for a private hire vehicle'. The objective in licensing private hire operators is to ensure the protection of the public who will be using the operator's premises and the vehicles and drivers arranged through them.

251. A private hire vehicle may only be despatched to a customer by a private hire operator who holds an operator's licence. Such a licence permits the operator to make provision for the invitation or acceptance of bookings for a private hire vehicle. An operator may subcontract a booking to another licensed private hire operator anywhere in England, Wales and Scotland.

Operators who outsource booking and dispatch functions cannot pass on the obligation to protect children and vulnerable adults. Operators will be required to evidence that comparable protections are applied by the company to which they outsource these functions.

252. A private hire operator must ensure that every private hire vehicle despatched is licensed and driven by a person who holds a private hire driver's licence issued by the Council. It is a criminal offence to operate a private hire vehicle and/or driver without an operator's licence.

253. The use of a driver who holds a PCV licence and the use of a public service vehicle (PSV) such as a minibus to undertake a private hire vehicle booking should not be permitted as a condition of the private hire vehicle operator's licence without the informed consent of the booker.

254. Operators need to familiarise themselves with the law and ensure they employ suitable work methods in order to comply with the law and avoid committing licensing offences.
255. It is a condition of licence that the applicant operates from premises within the controlled district of the Council. A fixed landline telephone number for bookings must be provided at this premises. A licence will not be issued without this.
256. The Licensing Office may require sight of a business plan or request additional information for new applications.

Operator Legislation Tests

257. All new applicants for a Private Hire Operator Licence shall be required to successfully undertake a knowledge test relating to relevant legislation, licence conditions and policies. In the case of a Limited Company, this shall apply to the Company Secretary and Managing Director.
258. A private hire vehicle operator licence may be applied for by a company or partnership; with the 'fit and proper' test applied to each of the directors or partners in that company or partnership. For this to be effective private hire vehicle operators are required to advise the licensing authority of any change in directors or partners.

Criminal Record Checks

259. Private Hire Operator licences can only be granted to persons that the Council are satisfied are fit and proper.
260. A basic DBS disclosure will be required for all applicants of Private Hire Operator licences, which will be repeated annually (unless the applicant is already a licensed driver) and any additional information if requested during interview with the applicant. This is a position of trust as operators gain detailed knowledge as to a person's movements, travel arrangements etc.
261. If the applicant is currently licensed as a driver with the Council they will be exempt from this requirement as they will have already undergone an enhanced DBS check.

Immigration Status

262. All applicants for the grant or renewal of a private hire operator's licence are required to demonstrate that they are not disqualified by their immigration status from holding a licence by submitting in person one of a number of prescribed acceptable documents which show that the applicant has permission to be in the UK and undertake work as an operator (LIST). If an applicant has an indefinite right to remain and work in the UK they will only be required to prove that entitlement once.
263. All applicants for the grant or renewal of a private hire operator's licence are required to demonstrate that they are not disqualified by their immigration status

from holding a licence by submitting in person one of a number of prescribed acceptable documents which show that the applicant has permission to be in the UK and undertake work as an operator (LIST). If an applicant has an indefinite right to remain and work in the UK they will only be required to prove that entitlement once.

264. No licence will be granted until the applicant is able to provide such evidence.

Conditions

265. The Council has the power to impose such conditions on an operator's licence as it considers reasonably necessary.

266. Appendix 21 sets out the legislation and policies pertinent to Private Hire Operators which cover the standards of service expected and the conditions to be attached to an operator licence.

267. Additional conditions may be imposed depending upon individual circumstances.

Insurance

268. Applicants are required to produce evidence of appropriate public liability insurance (£5 million) and employer liability insurance where applicable.

Planning Consent

269. Applicants are required to obtain planning consent, where necessary, for the premises from which they intend to operate.

The Planning Authority will be consulted as part of the application for a Private Hire Operator Licence and their comments may be taken into account when determining whether the licence should be granted. The Licensing Manager and Assistant Licensing Manager has the discretion to refer any new/renewal application to the Licensing Committee.

Application Procedure

270. The following documents are to be submitted for a new or renewal application:

- (a) Application form
- (b) Immigration status
- (c) Details of all vehicles and drivers to be operated
- (d) Basic DBS
- (e) Safeguarding Vulnerable Passengers policy
- (f) Policy on employing ex-offenders

- (g) Pass/completion certificate for Safeguarding Awareness training (unless the applicant is a licensed driver)
- (h) Public liability insurance certificate
- (i) Employer liability insurance certificate (where applicable)
- (j) Licence fee

271. Officers may require a site visit prior to the determination of the licence.

Licence Duration

272. New applicants and applicants for renewal of licence be offered the opportunity to make an application for a 5 year licence in those cases where there are no issues concerning the application.

273. Applicants for grant and renewal of a Private Hire Operator licence who are not licensed as drivers will be required to provide a new DBS certificate annually.

274. Private Hire Operators holding a 5 year licence will be required to attend the Licensing Section annually to provide a DBS and also that there has not been any change in the operation of the business. Licence holders will be required to sign a declaration that they will be liable for prosecution if they make a false declaration or omit to provide any requisite information.

275. Licences which exceed one year, will be subject to a higher licence fee.

276. Applicants can choose to apply for a one year licence.

Address from which an Operator may Operate

277. Upon grant of an operator's licence the Council will specify the address from which the operator may operate.

278. These premises must be in the controlled district of the Council and will be expected to have planning consent for use as a private hire office where deemed applicable. If an operator wishes to change the base from which they operate they must make a fresh application.

279. Because of the potential for nuisance to residents associated with the parking of vehicles whilst they are waiting to be allocated work, a condition will be placed on operator licences requiring them to identify specific locations as bases where they would park their vehicles when waiting for bookings.

280. A condition will also be placed on operator licences requiring operators to operate only hackney carriage and private hire vehicles and drivers that have been licensed by Darlington Council unless subcontracting to another private hire operator outside the borough of Darlington. Where this is the case the operator must ensure that vehicles are of the equivalent standard required by this Council. This is to ensure that the travelling public of Darlington are provided with a

consistent standard of service.

Record Keeping

281. Operators are required to produce evidence that they have had sight of a Basic DBS check on all individuals listed on their register of booking and dispatch staff to ensure that any individual added to the register is compatible with their policy on employing ex-offenders. DBS certificates provided by the individual should be issued within one month of being viewed. Alternatively, the operator could use a 'responsible organisation' to request the check on their behalf.

When individuals start taking bookings and dispatching vehicles for they will be required, as part of their employment contract, to advise the operator of any convictions while they are employed in this role.

282. Operators are required to keep records of each booking, including the name of the passenger, the destination, the name of the driver, the number of the vehicle and any fare quoted at the time of booking. Appendix 21 refers.

283. Records should be preserved for a period of not less than 12 months and be available for inspection at the request of an Officer of the Council or Police. These shall be kept either in a suitable book, the pages of which shall be numbered consecutively or by use of a computer data base where dates and times of information inputted can be verified.

Sub-contracting of Private Hire Bookings

284. Operators are required to keep a record of every sub-contract made with the operator or arranged by the operator.

Change of Home Address

285. The operator must advise the Council in writing or electronically of any change of his home address within 7 days of such a change taking place.

Convictions/Cautions

286. The operator shall disclose to the Council within 7 days in writing of any conviction or caution (s)he receives.

Complaints

287. The operator must advise the Council within 7 days of any complaints received concerning a contract for hire or purported contract for hire relating to or arising from his/her business and the action that the operator proposes to take. These details will be kept on file.

288. Where the Council becomes aware of any complaint and investigates it, the Operator shall comply with any reasonable request or directive issued by the investigating officer.
289. Whilst it is expected that the Operator shall attempt to resolve all complaints initially, Operators must notify the Council by the next working day of receipt of any allegation, concern or complaint received relating to any person licensed by the Council which involves the following:
- (a) Allegations of sexual misconduct, sexual harassment or inappropriate sexual behaviour
 - (b) Racist behaviour
 - (c) Any safeguarding concern
 - (d) Equality breaches
 - (e) Violence
 - (f) Dishonesty
290. Operators must also provide complainants who are dissatisfied with the outcome of their investigation/response into their complaint with contact details for the Council's Licensing Section.

Material Change

291. A Private Hire Operator Licence is not transferable and operators must notify any proposed changes to the person(s) authorised to operate under the terms of the licence to the Council immediately in writing.

General

Fares

292. Councils have the power to set hackney carriage fares for journeys within their area. Hackney carriage fares, set by the Council, are a maximum and can be negotiated downwards by the hirer.
293. The Council will review the table of fares when requested by the Trade. When determining the level of fares consideration will be given to what is reasonable to expect the travelling public to pay as well as the need to give the drivers an incentive to provide a service at all times it is needed.
294. A notice of any variation to the maximum fare will be advertised in a local newspaper with a date set 14 days from publication for making objections to the proposed variation. If no objections are received the fare variation will have effect on a day specified at the end of the 14 day consultation period. If any objections

are received the matter will be referred to Cabinet for consideration and a further implementation date will be set.

295. The Council is not able to set fares for private hire vehicles. It is a matter for negotiation between the hirer and operator at the time of booking and the operator should make this clear. When a hackney carriage vehicle is used for private hire services the fare charged cannot exceed that which would be charged under the table of fares applicable to hackney carriages.

296. When a journey ends outside of the Council's area a fare greater than that shown on the meter may be charged but only if an agreement has been made with the hirer in advance. In the absence of such an agreement, only the metered fare can be charged. Failure to comply is an offence.

Table of Fares

297. A table of fares will be provided to each hackney carriage licence holder, which must be displayed in each vehicle so that it is easily visible to all hirers. This requirement shall apply equally to private hire vehicles where a meter is fitted.

Receipts

298. A driver must, if requested by the hirer, provide a written receipt for the fare paid.

Overcharging

299. All meters must be calibrated to the correct fare scale. It is an offence for the driver to demand more than the fare shown on the meter. If this should occur the driver will be prosecuted.

Fee Structure

300. The legislation provides that the fees charged should be sufficient to cover the costs of inspecting the vehicles, providing hackney carriage stands and administering the control and supervision of hackney carriages and private hire vehicles.

301. The current fees payable for the grant and renewal of hackney carriage and private hire licences are available from the Licensing Office and the Council's website.

Variations to Fee Structure

302. The fee structure is reviewed annually as part of the budgetary process. Notice of the current scale of fees will be supplied to new applicants at the time of application.

303. A notice of any variation to the maximum fees in respect of vehicles and operators will be advertised in a local newspaper with a date set 28 days from publication for making objections to the variation of fees.

304. If no objections are received the fee variation will have immediate effect at the end of the 28 day consultation period (or at a later date as indicated by the Council). If any objections are received the matter will be considered by the Licensing Committee.

Payments

305. Licences which commence part way through a month will terminate in the following year (or anniversary of 1st registration of vehicle) on the last day of the preceding month. Payments can be made in the form of cash in person or cheques made payable to Darlington Borough Council, which can be accepted at the Licensing Office. With the introduction of an on-line application process all payments will be made electronically.
306. If cheques are returned "refer to drawer" a £15 charge shall be levied against the applicant and all future applications will normally have to be made with cash payments.

Payment Credit

307. Fees paid in relation to hackney carriage and private hire vehicle licences will be subject to a partial credit on the unexpired portion of the licence should the proprietor choose to surrender their licence during the period of the licence. This credit must be used to offset the cost of a new vehicle licence. The amount of credit shall be determined by the Council and an administration fee will also be levied. Credit will only be allowed where:
- (a) The vehicle licence is surrendered correctly
 - (b) A request for credit has been made in writing
 - (c) The plates and licence have been surrendered
 - (d) The credit is used during the current financial year.
308. The total credit will be calculated as the licence fee minus the current administration fee, divided by 12 months and then multiplied by the whole months remaining on the licence.
309. Depending on the reason, once surrendered, the vehicle will not be licensed by the Council unless it will comply with Euro 6 engine standards by 1st April 2023 (wheelchair accessible vehicles will be exempt).
310. No cash alternative shall be offered at any time

Reduced Fees for Vehicle Licences

311. Where a vehicle will reach its 8th anniversary during the period of a licence a reduced fee will be calculated as follows: the current administration fee plus the difference between the remaining annual licence fee, divided by 12 months and

then multiplied by the number of months from the start of the licence period to the 6th anniversary (part months will be charged as full months.)

Convictions, Cautions, Conduct and Medical Fitness

Hackney Carriage and Private Hire Drivers

312. When an application is made for a hackney carriage or private hire driver licence the Council must be satisfied that the applicant is a fit and proper person before issuing the licence. By law the Council shall not licence drivers unless they are satisfied of this (s.51 and s.59 Local Government (Miscellaneous Provisions) Act 1976). The legislation is worded in such a way as to put the onus on the applicant to provide evidence that they are a fit and proper person, rather than for the Council to prove that they are not.

313. If adequate evidence that a person is a fit and proper person is not adduced or if there are grounds to question or doubt the evidence provided, then that could amount to good reason to refuse a licence.

314. In addition, the Council may:

- (a) suspend; or
- (b) revoke; or
- (c) refuse to renew a hackney carriage or private hire driver licence if the licensee;
- (d) has been convicted of an offence involving dishonesty, indecency or violence; or
- (e) has been convicted of a private hire/hackney carriage licensing offence; or for any other reasonable cause*. (s.61 LG(MP) Act 1976)
- (f) that he has since the grant of the licence been convicted of an immigration offence or required to pay an immigration penalty.

*Reasonable cause will include other convictions, cautions, fixed penalties, medical fitness, speed awareness course and conduct.

315. If it appears in the interests of public safety to do so then a suspension or revocation will have immediate effect and the driver will be given notice of that decision. The effect of this decision will mean that a driver cannot continue to drive should an appeal be made against the decision. (Section 52 Road Safety Act 2006)

Operators

316. The Council must also be satisfied that applicants for operator licences are fit and proper before issuing a licence. These guidelines will therefore be referred to when considering an Operator Licence Application.

317. It is accepted that the Operator does not have the same level of direct contact with the public, as they will not drive the customer (unless s/he also holds a private hire driver's licence). However, it is acknowledged that the Operator will be in possession of information about people's whereabouts and movements and will deal with the public either face to face or over the telephone and therefore there is a need for them to fit and proper people.

318. In addition, the Council may:

- (a) Suspend
- (b) Revoke; or
- (c) Refuse to renew an operator's licence for:
 - i) Any offence, or non-compliance with the provisions of the LG (MP) Act 1976; or
 - ii) That he has since the grant of the licence been convicted of an immigration offence or required to pay an immigration penalty;
 - iii) Any conduct on the part of the operator which appears to the Council to render him unfit to hold an operator's licence;
 - iv) Any material change since the licence was granted in any of the circumstances of the operator on the basis of which the licence was granted; or
 - v) Any other reasonable cause.

Rehabilitation of Offenders Act 1974

319. Hackney Carriage and Private Hire drivers are excluded from the effects of the Rehabilitation of Offenders Act 1974. All relevant convictions, including spent convictions, may therefore be considered.

Guidance as to the Relevance of Convictions, Cautions and Endorsable Fixed Penalties

Section A - General policy

320. The Council has guidelines on the Relevance of Convictions (see Appendix 7). These are intended to assist Licensing Officers and the Committee in decision making and to ensure a consistent approach is maintained. However, each case is to be decided upon its own merits and Officers and the Committee may not adhere rigidly to the guidelines if there are exceptional circumstances, which warrant a departure. Similarly simply remaining free of conviction will not generally be regarded as sufficient evidence that a person is a fit and proper person to hold a licence.

321. It may be appropriate to depart from the general policy in some cases, for example, situations where the offence is isolated and there are strong and exceptional mitigating circumstances.
322. Similarly, multiple offences or a series of offences over a period of time are likely to give greater cause for concern and may demonstrate a pattern of inappropriate behaviour, which will be taken into account. Members will consider the proliferation and the totality of the offences, convictions, cautions, complaints etc. when deciding if a person is a fit and proper person.
323. Where there has been a conviction for a sexual offence, murder or manslaughter a licence will normally be refused unless there is an exceptional reason to depart from the Policy.
324. Where an applicant has served a custodial sentence the Council will consider the number of years since their release and the period for which they have been free of conviction when determining their fitness to be licensed. Time spent in custody will generally be discounted from the conviction free period.
325. Where there is a pattern of offences, such as numerous convictions for violence, etc., the whole of the applicant's/licensee's criminal convictions will be taken into account, along with any complaints about their conduct or behaviour.
326. The guidelines should assist applicants and licensees and those that represent them by clearly setting out the expectations the Council has in relation to the behaviour of applicants/licensees. This should also minimise the time (and associated costs) spent by both the Council and applicants/licensees
327. These guidelines will be taken into account and in general will be followed when dealing with a new application, a renewal application and when considering whether to issue a warning, suspend or revoke an existing licence.
328. The aim of these guidelines is not to punish the applicant/licensee twice for a conviction or caution but to ensure that public safety is not compromised and to protect the public from those who have demonstrated a propensity toward wrongdoing.
329. In considering evidence of an applicant's good character and fitness to hold a driver licence, where previous convictions or other information relating to criminal matters is disclosed, the Council will consider the nature of the offence, when it was committed, the date of conviction, the applicant's age when the offence was committed and any other factors which might be relevant. However, where an applicant has been convicted of a criminal offence, the Council cannot look behind the conviction [Nottingham City Council v Mohammed Farooq (1998)].
330. The guidelines do not deal with every type of offence. However, offences described in the guidelines and similar offences will be taken into account in accordance with the guidelines.

Formal Cautions and Fixed Penalties

331. The guidelines do not deal with every type of offence. However, offences described in the guidelines and similar offences will be taken into account in accordance with the guidelines.

Section B - Conduct

332. Criminal convictions are not the only criteria used when considering whether an individual is a fit and proper person to be licensed. Other factors, including the applicant's or licensee's demeanour, appearance, behaviour (particularly through the application process), and any previous complaints or warnings may be taken into account in determining fitness and propriety.
333. The Council may require an applicant to submit additional information it reasonably considers necessary to enable it to determine whether a licence should be granted or whether conditions should be attached (s.57 LG(MP) Act 1976).
334. The Courts have established that the licensing regime exists to prevent licences being given to or used by those who are not suitable, taking into account their previous criminal history, driving record, driving experience, sobriety, mental and physical fitness, honesty and ensuring that they would not take advantage of their employment to abuse or assault passengers (Leeds City Council v Hussain 2002.)
335. When determining the fitness and propriety of drivers, Council Officers and Members will consider whether they would allow their son or daughter, spouse or partner, mother or father, grandson or granddaughter or any other person for whom they care, to get into a vehicle with the applicant/licensee alone.
336. If the answer to this question is an unqualified yes, then the test is probably satisfied. If, on the balance of probabilities, the Officers or Members have doubts then further consideration will be given as to whether the individual is a fit and proper person.
337. The Council may also consider circumstances of concern even though a conviction has not been obtained or the conduct does not amount to a criminal offence.
338. The Council's focus is upon the impact of the applicant or licence holder upon members of the public. This does not require any consideration of the personal circumstances of the applicant or licensee, which are irrelevant, except perhaps in very rare cases to explain or excuse some conduct of the driver.

Enforcement, Discipline and Offences

Council Officers and the Licensing Committee

339. Whilst the operation of a successful hackney carriage and private hire vehicle service is important to the economic well-being of the Borough, it is equally important that the service provided by the trade is properly regulated in order to instil confidence in the travelling public who wish to use the service.
340. Enforcement of hackney carriage and private hire matters is undertaken by the Council. The Police may also take action in certain circumstances.

341. Officers of the Council (usually Licensing Enforcement Officers) are authorised by the Council to undertake enforcement work. The Assistant Director of Economic Growth and Neighbourhood Services authorises such officers. In undertaking such work the Officers will comply with the appropriate Enforcement Policy Statement. Enforcement work includes routine checks and inspections, investigating complaints made about drivers, vehicles and operators in addition to matters observed by Officers e.g. vehicle defects. The Council can consider circumstances of concern even though a conviction has not been obtained or the conduct does not amount to a criminal offence.
342. Where the need arises, the Council will jointly authorise officers from other local authorities so that compliance and enforcement action can be taken against licensees from outside their area.
343. The Council may take appropriate disciplinary action against licensees in accordance with this policy.
344. The Council's Licensing Committee may also determine the appropriate disciplinary action (if any) to take against licensees referred to it. The procedure for referral to Committee and the Committee procedure are detailed at Appendix 22.

Enforcement/Disciplinary Options

345. There are various options to take depending upon the circumstances including:
- (a) Take no action
 - (b) Take informal action, including warning letters and referral to Driver Improvement Scheme (or any other appropriate awareness scheme developed in the future)
 - (c) Suspend a licence
 - (d) Revoke a licence
 - (e) Refuse to renew a licence
 - (f) Use statutory and other notices/requests
 - (g) Use formal cautions
 - (h) Prosecute
 - (i) Obtain an injunction
346. Only the Licensing Committee can revoke a licence or require that a driver attends the Driver Improvement Scheme.

347. The Licensing Manager or Assistant Manager may suspend a driver licence of a licensed hackney carriage or private hire licence holder where the driver:

- (a) fails to comply with Group II requirements as defined in the DVLA Current Medical Standards of Fitness to Drive;
- (b) is arrested, charged or accused of an offence involving serious violence, stalking, supply of a controlled substance, rape, sexual assault or inappropriate conduct with a minor or vulnerable person;*
- (c) Since the grant of the licence been convicted of an immigration offence or required to pay an immigration penalty.

*in most cases the support from the Council's Local Authority Designated Officer (LADO) will be sought in making a decision to suspend a driver's licence.

348. Where possible the Licensing Manager or Assistant Licensing Manager will liaise with the chair of the Licensing Committee prior to making a decision to suspend. If this is not possible the chair will be informed at the earliest opportunity.

349. Where a driver licence is suspended by the Licensing Manager or Assistant Licensing Manager, the driver may appeal to the Magistrates Courts within 21 days of the suspension and will also be referred to the next Licensing Committee.

350. If the Licensing Manager or Assistant Licensing Manager considers it necessary to apply the provisions of Section 61 2B of the Local Government (Miscellaneous Provisions) Act 1976, then any right of appeal will not enable a driver to continue to drive licensed vehicles.

351. An Authorised Officer can suspend a vehicle licence where the vehicle:

- (a) fails to pass its biannual vehicle test for serious defects;
- (b) has sustained accident damage which may materially affect the safety, performance or appearance of the vehicle or the comfort or convenience of passengers;
- (c) does not have current appropriate insurance which covers the vehicle and driver for the purpose to which the vehicle is to be used;
- (d) does not have a current MOT or Vehicle Excise Duty;
- (e) driver is not licenced to drive the vehicle or his/her licence to drive such a vehicle is suspended or revoked unless there is an alternative driver who has appropriate insurance cover to drive the vehicle.
- (f) fails to attend a pre-arranged vehicle test or where the test is cancelled with 2 working days' notice.

352. If a vehicle has been suspended in accordance with Section 68 of the 1976 Act (fitness of vehicle or taximeter) the vehicle proprietor does not have the right to

appeal this decision to the Magistrates Courts unless the licence is automatically revoked after a 2 month period. If a vehicle is suspended under Section 60 of the 1976 Act (fitness/offences/reasonable cause) the vehicle proprietor shall have the right to appeal any such suspension at the Magistrates Court.

353. An Authorised Officer will not renew the vehicle licence where the vehicle has attained the age of 8 years (ten years for purpose-built vehicles)

Informal Action

354. Informal action may be used to secure compliance with the legislation and policy including offering advice, verbal and written warnings and requests for action.

355. Informal action may be appropriate where:

- (a) the act or omission is not serious enough to warrant more formal action;
- (b) from the individual licensee's history it can be reasonably expected that informal action will achieve compliance;
- (c) the consequences of non-compliance will not pose a significant risk to the safety of the public.

356. Even where the above criteria are not met, there may be circumstances in which informal action will be more effective than a formal approach.

357. Repeated incidents of licence infringements, complaints etc. are likely to lead to action being taken against the licensee or a referral to the Licensing Committee.

358. Existing licensed drivers who attain 9 penalty points on their DVLA drivers licence for offences relating to their standard of driving or have a poor driving history may be referred to the Licensing committee and Members will be invited to require (where applicable) attendance at driver awareness courses, at the driver's expense.

Suspension, Revocation or Refusal to Renew a Licence

Drivers Licences – Section 61

359. The Council may suspend or revoke or refuse to renew a driver licence (private hire or hackney carriage) on any of the following grounds:

- (a) that since the grant of the licence the licensee has been convicted of an offence involving dishonesty, indecency or violence; or
- (b) that since the grant of the licence the licensee has been convicted of an offence under or has failed to comply with Town Police Clauses Act 1847 or Part II of the Local Government (Miscellaneous Provisions) Act 1976;

- (c) Since the grant of the licence has been convicted of an immigration offence or required to pay an immigration penalty; or
- (d) any other reasonable cause.

360. In addition, the following revisions to Section 61 were introduced under Section 52 of The Road Safety Act 2006:

- (a) (2A) Subject to subsection (2B) of this section, a suspension or revocation of the licence of a driver under this section takes effect at the end of the period of 21 days beginning with the day on which the notice is given to the driver under subsection (2)(a) of this section.
- (b) (2B) If it appears that the interests of public safety require the suspension or revocation of the licence to have immediate effect, and the notice given to the driver under subsection (2) (a) of this section includes a statement that that is so and an explanation why, the suspension or revocation takes effect when the notice is given to the driver.

361. Where the Council suspends, revokes or refuses to renew a driver licence under s.61 LG (MP) Act 1976 it shall give the driver written notice of the grounds for the decision within fourteen days. The driver must return to the Council the Driver badge. The driver may appeal to a Magistrates' Court. Any appeal must be lodged within 21 days of notification of the decision. Except in the case of a Road Safety Act suspension the driver badge may be retained once an appeal is lodged at the Magistrates Courts.

Suspension of Vehicle Licence - Section 68 Notices

362. An authorised officer (or police officer) has the power at all reasonable times to inspect and test any hackney carriage or private hire vehicle (or taximeter affixed to such a vehicle) licensed by the Council to ascertain its fitness. If s/he is not satisfied as to the fitness of the vehicle or the accuracy of the taximeter s/he may by a written notice require the proprietor to make the vehicle or taximeter available for further inspection and testing at a reasonable time and place specified in the notice. Vehicles which are not presented for pre-arranged tests or have such tests cancelled cannot satisfy the Officer that the vehicle is fit for use and will therefore be suspended.
363. The officer may suspend the vehicle licence until such time as they are satisfied as to fitness/accuracy (section 68 of the 1976 Act). Suspension under s.68 takes immediate effect. There is no right of appeal against such a suspension.
364. If after 2 months from the issue of the suspension notice, the officer is not satisfied of the fitness/accuracy of the vehicle, the vehicle licence will be revoked in accordance with the legislation. The proprietor shall be given written notice of the revocation. Such matters therefore do not need to be referred to the Licensing Committee. There is a right of appeal against the revocation of the licence and

any appeal must be lodged within 21 days of notification of the decision.

Suspension of Vehicle Licence - Section 60 Notices

365. The Council may suspend or revoke or refuse to renew a vehicle licence (private hire or hackney carriage) on any of the following grounds:

- (a) that the vehicle is unfit for use;
- (b) the operator or driver has committed any offence under or has not complied with the Town Police Clauses Act 1847 or Part II of the Local Government (Miscellaneous Provisions) Act 1976; or
- (c) any other reasonable cause;
- (d) Among other things, "any reasonable cause" will include non-production of evidence of insurance.

366. Where the Council suspends, revokes or refuses to renew a vehicle licence under section 60 of the 1976 Act it shall give the proprietor written notice of the grounds for the decision within fourteen days. The proprietor may appeal to a Magistrates' Court. Any appeal must be lodged within 21 days of notification of the decision. Failure to provide insurance may result in a section 60 suspension.

Operator Licences - Section 62

367. The Council may suspend or revoke or refuse to renew an operator licence on any of the following grounds:

- (a) any offence under or non-compliance with Part II of the Local Government (Miscellaneous Provisions) Act 1976;
- (b) any conduct on the part of the operator which appears to render him unfit to hold an operator's licence;
- (c) any material change since the licences was granted in any of the circumstances of the operator on the basis of which the licence was granted; or
- (d) any other reasonable cause.

368. Where the Council suspends, revokes or refuses to renew an operator licence under section 62 of the Act, it shall give the operator written notice of the grounds for the decision within 14 days. The operator may appeal to a magistrates Court. Any appeal must be lodged within 21 days of the decision.

Stay of Action Pending Outcome of Court Appeal

369. Section 77 (2) of the 1976 Act stays any action against a licence pending the outcome of the Court appeal. This means that if a driver, operator or proprietor appeals against a decision to refuse to renew, suspend or revoke his licence, the licence is deemed to remain in force until the appeal has been determined (but see

paragraph 283 below re s52 Road Safety Act suspensions.)

370. The licensee has 21 days from notification of the decision to lodge an appeal with the Court. The licensee can continue to use the licence during that period and once an appeal is lodged, can continue to use it until the appeal has been dealt with.
371. If the Magistrates Courts dismiss the appeal the licensee has 21 days within which to lodge an appeal in the Crown Court and again, can continue to use the licence until the appeal is determined.
372. The Council may decide that a suspension or revocation of a driver licence should take immediate effect in accordance with Section 52 of the Road Safety Act 2006, where they consider it is in the interests of public safety to do so. In such cases the notice given to the driver must include a statement that it is an immediate suspension/revocation and an explanation why. In this case the suspension or revocation takes effect when the notice is given to the driver and the driver will not be able to continue working pending any appeal.
373. Where a licensee's Court appeal is unsuccessful the Court may order them to pay the Council's costs. Where an appeal is successful but the Council has acted in good faith costs may not be ordered against the Council.
374. The 21 day period in which to appeal is rigid and appeals cannot be made after this time (Case Law: Stockton Borough Council v Latif 20 January 2009).

Requests for Insurance

375. The Council may request the production of a valid insurance document at any time.

If a valid insurance is not produced the vehicle licence will be suspended and the proprietor may be prosecuted (s.50 LG (MP) Act 1976). In addition, anyone driving an uninsured vehicle may be prosecuted (s.143 Road Traffic Act 1988).

Cautions

376. A caution may be used as an alternative to a prosecution in appropriate circumstances, where the criteria for prosecution are satisfied but an offence is of a less serious nature. The Council will have regard to Home Office Guidance and other relevant guidance. It is necessary for the offence to be admitted prior acceptance of a caution. If a caution is not accepted the matter will be referred for legal proceedings. It is unlikely that more than one caution will be issued (regardless of the type of offence) and repeat offences will lead to prosecution.
377. A caution may be used:
- (a) to deal quickly and simply with less serious offences;
 - (b) to divert less serious offences away from the Courts;

- (c) to reduce the chances of repeat offences.

Prosecution

378. In certain cases, the Council will prosecute offenders. In all cases the evidential and public interest test contained within the Code for Crown Prosecutors must be satisfied. The Council will seek to prosecute for a range of offences including overcharging of members of the public, acting as and/or using unlicensed drivers and vehicles, failing to engage taximeter, driving without insurance or invalidating insurance (e.g. illegal plying for hire). Breaches of the licensing legislation may also lead to prosecution. Furthermore the Council's Civic Enforcement Team is empowered to issue fixed penalties in respect of stationary vehicles with their engines idling to prevent unnecessary exhaust emissions.
379. In addition to prosecution, the licensee may be referred to the Licensing Committee for consideration of further disciplinary action (e.g. warning, suspension, revocation, refusal to renew).

Town Police Clauses Act 1847 (The 1847 Act)

380. The following offences under the 1847 Act relate to hackney carriages:

Section	Offence
40	Giving false information on an application for a HC proprietor licence
44	Failure of HC proprietor to notify of change of address
45	Plying for hire without HC proprietor licence
47	Driving a HC without HC driver's licence
47	Lending or parting with HC driver licence
47	HC proprietor employing unlicensed driver
48	Failure of HC proprietor to hold HC driver licence of person employed/permitted to drive his/her HC
48	Failure of HC proprietor to produce HC driver licence of person employed/permitted to drive his/her HC
52	Failure to display HC plate
53	Refusal to take a fare
54	Charging more than the agreed fare
55	Obtaining more than the legal fare
56	Travelling less than the lawful distance for an agreed fare
57	Failing to wait after a deposit to wait has been paid
58	Charging more than the legal fare
59	Carrying person other than the hirer without consent
60	Driving HC without proprietor's consent
60	Allowing another to drive HC without proprietor's consent
61	Drunken driving of HC
61	Wanton or furious driving or wilful misconduct leading to injury or danger
62	Driver leaving HC unattended
64	HC driver obstructing other HC's

Local Government (Miscellaneous Provisions) Act 1976 (The 1976 Act)

381. Offences under 1976 Act relate to hackney carriages and private hire vehicles, proprietors, drivers and operators.

(a) The 1976 Act - Hackney Carriage Provisions

Section	Offence
49	Failure of proprietor to notify Council of transfer of HC proprietor licence
50(1)	Failure of proprietor to present HC for inspection as requested
50(2)	Failure of proprietor to inform Council where HC is stored if requested
50(3)	Failure of proprietor to report an accident to the Council
50(4)	Failure of proprietor to produce HC proprietors licence and insurance certificate
53(3)	Failure of driver to produce HC driver licence
57	Making false statement or omitting information to obtain a HC proprietor licence
58(2)	Failure of proprietor to return plate after notice given after expiry, revocation or suspension of HC proprietor licence
61(2)	Failure to surrender drivers licence after suspension, revocation or refusal to renew
64	Cause or permit any vehicle other than HC to wait on a HC stand
66	Charging more than metered fare for a journey ending outside the district, without prior agreement
67	Charging more than metered fare when HC used as PH vehicle
69	Unnecessarily prolonging a journey
71	Interfering with a taximeter
73(1)(a)	Obstruction of authorised officer or constable
73(1)(b)	Failure to comply with requirement of authorised officer or constable
73(1)(c)	Failure to give information or assistance to authorised officer or constable

(b) The 1976 Act - Private Hire Provisions

Section	Offence
46(1)(a)	Proprietor using or permitting use of an unlicensed PH vehicle
46(1)(b)	Driving a PH vehicle without a PH driver licence
46(1)(c)	Proprietor of PH vehicle using an unlicensed driver
46(1)(d)	Operating a PH vehicle without a PH operator licence
46(1)(e)	Operating a vehicle as a PH vehicle when the vehicle is not licensed as a PH vehicle
46(1)(e)	Operating a vehicle as a PH vehicle when the driver is not licensed as a PH driver
48(6)	Failure to display PH vehicle plate when using or permitting use of PH vehicle
49	Failure to notify the Council of transfer of PH vehicle licence
50(1)	Failure of proprietor to present PH vehicle for inspection and testing as required
50(2)	Failure of proprietor to inform Council where PH vehicle is stored if requested
50(3)	Failure of proprietor to report an accident to the Council
50(4)	Failure of proprietor to produce PH vehicle licence and insurance certificate
53(3)	Failure of driver to produce PH driver's licence
54(2)	Failure to wear PH driver's badge
56(2)	Failure of PH operator to keep records of bookings
56(3)	Failure by PH operator to keep records of PH vehicles operated by him
56(4)	Failure to produce PH operator's licence on request
57	Making false statement or omitting information to obtain PH driver's or operator's licence
58(2)	Failure to return plate after notice given after expiry, revocation or suspension of PH vehicle licence
61(2)	Failure to surrender driver licence after suspension, revocation or refusal to renew
67	Charging more than the metered fare when HC used as PH vehicle
69	Unnecessarily prolonging a journey
71	Interfering with a taximeter
73(1)(a)	Obstruction of authorised officer or constable
73(1)(b)	Failure to comply with requirement of authorised officer or constable
73(1)(c)	Failure to give information or assistance to authorised officer or constable

Transport Act 1980 – Private Hire Provisions

382. Section 64(2)(a) Driving a Private Hire vehicle with a roof sign which contravenes s. 64(1)

383. Section 64(2)(a) causing or permitting a Private Hire vehicle to be driven with a roof sign which contravenes s.64(1)

Road Traffic Act 1988 S.143 – Using a Vehicle without Insurance

384. Drivers may be prosecuted by the Police or the Council in relation to driving without insurance. As well as a financial penalty the DVLA driver licence must be endorsed with between 6-8 penalty points and the Court has discretion to disqualify the driver. The Court will consider any aggravating and mitigating factors when sentencing. If the vehicle concerned is a hackney carriage or private hire vehicle this will be an aggravating (i.e. more serious) factor.

Criminal Justice and Public Order Act 1994 S.167 – Touting for Hire

385. It is an offence in a public place, to solicit persons to hire vehicles to carry them as passengers.

386. Health Act 2006, S.7 – Smoking in vehicle and S.8 – Failing to Prevent Smoking in a Vehicle.

Hackney Carriage Byelaws

387. Prosecutions may be brought against hackney carriage proprietors and drivers for breach of the Council's byelaws.

Equality Act 2010

388. Section 168 – Assistance dogs in taxis

- (a) This section imposes duties on the driver of a taxi which has been hired.
- (b) By or for a disabled person who is accompanied by an assistance dog, or
- (c) By another person who wishes to be accompanied by a disabled person with an assistance dog.

The driver must-

- (d) Carry the disabled person's dog and allow it to remain with that person;
- (e) Not make any additional charge for doing so.

Section 170 - Assistance dogs in private hire vehicles

389. The operator of a private hire vehicle commits an offence by failing or refusing to accept a booking for the vehicle if the booking is requested by or on behalf of a disabled person or a person who wishes to be accompanied by a disabled person, and:

- (a) The reason for the failure or refusal is that the disabled person will be accompanied by an assistance dog.
- (b) The operator commits an offence by making an additional charge.

The driver of a private hire vehicle commits an offence by failing or refusing to carry out a booking accepted by the operator:

- (a) If the booking is made by or on behalf of a disabled person or a person who wishes to be accompanied by a disabled person, and
- (b) The reason for the failure or refusal is that the disabled person is accompanied by an assistance dog.

Hackney Carriage Stands

Appointed Stands

390. The purpose of hackney carriage stands (also known as a hackney carriage rank or a taxi rank) is to provide the public with a set location where they can hire a licensed hackney carriage. The stand is the only place where a hackney carriage may ply for hire in a stationary position and should be situated in locations where the public most need hackney carriages, for example adjacent to transport facilities, retail areas and places of employment, entertainment and leisure facilities. Stands should be sited so that passengers can board or alight from the vehicle safely. Stands can be for continual or part-time use.
391. The Council will review the provision of hackney carriage stands in the borough from time to time. In this respect officers will work closely with the Darlington Hackney Carriage Trade.
392. There are currently 13 official hackney carriage stands in the borough providing spaces for a total of 81 vehicles. A list of the stands and their designated locations are attached at Appendix 19

Creation of a Stand

393. A new hackney carriage stand can be appointed under section 63 of the 1976 Act. This allows new stands to be created on public highways or private land with the appropriate consent of the landowner and can be for continual or part-time use.
394. Prior to a new stand being created or the maximum number of vehicles that can use a stand is varied a notice will be given to the Chief Officer of Police and a public notice published in a local newspaper.
395. New stands will not be sited where they may lead to obstructions.

Waiting on Stands

396. It is an offence for any person to cause or permit any vehicle other than a hackney carriage to wait on any stand for hackney carriages.
397. Drivers of hackney carriages may only wait on a stand whilst plying for hire or waiting for a fare. Drivers who park on a stand and leave their hackney carriage vehicle unattended commit an offence.
398. When parking on a rank the driver must ensure that the whole of the vehicle is contained within the road markings of the rank. The vehicle must be parked in the direction indicated by the rank signage.
399. The signage for each rank indicates the maximum number of vehicles permitted on the rank. This number must not be exceeded. If the rank is full the driver must proceed to another rank.

Hackney Carriage Hailing Points

400. Hackney carriage hailing points have been introduced in other parts of the country and are an alternative to a stand either where there is insufficient space for a stand or the location does not justify the creation of a stand. It is a specific point where the public know they will be able to hail a hackney carriage and the theory is that the drivers know where they are and will ensure that they pass them on a regular basis. There is no provision for hackney carriages to wait at hailing points.
401. A request has not been made for the provision of hailing points within the Darlington Borough.

Horse Drawn Carriages

402. Horse drawn carriages can be considered for licensing as a hackney carriage vehicle however there are special requirements for such vehicles, their horses and drivers. Appendix 19 provides detailed information in respect of the licensing of these vehicles.
403. Private Hire vehicles may not be licensed as a horse drawn carriage as Section 80 (1) Local Government (Miscellaneous Provisions) Act 1976 describes a private hire vehicle as “a motor vehicle constructed or adapted to seat fewer than eight passengers, other than a hackney carriage or public service vehicle, which is provided for hire with the services of a driver for the purpose of carrying passengers.”

Complaints Procedure

404. The Council is proud of its professional private hire and hackney carriage trade and expects them to uphold high standards at all times.

However, we recognised that there may be occasions when transport users, the general public and other members of the trade may make complaints and as such a complaints procedure will be followed.

405. All complaints received will be investigated. Complainants will receive acknowledgement of their complaint within one working day advising the name of the Officer assigned to investigate the complaint.
406. Complainants may be asked to put their complaint in writing or provide a witness statement if the complaint is such that formal action may result.
407. The Council recognises that some complaints can be frivolous or vexatious. These complaints will not be taken further.
408. Licensees are expected to assist Officers in their investigations and make themselves available for interview.
409. At the end of the investigation all parties concerned will receive written confirmation of the result and action to be taken. If the complainant is not satisfied as to the outcome the Council has a corporate complaints procedure in place to

deal with these issues.

Legislation – Drivers

Appendix 1

- 410. Section 68 of the Town Police Clauses Act (TPCA) 1847 allows the Council to make Byelaws to regulate the conduct of hackney carriage drivers including the wearing of badges and return of left luggage.
- 411. The Local Government (Miscellaneous Provisions) Act 1976 at Section 51(2) permits the Council to attach conditions to the grant of a private hire driver licence as it may consider reasonably necessary.
- 412. Section 52(2) of the same Act gives the right of appeal to the Magistrates' Court to any person aggrieved by any of the conditions attached to the grant of a private hire driver licence. Such appeal must be made within 21 days of receipt of licence. Failure to comply with the Council's conditions may result in a PH Driver licence being suspended or revoked.
- 413. Parts of the Local Government (Miscellaneous Provisions) Act (LG (MP) Act) 1976 also apply to hackney carriage drivers.

414. Failure to comply with any legislation is an offence.

Authorised Officers (S73 LG(MP) Act 1976)

415. It is an offence to obstruct any Authorised Officer or Police Officer. All Licensees must provide any assistance or information (s)he may reasonably require.

Carriage of Animals (S37 Disability Discrimination Act 1995)

416. Drivers shall not refuse to carry, or make a charge, for any guide, hearing or other assistance dog, travelling with a person with disabilities, in their vehicle. These dogs will not be restricted to the rear of the vehicle. If a driver has been granted an exemption from carrying such dogs on medical grounds (s)he must display the notice of exemption on the windscreen or dashboard of the vehicle.

Drivers Badges (S54. LG(MP) Act 1976 and Hackney Carriage Byelaws)

Wearing of a Badge

417. Drivers must, at all times, when driving a hackney carriage / private hire vehicle, WEAR the badge provided by the Council in a position which is plainly and clearly visible to passengers.

Return of a Badge

418. Drivers must, upon the expiry revocation or suspension of licence return to the Council the driver's badge and the licence issued to the driver by the Council when granting the licence.

Equal Opportunities

419. Drivers must, at all times, treat passengers or any potential passenger with courtesy and respect. Drivers must not discriminate against any person because of a protected characteristic of age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex.

Taximeters (S 71 LG (MP) Act 1976)

420. Any person who tampers with any seal on any taximeter without lawful excuse or alters any meter with the intent to mislead shall be guilty of an offence.

Plying for Hire (S 45 TPC Act 1847)

421. Private hire drivers must NOT pick up passengers who have not pre-booked with a private hire operator. Only Hackney Carriages may pick up un-booked fares.

422. Private hire drivers must NOT offer or accept an offer for the immediate hire of a vehicle while it is being used.

423. Private hire drivers must NOT “rank up” outside of nightclubs, public houses, in lay-bys, in residential areas or anywhere where they are likely to attract un-booked fares.

424. Private hire drivers must NOT park or wait on any Hackney Carriage Rank

Seatbelts – Carriage of Children (MV (Wearing of Seat Belt Regulations 1993)

425. Drivers must at all times conform to the Motor Vehicle (Wearing of Seat Belt) Regulations, 1993 and any other legislation regarding the carriage of children, use of appropriate restraints/seatbelts for the age and weight of any child and where in the vehicle the child can be carried.

Touting (S 167 Criminal Justice and Public Order Act 1994)

426. Touting means approaching the public and inviting them to be carried for hire in your vehicle. No one must tout on any road or public place. It is a criminal offence for hackney carriage and private hire drivers or any other person to do so.

Council Policies – Drivers

Appendix 2

Driver Legislation Tests

427. All new applicants will be required to successfully undertake a driver legislation and knowledge test prior to being considered for a licence. The initial test is currently included in the licence fee; however, any repeat tests will have to be paid for by the applicant.

Criminal Record Checks

428. All applicants will be required to undertake a Disclosure and Barring Service (DBS) enhanced “taxi driver” check, at their own expense as part of the application process. Drivers will be required to subscribe to the Update Service.

Driving Assessment

429. All applicants for Driver Licences are required to successfully undertake an approved taxi driving assessment prior to being considered for a licence.

Medicals

430. Medicals to Group 2 standard are required for every driver on first application and then every 5 years from the age of 45 years. After the age of 65 years they are required annually. More regular medicals may be required dependent on new and existing medical health. Drivers should report any changes to their medical health to the Licensing Office at the first opportunity following diagnosis of the medical condition or illness. In certain instances, the applicant or driver will be referred to the Licensing Committee.

Training and Qualifications

431. The Council does not currently require drivers or new applicants to undertake formal qualifications however this will be kept under review. Drivers are encouraged to access driver training courses that will increase the professionalism of their role.
432. The Council will encourage drivers to undertake disability awareness training. Such training will be mandatory for all drivers of wheelchair accessible vehicles. When a locally developed on-line course has been approved, this training will be required for all drivers.
433. The Council will require all applicants for driver licences and private hire operator licences to undertake Child Sexual Exploitation Awareness Training. All existing licence holders will be required to produce a certificate confirming that they have undertaken the training prior to the renewal of their licence.

Private Hire Driver Licence Conditions

Appendix 3

PD1. Animals

434. Drivers must not carry any animals in their vehicle other than those belonging to or in the care of your passenger(s). Any animal belonging to or in the care of any passenger should be carried in the rear of the vehicle only (except for assistance dogs who are not restricted to the rear of the vehicle).

PD2. Change of Address

435. Drivers must notify the Council in writing, of any change of address during the period of the licence within 7 days of such a change taking place.

PD3. Conduct of Driver

436. Drivers must always:

- (a) Assist passengers with their luggage. This includes picking it up from the point of booking, removing it from the vehicle at the end of the journey and, if requested, setting it down at the passenger's request.
- (b) Be clean and respectable in dress (see driver dress code).
- (c) Be polite and behave in a civil and orderly manner.
- (d) Take all reasonable steps to ensure the safety of passengers while they are entering, travelling in or leaving the vehicle.
- (e) Offer assistance to elderly, infirm or disabled passengers.

437. Drivers must not:

- (a) Smoke (or VAPE) in the vehicle at any time (including the use of e-cigarettes or other nicotine delivery devices).
- (b) Drink or eat in the vehicle at any time while carrying passengers (best practice is for rest periods to be taken away from the vehicle).
- (c) Play any radio or sound reproducing instrument or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle without the consent of the passenger.
- (d) Cause or allow the noise emitted by any radio or other previously mentioned equipment in the vehicle to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle (Windows should remain closed if you are engaged in this activity.)
- (e) Engage in any activities of a sexual nature whilst acting as a driver of any vehicle licensed by this Council.

PD4. Self-reporting

438. Licence holders must notify the licensing department within 48 hours of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence. An arrest for any of the offences within this scope will be reviewed as to whether the licence holder is fit to continue.

PD5. Driver's Badge

439. A driver shall at all times when acting in accordance with the driver's licence granted to him wear such a badge in such position and manner as to be plainly and distinctly visible.

PD6. Deposit of Licence

440. Drivers must give their private hire driver licence to the owner of the private hire vehicle which they will be driving. (S)he will keep this licence while they are employed by him/her.

PD7. Equal Opportunities

441. Drivers must at all times treat passengers or any potential passenger with courtesy and respect. Drivers must not discriminate against any person because of a protected characteristic of age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex.

PD8. Fare to be Demanded

442. Drivers must not demand a fare greater than previously agreed for with the passenger and the operator. If a taximeter is in use only the fare displayed may be charged.

PD9. Lost Property

443. When passengers have been dropped off the driver must check the vehicle for any property accidentally left there. If any is found it must be returned to the passenger or handed into a police station as soon as possible and no later than the end of that shift.

PD10. Medical Condition

444. The Council must be notified, in writing at the earliest opportunity and in any case within 14 days of any deterioration in the driver's medical condition that may affect their ability to drive private hire vehicles.

PD11. Passengers

445. Drivers must not:

- (a) carry more passengers in their vehicle than is permitted by the vehicle licence;
- (b) carry more than one person in the front seat unless the vehicle is furnished with a bench type front seat 1270 mm or more in length between the doors and provided with seat belts for all front seat passengers. In this case no more than 2 passengers may be carried.
- (c) without the consent of the hirer, carry any additional person in the vehicle.

PD12. Prompt Attendance

446. Drivers must always pick up passengers on time unless unavoidably delayed.

PD13. Receipts

447. The Driver must, if requested, provide the passenger(s) with a written receipt for the fare paid including the amount of VAT (if applicable) shown separately if so requested. The Driver should provide details of the journey including the date, fare, vehicle, operator and name of driver and sign the receipt.

PD14. Taximeters in PHVs

448. If the private hire vehicle is fitted with a meter the driver:

- (a) Must not cancel or conceal the fare recorded until the hirer has had a reasonable opportunity of examining it and has paid the fare (unless credit is to be given).
- (b) Must ensure that when the vehicle is not hired the key is to be locked and the machinery kept inactive and the meter must show no fare at any time.
- (c) Must ensure that the meter is sufficiently illuminated when in use and is visible to all passengers.
- (d) Must ensure that the meter is only brought into action and the fare or charge must only commence from the point at which the hirer starts his/her journey.
- (e) Must ensure that the fare charged does not exceed the fare displayed on the meter at the end of the journey.

Hackney Carriage Driver Byelaws

Appendix 4

Animals

449. Drivers must not carry any animals in their vehicle other than those belonging to or in the care of your passenger(s). Any animal belonging to or in the care of any passenger should be carried in the rear of the vehicle only (except for guide, hearing or assistance dogs who are not restricted to the rear of the vehicle).

Change of Address

450. Hackney Carriage drivers must inform the Council, in writing, within 7 days of any change of address.

Conduct of Driver

451. Drivers must always:

- (a) Assist passengers with their luggage. This includes picking it up from the point of booking, removing it from the vehicle at the end of the journey and, if requested, setting it down at the passenger's request.
- (b) Be clean and respectable in dress (see driver dress code).
- (c) Be polite and behave in a civil and orderly manner (NB this includes not engaging in any activities of a sexual nature whilst acting as a driver of any vehicle licensed by this Council).
- (d) Take all reasonable steps to ensure the safety of passengers while they are entering, travelling in or leaving the vehicle.
- (e) Offer assistance to elderly, infirm or disabled passengers.

452. Drivers must not:

- (a) Smoke in the vehicle at any time (including the use of e-cigarettes or other nicotine delivery devices).
- (b) Drink or eat in the vehicle at any time while carrying passengers best practice is for rest periods to be taken away from the vehicle).
- (c) Play any radio or sound reproducing instrument or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle without the consent of the passenger.
- (d) Cause or allow the noise emitted by any radio or other previously mentioned equipment in the vehicle to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle. (Windows should remain closed if you are engaged in this activity).

Self-reporting

453. Drivers shall within seven days of conviction/caution disclose to the Council in writing details of any other conviction or caution (including motoring offences and fixed penalty tickets) imposed on him during the period of the licence.

454. Although this is the current bylaw, there is an expectation that licence holders notify the licensing department within 48 hours of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence. An arrest for any of the offences within this scope will be reviewed as to whether the licence holder is fit to continue. This is in compliance with the DfT Statutory Taxi and Private Hire Vehicle Standards

Driver's Badge

455. Hackney Carriage drivers shall, at all times when driving a Hackney Carriage while carrying passengers or while plying for hire, wear the driver's badge provided by the Council on the breast of the outer clothing and in such position and manner as to be plainly and distinctly visible.

Insurance

456. The proprietor or driver of the Hackney Carriage shall ensure that all times when the Hackney Carriage is available for hire or hired it is insured for public use hire.

Prompt Attendance

457. Drivers must always pick up passengers on time unless unavoidably delayed.

Receipts

458. The Driver must, if requested, provide passenger(s) with a written receipt for the fare paid including the amount of VAT (if applicable) shown separately if so requested. (This should show details of the journey including the date, fare, vehicle, operator and driver and be signed by the driver).

Passengers

459. The driver of a Hackney carriage must not:

- (a) Carry more passengers in the vehicle than is permitted by the vehicle licence.
- (b) Without the consent of the hirer, carry any additional person in the vehicle.
- (c) No child aged 10 years or less is permitted to travel in the front seat of a Hackney Carriage unless an infant of two years or less is conveyed in a child safety cot approved for this purpose by the British Standards Institute (or such body which succeeds to and carries out the functions of the aforesaid Institute) securely affixed to the front passenger seat

Taximeter Fares

460. The driver of a Hackney carriage must:

- (a) As soon as the hackney carriage is hired must always bring into action the machinery of the taximeter.
- (b) Ensure that the meter shows the rate of fare approved by the Council.
- (c) Ensure that the fare recorded on the meter is clearly visible to passenger(s).
- (d) Never charge more than the fare shown on the meter. The driver may charge less than this rate by agreement with the passenger(s).

- (e) If a fare has been pre-arranged must compare it to the metered fare and charge the lesser of the two.

Taxi Ranks

461. When plying for hire in any street a hackney carriage driver must:

- (a) Proceed with reasonable speed to one of the ranks.
- (b) On arrival at a rank which is occupied by the maximum permitted number of vehicles to occupy it, proceed to another stand.
- (c) On arrival at a rank which is not occupied by the maximum permitted number of vehicles to occupy it, place the vehicle immediately behind the carriage or carriages on the rank, facing in the direction designated by the Byelaw for that rank.
- (d) From time to time when the Hackney Carriage in front is driven off or moved forward, move forward so as to fill the place previously occupied by the vehicle in front.
- (e) Never leave a Hackney Carriage unattended on a rank.

Horse Drawn Vehicles

462. The proprietor or driver of a horse drawn Hackney Carriage shall:

- (a) While standing or plying for hire, not drive or allow to be driven or harnessed to the carriage any animal in such a condition as to expose passenger or pedestrian to risk of injury.
- (b) While standing or plying for hire, cause every part of the harness of the animal or animals to be properly and securely attached to the carriage and under due control.
- (c) Not in any street, feed or allow to be fed, an animal harnessed or otherwise attached to such a carriage, except with food contained in the proper bag or other receptacle suspended from the head of such animal or from the centre pole of the carriage or which is held in and delivered with the hand of the person feeding such horse.

Code of Good Conduct for Licensed Drivers

Appendix 5

463. In order to promote its licensing objectives as regards hackney carriage and private hire licensing, the Council has adopted the following Code of Good Conduct, which should be read in conjunction with the other statutory and policy requirements set out in this document.

Responsibility to the Trade

464. Licence holders shall endeavour to promote the image of the Hackney Carriage and Private Hire Trade by:

- (a) Complying with this Code of Good Conduct.

- (b) Complying with all the Conditions of their Licence and the Councils Hackney Carriage and Private Hire Licensing Policy.
- (c) Behaving in a professional manner at all times.

Responsibility to Clients

465. Licence holders shall:

- (a) Maintain their vehicles in a safe and satisfactory condition at all times;
- (b) Keep their vehicles clean and suitable for hire to the public at all times;
- (c) Attend punctually when undertaking pre-booked hiring;
- (d) Assist, where necessary, passengers into and out of vehicles;
- (e) Offer passengers reasonable assistance with luggage.

Responsibility to Residents

466. To avoid nuisance to residents when picking up or waiting for a fare, a driver shall:

- (a) Not sound the vehicle's horn.
- (b) Keep the volume of any audio system to a minimum.
- (c) Switch off the engine if required to wait.
- (d) Take whatever additional action is necessary to avoid disturbance to residents in the neighbourhood.
- (e) Not deposit any litter.
- (f) Not urinate in the street.

467. At hackney carriage ranks and other places where hackney carriages ply for hire by forming queues, drivers shall, in addition to the requirements above:

- (a) Rank in an orderly manner and proceed along the rank in order and promptly.
- (b) Remain in the vehicle.

General

468. Driver shall:

- (a) Pay attention to personal hygiene and dress in accordance with the Dress Code.
- (b) Be polite, helpful and respectful to passengers.
- (c) Drive with care and due consideration for other road users and pedestrians.
- (d) Obey all Traffic Regulation Orders and directions at all time.
- (e) Ensure they do not smell of alcohol or consume alcohol immediately before or at any time whilst driving or being in charge of a hackney carriage or private hire vehicle.
- (f) Not drive while having used or misused legal or illegal drugs which may affect their ability to drive.
- (g) Behave in a civil and orderly manner at all times.
- (h) Not engage in any dialogue or activities of a sexual nature whilst acting as a driver of any vehicle licensed by this Council. This includes inappropriate touching of passengers.
- (i) Not smoke, VAPE or use any alternative device such as an e-cigarette (or heated tobacco delivery devices) whilst the vehicle is used for the purpose for which it is licensed including the carriage of or whilst waiting for a fare.
- (j) Drivers are required to follow any guidance issued by Public Health or any other relevant agency during a national emergency (for example, must wear face coverings when advised)

Please note:

469. Any amount of alcohol or drugs can affect a driver's judgement. The council will take a very serious view of any driver being found to have consumed any alcohol or having misused any drugs prior to or whilst in charge of a licenced vehicle.

470. On those occasions where the Council has reason to suspect that a driver may be abusing drugs or alcohol, the driver shall undertake drug or alcohol tests as required by the Council, at the authority's expense, within a reasonable period of time or, if considered necessary by the Council, as quickly as practicable.

Driver's Dress Code

Appendix 6

471. The purpose of a driver's dress code is to seek a standard of dress that provides a positive image of the hackney carriage and private hire trade in Darlington to enhance a professional image of licensed drivers and ensure that public and driver safety is not compromised.

Acceptable Standard of Dress

472. As a minimum standard, males should wear either long legged trousers or knee length shorts and T shirts which have a full body and short sleeves. Females should wear either long legged trousers or knee length shorts or skirt or dress and

T shirts which have a full body and short sleeves.

Footwear

473. Footwear for all drivers shall fit around the heel of the foot.

Unacceptable Standard of Dress

474. The following are deemed to be unacceptable:

- (a) Clothing that is not kept in a clean condition, free from holes and rips.
- (b) Words or graphics on any clothing that is of an offensive or suggestive nature or which might offend.
- (c) Sportswear (e.g. football/rugby kits, track suits, beach wear etc.).
- (d) Sandals with no heel straps, flip flops or any other form of footwear not secured around the heel.
- (e) Drivers not having either the top or bottom half of their bodies suitably clothed.

Relevance of Convictions, Cautions, Reprimands, Fixed Penalties, Warnings and Complaints

Appendix 7

475. Darlington Borough Council uses the following guidelines to make fair and consistent decisions when considering applications for driver and operator licences from applicants who have criminal convictions, conditional/unconditional cautions, reprimands, or when dealing with other information revealed during the application process. In doing so we have a clear objective to protect the public at all times.

476. In applying these guidelines, the Council will consider its responsibility with regard to safeguarding the public and, in particular, children and vulnerable adults. The

Council must be confident that the applicant is a fit and proper person.

477. The Local Government Association encourages Councils to take a strong stance on indecency offences such as those relating to rape, sexual assault and Child Sexual Exploitation.
478. In considering any applicant with criminal convictions, conditional/unconditional cautions, reprimands, warnings or where they have been interviewed under caution and offered an alternative sanction to prosecution, the Council will take into account the number and type of offences etc., any patterns of criminality and apply a totality principle to applicants with such convictions, cautions and reprimands.
479. The issuing and holding of a licence is a privilege not a right and persons who hold a licence are expected to conduct themselves in a manner that does not bring their profession or the Council into disrepute.
480. These guidelines also apply to existing holders of such licences. The Council will consider it extremely serious when existing holders of licences receive criminal convictions, cautions, reprimands or warnings or receive complaints which result in disciplinary action.
481. Existing holders of licences who commit criminal offences or receive complaints about their behaviour which result in disciplinary action may expect the Council to consider revoking their licence.
482. The Council uses the Enhanced Disclosure service from the Disclosure and Barring Service to determine the suitability of applicants for Hackney Carriage and Private Hire Driver Licences.
483. The Council will comply fully with the DBS Code of Practice and the requirements of the Data Protection Act and General Data Protection Regulations (GDPR.) Disclosure information will be used fairly, stored securely and only be handled by authorised persons. Please see guidance information on "Handling, Storage and Use of Disclosure Information Received from the DBS" for further information.
<https://www.gov.uk/government/publications/handling-of-dbs-certificate-information/handling-of-dbs-certificate-information>
484. Every application or case will be decided on its own merits. The Council will endeavour to make consistent decisions but is not bound by or obliged to follow previous decisions made in relation to the holders of licences.
485. A person with a current conviction, caution, reprimand or final warning need not be permanently barred from obtaining a licence, but there will be an expectation that applicants will be expected to remain free from conviction in accordance with requirements highlighted below, before an application is considered. However, any person on the DBS Barred List will be refused a licence.

486. Where periods free from further convictions is stipulated, Members will treat this as a minimum standard.

487. Some discretion may be appropriate if the offence is isolated and there are mitigating circumstances. Whilst, the Council may exercise its discretion, the overriding consideration will be the protection of the public. The following examples afford a general guide on the action to be taken where convictions, cautions, reprimand or final warnings are admitted.

Minor Traffic Offences

488. Convictions, cautions, reprimands or final warnings for minor traffic offences will not prevent a person from being considered for a licence. If an applicant has up to six "live" penalty points on their driving licence for such offences then the application may be granted subject to a written warning.

489. If an applicant has 9 or more points on their licence the application may be referred to the Council's Licensing Committee who may decide to refuse the application. At the very least a warning will be given that further offences may result in revocation of the licence and the applicant may be required to attend a Driver Improvement Course. Applicants should note that this Council does not deem speeding to be a minor offence and the receipt of more than 3 penalty points for a speeding offence may be referred to the Council's Licensing Committee.

Major Traffic Offences

490. Major traffic offences include those on the attached list of offences that have the following codes:

DVLA CODE	DESCRIPTION OF OFFENCE
AC10	Failing to stop after an accident
AC20	Failing to give particulars or to report an accident within 24 hours
BA10	Driving whilst disqualified by order of court
BA30	Attempting to drive while disqualified by order of court

CD40	Causing death through careless driving when unfit through drink
CD50	Causing death by careless driving with alcohol level above the limit
CD60	Causing death by careless driving with alcohol level above the limit
CD70	Causing death by careless driving then failing to supply a specimen or analysis
DD40	Dangerous driving
DD60	Manslaughter or culpable homicide while driving a vehicle
DD80	Causing death by dangerous driving
DR10	Driving or attempting to drive with alcohol level above limit
DR20	Driving or attempting to drive while unfit through drink
DR30	Driving or attempting to drive then failing to supply a specimen for analysis
DR40	In charge of a vehicle while alcohol level above limit
DR50	In charge of a vehicle while unfit through drink
DR60	Failure to provide specimen for analysis in circumstances other than driving or attempting to drive
DR70	Failing to provide specimen for breath test
DR80	Driving or attempting to drive when unfit through drugs
DR90	In charge of a vehicle when unfit through drugs
IN10	Using a vehicle uninsured against third party risks
IN14	Causing or permitting the use of a vehicle uninsured against third party risks
UT50	Aggravated taking of a vehicle
TT99	To signify a disqualification under totting-up procedure. If the total of penalty points reaches 12 or more within 3 years, the driver is liable to be disqualified

491. The Council appreciates there is a difference in the level of seriousness of these offences and will consider each on its merits. Although offences of excess speed do not appear in the table above the Council considers such offences to be extremely serious and drivers with such offences may be referred to Committee.
492. If an applicant has a live endorsement in respect of a major traffic offence then the application will be referred to the Licensing Committee and may be refused. In the case of a licensed driver it will ordinarily result in the licence being revoked.
493. Should the Courts decide not to disqualify a driver under the totting up procedures the Council may still consider that the driver is not a fit and proper person and may

consider revocation of the private hire and/or hackney carriage driver licence.

Crimes Resulting in Death

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

Exploitation

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

Drink driving/driving under the influence of drugs

496. A person who has been disqualified from driving as a result of a drink driving offence must show at least 7 years free from conviction after the restoration of their driving licence before their application will be considered. More than one conviction of this type would usually result in an application being refused. In the case of a licensed driver it will ordinarily result in the licence being revoked. In the case of driving whilst under the influence of drugs, any applicant may also be required to undergo drugs testing at their own expense to demonstrate that they are no longer using controlled drugs.

Using a hand-held device whilst driving

497. Applicants with a conviction, caution, reprimand or final warning for an offence involving use of a hand held device or mobile phone will not be considered until the applicant can show at least 5 years free of such conviction, caution, reprimand or final warning from either the date of conviction, caution, reprimand or final warning or 5 years from completion of any custodial sentence imposed, whichever is the later.

Drug Offences

498. An applicant with a conviction, caution, reprimand or final warning for a drug related offence will be required to show a period of at least 10 years free of a conviction, caution, reprimand or final warning before an application is considered, or 7 years after detoxification treatment if the applicant is an addict.

499. If the conviction, caution, reprimand or final warning relates to supplying, possession or manufacture of controlled drugs or substances with the intent to supply then it is unlikely that the application will be granted. In the case of a licensed driver it will ordinarily result in the licence being revoked.

500. More than one conviction, caution, reprimand or final warning for a drug related offence will ordinarily result in an application being refused or a licence revoked.

Sexual Offences

501. Applicants with a conviction, caution, reprimand or final warning for illegal sexual activity will be refused a licence. In the case of a licensed driver it will ordinarily result in the licence being revoked.

502. More than one conviction, caution, reprimand or final warning for indecent exposure, indecent/sexual assault, importuning or any other sexual offence, will ordinarily result in an application being refused or a licence revoked.

503. Any person on the Sex Offenders Register or DBS Barred List will be refused a licence.

Violence

504. Applicants with a conviction, caution, reprimand or final warning for actual bodily harm, grievous bodily harm, wounding, assault, or possession of a dangerous weapon etc. will as a rule be refused a licence. An application may be granted if the applicant can show at least 10 years free of such conviction, caution, reprimand or final warning from either the date of conviction, caution, reprimand or final warning or 10 years from completion of any custodial sentence imposed, whichever is the latter.

505. More than one conviction caution, reprimand or final warning for violence will ordinarily result in an application being refused. In the case of a licensed driver it will ordinarily result in the licence being revoked.

506. The Council deems incidents of domestic violence to be extremely serious because if an individual is prepared to assault an individual in a domestic or home environment then there would be concerns over that person's ability to control their temper when working in an environment dealing with members of the public.

507. More than one conviction caution, reprimand or final warning for any offence involving domestic violence will ordinarily result in an application being refused. In the case of a licensed driver it will ordinarily result in the licence being revoked.

Dishonesty

508. Applicants with a conviction, caution, reprimand or final warning for an offence involving dishonesty will be refused a licence. An application may however be considered where the applicant can show at least 7 years free of such conviction, caution, reprimand or final warning from either the date of conviction, caution, reprimand or final warning or 7 years from completion of any custodial sentence imposed, whichever is the later.

509. More than one conviction caution, reprimand or final warning for any offence involving dishonesty will ordinarily result in an application being refused. In the

case of a licensed driver it will ordinarily result in the licence being revoked.

Public Order Offences

510. Applicants with a conviction, caution, reprimand or final warning involving public order offences such as affray, fear or provocation of violence, criminal damage etc. will have their application referred to the Licensing Committee for consideration and will usually be refused a licence. An application may however be considered where the applicant can show at least 5 years free of such conviction, caution, reprimand or final warning from either the date of conviction, caution, reprimand or final warning or 5 years from completion of any custodial sentence imposed, whichever is the later.
511. More than one conviction caution, reprimand or final warning for any public order offence will ordinarily result in an application being refused. In the case of a licensed driver it will ordinarily result in the licence being revoked.
512. Any conviction, caution, reprimand or final warning which results from an offence committed by any person while working as a Hackney Carriage or Private Hire Proprietor, Driver or Operator is regarded as extremely serious and will ordinarily lead to a licence being revoked or an application to renew the licence being refused.

Possession of a Weapon

513. Applicants with a conviction, caution, reprimand or final warning for an offence involving possession of a weapon or other weapon related offence will be refused a licence. An application may however be considered where the applicant can show at least 7 years free of such conviction, caution, reprimand or final warning from either the date of conviction, caution, reprimand or final warning or 7 years from completion of any custodial sentence imposed, whichever is the later.
514. More than one conviction caution, reprimand or final warning for any offence involving dishonesty will ordinarily result in an application being refused. In the case of a licensed driver it will ordinarily result in the licence being revoked.

Discrimination

515. Any offence involving discrimination or aggravated by discrimination of any kind will not be granted a licence until at least 7 years have elapsed since the completion of any sentence imposed.

Cautions

516. The Council requires applicants to reveal any cautions they may have received. The Council acknowledges that a caution is not a conviction and therefore does not carry as great a weight.

517. The Council notes that an admission of guilt is required before a caution can be administered and that the police must have sufficient evidence to proceed with a prosecution if the offer of a caution is refused.

518. The Council may take into account any diversion scheme offered as an alternative to conviction (i.e. restorative approaches).

Fixed Penalties

519. Fixed penalties are not limited to motoring offences and may be given for a range of offences including shop theft, minor public order offences and offences such as littering, dog fouling etc.

520. Fixed penalties and attendance of speed awareness courses must be declared to the Council in the same way as offences and may be taken into consideration as part of the Council's disciplinary procedures.

Licensing Offences

521. Convictions for offences or any failure to comply with the provisions of the Town Police Clauses Act or the relevant part of the Local Government (Miscellaneous Provisions) Act 1976, or the Council's Byelaws will be viewed seriously by the Council. The following examples afford a general guide to what action the Council may take in relation to existing Hackney Carriage and Private Hire licence holders.

Proprietor Offences

522. Any person convicted, cautioned, reprimanded or given a final warning of an offence relating to a hackney carriage or private hire vehicle of which they are the proprietor may have their licence(s) suspended or revoked.

Driver Offences

523. Any person convicted, cautioned, reprimanded or given a final warning of an offence whilst acting as the driver of a hackney carriage or private hire vehicle may have their driver licence(s) revoked.

Operator Offences

524. Any person convicted, cautioned, reprimanded or given a final warning for an offence relating to their operation of private hire vehicles or drivers may have their private hire operator's licence suspended or revoked.

525. Should the Council choose to take action short of revocation then more than one such conviction, caution, reprimand or final warning will ordinarily lead to the licence being revoked.

Criminal Checks for Foreign Nationals

Appendix 8

526. Where an applicant has not lived in the UK (including all foreign nationals, and EEA citizens) for a continuous six year period at the time of the application, an enhanced DBS disclosure in itself will usually be insufficient to satisfy the Council that the applicant is a fit and proper person. This is because the DBS does not routinely provide criminal record information from non UK countries. These applicants will be required to provide a Certificate of Good Conduct or an equivalent document, translated into English by an approved, recognised body, from each country where they have been living. This Licensing authority will abide by any changes to requirements as a result of leaving the EU.

527. Foreign Police Checks must be dated no more than three months prior to an applicant leaving their home country. If the document is not in English, it must be accompanied by a certified translation.
528. Details of how to obtain such a check from the relevant authorities abroad are available online at: <https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>
529. If the country concerned is not listed, please contact the relevant embassy or consulate for further details. Contact details can be found online at: <https://www.gov.uk/government/publications/foreign-embassies-in-the-uk>
530. As a minimum, all applications will require full name, date of birth, current address and previous addresses in the country of origin.

Legislation – Vehicles

Appendix 9

Accidents and damage to Vehicles (Sec 50 LG (MP) Act 1976)

531. If a hackney carriage or private hire vehicle is involved in an accident which results in damage which may affect its appearance or the safety of its passengers the proprietor must report this to the Council within 72 hours.

Authorised Officers (Sec 73 LG(MP) Act 1976)

532. It is an offence to obstruct any Authorised Officer or Police Officer. All Licensees must provide any assistance or information (s)he may reasonably require.

Change of Address (Sec 50 TPCA 1847)

533. The Council must be informed, in writing, within 7 days of any change of address.

Convictions (Sec 50 TPCA 1847)

534. A second conviction against a driver or proprietor for any hackney carriage or byelaws offence is grounds for the Council to suspend or revoke a licence. If a driver or proprietor is convicted of any criminal or motoring offence (including fixed penalties) (s)he must notify the Council, in writing, within 7 days.

Copy of Licence (Sec 46, 48 and 49 TPCA 1847)

535. The proprietor must keep the hackney carriage driver licences of all drivers employed by them in their possession. When a driver leaves this employment the proprietor must return the licence to him/her. Any driver of a Hackney Carriage must be licensed even if the vehicle is not being used for public hire. Private hire operators must keep the private hire driver licences of all drivers operated by them in their possession. When a driver is no longer operated by the Private hire operator the licence should be returned to him/her. Any driver of a private hire vehicle must be licensed even when the vehicle is not being used for private hire.

Insurance (Sec 50 LG(MP) Act 1976)

536. Proprietors of hackney carriages and/or private hire vehicles must produce a certificate of insurance or cover note when asked by an Authorised Officer.

Licence Plates (Byelaws and Sec 58 LG(MP) Act 1976)

537. The Council's identification plate(s) must not be defaced or displayed in such a way that they are concealed from public view. If the Council suspends or revokes a hackney carriage licence or the licence expires and is not renewed the proprietor will be asked to return the identification plate(s) within 7 days.

Meter/Table of Fares (Byelaw)

538. Hackney Carriages must be fitted with an accurate meter capable of showing that the vehicle is or is not hired, registering the charge if hired and positioned in clear view of the passengers.

539. The meter must be linked to a sign bearing the word TAXI which shall be illuminated where the meter is not in use and cease to be illuminated when hiring has begun.

540. A notice showing the Tariff of fares set by the Council must be displayed inside the vehicle in a position where any passengers can easily read it.

Transfer of Ownership of Licensed Vehicle (Sec 49 LG(MP) Act 1976)

541. The Council must be informed, in writing, of the transfer of ownership of a licensed hackney carriage or private hire vehicle within 14 days of this change. On the transfer of a licensed vehicle to a new owner the new owner must complete all documentation required by the Council and produce evidence of insurance. Until the relevant documentation is accepted by the Council, the vehicle licence will be suspended.

Age of Vehicle

542. Darlington Borough Council does not place a limit on the age of vehicles that may be licensed provided they comply with Euro 6 engine standards by 1st April 2023. (Wheelchair accessible vehicles are exempt from this requirement). The age of the vehicle will be determined by reference to its date of first registration.

543. This policy does not apply to limousines and vintage cars

Documents

544. A vehicle Licence will only be issued where the vehicle has evidence of valid:

- (a) Road Fund Tax online check
- (b) Vehicle insurance certificate
- (c) Public Liability insurance certificate
- (d) Pass Certificate issued by Council's in-house testing station.
- (e) MOT certificate
- (f) V5 vehicle registration document
- (g) Swivel Seat base fitting certificate where required.
- (h) Meter calibration certificate

545. All documentation produced must be an original document.

546. Before or on the date of expiry, each certificate shall be produced together with the relevant renewal certificate to an Authorised Officer.

Emission Tests

547. From September 2015 Euro VI became mandatory. By 1st April 2023 all vehicles will be required to be Euro VI. Classic vehicles over 15 years of age will be considered on a case by case basis and this shall be kept under review.

Engine/Chassis Numbers

548. The Chassis/VIN plate and engine numbers must match the numbers recorded with the DVLA. Vehicle applications cannot be accepted without a copy of the vehicle registration document or, in the case of a new vehicle purchase, sales documentation indicating the engine and chassis numbers. In the event of a vehicle being presented with numbers that do not correspond to the paperwork the Council will inform the Police who will undertake checks to ensure the vehicle is not stolen.

Surrender and Grant of Licences

549. Vehicle licences are granted to vehicles, not to people. This means that a vehicle licence CANNOT be transferred from one vehicle to another. If a proprietor wishes

to change the vehicle that is licensed the following procedures must be followed:

- (a) (S)he must complete an application form for the “new” vehicle.
- (b) (S)he must pay the stated fee for a 12 month period.
- (c) (S)he must surrender the original licence.
- (d) The new vehicle must be presented for test and subsequently pass.
- (e) (S)he must produce evidence of insurance and all other required documentation.

550. Fees paid in relation to hackney carriage and private hire vehicle licences will be subject to a partial credit on the unexpired portion of the licence should the proprietor choose to surrender their licence during the period of that licence. The amount of credit shall be determined by the Council and an administration fee will also be levied. Credit will only be allowed where:-

- (a) The vehicle licence is surrendered correctly
- (b) A request for credit has been made in writing
- (c) The plates and licence have been surrendered
- (d) The credit is used within the current financial year.

551. The credit is to be used only to offset the cost of a new vehicle licence.

552. The total credit will be calculated as the licence fee minus the current administration fee, divided by 12 months multiplied by the whole months remaining on the licence.

553. Once surrendered the vehicle will not again be licensed by the Council unless it **complies with Euro 6 engine standards by 1st April 2023 (wheelchair accessible vehicles are exempt from this requirement).**

554. No cash alternative shall be offered at any time.

Taximeters

555. All vehicles fitted with a taximeter must comply with the Measuring Instruments (Taximeters) Regulations 2006 and must be of the calendar control type which is locked and sealed by an approved manufacturer/suppliers and/or installer. The calendar control type shall apply to all new vehicles.

Use of CCTV

556. If CCTV is installed the proprietor of any vehicle with CCTV must notify the Council and display a sign approved by the Council advising passengers that a CCTV system is in operation in the vehicle.
557. The licence holder must ensure that the Information Commissioner's office has been informed to cover the purpose of its use.
558. Where CCTV is in place it must be kept in working order when passengers are being carried. The CCTV system should be maintained to the manufacturer's standards, recordings should be retained for 28 days and must be made available for viewing by a Police Officer or an authorised officer of the Council on request.
559. The licence holder shall take all reasonable steps to ensure that there is no unauthorised access to data recorded on CCTV.

Private Hire Vehicle Licensing Conditions

Appendix 11

PV1. Advertisements

560. Private hire vehicles must not display signs using the words "TAXI", "CAB" or "FOR HIRE". No other signs, notices, advertisements or any other markings may be displayed on or in the vehicle without the prior written permission of the Council.

PV2. Advertising on Private Hire vehicles

561. Any advertisement upon a Private Hire Vehicle requires the prior written approval of the Council. Approved advertisements may be placed on the rear quarter panel only and shall not extend to the boot or rear doors of the vehicle. Rear bumper may be used to advertise company contact details (subject to approval of the licensing department). The background colour of the vehicle must not be changed

to enhance the advertisement. Any vehicles that have current advertisements, which do not comply with these requirements will have until 1st April 2022 to make the necessary amendments. Adverts shall be of a stick-on plastic film type material (magnetic panels will not be allowed). The following types of advertisement will be excluded:

- (a) Any advertisement that it is felt likely to give rise to public offence.
- (b) Any advertising of gambling, alcohol, tobacco or e cigarettes or a “prohibited practice” as described by the Consumer Protection from Unfair Trading Regulations 2008.
- (c) Illuminated and/or fluorescent advertisements
- (d) Advertisements on or above roof level

562. Any approved advertisement that is later found to give rise to justifiable public offence. This shall immediately be removed upon the instruction of an authorised officer.

563. No other signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices shall be displayed in, on, or from the vehicle except as may be required by any statutory provision or required or permitted by these conditions.

PV3. Appearance of Vehicle

564. Private Hire Vehicles must NOT be red in colour. The vehicle must be approved by the Council and shall:

- (a) Have at least four doors that can be opened from both inside and outside the vehicle.
- (b) Be right-hand drive.
- (c) Have an engine capacity of not less than 75 bhp or 1500cc.
- (d) Have minimum seating capacity for at least four adult passengers and each seat shall not be less than 400 mm or 16 inches wide.
- (e) Luggage must be properly secured in a vehicle which does not have a boot.
- (f) Be wind and watertight.
- (g) Have windows that can open on both sides of the vehicle.
- (h) Have seats properly cushioned and covered.
- (i) Have a floor properly covered with carpet or other suitable covering.

- (j) Have an adequate internal light to enable passengers to enter and leave the vehicle safely.
- (k) Have a spare wheel to fit the vehicle and equipment to change a wheel on the vehicle with that wheel e.g. a jack and wheel brace. Where vehicles are supplied by the manufacturer fitted with a space saver spare tyre the Council will permit their use in licensed vehicles, subject to the following:
 - (l) The carriage of passengers is not permitted whilst such a tyre is fitted.
 - (m) The tyre used must be supplied or recommended by the manufacturer of the vehicle concerned and shall be replaced after it has been used on the vehicle.
 - (n) The space saver is used for an emergency or temporary purpose to enable the vehicle to be driven to a place of repair.
 - (o) Due to the speed restriction and the fact that the tyre compound is generally softer (to simulate traction capabilities to compensate for imbalance) the distance travelled using a space saver should not be in excess of 50 miles.
 - (p) Where a vehicle is manufactured without a spare wheel, the use of approved pressurised tyre sealants will be permitted for emergency use only.
 - (q) Be properly fitted with seat belts of approved design for every passenger the vehicle is licensed to carry.
 - (r) Be fitted with glass which is in accordance with current Vehicle Construction and Use Regulations prescribed in respect of the normal zone of vision i.e. the front windscreen 75 per cent light transmittance and the front door windows 70 per cent light transmittance. (c) **There will be no minimum light transmission requirement for rear windows provided they are the standard manufactured glass for that vehicle, with sufficient light transmission to see passengers in normal daylight conditions. No unapproved self-adhesive material (tinted or clear) shall be affixed to any part of the glass.**
 - (s) Not be a convertible
 - (t) Not be fitted with a roof sign
 - (u) Not be fitted with a roof rack

PV4. Alteration of Vehicle

565. The proprietor must not change the design, condition or appearance of the vehicle without first obtaining the written approval of the Council.

PV5. Number of passengers to be carried

566. A proprietor or driver of a Private Hire Vehicle shall not convey or permit to be conveyed in the vehicle, any greater number of persons than the number of

persons specified on the plate affixed to the outside of the carriage.

PV6. Change of Address

567. The proprietor shall notify the Council in writing (or electronically) of any change of address during the period of the licence within seven days of such change taking place.

PV7. Change of Engine

568. The proprietor must inform the Council, in writing (or electronically), within two working days of any change of the engine in the vehicle.

PV8. Change of Private Hire Operator

569. This vehicle may only be operated under the provisions of one Private Hire Operators Licence at any moment in time. The proprietor must notify the Council of any change in Private Hire Operator, in writing, using the Council's approved forms within two working days. The name of the "new" operator shall then be displayed on the outside of the rear doors of the vehicle.

PV9. Cleanliness

570. The proprietor must ensure that the private hire vehicle is in a safe, clean and tidy condition both inside and out to ensure the safety and comfort of passengers.

PV10. Convictions

571. The proprietor shall within 48 hours disclose to the Council in writing (or electronically) details of any criminal or motoring arrests, convictions, fixed penalties and/or caution imposed; attendance on speed awareness course or, if the proprietor is a Company or Partnership, on any of the Directors or Partners during the period of the licence.

Deposit of Driver Licence

572. If the Proprietor permits or employs any other person to drive the vehicle as a private hire vehicle, he shall before that person commences to drive the vehicle cause the driver to deliver to him his private hire driver's licence for retention until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle of his. Any person driving a private hire vehicle must be licensed, even if the vehicle is not being used for private hire purposes (also Section 46 (b) and (c) of LG (MP) Act 1976.

PV12. Letting/Leasing of Vehicles

573. The proprietor shall not let or hire the vehicle identified in this licence to any other person, other than a fare paying passenger, without first notifying the Council in

writing. NOTE: the proprietor will still be jointly responsible for the vehicle should a leasing arrangement be entered into.

PV13. Licence Plates

574. The rear identification plate, supplied by the Council, shall be securely fixed to the rear of the vehicle; in a conspicuous position approved by an authorised officer of the Council.

575. The front identification plate shall be securely fixed to the front of the vehicle in a conspicuous position approved by an authorised officer of the Council.

PV14. Loss/Theft of Plate or Licence

576. The proprietor must report the loss/theft of licence or identification plate(s) to the Licensing Office as soon as the loss becomes known and in any case, within 2 working days. Evidence of reporting must be obtained from the Police and details of this given to the Council.

PV15. Meter/Table of Fares

577. All vehicles fitted with a taximeter must comply with the Measuring Instruments (Taximeters) Regulations 2006 and must be of the calendar control type which is locked and sealed by an approved manufacturer/suppliers and/or installer. The meter must:

- (a) Be installed into the vehicle in a suitable and secure manner at all times.
- (b) Be accurate, be capable of showing that the vehicle is or is not hired, register the charge if hired and be positioned in clear view of the passengers.
- (c) Be sufficiently illuminated when in use and visible to all passengers.
- (d) Only be brought into action and the fare or charge must only commence from the point at which the hirer starts his/her journey.
- (e) The fare charged must not exceed the fare displayed on the meter at the end of the journey.
- (f) When the vehicle is not hired the key is to be locked and the machinery kept inactive and the meter must show no fare at any time.
- (g) A notice showing the Tariff of fares must be displayed inside the vehicle in a position where any passengers can easily read it.

578. No one must tamper with any seal on the meter without lawful excuse or alter any meter with the intent to mislead. Legislation - Section 71 LG (MP) Act 1976.

PV16. Safety Equipment

579. The vehicle must always carry in a conveniently and readily accessible position:

- (a) A suitable and efficient multipurpose dry powder fire extinguisher or Aqueous Film Forming-Foam (AFFF) fire extinguisher should be secured in the boot of the vehicle as recommended by the Fire Authority. (Where the extinguisher is to be used in an eight-passenger seat vehicle, which does not have a boot it is recommended that a AFFF fire extinguisher is used. If a dry powder extinguisher is activated in a vehicle the powder may cause loss of vision).
- (b) The Private Hire Proprietors licence number shall be painted upon the extinguisher, using indelible black ink, in letters at least 10 mm high.
- (c) A first aid box, suitable for passenger carrying vehicles, must be available in the vehicle for use by a suitably trained person to provide emergency aid at an incident, (there is no expectation that a licensed driver without first aid training would do this.) The first aid kit should be in a suitable airtight container marked with a white cross on a green background.

580. The container must be clearly marked in indelible black ink with the vehicle licence number and must contain the following:

- (a) 1 x first aid guidance leaflet
- (b) 1 x sterile wound dressing (7.5cm x 4.5cm)
- (c) 24 x assorted adhesive dressings
- (d) 2 x pairs disposable gloves
- (e) 3 x sterile ambulance dressings
- (f) 2 x sterile eye pads
- (g) 10 x antiseptic wipes (alcohol free)
- (h) 2 x triangular bandages non-woven
- (i) 12 x safety pins
- (j) 1 x pair rust free blunt ended scissors

PV17. Signs and Notices

581. No illuminated or fluorescent sign or advertisement shall be displayed on the inside or outside the vehicle. No sign or advertisement shall be placed on, or above the roof level.

582. For the purpose of identification of 8 passenger seat vehicles as licensed Private Hire vehicles the proprietor may:

- (a) With the written approval of the Council fix to the top inside corner of the passenger side front windscreen a self-adhesive notice no larger than 100mm high and 460 mm wide. The notice shall have a white background and include only the name of the operator of the business in black letters of a maximum size 60 mm in height and also the words "PRIVATE HIRE VEHICLE" or "PRIVATE HIRE ONLY " in black letters of a minimum 25 mm in height;
- (b) With the written approval of the Council notices may be displayed upon the external bodywork of 8 seated minibuses giving the trade name and telephone number of the operator on the front, rear and sides of the vehicle, with the following specification:
 - all letters and numbers shall be, all black or all white in colour and no greater than 75 mm high and painted directly upon the vehicle, or printed on self-adhesive plastic film;
 - the area of display for the words and number must be limited in size;
 - front and rear - 630 mm wide x 75mm high;
 - sides - 2000 mm x 300 mm;
 - each separate notice shall include the words "PRIVATE HIRE ONLY" in a prominent position in capital letters 25 mm high

583. The design for each of these notices (a) and (b) above must not be used until a sample has been submitted to the Council and approved in writing.

584. For the purpose of identification of a Saloon Private Hire Vehicle the proprietor:

- (a) Shall fix to both rear doors a notice that has the words "PRIVATE HIRE ONLY" in capital letters 25 mm high. The letters shall be coloured black or white. The background colour of the notice shall contrast with both the lettering printed upon it and the vehicle colour. This notice shall be a maximum size 630 mm x 300 mm and be designed to include the name of the operator and telephone number.
- (b) May fix to the top inside corner of the passenger side front windscreen of the vehicle a notice no larger than 100mm high and 460 mm wide. The notice shall have a white background and only include the name of the operator of the business in black letters of a maximum size 60 mm in height and the words "PRIVATE HIRE ONLY" or "PRIVATE HIRE VEHICLE" in black capital letters minimum size 25 mm in height.
- (c) Note: The design for each of these notices (a) and (b) above must not be used until a sample has been submitted to the Council and approved in writing.
- (d) NB: magnetic fixing of any signage is not permitted

PV18. Sliding Doors

585. Where sliding doors are an integral part of a vehicle and a locking device has not been fitted the child locking systems shall be engaged by the driver at all times when the vehicle is in motion and carrying passengers. The opening and closing mechanism shall not be altered so as to prevent the doors from locking into the open position.

PV19. Swivel Seats

586. Where fitted as a passenger seat, certificates of fitting from an authorised fitter must be obtained and produced to the Council before a vehicle can be tested and/or licensed.

PV20. Wheelchair Accessible Vehicles (WAVs)

587. Where a vehicle is built or adapted to carry wheelchairs which permit the wheelchair user to remain in their wheelchair throughout the journey, the proprietor and/or driver shall ensure that:

- (a) the wheelchair is positioned in the vehicle so as to permit the passenger to face forwards or rearwards, and
- (b) the wheelchair is secured using the correct restraint system which is permanently secured to the vehicle, and
- (c) the passenger is secured by an appropriate 3 point seat belt which is permanently secured to the vehicle and not by the wheelchair's lap belt;
- (d) where the vehicle is a rear loading wheelchair accessible vehicle a suitable ramp will be carried in the vehicle to be used at the commencement and end of a journey to ensure that the passenger is delivered safely onto the pavement.

588. Any wheelchair ramps, wheelchair securing straps, wheelchair seatbelt extensions and any other equipment necessary for the safe transportation of wheelchair users must be kept in the vehicle at all times. Such equipment must be of the correct type for the vehicle in which it is being carried and must at all times be in a safe, serviceable and clean condition. Any such equipment must be permanently marked with the registration number of the vehicle in which it is carried.

Additional Policy and Standard Conditions for Limousines, Novelty Vehicles and Executive Hire

Appendix 12

589. These conditions are IN ADDITION to the standard Private Hire Vehicle conditions except where stated.

Interpretation

590. For the purpose of licensing by the Council a limousine is described as a luxurious vehicle that has been stretched by the insertion of an additional section not exceeding 3048 millimetres (120 inches) to extend the length of the vehicle. The vehicle shall be capable of carrying up to (but not exceeding) eight seated

passengers. Each passenger seating area will be at least 400 millimetres wide.

591. The nature of limousines is such that it is unlikely they will comply with the Council's age policy and will therefore be deemed to be exempt from the policy.

592. Consideration will be given to the licensing of "novelty" vehicles e.g. fire engines on an individual basis.

593. Applications for exemptions from standard conditions will be considered in respect of executive, chauffeur driven vehicles.

Policy

Documentation

594. The following documentation in original form or certified copies (not photocopies) shall be produced prior to licensing:

- (a) Completed importation documentation – Single Vehicle Approval (SVA).
- (b) A Qualified Vehicle Modifier certificate – (QVM). This is issued by the Coach Builder.
- (c) DVLA registration document (V5).
- (d) Insurance documents covering Hire and Reward, Public Liability insurance and, where drivers other than the proprietor are used, Employer Liability insurance.
- (e) Vehicle test certificate (inspection carried out and certificate issued by the Council's in-house testing station) NB: the compliance inspection is carried out at six monthly intervals.
- (f) Vehicles converted to run on LPG must produce an installation certificate from a LPGA approved UK vehicle conversion company.
- (g) Documentation to show the overall weight of the vehicle (as displayed on the vehicle)

Conditions for Limousines, Novelty Vehicles

LN1. Appearance of Vehicle (NB this replaces condition 3 of PH Vehicles)

595. The proprietor shall ensure that the limousine is of a type approved by the Council:

- (a) The maximum length of the vehicle "stretch" shall not exceed 120 inches (3048 millimetres).
- (b) The vehicle should be equipped with a minimum of four road wheels and one full sized spare wheel. The tyres shall be of an approved rating as specified by the manufacturer i.e. 235/75R 15 108S (BF Goodrich Extra Load or

equivalent). Vehicles produced since 1998 should be fitted with 225/70R 16 107T (Reinforced.)

- (c) In addition, tyres on the same axle must be of the same nominal size and aspect ratio.
- (d) The front windscreen shall allow 75% light transmittance and the front driver and passenger windows shall allow 70% light transmittance. (Construction 7 Use Regulations 1986).
- (e) No self-adhesive material (tinted or clear) shall be affixed to any part of the glass without the prior written approval of the Council.
- (f) The interior of the vehicle must be kept wind and watertight.
- (g) The seats in the passenger compartment must be kept properly cushioned and covered.
- (h) The floor in the passenger compartment must be provided with a proper carpet, mat or other suitable covering.
- (i) There must be adequate internal light to enable passengers to enter and leave the vehicle safely.
- (j) The internal fittings and furniture of the limousine must be kept in a clean, well-maintained condition and in every way fit and safe for public use.
- (k) Facilities must be provided for the conveyance of luggage safely and protected from inclement weather.
- (l) The vehicle must have at least two doors for use of persons conveyed in limousine and a separate means of ingress and egress for the driver.
- (m) The exterior of the limousine must be kept in a clean condition especially during inclement weather.
- (n) Facilities must be provided to ensure that any person travelling in the limousine can communicate with the driver.

LN2. Exemption Notice (also Section 75(3) LG (MP) Act 1976)

596. The Council will issue a written notice that exempts the vehicle from having to display identification plate(s). This notice must be carried in the vehicle at all times and be available for inspection on request by an Authorised officer of the Council or a Police Officer.

LN3. Licence Plates NB Replaces (a) to (c) of Condition 11 for PH Vehicles

597. The proprietor of the limousine shall ensure the identification plate(s) is maintained and kept in such condition so that the information contained on the identification

plate is clearly visible at all times.

598. The identification plate shall remain the property of the Council at all time and shall be carried in the limousine so as to be easily removed or inspected by an Authorised Officer of the Council or Police Constable.

599. The vehicle will display the licence identification card issued by the Council in the windscreen of the vehicle, where it can be easily seen by persons outside of the vehicle.

LN4. Passengers

600. The limousine shall not carry a greater number of passengers than the number prescribed in the licence. (N.B. A babe in arms is classed as a passenger whatever their age).

601. The vehicle shall not carry less than two passengers at any one time.

602. Where the passengers in the vehicle consist of persons under the age of 18 years they must be accompanied by a responsible adult, other than the driver, who is over the age of 18 years and is not connected to the driver.

603. All passengers must remain seated at all times when the vehicle is in motion.

604. Passengers will not be carried in the front of the vehicle.

605. In accordance with Construction and Use Regulations, where seat belts are fitted they must be used by all passengers.

LN5. Safety Equipment NB replaces Part (a) of Condition 14 for PH Vehicles

606. The proprietor of the private hire vehicle shall provide and maintain to the satisfaction of the Authorised Officer an efficient fire extinguisher containing BCF (Bromochloro Difluoromethane), which shall be securely fixed to the vehicle and within easy reach of the driver at all times.

607. The extinguisher shall be manufactured to British Standards and shall show the B.S. number. The vehicle licence number shall be painted upon the extinguisher, using indelible black ink, in letters at least 10 mm high.

LN6. Uniform

608. The proprietor shall ensure that the driver of the vehicle shall be appropriately dressed in a chauffeur's uniform or 'business type' suit when the vehicle is hired.

LN7. Material Change

609. The Proprietor shall notify the Council immediately in writing if there is any material change in the nature of the use of the vehicle during the period of exemption.

LN8. Exemption from Window Tint

610. The Proprietor of any executive hire vehicle wishing to take advantage of an exemption limiting the window tint to the front driver and passenger windows only must not be engaged in any contract or provision of vehicle for the carriage of school children or based around the carriage of unaccompanied children/young persons (under age 18 years).

Exempted Private Hire Vehicle Licence Conditions

Appendix 13

E1. Advertisements

611. No sign or advertisement of any description shall be displayed in or on the vehicle at any time whilst it is being used in accordance with the certificate of exemption.

E2. Alteration to Vehicle

612. The proprietor must not change the design, condition or appearance of the vehicle without first obtaining the written approval of the Council.

E3. Appearance of vehicle

613. The vehicle must NOT be red in colour, must be approved by the Council and shall:

- (a) Have at least four doors that can be opened from both inside and outside the vehicle.
- (b) Be right-hand drive
- (c) Have an engine capacity of not less than 1800cc
- (d) Have a minimum seating capacity for at least four adult passengers and each seat shall not be less than 400 mm or 16 inches wide.
- (e) Luggage must be properly secured in a vehicle which does not have a boot.
- (f) Be wind and watertight.
- (g) Have windows that can open on both sides of the vehicle.
- (h) Have seats properly cushioned and covered.
- (i) Have a floor properly covered with carpet or other suitable covering.
- (j) Have an adequate internal light to enable passengers to enter and leave the vehicle safely.
- (k) Have a spare wheel to fit the vehicle and equipment to change a wheel on the vehicle with that wheel e.g. a jack and wheel brace.

614. Where vehicles are supplied by the manufacturer fitted with a space saver spare tyre the Council will permit their use in licensed vehicles, subject to the following:

- (a) The carriage of passengers is not permitted whilst such a tyre is fitted.
- (b) The tyre used must be supplied or recommended by the manufacturer of the vehicle concerned and shall be replaced after it has been used on the vehicle.
- (c) The space saver is used for an emergency or temporary purpose to enable the vehicle to be driven to a place of repair.
- (d) Due to the speed restriction and the fact that the tyre compound is generally softer (to simulate traction capabilities to compensate for imbalance) the distance travelled using a space saver should not be in excess of 50 miles.
- (e) Where a vehicle is manufactured without a spare wheel, the use of approved pressurised tyre sealants will be permitted for emergency use.
- (f) In addition, tyres on the same axle must be of the same nominal size and aspect ratio.

- (g) Be properly fitted with seat belts of approved design for every passenger the vehicle is licensed to carry.
- (h) Be fitted with glass which is in accordance with current Vehicle Construction and Use Regulations prescribed in respect of the normal zone of vision i.e. the front windscreen 75 per cent light transmittance and the front door windows 70 per cent light transmittance. In addition, the remaining glass within the vehicle shall have a minimum light transmittance of not less than 30 per cent. No unapproved self-adhesive material (tinted or clear) shall be affixed to any part of the glass (Policy).
- (i) Where the vehicle is a rear loading wheelchair accessible vehicle a suitable ramp will be carried in the vehicle to be used at the commencement and end of a journey to ensure that the passenger is delivered safely onto the pavement.
- (j) Not be a convertible.
- (k) Not fitted with a roof sign
- (l) Not be fitted with a roof rack.
- (m) Not draw a trailer.

E4. Change of address

615. The proprietor shall notify the Council in writing of any change of address during the period of the licence within seven days of such change taking place.

E5. Uniform

616. The proprietor shall ensure that the driver of the vehicle shall be appropriately dressed in a chauffeur's uniform or 'business type' suit when the vehicle is hired.

E6. Change of Engine

617. The proprietor must inform the Council, in writing, within two working days of any change of the engine in the vehicle.

E7. Change of Private Hire Operator

618. This vehicle may only be operated under the provisions of one Private Hire Operators Licence at any moment in time. The proprietor must notify the Council of any change in Private Hire Operator, in writing, using the Council's approved forms within 48 hours.

E8. Cleanliness

619. The proprietor must ensure that the private hire vehicle is in a safe, clean and tidy condition both inside and out to ensure the safety and comfort of passengers.

E9. Convictions

620. The proprietor shall within seven days disclose to the Council in writing details of any criminal or motoring convictions, fixed penalties and/or caution imposed on him or, if the proprietor is a Company or Partnership, on any of the Directors or Partners during the period of the licence.

E10. Deposit of Litter

621. If the Proprietor permits or employs any other person to drive the vehicle as a private hire vehicle, he shall before that person commences to drive the vehicle cause the driver to deliver to him his private hire driver's licence for retention until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle of his. Any person driving a private hire vehicle must be licensed, even if the vehicle is not being used for private hire purposes (also Section 46 (b) and (c) of LG (MP) Act 1976.

E11. Letting/Leasing of Vehicles

622. The proprietor shall not let or hire the vehicle identified in this licence to any other person, other than a fare paying passenger, without first notifying the Council in writing. NOTE: the proprietor will still be jointly responsible for the vehicle should a leasing arrangement be entered into.

E12. Licence Plates

623. Whilst acting in accordance with the exemption certificate issued for this vehicle, no rear plate may be displayed from the vehicle but shall be carried within the boot of the vehicle and shall be produced to an authorised officer if required. The internal front display plate shall be carried on the front windscreen of the vehicle at all times whilst this vehicle is being used in accordance with the exemption certificate.

E13. Loss/Theft of Plate or Licence

624. The proprietor must report the loss/theft of licence or identification plate(s) to the Licensing Section as soon as the loss becomes known and in any case, within 2 working days.

A lost property/crime number must be obtained from the Police and details of this given to the Council.

E14. Safety Equipment

625. The vehicle must always carry in a conveniently and readily accessible position:

- (a) A suitable and efficient multipurpose dry powder fire extinguisher or AFFF aqueous foam fire extinguisher should be secured in the boot of the vehicle as recommended by the Fire Authority. (Where the extinguisher is to be used in an eight-passenger seat vehicle, which does not have a boot it is recommended that a AFFF fire extinguisher is used. If a dry powder

extinguisher is activated in a vehicle the powder may cause loss of vision).

- (b) A first aid box, suitable for passenger carrying vehicles, must be available in the vehicle for use by a suitably trained person to provide emergency aid at an incident, (there is no expectation that a licensed driver without first aid training would do this). The first aid kit should be in a suitable airtight container marked with a white cross on a green background. The container must be clearly marked in indelible black ink with the vehicle licence number and must contain the following:

- 1 x first aid guidance leaflet
- 1 x sterile wound dressing (7.5cm x 4.5cm)
- 24 x assorted adhesive dressings
- 2 x pairs disposable gloves
- 3 x sterile ambulance dressings
- 2 x sterile eye pads
- 10 x antiseptic wipes (alcohol free)
- 2 x triangular bandages non-woven
- 12 x safety pins
- 1 x pair rust free blunt ended scissors

E15. Sliding Doors

626. Where sliding doors are an integral part of a vehicle and a locking device has not been fitted the child locking systems shall be engaged by the driver at all times when the vehicle is in motion and carrying passengers. The opening and closing mechanism shall not be altered so as to prevent the doors from locking into the open position.

E16. Uniform

627. The proprietor shall ensure that the driver of the vehicle shall be appropriately dressed in a chauffeur's uniform or 'business type' suit when the vehicle is hired.

Hackney Carriage Byelaws

Appendix 14

628. These Byelaws are made under Section 68 of the Town Police Clauses Act 1847 and Section 171 of the Public Health Act 1875 by the Council of the Borough of Darlington with respect to Hackney Carriages in the Borough of Darlington.

629. Throughout these byelaws “the Council” means the Council of the Borough of Darlington and “the District” means the Borough of Darlington.

Identification Plate

630. The proprietor of a hackney carriage shall cause the plate provided by the Council specifying the number of the licence granted to him and the permitted number of

passengers in respect of that hackney carriage to be securely fixed to the outside of the carriage.

631. The plate identifying the vehicle as a hackney carriage and required to be exhibited on the vehicle pursuant to Section 51 of the 1847 Town Police Clauses Act shall be securely affixed to the rear of the vehicle in a conspicuous position so that all particulars thereon are clearly visible by daylight from the nearside of the road, and in such manner as to be easily removable by an authorised Officer of the Council or a Constable.

632. A proprietor or driver of a Hackney Carriage shall:

- (a) Not wilfully or negligently cause or suffer any such number to be concealed from view whilst the Hackney Carriage is standing or plying for hire.
- (b) Not cause or permit the carriage to stand or ply for hire with any such plate so defaced that any figure or material particular is illegible.

Maintenance of Vehicle

633. The proprietor of a Hackney Carriage shall: ensure that the Hackney Carriage and all its fittings and equipment shall at all times when the vehicle is available for hire or hired be kept in an efficient, safe, tidy and clean condition and in particular:

- (a) Provide sufficient means by which any person in the carriage may communicate with the driver.
- (b) Cause the roof or covering to be kept watertight.
- (c) Provide any necessary windows and a means of opening and closing not less than one window on each side.
- (d) Cause the seats to be properly cushioned or covered.
- (e) Cause the floor to be provided with proper carpet, mat or other suitable covering.
- (f) Provide means for securing baggage if the carriage is so constructed as to carry baggage.
- (g) Provide an efficient fire extinguisher, which will be carried in such a position as to be readily available for use.
- (h) Provide efficient interior lighting.
- (i) Provide at least two doors for the use of persons conveyed in such a carriage and a separate means of entry and exit for the driver.
- (j) Provide and maintain in the Hackney Carriage at all times a first aid kit in such a position so as to be readily visible and available for immediate use in an

emergency.

- (k) Cause a statement of the fares currently fixed by the Council to be displayed and maintained in such a position inside the Hackney Carriage so as to be clearly visible for passengers.
- (l) Make no material alteration to the specification, design, condition or appearance of the Hackney Carriage without the prior approval of the Council.

Driver Licence

634. The proprietor of a Hackney Carriage shall ensure at all times that the driver of a vehicle licensed as a Hackney Carriage, whether or not it is plying for hire at any particular moment holds a current driver's licence issued by the Council.

Notifications

635. The proprietor or driver of the Hackney Carriage shall notify the Council without delay of any of the following incidents which concern the proprietor or driver whilst they hold a current licence issued by the Council:

- (a) Change of address
- (b) Criminal conviction
- (c) Road traffic accident involving any motor car whether or not it is a Hackney Carriage.
- (d) The proprietor or driver shall ensure that at all times when the Hackney Carriage is available for hire or hired it is insured for public use hire.
- (e) There will be an expectation that drivers will comply with the Statutory Taxi and Private Hire Standards issued by the DfT.

Taximeters

636. The proprietor of a motor propelled Hackney Carriage shall cause the same to be provided with a taximeter so constructed, attached, and maintained as to comply with the requirements of the Council and the taximeter shall be situated inside the carriage in such a position that all letters and figures of the face thereof may at all times be plainly visible to any persons being conveyed in the carriage and for that purpose the letters and figures shall be capable of being suitably illuminated.

637. The driver of a Hackney Carriage provided with a taximeter in accordance with Byelaw (6) shall as soon as the carriage is hired bring the machinery of the taximeter into action and thereby record on the face of the taximeter in figures clearly legible and free from ambiguity, a fare stating the rate of fare which the

driver is entitled to demand and take for the hire of the carriage by distance in pursuance of the rate of fare prescribed for the time being by the Council under Section 65 of the Local Government (Miscellaneous Provisions) Act 1976.

638. On the coming into operation of a table of fares made by this Council the fare which the driver is entitled to demand and take for the hire of the carriage by distance shall be the rate of fare prescribed by the Council (provided nevertheless that a proprietor shall not offend against this Byelaw where the table of fares is varied by the Council and he has not had a reasonable opportunity to cause the taximeter to be altered or record the rate of fares in accordance with the table of fares as varied).

639. A proprietor or driver of a Hackney Carriage shall not tamper or permit any other person to tamper with any taximeter, with which the carriage is provided, or with the fittings thereof, or with the seals affixed thereto.

External Signs

640. Every proprietor of a Hackney Carriage shall cause the carriage to be fitted with a roof sign bearing the word "TAXI" and such other lettering or numbering as may be approved by the Council.

641. No other lettering, numbering, symbols, emblems or devices whatsoever shall be displayed on, in or from the vehicle except as may be required by any statutory provisions or required or permitted by the Council, provided, however that this shall not apply to a sign which:

- (a) is displayed in, on or from the vehicle whilst it is stationary; and
- (b) contains no words or numbers other than the name and address of the operator of the vehicle or the name under which he carries on his business and the name of the passengers to be carried in the vehicle; and
- (c) is displayed in pursuance of a prior arrangement made for the carriage of a passenger or passengers named in the sign.

Taxi Stands

642. The driver of a Hackney Carriage for which stands are fixed by the Council shall, when plying for hire in any street.

643. Proceed with reasonable speed to one of such stands.

644. If a stand, at the time of arrival, is occupied by the full number of carriages authorised to occupy it, proceed to another stand.

645. On arriving at the stand not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand so as to face in the direction designated by the Byelaw for

that stand.

646. From time to time when the carriage in front is driven off or moved forward, cause his carriage to be moved forward so as to fill the place previously occupied by the carriage in front.

647. Not leave a Hackney Carriage unattended on a rank.

Importuning (Touting)

648. A proprietor or driver of a Hackney Carriage which is available for hire shall not, by calling out or otherwise, importune any person to hire such carriage, and shall not make use of the services of any other person for the purpose.

Behaviour

649. The driver of a Hackney Carriage shall:

- (a) At all times be clean and respectable in his dress and person and behave in a civil and orderly manner.
- (b) Take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the carriage.
- (c) Accord all reasonable assistance with passenger's luggage.
- (d) Not without the express consent of the hirer, drink or eat in the vehicle.
- (e) Afford all reasonable assistance to elderly, infirm or disabled passengers.
- (f) Not without the express consent of the hirer play any radio or sound reproducing instrument or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle.
- (g) At no time cause or permit the noise emitted by any radio or other previously mentioned equipment in the carriage which he is operating to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle.

Receipt

650. The driver shall, if requested by the hirer, provide him with a written receipt for the fare paid.

Animals

651. The driver shall not convey in a Hackney Carriage any animal belonging to or in the custody of himself or the proprietor of the vehicle.

652. Any animal belonging to or in the custody of any passenger which, at the driver's discretion, may be conveyed in the vehicle, shall only be conveyed in the rear of the vehicle, provided nevertheless that the driver of a Hackney Carriage shall not refuse to convey a guide dog accompanying a registered blind person nor shall such animal be restricted to the rear of the vehicle.

Attendance

653. The proprietor of a Hackney Carriage whether by himself, his driver, agent or employee who has agreed that the carriage attend at an appointed time shall, unless delayed or prevented by some sufficient cause, ensure that the carriage attends punctually at the appointed time and place.

Passengers

654. A proprietor or driver of a Hackney Carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage, save that for the purpose of this Byelaw:

- (a) Two children aged 10 years or less shall count as one person, although this calculation is not to be applied to permit more than four children aged 10 years or less to travel in the rear at the same time (NB replaced by seat belt regulations).
- (b) No child aged 10 years or less is permitted to travel in the front seat of a Hackney Carriage except an infant of two years or less who is conveyed in a child safety cot approved for this purpose by the British Standards Institute (or such future body which carries out the functions of the aforesaid Institute) securely affixed to the front passenger seat.

Horse Drawn Vehicles

655. The proprietor of a horse-drawn Hackney Carriage shall:

- (a) Whilst standing or plying for hire, not drive or allow to be driven or harnessed or allowed to be harnessed to the carriage any animal in such condition as to expose any person conveyed or being in such carriage or any person traversing any street, to risk of injury.
- (b) Shall while standing or plying for hire, cause every part of the harness of the animal or animals to be properly and securely attached to the carriage and under due control.

656. Shall not in any street feed or allow to be fed any animal harnessed or otherwise attached to such carriage, except with food contained in the proper bag or other

receptacle suspended from the head of such animal or from the centre pole of the carriage or which is held in and delivered with the hand of the person feeding such horse.

Drivers Badge

657. The driver shall at all times when driving a Hackney Carriage available for hire or hired, wear the driver's badge provided by the Council on the breast of the outer clothing and in such position and manner as to be plainly and distinctly visible.

Penalties

658. Every person who shall offend against any of these Byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale and in the case of a continuing offence a further penalty not exceeding £2 for each day after written notice of the offence from the Council.

Interpretation

659. The Interpretation Act 1978 shall apply to these Byelaws as though they were an Act of Parliament.

660. Proprietor, Hackney Carriage, taximeter, driver's badge, driver's licence, vehicle licence, have the same meaning as defined in Section 80(1) of the local Government (Miscellaneous Provisions) Act 1976.

661. This is a true copy of the byelaws with respect to Hackney Carriages made by the Council of the Borough of Darlington and confirmed by the Secretary of State for the Home Department.

662. The date fixed by him for the coming into operation of these byelaws was 1 March 1990.

Hackney Carriage Vehicle Licence Conditions

Appendix 15

HV1. Advertisements

663. Any advertisement upon a Hackney Carriage requires the prior written approval of the Council. Approved advertisements may be placed on the rear doors and rear quarter panel only and be of a stick-on plastic film type material (magnetic panels will not be allowed). The background colour of the vehicle must not be changed to enhance the advertisement and it must be contained within the lower half of the rear quarter panel only. The rear bumper may be used to display the company contact details. Any vehicles that have current advertisements, which do not comply with these requirements will have until 1st April 2022 to make the necessary amendments. The following types of advertisement will be excluded:

- (a) Any advertisement that it is felt likely to give rise to public offence will be refused.
- (b) Any advertising of gambling, alcohol, tobacco or e cigarettes or a “prohibited practice” as described by the Consumer Protection from Unfair Trading Regulations 2008.
- (c) Any approved advertisement that is later found to give rise to justifiable public offence. This shall immediately be removed upon the instruction of an authorised officer.
- (d) No other signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices shall be displayed in, on, or from the vehicle except as may be required by any statutory provision (including bylaws) or required or permitted by these conditions.
- (e) No illuminated or fluorescent advertisement shall be displayed on the inside the vehicle.
- (f) No advertisement shall be placed on, or above, the roof level.

HV2. Alteration of Vehicle

664. The proprietor must not change the design, condition or appearance of the vehicle without first obtaining the written approval of the Council.

HV3. Appearance of Vehicle

665. The vehicle must be approved by the Council and shall:

- (a) Have at least four doors that can be opened from both inside and outside the vehicle.
- (b) Be right-hand drive.
- (c) Have an engine capacity of not less than 75 bhp or 1500cc
- (d) Have minimum seating capacity for at least four adult passengers and each seat shall not be less than 400 mm or 16 inches wide.
- (e) Luggage must be properly secured in a vehicle which does not have a boot.
- (f) Be wind and watertight.
- (g) Have windows that can open on both sides of the vehicle.
- (h) Have seats properly cushioned and covered.
- (i) Have a floor properly covered with carpet or other suitable covering.

- (j) Have an adequate internal light to enable passengers to enter and leave the vehicle safely.
- (k) Have a spare wheel to fit the vehicle and equipment to change a wheel on the vehicle with that wheel e.g. a jack and wheel brace.

666. Where vehicles are supplied by the manufacturer fitted with a space saver spare tyre the Council will permit their use in licensed vehicles, subject to the following:

- (a) The tyre used must be supplied or recommended by the manufacturer of the vehicle concerned and shall be replaced after it has been used on the vehicle.
- (b) The space saver is used for an emergency or temporary purpose to enable the vehicle to be driven to a place of repair.
- (c) Due to the speed restriction and the fact that the tyre compound is generally softer (to simulate traction capabilities to compensate for imbalance) the distance travelled using a space saver should not be in excess of 50 miles.
- (d) Where a vehicle is manufactured without a spare wheel, the use of approved pressurised tyre sealants will be permitted for emergency use.

667. In addition, tyres on the same axle must be of the same nominal size and aspect ratio.

668. Be properly fitted with seat belts of approved design for every passenger the vehicle is licensed to carry.

669. Be fitted with glass which is in accordance with current vehicle construction and use regulations prescribed in respect of the normal zone of vision i.e. the front windscreen 75 per cent light transmittance and the front door windows 70 per cent light transmittance. **There will be no minimum light transmission requirement for rear windows provided they are the standard manufactured glass for that vehicle, with sufficient light transmission to see passengers in normal daylight conditions. No unapproved self-adhesive material (tinted or clear) shall be affixed to any part of the glass.**

670. Where the vehicle is a rear loading wheelchair accessible vehicle a suitable ramp will be carried in the vehicle to be used at the commencement and end of a journey to ensure that the passenger is delivered safely onto the pavement.

671. Not be a convertible.

672. Not be fitted with a roof rack.

673. Not draw a trailer unless approved by prior agreement with Licensing.

674. Be coloured red, and all of the painted body panels shall be the same colour of red. Proprietors are advised that they should consult with the licensing department,

before purchasing a new vehicle if they are in any doubt about the colour of the vehicle. Wrapping of vehicles will be permitted.

HV4. Booking Records

675. The proprietor shall ensure that a record is kept of all pre-arranged bookings for the vehicle. The record must be kept in the form described in the following condition:

- (a) Records must be kept in a suitable book, approved by the Council the pages of which are consecutively numbered.
- (b) On a computer with backup records, which is capable of producing a hard copy.

676. The proprietor or his/her agent/employee must enter, before the commencement of each journey, the following particulars of every booking of every hackney carriage operated by him/her:

- (a) the name and address of the hirer;
- (b) the date, time and pickup point of the booking;
- (c) the destination;
- (d) the number of passengers to be carried;
- (e) when and how the booking was made i.e. telephone, personal call;
- (f) the plate number of the vehicle allocated;
- (g) the name of the driver allocated to the booking and call sign of the vehicle;
- (h) the amount to be charged;
- (i) remarks (including details of any sub-contract).

677. All records are to be kept for a period of not less than 12 months following the date of the last entry and to be produced for inspection on the request of an Authorised Officer of the Council or a Police Officer.

HV5. Change of Address

678. The proprietor shall notify the Council in writing (or electronically) of any change of address during the period of the licence within seven days of such change taking place.

HV6. Change of Engine

679. The proprietor must inform the Council, in writing (or electronically), within two working days of any change of the engine in the vehicle.

HV7. Cleanliness

680. The proprietor must ensure that the hackney carriage is in a safe, clean and tidy condition both inside and out to ensure the safety and comfort of passengers.

HV8. Convictions

681. The proprietor shall within 48 hours disclose to the Council in writing (or electronically) details of any criminal or motoring arrests, convictions, fixed penalties and/or caution imposed; attendance on speed awareness course or, if the proprietor is a Company or Partnership, on any of the Directors or Partners during the period of the licence.

HV9. Letting/Leasing of Vehicles

682. The proprietor shall not let or hire the vehicle identified in this licence to any other person, other than a fare paying passenger, without first notifying the Council in writing. NOTE: the proprietor will still be jointly responsible for the vehicle should a leasing arrangement be entered into.

HV10. Licence Plates

683. The rear identification plate, supplied by the Council, shall be securely fixed to the rear of the vehicle; in a conspicuous position approved by an authorised officer of the Council.

684. The front identification plate shall be securely fixed to the front of the vehicle in a conspicuous position approved by an authorised officer of the Council.

HV11. Loss/Theft of Plate or Licence

685. The proprietor must report the loss/theft of licence or identification plate(s) to the Licensing Office as soon as the loss becomes known and in any case, within 2 working days. A lost property/crime number must be obtained from the Police and details of this given to the Council.

HV12. Records

686. The proprietor must keep records, in a form approved by the Council, of all drivers and the hours worked by such drivers.

HV13. Safety Equipment

687. The vehicle must always carry in a conveniently and readily accessible position:

- (a) A suitable and efficient multipurpose dry powder fire extinguisher or AFFF aqueous foam fire extinguisher should be secured in the boot of the vehicle as recommended by the Fire Authority.

(Where the extinguisher is to be used in an eight-passenger seat vehicle, which does not have a boot it is recommended that a AFFF fire extinguisher is used. If a dry powder extinguisher is activated in a vehicle the powder may cause loss of vision).

- (b) The Hackney Carriage Proprietors licence number shall be painted upon the extinguisher, using indelible black ink, in letters at least 10 mm high.

688. A first aid box, suitable for passenger carrying vehicles, must be available in the vehicle for use by a suitably trained person to provide emergency aid at an incident, (there is no expectation that a licensed driver without first aid training would do this). The first aid kit should be in a suitable airtight container marked with a white cross on a green background. The container must be clearly marked in indelible black ink with the vehicle licence number and must contain the following:

- (a) 1 x first aid guidance leaflet
- (b) 24 x assorted adhesive dressings
- (c) 2 x sterile eye pads
- (d) 2 x triangular bandages non-woven
- (e) 3 x sterile ambulance dressings
- (f) 1 x sterile wound dressing (7.5cm x 4.5cm)
- (g) 2 x pairs disposable gloves
- (h) 10 x antiseptic wipes (alcohol free)
- (i) 12 x safety pins
- (j) 1 x pair rust free blunt ended scissors

HV14. Signs and Notices

689. The plastic decals approved and supplied by the Council shall be securely fixed in a central position on the nearside and offside front doors of the vehicle, using the adhesive backing provided. This sign must remain legible at all times. This decals carries the licence number for the vehicle and must remain legible at all times. NB Magnetic discs are not permitted.

690. The vehicle shall display a Taxi roof sign, (except where the vehicle has an integrated roof sign) approved by the Council, which shall be maintained and capable of being operated in such a manner as to indicate clearly and conveniently to persons outside the vehicle whether or not the vehicle is for hire. The sign shall have only the word "Taxi" painted or printed in the colour black upon a white

background. The rear of the sign should not show a white light at night.

691. Where a hackney carriage is being operated through a Darlington Council licensed private hire business, the name of that operator shall be displayed on the outside of the rear doors of the vehicle.

HV15. Sliding Doors

692. Where sliding doors are an integral part of a vehicle and a locking device has not been fitted the child locking systems shall be engaged by the driver at all times when the vehicle is in motion and carrying passengers. The opening and closing mechanism shall not be altered so as to prevent the doors from locking into the open position.

HV16. Swivel Seats

693. Where fitted as a passenger seat, certificates of fitting from an authorised fitter must be obtained and produced to the Council before a vehicle can be tested and/or licensed.

HV17. Meters

694. All vehicles must be fitted with a taximeter which complies with the Measuring Instruments (Taximeters) Regulations 2006 and must be of the calendar control type which is locked and sealed by an approved manufacturer/suppliers and/or installer.

695. The meter must be directly linked to the roof sign so that when the meter is in use the roof sign is not illuminated. Override switches or similar devices which permit disconnection or unlinking of the meter to the illumination of the vehicle roof sign are prohibited.

696. Meters must be installed into the vehicle in a suitable and secure manner at all times.

HV18. Charges

697. An additional fee must NOT be levied over and above the metered fare in respect of:

- (a) credit or debit card charges;
- (b) the loading, unloading, unloading or carriage of wheelchairs etc;
- (c) the carriage of disabled passengers;
- (d) assistance dogs.

HV19. Wheelchair Accessible Vehicles (WAVs)

698. Where a vehicle is built or adapted to carry wheelchairs which permit the wheelchair user to remain in their wheelchair throughout the journey, the proprietor and/or driver shall ensure that:

- (a) the wheelchair is positioned in the vehicle so as to permit the passenger to face forwards or rearwards, and
- (b) the wheelchair is secured using the correct restraint system which is permanently secured to the vehicle, and
- (c) the passenger is secured by an appropriate 3 point seat belt which is permanently secured to the vehicle and not by the wheelchair's lap belt.
- (d) Any wheelchair ramps, wheelchair securing straps, wheelchair seatbelt extensions and any other equipment necessary for the safe transportation of wheelchair users must be kept in the vehicle at all times. Such equipment must be of the correct type for the vehicle in which it is being carried and must at all times be in a safe, serviceable and clean condition. Any such equipment must be permanently marked with the registration number of the vehicle in which it is carried.

Table of Existing Vehicles by Age

Appendix 16

Year	HCV Saloon	HCV Wheelchair	PHV Saloon	PHV Wheelchair	Grand Total
2004	1				1
2006	2				2
2008	2				2
2009	3				3
2010	11	1			12

2011	1				1
2012	6	1		3	10
2013	15	1	1	1	18
2014	20	1	1		22
2015	18		12		30
2016	33	1	21		55
2017	22	1	22		45
2018	7	1	11		19
2019	8	1	12		21
Grand Total	149	8	80	4	241

**Vehicle Criteria for Exceptionally Well maintained Exterior
(valid until 1st April 2023)**

Appendix 17

699. All bodywork to be clean and sound, free from rust, dents, scrapes significant scratches or loose panels.

700. All paint work to be in first class condition – no “egg shell” finish, or different shades of colours on either external or interior areas, which are visible to the public.

701. All wheel trims to be fitted according to manufacturer’s specification and to match.

702. Aerials (where fitted) to be in good condition and free from rust.

- 703. Door or wing mirrors to be in good condition, no broken glass or surrounds.
- 704. No broken or missing glass or surrounds on all front and rear lights and indicators (including repeater indicators where fitted).
- 705. Front and rear number plates to be clean, clear and unbroken.
- 706. Front and rear bumpers to be in first class condition, no rust, dents, scrapes (including any over riders and end surrounds) and should be securely fitted.
- 707. Mud flaps (if fitted) should be maintained.
- 708. Radiator grills should be secure and of original specification.
- 709. Front and rear (where fitted) windscreen wiper heads and arms should be in good condition, no rust and properly fitted.
- 710. Door and boot locks should be fitted and in good working order.
- 711. Doors should be easily opened and closed from the outside and inside.
- 712. All door handles should be properly fitted, easily operated and of original colour specification.
- 713. A spare wheel, which conforms, to legal requirements and equipment to change a wheel on the vehicle e.g. a jack and wheel brace should be provided and properly fitted in the vehicle. The exception to this requirement is when the manufacturer has provided a space saver tyre instead of a full size wheel. The use of pressurised tyre sealants will not be permitted in any circumstances.
- 714. All tyres should conform to legal requirements.
- 715. All road wheels to be clean and free from rust (where trims are not fitted).

**Vehicle Criteria for Exceptionally Well Maintained Interior
(Valid until 1st April 2023)**

Appendix 18

- 716. All seats to be manufacturer's original design (unless rotating seat fitted) – should all match, be securely fitted, no dirt, stains, holes or tears.
- 717. Front and rear seat belts should be clean, undamaged and in good working order. All anchorage point covers should be properly fitted and match original trim.
- 718. All panels should be clean, properly fitted and match original trim.
- 719. Carpets should be as manufacturer's original specification, clean with no stains or holes and securely fitted.

- 720. All instruments, including the PDA, two way radio and/or taximeter shall be secured within the vehicle and contained within a mounted bracket affixed to the vehicle and suitable for the purpose of preventing the instrument to travel round the vehicle in the event of an accident.
- 721. Accessory covers to be securely fitted and match original trim.
- 722. All ashtrays to be fitted and match original trim.
- 723. Headlining to be clean, free from stains, holes and tears and be as originally fitted.
- 724. All window winder handles to be as originally fitted, clean and easy to operate. Where electric window openers are fitted, each window should be capable of being opened by the passenger.
- 725. All door handles and arm rests to be secure, clean and as originally fitted.
- 726. Brake, clutch and accelerator pedal rubbers to be fitted and in good condition.
- 727. The inside of the vehicle should be free from loose or trailing wires.
- 728. The boot/luggage space should be tidy with a clean, unstained carpet/cover to manufacturer's specification. All panelling should be secure, clean and in good condition.
- 729. In hatchback vehicles the boot cover should be to original specifications, in good condition with both lifting straps fitted.
- 730. Where the vehicle is an estate car or does not have a fully segregated luggage compartment, a grille or similar guard sufficient to prevent luggage carried in the rear compartment from coming into contact with passengers in the vehicle shall be fitted.
- 731. Gear levers gaiters (where fitted) should be to manufacturer's specification, in good condition and properly fitted.
- 732. A rear view mirror must be properly fitted and in good condition.
- 733. All manufacturers fittings should be as original (i.e. speaker covers etc.).
- 734. All lights should be in proper working order with appropriate covers securely fitted.
- 735. Window locks and handles, where provided by the manufacturer should be in good working order.

Stands for Hackney Carriage Vehicles

Appendix 19

Stand	Location	Maximum Number of Spaces
Beaumont Street West 7.00 pm – 7.00 am	On the north side from 8 metres west of Beaumont Street westwards for 40 metres	8 vehicles Vehicles to face east
Bondgate 9.00 am – midnight Midnight – 7.00 am	On the south side from 6 metres west of Skinnergate westwards for 20 metres	4 vehicles Vehicles to face west
Bondgate 6.00 pm – 8.00 am	On the south side from 11 metres east of Skinnergate eastwards for 18 metres	4 vehicles Vehicles to face west

Coniscliffe Road 6.00 pm – 6.00 am	On the south side from 20 metres east of eastern boundary of 3 Coniscliffe Road westwards for 45 metres	9 vehicles Vehicles to face west
East Row 24 hour	In the lay-by lying approximately 4 to 25 metres south of junction with Tubwell Row	3 vehicles Vehicles to face north
East Row 24 hour Feeder Rank	From a point of 32 metres south of its junction with Tubwell Row to a point of 2 metres north of its junction with Horsemarket <i>Not to encroach into the Loading bay as there is a stretch of No Waiting 7am – 11pm.</i>	5 vehicles Vehicles to face north
Gladstone Street 7.00 pm – 7.00 am	On the south side from 43 metres westwards for 85 metres west of Northgate	17 vehicles Vehicles to face west
Grange Road 24 hours	On the west side from 5 metres south of Coniscliffe Road to 10 metres north of Northumberland Street	4 vehicles Vehicles to face north
Grange Road 6.00 pm – 8.00 am Feeder Rank	On the west side from Northumberland Street northwards	2 vehicles Vehicles to face north
Priestgate 24 hours	On the south side from 5 metres east of Prebend Row to 10 metres west of Penny Yard	5 vehicles Vehicles to face west
Tubwell Row 6.00 pm – 8.00 am	On the north side in the lay-by from Crown Street westwards for approximately 30 metres excluding pedestrian route across lay-by	6 vehicles Vehicles to face east
Victoria Road 24 hours	On the north side 20 metres west of its junction with Pensbury Street, westward for 45 metres	9 vehicles Vehicles to face east.
Feethams 24 hours	On the east side outside DL1	5 vehicles Vehicles to face south

Horse Drawn Hackney Carriage Policies and Conditions

Appendix 20

736. The information below is specific to horse drawn carriages. Drivers will however be required to obtain the appropriate Council driver licence and will be subject to all of the requirements associated with such licence.

737. Proprietors and Operators of vehicles will be subject to those licence conditions that are relevant to public and/or private hire excluding those specifically relating to vehicle design etc. which have been replaced with the requirements detailed below.

Policies

738. A competent person nominated by the Council (and representing the British Driving Society, the British Horse Society, the Heavy Horse Society or other body able to

assess the competence of drivers) shall assess and provide a report stating that the driver is competent to drive the carriage as part of the application process.

739. A Veterinary Certificate signed by a Veterinary Surgeon stating that each horse is fit to carry out the work required of it shall be submitted to the Council as part of the application process.

740. The location of the stables in which the horses are normally housed shall be notified to the Council's Licensing Office as part of the application process.

741. Access to the stables shall be granted to Council Officers and their advisers at any time. (NB Should the Council receive a report from the RSPCA, a Veterinary Surgeon or other qualified person that the conditions under which the horses are being kept are not in the interests of the health of the animal and its capacity to pull a carriage, the Licence shall be suspended by Officers until satisfied that the horses are being kept in a humane manner.)

742. The stables must also satisfy the fire safety requirements for stables by Darlington and Durham Fire and Rescue Service. In the event that the stables do not satisfy these requirements, the Licence will be suspended until adequate fire precautions have been made.

743. The Licence will be granted for a maximum period of 12 months. This may be subject to review in the event of any closure of streets on the approved route.

744. The proprietor/driver shall be limited to routes specified in writing by the Council following appropriate consultation.

745. The horse drawn vehicle shall not be required to comply with the following Darlington Hackney Carriage Byelaws 1990:

- | | |
|---------------------|---|
| (a) Byelaw 3 (viii) | provide efficient interior lighting |
| (b) Byelaw 6 | taximeter |
| (c) Byelaw 7(a) | fitting a roof sign bearing the word taxi |

Conditions

746. The proprietor shall produce veterinary certificates as may from time to time be requested by Officers of the Council.

747. Certified horses should be easily identified by means of a microchip or permanent marking.

748. The horse must have a current passport.

749. No horse shall work for more than eight hours during any one day and shall have at least one hour break between the commencement and termination of duties.

750. No horse shall be used for drawing a carriage during the hours of darkness.

751. The proprietor shall keep written records for each horse showing if it is working with details of the time the horse was put into harness, taken out of harness and rest periods.
752. A safe means of access and egress from the vehicle (e.g. a step and secure hand holds) shall be provided.
753. The maximum fare to be charged shall be approved in writing by the Council.
754. The vehicle shall be capable of carrying not less than 4 adult passengers.
755. The proprietor must keep the area in the vicinity of the rank they operate from clean and clear of horse manure or any other obstruction of the highway associated with their use.
756. The proprietor must provide clean wholesome drinking water throughout the day for their horse.
757. A device must be attached to the horse to prevent its faeces being deposited upon the highway or hackney carriage stand.
758. The Proprietor shall make suitable arrangements for the proper disposal of horse faeces.
759. The vehicle shall be provided with front and rear position lights that meet the requirements of the Vehicle (Construction and Use) Regulations.
760. The Licence identification plate, supplied by the Council, shall be securely fixed to the rear of the vehicle; in a conspicuous position approved by an authorised officer of the Council, using bolts or screws.

Guidance on the Licensing of Horse Drawn Carriages

761. The driver of a horse drawn hackney carriage shall when plying for hire, proceed with reasonable speed to a Hackney Carriage stand. Hackney Carriages are allowed to ply for hire from stands (also known as taxi ranks), or in the street (there are currently no stands provided for horse drawn vehicles in Darlington and they would have to be created).
762. The Fares for hiring hackney carriage vehicles have to be decided by the Council and the tariff set must be displayed inside the vehicle.

Vehicle Licence

763. Before operating a horse drawn vehicle to carry fare paying passengers a licence must be obtained from the Council. All licences issued will have conditions attached. To apply for a licence a person must:

- (a) Complete an application form.
- (b) Provide evidence that arrangements are in place for the vehicle to be insured for public on the days that it will be operating.
- (c) Present the vehicle of mechanical inspection by a competent person appointed by the Council.
- (d) Present the horse, or horses, for inspection by a veterinary officer appointed by the Council.
- (e) Make the stables available for inspection by any person appointed by the Council.
- (f) Demonstrate ability to comply with the Council's Byelaws and/or Conditions together with the Code of Practice for horse drawn vehicles published by the Department of Transport.
- (g) Pay the licence fee.

Drivers – Qualifications

764. Drivers of horse drawn hackney carriages must hold a current full Road Traffic Act 1972 licence together with a Hackney Carriage driver licence issued by the Council. All drivers will be required to demonstrate that they are competent to drive relevant horse drawn vehicles.

Department for Transport - Code of Practice for Horse Drawn Vehicles

765. The Department for Transport has published a Code of Practice for Horse Drawn Vehicles. This code was developed in conjunction with The British Driving society, The British Horse Society and The Heavy Horse Training Committee. (Copies are available from the Public Protection Division.)

The Council will expect the proprietor and drivers to work in accordance with this Code. The Code provides:

- (a) guidance for new and existing drivers of horse drawn vehicles carrying passengers;
- (b) a road driving assessment for single, pair and teams of horses;
- (c) a detailed carriage safety checklist.

**Private Hire Operator Licences Legislation,
Policies and Conditions**

Appendix 21

Authorised Officers (Legislation, Section 73 LG(MP)Act 1976)

766. You must not obstruct any Authorised Officer or police officer. You must provide any assistance or information (s)he may reasonably require.

Criminal Record Check (Policy)

767. If you are not a licensed driver you will be required to produce a basic DBS check within the last month which will be required every year.

Location of Operating Premises (Policy)

768. It is a requirement of licence that the applicant operates vehicles only from premises within the controlled district of the Council. These premises must also have planning permission for private hire use.

Subcontracting Private Hire Bookings (Section 55 A and B)

769. The Deregulation Act 2015 inserts two new sections into Section 55 of the Local Government (Miscellaneous Provisions) Act 1976 in relation to the sub-contracting of bookings from one private hire vehicle operator to another. It applies in England and Wales, but not in London or in Plymouth where different legislation applies.

770. In accordance with the new provisions an operator who accepts a booking for a private hire vehicle can sub-contract it to four types of operator:

- (a) an operator licensed and located in the same district as the initial operator;
- (b) an operator licensed and located in a different district from the initial operator (a different district but one which is still governed by the same legislation – in practice this means a district in England or Wales but outside London or Plymouth);
- (c) an operator licensed and located in London; or
- (d) a person located in Scotland.

771. It is already lawful for a private hire vehicle operator to sub-contract a booking to another operator licensed in the same licensing district, it has been included within the new Act because it is not currently expressly stated within the Act of 1976.

772. Subsection (2) of new section 55A clarifies that the new provision affects the legal position in respect of PHV operation under the 1976 Act; it is immaterial if the agreement between the passenger making the booking and the initial operator permits sub-contracting.

773. The purpose of subsections (3), (4) and (5) of new section 55A is to cover the scenario of a private hire vehicle operator who is licensed under section 55 of the 1976 but also holds a private hire vehicle operator licence in a different district or operates in a different area. This could happen where, for example, a company operates in a number of different areas.

774. Subsection (3) covers the scenario where an operator holds licences under section 55 of the 1976 Act for more than one licensing district. Subsection (4) covers the scenario where an operator holds a licence under section 55 of the 1976 Act and also holds a private hire vehicle operator licence issued by Transport for London in respect of London.

775. Subsection (5) covers the scenario where an operator holds a licence under section 55 of the 1976 Act and also operates private hire cars or taxis in Scotland. Together, these subsections clarify that operators may sub-contract bookings effectively to themselves in the other districts or areas in exactly the same way that an operator can sub-contract to different operators by virtue of subsection (1).
776. Subsection (6) provides that the terms “London PHV operator” and “operating centre” mean exactly the same as when they are used in the legislation which regulates private hire vehicles in London.
777. The new section 55B deals with operator liability in connection with sub-contracting. Subsection (1) simply draws a distinction between the operator who accepts the original booking and the operator who accepts the sub-contract (labelling them the first operator and the second operator respectively).
778. Subsection (2) of new section 55B establishes that an initial operator who sub-contracts a booking to an operator based in a different district or area in accordance with section 55A(1) does not breach the requirement in section 46(1)(e) of the 1976 Act (the requirement being that the driver and vehicle used to fulfil the booking must be licensed by the same licensing authority as granted the operator’s licence).
779. Subsection (3) applies to an operator licensed under section 55 of the 1976 Act who sub-contracts to an operator also licensed under section 55 of the 1976 Act (whether in the same or a different district). The subsection introduces criminal liability for the first operator if the second operator breaches the requirement in section 46(1)(e) in relation to the booking and the first operator knew the second operator would do so (i.e. knew the second operator would use a driver or vehicle that was not licensed in the same district as the second operator).
780. The section forms part of the law of England and Wales. It applies in England and Wales except in London or Plymouth where different legislation applies (although it does permit the sub-contracting of bookings to London operators).
781. Where a private hire vehicle is subcontracted the Private Hire Operator is obliged to keep a record of the subcontract.

Production of Licence (Legislation Section 56(4) LG(MP)Act 1976)

782. You must produce your Private Hire Operator Licence when asked to do so by an Authorised Officer or Police Officer.

Touting (Legislation – Section 167 Criminal Justice and Public Order Act 1994)

783. The operator and/or his employees shall not:

- (a) tout or solicit on a road or other public place any person to hire or be carried out for hire in any private hire vehicle; or

- (b) cause or procure any other person to tout or solicit on a road or other public place any person to hire or be carried for hire in any private hire vehicle.

("road" in the above means any highway and any other road to which the public has access, including bridges over which a road passes).

Vehicle and Drivers Licences (Legislation – Section 46 LG(MP)Act 1976)

784. The Operator and/his employees shall not operate any private hire vehicle or driver if a current licence issued by the Council is not:

- (a) in force for the vehicle under Section 48 of the Local Government (Miscellaneous Provisions) Act 1976; and
- (b) held by the driver under Section 51 of the said Act.

Private Hire Operator Conditions

PO1. Booking Records (Legislation Section 56 (2)-(4) LG(MP)Act 1976 and Condition PO1)

785. Operators are required to evidence that they have had sight of a Basic DBS check on all individuals listed on their register of booking and dispatch staff to ensure that any individuals added to the register are compatible with their policy on employing ex-offenders.

786. Every licensed private hire operator must keep a record of every booking of every private hire vehicle operated by him/her and of every sub-contract made with the operator or arranged by the operator. The records must be continuous, chronological records.

787. There must be only one set of records: cash and credit account bookings can be separately identified but must not be in separate sets of records.

788. The record must be kept in the form described in the following condition:

- (a) records must be kept in a suitable form in a continuous, chronological order, approved by the Council the pages of which are consecutively numbered, or
- (b) on a computer which keeps backup records and is immediately capable of producing a printed record from the computer onto paper.

Records must not be capable of retrospective alteration or amendment, and;

- (c) the operator or his/her agent/employee must enter, before the commencement of each journey, the following particulars of every booking of every private hire vehicle operated by him/her, the:
 - name and address of the hirer;

- date, time and pickup point of the booking;
 - destination;
 - number of passengers to be carried;
 - when and how the booking was made i.e. telephone, personal call;
 - registration and plate number of the vehicle allocated;
 - name of the driver allocated to the booking and call sign of the vehicle;
 - amount to be charged; (where applicable);
 - name of the person who took the booking;
 - name of the person who dispatched the vehicle;
 - details of any sub-contract arrangement;
 - remarks.
- (d) You must also keep records of the particulars of all private hire vehicles and drivers operated by you. These must include the owner of the vehicle, registration number, private hire vehicle licence number, any radio call sign used and all driver licence numbers.
- (e) All records are to be kept for a period of not less than 12 months following the date of the last entry and to be produced for inspection on the request of an Authorised Officer of the Council or a Police Officer.
- (f) You must not enter into your booking records details of any fare that has not been pre-booked by the hirer through your operating base, either by telephone or personal caller (NB It is an offence to enter details of any illegal plying for hire in an attempt to make such activity appear to be a legitimate booking).

PO2. Booking Records – Hackney Carriages

789. Where a licensed Private Hire operator accepts bookings for hackney carriages a record must be kept of each booking in the same format as all private hire bookings and this record must be produced on the request of an Authorised Officer of the Council or a Police Officer.

PO3. Change of Home Address

790. You must notify the Council, in writing (or electronically), within 7 days of any change of your personal address.

PO4. Change of Business Address

791. A Private Hire Operator licence is granted to you for the premises detailed at the time of application. It is not transferable to other persons or premises. Any change from the original application will be dealt with as a new application. You will be required to make a new application accordingly.

PO5. Complaints

792. You must notify the Council, in writing (or electronically), within 7 days of any complaints concerning a contract for hire or intended contract for hire relating to or resulting from his business and of the action (if any), which you have taken or propose to take.

793. Where a complaint is investigated by an Authorised Officer of the Council you shall comply with any reasonable directions of the Officer in respect of that complaint.

PO6. Convictions

794. If you are cautioned for or convicted of any motoring or criminal offence you must notify the Council, in writing (or electronically), within 7 days. If the licence is in the name of a Company or Partnership the cautions/convictions of any Directors or Partners must be disclosed.

PO7. Display of Licence

795. If the public has access to your operating premises you are required to display your Private Hire operator Licence in your operating premises together with a copy of your licence conditions and the Local Government (Miscellaneous Provisions) Act 1976.

PO8. Radio Licences

796. If you have two-way radios fitted to the vehicles you operate you must produce evidence of an Ofcom Licence to the Council and provide all details of radio frequencies, together with call signs/numbers of all vehicles using two-way radios.

PO9. Use of passenger carrying vehicles (PCV) licensed drivers

797. The use of a driver who holds a PCV licence and the use of a public service vehicle (PSV) such as a minibus to undertake a private hire vehicle booking will not be permitted as a condition of the private hire vehicle operator's licence without the informed consent of the booker.

798. Where a private hire vehicle is unsuitable, the booker must be informed that a PSV is necessary, and that a PCV licenced driver will be used who is subject to different

checks and not required to have an enhanced DBS check.

PO10. Equal Opportunities

799. You must at all times treat your passengers or any potential passenger with courtesy and respect. You and your employees must not discriminate against any person with a protected characteristic of age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex.

PO11. Facilities for Passengers

800. You must ensure that where any passenger waiting area or room is provided, it is kept physically separate from any driver rest area and operations room. Where a waiting area or room is provided for the use of passengers or prospective passengers you shall:

- (a) provide adequate seating for the use of those passengers or prospective passengers; and
- (b) ensure that such room or area is kept clean, adequately heated, ventilated and lit; and
- (c) ensure that the interior and exterior of the premises is kept in good repair, to the satisfaction of the Council.

PO12. Fares

801. The fare charged by you shall be agreed with the hirer at the time of booking.

PO13. Parking

802. Where adequate off street parking is not available at the operating address specified on the licence you shall inform the Council, in writing all locations where vehicles will be parked when waiting for bookings.

PO14. Planning and Permission

803. You must have Planning permission for private hire use at your operating premises. You must comply in every respect with the requirements of the current planning legislation.

PO15. Right of Access

804. You must permit any Authorised Officer of the Council onto your operating premises at all times when acting as a Private Hire Operator and provide him/her with access to all records which (s)he may reasonably require.

PO16. Standard of Service

805. You must provide a prompt, efficient and reliable service to members of the public at all reasonable times and for this purpose must, in particular:

- (a) Ensure that when a private hire vehicle has been hired to be in attendance at an appointed time and place, the vehicle must, unless preventable matter, attend at the appointed time and place.
- (b) Keep clean, adequately heated, ventilated and lit any premises which you provide and to which the public have access, whether for the purpose of booking or waiting.
- (c) Ensure that any telephone facilities and radio equipment provided are, at all times, kept in good working order and that any defects are repaired promptly.
- (d) Ensure that you do not describe the private hire service offered by the use of advertising signs, printed words, broadcasts or by any other media which use the words "Hackney Carriage" or "Taxi".

PO17. Taximeters

806. When taximeters are used you must notify the Council of the fare rate and any subsequent changes made to that fare rate during the period of your Operator licence. Where any vehicle operated is fitted with an approved taximeter you shall ensure that the taximeter is set to the fare rate notified to the Council and properly sealed in accordance with Council regulations.

PO18. Vehicles to be used

807. It shall be a requirement that hackney carriage and private hire vehicles and drivers that have been licensed by Darlington Council shall be used within the controlled district of Darlington unless it is necessary to sub-contract a booking. In this case the operator must ensure that the same standard of vehicle and driver is provided by the sub-contractor. This is to ensure that the travelling public of Darlington are provided with a consistent standard of service.

PO19. Absence

808. If you are to be absent for 15 days or more you must notify the Council in writing, prior to the absence. A responsible person should be nominated to take responsibility of the business during your absence. Contact details of this person must be provided, in writing to the Council. You will still be responsible for all activities relating to the operation of the business.

The Licensing Committee

Appendix 22

Introduction

809. The Council's Licensing Committee exercises the Council's functions in relation to the licensing of Hackney Carriage and Private Hire vehicles, drivers and operators, in accordance with the Town Police Clauses Act 1847, the Local Government (Miscellaneous Provisions) Act 1976 and other relevant legislation. When dealing

with such matters Licensing Officers and the Licensing Committee will have regard to the Council's Private Hire and Hackney Carriage Policies. Application for and reviews of driver licences will be dealt with by the General Licensing Sub Committee which comprises of a maximum of five members.

810. When the Sub Committee considers matters concerning a Licensee/ Applicant its first purpose is to protect the public. The Sub Committee operates in a quasi-judicial capacity and the rules of natural justice must be observed. The Licensee/Applicant must not only be treated fairly but must also be seen to be treated fairly. The Sub Committee must be impartial, unbiased and must always act in good faith.
811. The Sub Committee is required to make judgements based on the evidence submitted to it. It is not the Members' role to sit as advocates of the Licensing Office, the Police or the Licensee/Applicant but to weigh the merits of each case - ensuring that the proper considerations are taken into account and irrelevant factors are ignored, thereby reaching a balanced decision. The Sub Committee must also state the reasons for its decisions. The Sub Committee does not have the power to "look behind" a conviction to see if the person should have been convicted.
812. Only Sub Committee members who have heard the entire application or disciplinary matter are able to take part in the decision-making process.
813. Sub Committee members cannot participate in the hearing of a matter if there is apparent bias. This can arise where a Member has outside connections that make it appear that there is a real danger of bias or a member has a prejudicial interest. Personal interest in a matter under consideration must be declared. Where a prejudicial interest exists the member must withdraw from the meeting room.
814. A prejudicial interest exists where a member has a personal interest which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice their judgement of the public interest and it either:
- (a) affects the financial position of the relevant person or body; or
 - (b) relates to the determination of any approval, consent, licence, permission or registration in relation to that person or body.

Disciplinary or Other Matters

815. In accordance with the Council's constitution, the Sub Committee is authorised to:
- (a) determine the appropriate disciplinary action (if any) to take against licensees referred to it by the Licensing Office; and to

- (b) determine any licensing application or other matter concerning individual licensees referred to it by the Licensing Office.
- (c) When considering a referred matter e.g. an application for a licence, the Sub Committee will have regard to the appropriate section of the policy.

816. Appropriate disciplinary action can take a number of forms, for example:

- (a) Suspension or Revocation of a licence.
- (b) Refusal to renew a licence.
- (c) A warning or final warning letter expressing the Council's concern with the Applicant/Licensee's behaviour, whilst also advising that future conduct could lead to a revocation or refusal to renew a licence.

817. Additional conditions if considered reasonably necessary may be attached to a licence when it is renewed (note: conditions cannot be attached to a Hackney Carriage Driver's Licence).

818. A requirement to attend the Driver Improvement Scheme at the driver's own expense where considered reasonably necessary.

819. A requirement to provide further information e.g. the production of a medical more regularly than the standard requirement for drivers.

820. The action taken in any particular case will depend on the seriousness of the conduct/ conviction/medical condition concerned. A licence may be suspended pending further information (e.g. the outcome of an investigation or court action) but suspension will not be used as a disciplinary tool.

821. The purpose of the Sub Committee hearing is to ensure that the Licensee/Applicant and complainant (where applicable) have the fullest opportunity to present all of the information they wish. The Sub Committee is required to give full and fair consideration to the cases presented by the Officers and the Licensee/Applicant and must reach a decision based on all of the relevant information presented to it at the hearing. To achieve this, the following procedure is adopted.

Prior to the Hearing

822. Where the Licensing Manager or Assistant Licensing manager refers a matter to the General Licensing Sub Committee for determination the Licensee/Applicant shall be informed of this and a report shall be prepared for the Sub Committee.

823. A full copy of the report to Sub Committee shall be supplied to the Licensee/Applicant by the Licensing Office. Copies of the relevant Private Hire and

Hackney Carriage Policies are available on the internet or upon request from the Licensing Office. Licensees/Applicants are strongly advised to read this document when preparing for the hearing.

824. The Licensee/Applicant shall normally be given notice at least seven days in advance of the time and place of the hearing and advised of their right to be accompanied by a friend or other person, including a solicitor. (S)he shall be allowed to call witnesses.
825. The Licensee/Applicant may, if they wish, submit a written statement of his/her case or other supporting documents prior to the hearing. Documentation should be provided to the Licensing Office well in advance of the hearing. If it is not or if the Sub Committee has not had sufficient time to consider the documentation the Sub Committee may refuse to accept the documentation or it may be necessary for consideration of the case to be deferred.

Absence of the Licensee/Applicant

826. The meeting may proceed in the absence of the Licensee/Applicant if they have informed the Licensing Authority or the Democratic Support Officer that they do not wish to attend or be represented at the hearing. If the Licensee/Applicant would like the meeting to be adjourned to enable them to attend then they must make this clear and provide reasons in writing prior to the meeting.
827. If the Licensee/Applicant fails to attend a meeting without notifying the Licensing Office or Democratic Support Officer, the Sub Committee may adjourn the hearing to a specific date if it considers it to be appropriate to do so. Alternatively, it may proceed with the meeting in their absence.
828. Where the Sub Committee decides to proceed in the absence of the Licensee/Applicant it will consider the information they have available along with the report from the Licensing Manager or their representative.
829. If a decision is made to adjourn a hearing the Licensee/Applicant will be advised of the new date, time and venue.

At the Hearing

830. The Licensing Manager or their representative shall present the report in the presence of the Licensee/Applicant (subsequently referred to as "the Applicant").
831. The Applicant shall be invited to confirm the accuracy of the report.
832. The Members may ask any questions they have of the Officer.
833. Where witnesses have attended (e.g. in the case of a complaint) they shall be invited to provide relevant information. Members and the Applicant/their representative may ask any relevant questions.

834. The Applicant or their representative shall present their case and respond to any questions.

835. Where appropriate the Police may be asked to comment.

836. The Applicant will be offered the final opportunity to sum up their case.

837. The Applicant and representative, Officers, the Police and any witnesses shall withdraw from the meeting. Officers from Legal and Democratic Services will remain in the meeting to provide procedural and legal advice.

838. The Sub Committee shall deliberate in private, only recalling the Applicant or representative and Officers to clear up points of uncertainty. If this occurs all parties will be invited back into the hearing together. If the Committee has no additional queries then all parties will be called back into the meeting when the Chairman of the Sub Committee will announce the decision of the Sub Committee.

839. The Applicant will be notified of the Sub Committee's decision and the reasons for it in writing, usually within five working days. Where a licence has been revoked or a renewal has been refused written notice must be given within fourteen days.

Appeal to the Court

840. There is a statutory right of appeal to the Magistrates Court in relation to:

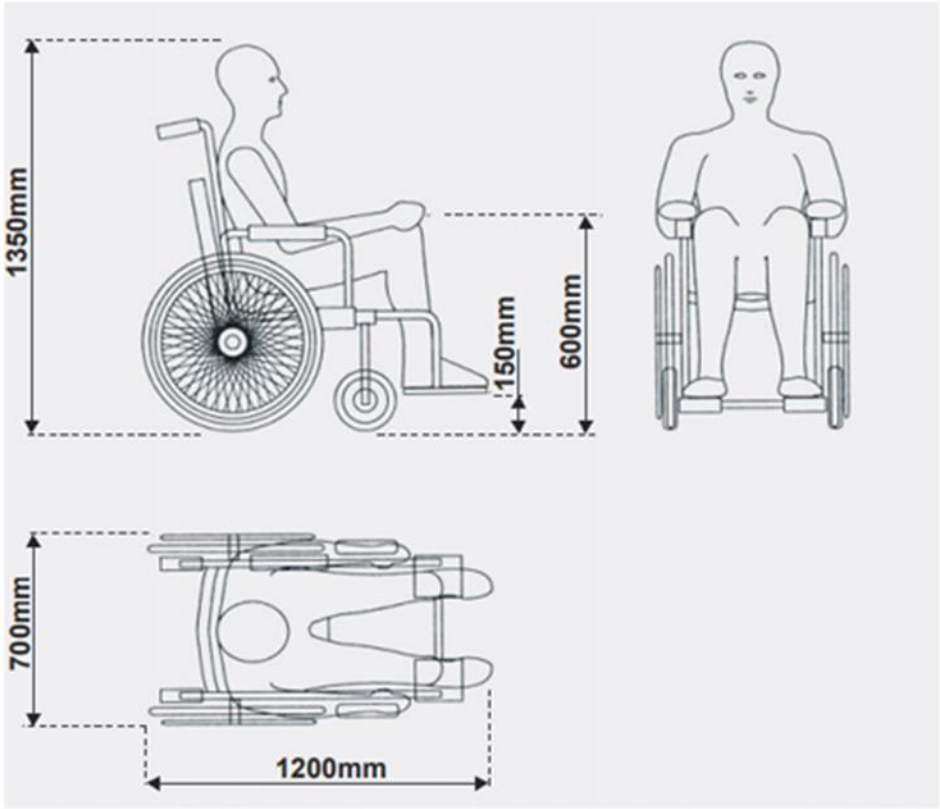
- (a) A refusal to grant a private hire or hackney carriage driver licence.
- (b) Any conditions attached to a private hire driver licence.
- (c) A decision to suspend, revoke or refuse to renew a private hire or hackney carriage driver licence.
- (d) A refusal to grant a private hire vehicle licence or against any conditions specified in the licence.
- (e) A refusal to grant an operator's licence or any conditions attached to the grant of an operator's licence.
- (f) A decision to suspend, revoke or refuse to renew an operator's licence.

841. An appeal against a refusal to grant a Hackney Carriage vehicle licence is dealt with by the Crown Court.

842. Any appeal must be lodged with the appropriate Court within 21 days of notification of the decision. This time scale is rigid following case law in 2009 concerning this point.

843. Costs may be awarded by the Court against an unsuccessful appellant and therefore the Applicant may wish to take independent legal advice with regard to the merits of an appeal.

844. Usually, when an appeal has been lodged, any action against the licence is “stayed” pending the outcome of the court appeal (S.77(2)LG(MP) Act 1976) and a licensed driver, operator and or vehicle can continue to work.
845. The Sub Committee may decide that a suspension or revocation of a driver licence should take immediate effect in accordance with Section 52 of the Road Safety Act 2006, where they consider it is in the interests of public safety to do so.
846. In such cases, section 77(2) shall not apply and a driver cannot continue to drive pending the outcome of the appeal. In such cases the driver must be notified in writing, with an explanation as to why such action has been taken.
847. Decisions of the Sub Committee may also be challenged by way of judicial review in the High Court. Independent legal advice should normally be sought in respect of all appeals and challenges.



848. The reference wheelchair has: a total length of 1200mm including extra-long footplates total width of 700mm sitting height (from ground to top of head) of 1350mm. The reference wheelchair is bigger than most wheelchairs to ensure that enough room is provided for most wheelchair users.

- HC and PH trade
- PH Operators
- Durham Constabulary
- British Transport Police
- Immigration Enforcement
- Durham and Darlington Fire Authority
- Darlington Association on Disability (DAD)
- Highways
- Environmental Health
- Trading Standards
- Planning
- Public Health
- Darlington Safeguarding Partnership
- Citizens Advice Bureau (CAB)
- Parish Councils
- HM Revenue and Customs
- Home to School Transport Section
- Local transport providers
- Tees Valley Local Authorities
- North East Strategic Licensing Group (NESLG)

COUNCIL
24 NOVEMBER 2022

LEADER OF THE COUNCIL OVERVIEW

Purpose of the Report

1. To inform and update Members on the Leader's Portfolio since the last meeting of Council. The following are some of the areas of work under the Leader's Portfolio.

Strategic Transport

2. The Tees Valley Combined Authority £310m City Regional Sustainable Transport Settlement Programme delivery plan for 2022/23 to 2026/27 has now been agreed with government. Investments include:-
 - (a) £86.5m on rail infrastructure projects
 - (b) Almost £48m in active travel schemes to encourage cycling and walking
 - (c) Over £46m investment in bus
 - (d) Almost £83m to be spent on highway maintenance and small-scale improvements across Tees Valley
 - (e) The remainder is to be spent on digital transport projects, supporting decarbonisation, ensuring access to employment and education opportunities and multi-modal investments to support the Mayoral Development Corporations and regeneration of town centres
2. Transport Committee was held in Middlesbrough and part of the meeting was dedicated to site visits, where we took the opportunity to visit some of their transport investment schemes. We visited the traffic control centre which is a Tees Valley partnership arrangement that manages traffic signals and other technology across the Tees Valley. This will see significant investment across the Tees Valley to enable better management of the road network.
3. The first phase of the Electric Vehicle Infrastructure Project will see 131 Electric Vehicle Charging Points installed across the region, with installations currently underway. The Electric Vehicle Infrastructure Strategy is also in production, which will update the current Design Guide and will set out the strategy for the region, helping to secure further funding for electric vehicle infrastructure.
4. Sustrans have been appointed to deliver Active Travel Hubs in each Local Authority area, building on previous activity delivered through other hubs, offering practical support to help people walk and cycle more. New partnerships have been formed with established organisations in Redcar, Darlington and Hartlepool to provide temporary locations, and new staff have been recruited.

5. Active Travel England, the new executive agency tasked with delivering the Government's cycling and walking strategy, asked all local transport authorities to complete a self-assessment. In the Tees Valley, this was a collective response on behalf of TVCA and the five local authorities. The levels were scored 0-4. Following moderation, Active Travel England agreed with our self-assessment of Level 2: *Strong local leadership and support, with strong plans and emerging network*. This puts us in a strong position to secure additional funding for active travel in the coming years. Of the 79 local transport authorities, none are at Level 4 and only 5 are at Level 3.
6. TVCA formally entered the Enhanced Partnership in July 2022, alongside the five local authorities and the local bus operators. Design work is progressing on the nine priority bus corridors, and interventions to improve the customer experience are being progressed, including better information, vehicles and better integration with other modes. The Kids Go Free offer over the summer holidays was well received and is in place again over the October half-term holiday.
7. Locally, it is recognised there are still issues with performance of bus services in Darlington. More staff are due to complete training imminently which should assist, and other interventions being developed. We continue to monitor this and press for improvements to be delivered as soon as practically possible.

Darlington Station

8. The Full Business Case for the Darlington Station project was finalised and submitted in early August. The construction of a temporary car park on the cattle market site has commenced and demolition work has started on the Neasham Road side of the station in order to clear the site in advance of construction commencing.

Climate Change

9. The Cross-Party Working Group on Climate Change met on 17 October. The meeting was attended by the Junior Members of Youth Parliament. The Junior MYPs are both 10 years old and both have environmental aims in their manifestos. They have been asking pupils in their schools for ideas and presented the outcomes to the Group.

Darlington Economic Campus

10. The Government Property Agency continues to work with the identified developer for the permanent campus location at Brunswick Street. The Council have now commissioned an Economic Impact Study on the development Darlington Economic Campus (DEC). This should be completed by early 2023.
11. Representatives from DEC attended the Business Summit meeting to outline their experiences since relocating to Darlington, highlighting some of the positives they had encountered since moving to the town.

Towns Fund

12. The DLUHC are to undertake a series of deep dive audits across the country, which will be completed in towns in receipt of a Town Deal. Based on the level of perceived risk and a random sample, it has been confirmed that Darlington Council would not be the subject of this audit in 2022.
13. Delivery onsite continues on the Skinnergate and the Yards project, with enhancement to properties and public realm. Construction continues on the college T Levels project, with structural steelwork installed. In addition the Rail Heritage Quarter, part funded by the Town Fund, project continues.
14. Works associated with the west of station improvements at the top of Victoria Road are progressing, with the enabling demolition work programmed in 2022.
15. Elsewhere design work continues at the Northern Echo building in relation to the proposed Adult Skills facility.
16. In Northgate and the Garden Street/Weir Street, design and property acquisitions/negotiations being progressed. Including acquisition negotiations for Northgate House and properties on Northgate itself.
17. The development of the Creative Strategy progresses for Victoria Road, which will identify options and a clear strategy for further enhancements to the street leading up to Bank Top Station. Including improvements to exterior of selected properties and the re-establishment of the pocket park at the junction with the ring road. Engagement with the wider community is key to the successful development of the creative strategy.

Crown Street Library

18. I attended the Annual Meeting of the Crown Street Library Trustee Board, on the 19 October. Because of the building work currently underway the meeting was held via Teams. It was good to meet with the Independent Trustees and we heard about the renovations underway and the developing plans for the re-opening of the refurbished building next year. The meeting can be viewed on YouTube [Crown Street Library Trustees Board - YouTube](#)

Winter Pressures event

19. The Winter Pressures Event was held in Central Hall at the Dolphin Centre on the evening of Thursday 6 October 2022. It was a free drop in event where residents of Darlington could find out what support is on offer as a potentially tough winter approaches.
20. There was representation from both DBC officers and external organisations, including Age UK, Citizens Advice, Darlington Association on Disability, First Stop, Green Doctor, Kings Church Foodbank. Morrisons Trust, Social Prescribing, The Bread & Butter Thing, YMCA and the 700 Club.

21. There was a clear willingness of the voluntary sector to work with the Council in supporting residents. A video was filmed on the night featuring each organisation represented, outlining what services they provide. This will be used on the Council website and through social media to help people access the support they might need. Learning from the event will be used to help shape any future activity in this area.



Councillor Jonathan Dulston
Leader of the Council Portfolio

COUNCIL
24 NOVEMBER 2022

OVERVIEW OF LOCAL SERVICES PORTFOLIO

1. Since the last meeting of Council, the following are the main areas of work undertaken under the Local Services Portfolio.

Highway Maintenance Programme

2. Highway Maintenance schemes ongoing:
 - (a) Unc. Faverdale: Carriageway Reconstruction (0.474km)
 - (b) C55 Prior Street: Footway Refurbishment (0.466km)
 - (c) Unc. Carriageway Micro Asphalt Contract (46 locations, 9.051km)
 - (d) B6279 Tornado Way (Lingfield Point Junction): Carriageway Resurfacing (0.223km)
 - (e) Unc. Swaledale Avenue: Carriageway Reconstruction (0.252km)
3. Highway Maintenance schemes due to start:
 - (a) Unc. Pierremont Crescent West Back Lane: Carriageway Reconstruction (0.117km)
4. Highway Maintenance Schemes completed:
 - (a) B6280 Coniscliffe Road: Carriageway Resurfacing (0.290km)
 - (b) C55 Newton Lane: Carriageway Resurfacing (0.410km)
 - (c) C38a Neasham Road: Carriageway Resurfacing (0.380 km)
 - (d) A68 Swan House Roundabout: Carriageway Resurfacing (0.600km)

Highway Improvement Schemes

Woodland Road (Local Cycling and Walking Improvement Plan - LCWIP)

5. The next phase of the LCWIP is underway with works on Outram Street under construction. The next phase of delivery will be the Duke Street section. This will now commence after the Christmas period and work is underway on a communications plan and phasing plan to ensure businesses are kept updated.
6. Government have agreed the provisional programme of investment across the Tees Valley for the City Region Sustainable Transport Settlement programme with TVCA. This will include rail, walking and cycling schemes and bus corridor improvements. The programme will now be developed with feasibility work underway that will be brought forward for consultation and briefings as it is developed.

Climate Change

7. The Council will be relacing up to 70 small diesel vans with equivalent electric models over the next two to three years. This change in fuel source will save approximately 180 tonnes of carbon a year.

8. Installation of the 22kW and 50kW electric vehicle chargers that comprise the first phase of the Tees Valley network is ongoing with the first sites ready for public use, with the remainder to follow in December. A 100% renewable energy contract has been procured to supply the network. The first sites to be completed in Darlington are Commercial Street West, Winston Street North and Park Place East and West. Work is also taking place in Kendrew Street, Abbots Yard and Feethams MSCP.

Head of Steam

9. 'Designs of the Future', is an online exhibition which launched in October. This project saw young people design the future museum site in Minecraft. The project was funded by Tees Valley Museums NPO and facilitated by a digital museums specialist. 'Future Curators', a pilot scheme for young people aged 13-16 years is also underway at the museum. The scheme aims to introduce young people to the museum sector and provide the opportunity to gain new skills and opportunities to work on museum projects.
10. Children from Darlington schools came together on 7 October 2022 to discuss plans for the upcoming Rail Heritage Quarter adventure playground with the designers, Capco. With input from local children and childminders, the personalised feel, equipment, and accessibility of the project, will be at the forefront of the design.

Libraries

11. Whilst the Library building is temporarily inaccessible to the public to allow the refurbishment work to progress, an alternative town centre location for customers to borrow and return books is available at the Dolphin Centre. Customers can now visit at various times during the week to 'Select and Collect' books, join the library, and learn about our services.
12. In addition to the Temporary facility, Cockerton Branch Library is also open for adults and children to browse the bookshelves, and access computers and study space. Outside of regular opening hours, the popular Bookstart Rhymetime sessions will be available to book, and there will be regular Centre for Local Studies 'takeover' afternoons where customers can access the collection and speak to the experienced team. Cockerton Library also holds weekly arts and crafts sessions for children after school, and a monthly Rock of Ages music appreciation group for older adults. A new watercolour group will also commence shortly, where novice art enthusiasts can meet.
13. Residents aged 60 years onwards continue to be offered the free Home Delivery Service, where the experienced team choose a selection of books based on individual interests. This service is delivered monthly with assistance from Darlington Support, to provide a friendly doorstep chat.
14. The online library is always open, alongside the Borrowbox and Libby Apps, which have a wide range of eBooks and audiobooks available to choose from and can be download free onto a device. The Darlington Libraries App allows customers to search the whole of the catalogue and select and order books to be collected from either their branch library or the temporary 'Select and Collect' pick up point at the Dolphin Centre.

Hippodrome

15. The Hippodrome launches two new exhibitions this autumn. 'Identity' showcases a collaboration between Veronika Koval, a Ukrainian artist living in Darlington, the Morrison Trust and Ukrainian families who have been working with Darlington Assistance for Refugees. The exhibition incorporates a variety of photographic artworks, murals and mixed media, all conveying powerful messages to raise awareness of the perceived loss of personhood and sense of identity. In November, following on from 'Opening the Closet Doors' art and film project, the 'Principal Boys and Pantomime' exhibition opens in the Catherine Cookson Heritage Gallery.

Creative Darlington

16. Creative Darlington has worked with Middlesbrough Art Weekender to promote activity in Darlington in advance of the festival, with approximately 280 people in total attending three, family friendly, Pop-Up Print drop-in sessions at The Friends Community Hub; all sessions were free of charge.
17. A further free family friendly activity was offered at The Friends Community Hub by Cabinet of Curiosity Studio on Saturday 22 October and Saturday 29 October 2022 as part of an international event, The Big Draw festival.

Town Centre Partnership and Events

18. The Town Centre team hosted a seminar with Darlington's allocated High Street Task Force Experts and a free placemaking workshop on 4 October 2022. This will develop into a report from the expert, Steve Millington, to highlight ideas around how to activate spaces and encourage more business and footfall on the high street. A variety of stakeholders attended this event, with feedback anticipated shortly.
19. A packed calendar of events has been programmed for the winter season, starting with Halloween and including the popular Ice Sculpture Trails, Christmas Lights Switch On and the return of an ice rink for Christmas.
20. 18,503 Darlington residents celebrated the return of Darlington's Firework Spectacular on Saturday 5 November 2022. The event was a resounding success with exceptional feedback on social media platforms. Visitors were treated to street theatre performances, fire-eaters, fairground rides with lots of food and drink and a sensory specific light, music and firework show prior to the main fireworks display. The event was free to admit but ticketed via a wristband collection system. A high proportion of visitors followed our request to walk to the event and had their bands ready on arrival to enter the site. Traffic throughout the town flowed well and the resident permit system worked effectively.

Environmental Services

21. South Park and Darlington Town Centre both won the prestigious 'Gold' award at the recent Northumbria in Bloom competition in September 2022. This award recognises the hard work undertaken primarily by the Horticulture and Street Cleansing teams.

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COUNCIL
24 NOVEMBER 2022

OVERVIEW OF ADULTS PORTFOLIO

Purpose of the Report

1. To inform and update Members on progress within Adult Services since the last meeting of Council. The following are some of the areas of work under the Portfolio for Adult Services.

Operational Services

2. Teams continue to maintain waiting lists for referrals and reviews. These are mitigated through a dynamic risk management process.
3. The safeguarding team are undergoing a review of their caseloads and will be undertaking additional safeguarding training in January to support and develop the team further.
4. We continue to drive our recruitment campaign to support vacancies within the teams- at present we have posts available in our mental health team, adult contact team and reablement service.
5. As part of the work the teams undertake in partnership with the County Durham and Darlington Foundation Trust social workers have now returned to be based with the discharge team in the hospital. This has been highly successful, improving communications and maintaining our focus on supporting people prior to and on discharge from hospital.
6. We are seeing an increasing in the numbers of people we are supporting on discharge with referrals increasing from on average 70 per month from November 2021 to over 90 in October 2022.

Communications

7. Colleagues recently attended Darlington Jobs Fair with their own adult social care stand, including new pull up banners and a unique engagement activity inviting visitors to 'try the job of a support worker on for size.' The event was very well attended, and the team received eight vacancy applications on the day. Pictures below of the support worker cut out used to entice people to the stand, open a conversation with them and provide information about opportunities to work with us.
8. As part of the Jobs Fair marketing and communications plan, a newspaper was printed and distributed across town in the weeks running up to the event, one was also given to every person attending on the day. The paper included a career case study from reablement coordinator, Rachael Kay.

9. Social media updates and adverts continued to be published across Facebook, Twitter, Instagram, and LinkedIn promoting opportunities with the council and specifically within adult social care. The vacancies page received over 100 visits just from social media this weekend 15/16 October.
10. The next edition of One Darlington, which is distributed to thousands of homes across the borough, is to go to print. This edition, along with four previous editions before it, includes a double page spread featuring a team within adult social care. We hope that by shining a spotlight on a new team each time, this educates our community about the services we offer, help available and career opportunities.



Care is more than toilet rolls and bed baths.

Meet Rachael, a reablement coordinator with the reablement team at Darlington Borough Council. We asked Rachael to tell us about her journey into her career and if care was always something she wanted to do.

"When I left school, I had no real idea of what I wanted to do when I was an adult. I suppose I was more focused on making money – this led me to work in retail for six years until I realised time was ticking and I'd become the adult I had envisioned, and I hadn't progressed in terms of a career. I stumbled into a job with a care agency, something I never envisaged myself doing to be honest. I was desperate to leave retail, so this was a happy option, but something I am so glad I did! Within my role as a carer in the community I was able to learn so much on the job, the experience was honestly invaluable. I was also able to gain qualifications like my level 2 and 3 in adult health and social care among other qualifications. The fact I was learning and earning made such a difference and opened my eyes to the opportunities now in front of me. Fast forward a few years and I was still within the care industry, now working in residential care – so in a care home. I was in the home throughout the Covid period, and I have never experienced anything like the teamwork, compassion, emotion, and work family strength like this before. It was an incredible experience to be part of. Some residents had no family, no friends, their shoulder and that is such a rewarding part of the role. We would all laugh so much and of course cry so much, it wasn't any other job. I progressed to a senior care and support worker before deciding to take on a new opportunity with the council."

"I wish I could give my 16-year-old self a shake and steer myself down the path of adult health and social care sooner."

As a reablement coordinator, my role now is to assess those that have been in hospital, for short term support, with the aim of regaining independence, enabling them to remain in their own homes and where possible reducing the need for long term support. Every day is different for me, from writing assessments to understand how someone is coping at home, to planning support and working with other teams and we have set together."

"It's strange when I think back to my younger years and how I just didn't have a clue what I wanted to do or where I wanted to be. My perception of working in care was so wrong! I honestly thought I'd be helping people in the toilet, essentially wiping, bathing, and giving bed baths, but caring is so much more than that. I have built some incredible relationships with those I care for, for them I may be the only person they speak to for a couple of days at a time, I am lifeline for them."

I wish I could give my 16-year-old self a shake and steer myself off down the path of adult health and social care sooner, but then again, I believe my choices have led me to where I am now, and I am grateful I've had the journey I have. Yes, it hasn't been straightforward, but I have got here, and I could not be happier."

"I feel I have learnt through experience, then I would have at college which I think proves that it is never too late for a career change."

My advice to anyone considering moving into a new career or starting their own would be – Go for it! Don't be afraid! It's really not as scary as you think. Care isn't for everyone, but I wouldn't be quick to assume that it's not for you. I was one of those people and I will hold my hands up that I was wrong and slightly ignorant to the world of adult health and social care. There is so much more to it, it is providing support, it's kindness, it's being there to listen to someone, holding their hand, helping someone to feel good and look their best, helping them feel empowered and motivated! It's also providing the essential support that some may need in the last few days of their life, making them comfortable and ensuring they are not alone. A career in care is so rewarding, something I feel is hard to match in other roles – we really do make a difference."

We have a variety of roles available within adult health and social care at Darlington Borough Council, so get in touch.

www.darlington.gov.uk/workwithus or call the adult contact team on 01325 342111

Commissioning and Contracts

11. The Team continues to work alongside Public Health in the monitoring of Covid outbreaks in Provider services, as we continue to see outbreaks occurring in both residential care and in the community. The seasonal flu vaccination programme and the Autumn Covid Booster programme has commenced.

12. Work has commenced with carers and multi-agency partners to refresh Darlington's Carers' Strategy, which will be renamed 'Our Commitment to Carers'. We will work with carers and other partners to identify what support is required and how this will be provided over the coming years. Key themes will be:
 - (a) Recognising and supporting carers in the wider community and society
 - (b) Services and systems that work for carers
 - (c) Employment and financial wellbeing
 - (d) Supporting young carers.
13. The Commissioning and Contracts Team have completed the annual Quality Standards Assessment Scheme in the Older Person's Care Home Sector. The quality assessments consist of a review of essential care standards including effective recruitment procedures, social and leisure outcomes, medication management and health and safety. Levels of compliance and resulting grades are linked to the weekly fee levels for the Council's commissioned placements. This year's process involved a combination of a self-assessment process and on-site visit by officers. As in previous years, any fee amendments will be back dated to April 2022.

Climate Change

14. We continue to encourage teams to develop themes and ideas to support climate change. The current theme is energy efficiency within the home.

Darlington Safeguarding Partnership

15. The Statutory Safeguarding Partners met in August and discussed the re-establishment of the Multi-Agency Safeguarding Partnership Group which has not met since the start of the Pandemic. A face-to-face meeting was scheduled and took place on Monday 17 October 2022. I, as the Elected Member with Adult Portfolio joined the session. The session provided an opportunity for agencies to reflect on the successes and challenges of partnership working over the past couple of years and how all the good work can be built upon to move the partnership forward.

Care Reforms

16. There is a continued programme of activity around the implementation of the care reforms. Timescales are as follows: submission of the Fair Cost of Care Market Sustainability Plan February 2023, April 2023 for the CQC quality assurance framework and October 2023 for the liberty protection safeguards and charging reforms. We are on track at present to achieve these timescales.
17. The Council has already submitted its Market Sustainability Plan and Fair Cost of Care Statutory returns to Government for review on 14 October 2022. The Council has notified the Department for Health and Social Care of its spending plan for the 2022-23 allocation of Grant Funding to providers as we "move towards a Fair Cost of Care". For Darlington this equated to £253,718 and in recognition that the whole of the care sector is still facing significant challenges, the Council determined that the funding be granted to both residential and domiciliary care service providers. For residential and nursing care this will equate to an additional £13.26 per week per resident and for standard hourly rate for

domiciliary care this equates to an additional £1.50 per hour. Client contributions to their own care will not be affected by this grant allocation.

Councillor Lorraine Tostevin
Cabinet Member with Portfolio for Adults

COUNCIL
24 NOVEMBER 2022

OVERVIEW OF CHILDREN AND YOUNG PEOPLE PORTFOLIO

1. Since the last meeting of Council, the following are the main areas of work undertaken under the Children and Young People Portfolio.

Early Intervention and Front Door

2. The Children's Initial Advice Team (CIAT) has moved from the Police Station to the Town Hall. This move is to accommodate and facilitate the vision and growth of the Children's Front Door. Multi-agency representation is strengthening, and this is forming an even stronger response and approach to concerns for children in Darlington.
3. The survey monkey has been ongoing for 6 months and continues to provide excellent feedback. Results from April to September highlight 100 per cent of wishes and views being listened to during calls, 100 per cent of calls meeting expectations of politeness and respect and 94 per cent of calls where the referrer feels contact with CIAT will have a positive impact on the child/young person.
4. The Missing and Exploited Team that form part of the Front Door continues to develop and over the past 6 months early intervention has been a focus. Early intervention is now shaped and supported by way of twice weekly multi-agency Community Safety Check In (CSCI) Meetings. This is an arena where partners can share vital intelligence/information to assist with disrupting any form of exploitation. The Early Intervention Exploitation Panel sits monthly and this forum analyses information gained through the CSCI, helping partners work together to improve the safety of 'places and spaces' deemed to be unsafe for children vulnerable to exploitation, as well as to identify any forming of gangs. The MEG (Missing and Exploited Group) focusses on those children who go missing regularly, and children who are deemed to be at higher risk of exploitation, action based plans are developed across agencies to reduce missing episodes and reduce the level of risk of exploitation.

Building Stronger Families Service

5. There is now an offer of both universal and targeted programmes and will further expand our town wide delivery, utilising community centres and schools. Reducing Parental Conflict and CAPVA, as well as a range of targeted work for older children and drop in sessions for advice are now part of the offer, alongside Early Years groups with a focus on speech and language development and socialisation for children and parents to help with Covid recovery.

Young People's Engagement and Justice Service

6. Darlington were successful in the Safer Streets 4 bid and recruitment of an Intervention Worker has taken place. This role will allow for a focus on increasing capacity in the ASB Pathway and will increase school input.

Safeguarding Assessment and Care Planning including Children with Disabilities

Looked After and Care Leaver statistics

7. 289 children were in care on 30 September 2022, 12 of which are unaccompanied asylum-seeking children (UASC). This is an increase from the position at the end of June when there were 280 children in care, 7 of whom were unaccompanied Asylum-Seeking children, and an increase in the position at year end March 2022 when 273 children were in care, 3 of whom were UASC. At the end of September, we were at Cycle 17 of the mandated National Transfer Scheme, and we know that Darlington will receive referrals in cycles 17, 18 and 20. The duration between completed cycles is dependent upon the number of UASC reaching the UK.
8. All 168 care leavers between 16 – 25 years have access to a personal advisor for support, advice, and guidance. The Looked After Through Care Service is in touch with all care leavers. 98 per cent of our care leavers aged 19- 21 were in suitable accommodation at the end of September 2022. This was due to 1 young person being in custody

Looked After Resources including Fostering, Residential, Keeping Families Together and Family Group Conference

Fostering and Supported Lodgings

9. We are working on a project called "This is the Place" with Blue Cabin (who we work with on the Creative Life story project). The project will begin on 11 January 2023 and is for foster carers and pre-school children to engage in making music together to help develop skills and relationships.
10. We have continued to work on developing our Fostering "Mockingbird" constellation. There is a launch event planned for 28 October, and we will be "going live" from 31 October 2022. We are working with the Marketing Team to ensure wide publicity for this new development which we hope will support foster carer retention, and recruitment.

Residential Services

11. A Registered Manager for Lancaster Close has been recruited and commenced on 26 September. We are waiting for Lancaster Children's home to be registered with Ofsted so the children living in Eldon Children's home can move into their new home.
12. Dunrobin Children's Home continues to have three young people in placement, so is at capacity. Eldon Children's Home has three young people in placement; however, one young person is currently in a secure welfare placement. Gilling Children's home has two young people in placement one has successfully been reunified with his father, and another young person is also working towards being reunified home with his father.

Harewood Hill Lodge, Short Breaks Unit provided care to 24 children in September, which represents 82 per cent capacity, leaving scope for emergency situations should a child and their family require additional support. Harewood Hill Lodge is currently providing 7 beds a month to other local authorities, which generates income.

13. Findings from recent OFSTED inspections of our Children's Homes have demonstrated that we are not consistently providing care to the high standards we aspire for, and young people are not consistently achieving the outcomes we aspire for them. We have worked with OFSTED to put immediate actions in place where this has been needed and have developed a more detailed service improvement plan which recognises some of the wider issues and challenges and actions as to how to address these and improve. A follow up Inspection visit was completed to the Children's Home that was rated inadequate on 11 October 2022, which noted improvements and a number of areas having been addressed.
14. A task and finish group has been diarised to support the improvement plan and ensure developments are consistent across all four children's homes. Key members of the task and finish group have been identified and a provisional plan created.

Family Group Conference (FGC)

15. There has been a continued welcomed increase in the number of FGC requests. In the month of September, there were 30 requests for FGC support. 7 FGC's, 2 FGC reviews and 1 Emergency Family Network Meeting was held in September.

Keeping Families Together (KFT)

16. KFT Social Workers remained in Assessment and Safeguarding so KFT support has continued to be provided by the 3 Family Workers with support from the Team Manager and KFT Advanced Partitioner who commenced post 1 September 2022. In the month of September, there were 6 requests for KFT support, all of which were progressed. KFT were supporting 9 families as of the end of September.

Education

17. The School Uniform Exchange scheme continues to support families this academic year. The scheme has been running for 18 months and operates in Queen Street Shopping Centre. There is a strong demand for the service, having been used by 2,500 families from all schools across Darlington. Second-hand uniform items are sifted for quality, laundered, and bagged before being distributed to families.
18. The Council will be using the Household Support Grant to provide supermarket vouchers to families in receipt of free school meals during the October, February, and Easter school holidays. Families will receive a voucher of £20 per week in the holidays for each child in receipt of free school meals which can be used at a range of supermarkets.

Youth Unemployment

19. The 18-24 year old claimant count dropped to a six year low of 6.0 per cent (435 young people) in May 2022, however since then it has slowly crept back up to 6.9 per cent (500 young people) in August 2022 due to the economic slowdown. Both the North-East and

National averages have also risen but at a slightly slower rate and now stand at 5.4 per cent and 4.6 per cent respectively.

20. Darlington and Middlesbrough have the second lowest youth claimant rates in the Tees Valley, where claimant counts range from 6.6 per cent in Redcar and Cleveland to 9.0 per cent in Hartlepool.
21. Young people continue to be supported through a range of local and national employability programmes, including DBC's Youth Employment Initiative (YEI) which runs until 31st July 2023. The DBC YEI remain the best performing team in the whole of the Tees Valley YEI Partnership. DWP has a dedicated Job Centre Youth Adviser co-located with the YEI team as well as a second member of Jobcentre Plus staff. The team are based in 193 Northgate.
22. The Youth Friendly Darlington Initiative was formally launched with a business breakfast at Darlington College on 11 October 2022. The Council and partner organisations have been working with Youth Employment UK, the pre-eminent national charity in this field since April. As experts on youth employment and unemployment, they are ideally placed to understand the complex landscape facing young people, educators, employers and policy makers. There are two key elements to the initiative:
 - (a) an on line 'hub' where young people can access employment support and where businesses can promote the opportunities they have available and;
 - (b) A Good Youth Employment Charter, where employers agree to work towards a set of principles and to being recognised as a Youth Friendly Employer
23. Both elements are now live and being developed and promoted.

Children's Commissioning and Contracts

24. Joint work has been taking place in respect of the Foundations Families Accommodation and Outreach commissioned service between Children's Commissioning, Private Sector Housing and Foundations (the provider) to maximise the number of properties available for Darlington families receiving support through this contract. This joint venture has focused on the potential for empty homes to be brought back into use for local families. Initial exploratory discussions however, have already identified two potential empty properties with owners in support of their properties being used by Foundations to deliver this service.
25. Work will begin in November between local authority SEND (Special Educational Needs and Disabilities) Commissioning, Health and Parents Carer Forum colleagues in terms of identifying and mapping out need in respect of the Emotional Health and Wellbeing offer across Darlington. At the heart of this initiative will be co-production with families and children involved in the SEND agenda who have directly experienced these services as well as key stakeholders. Darlington, along with neighbouring Tees authorities and NECS (North of England Commissioning Support Unit) have been successful in securing funding in terms of developing the 'child's voice' to help progress this offer.

Climate Change

26. We continue to encourage teams to develop themes and ideas to support climate change. The current theme is energy efficiency within the home.

Councillor Jon Clarke
Children and Young People Portfolio

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COUNCIL
24 NOVEMBER 2022

OVERVIEW OF ECONOMY PORTFOLIO

1. Since the last meeting of Council, the following are the main areas of work undertaken under the Economy Portfolio.

Ingenium Parc – Proposed Development Update

2. Cabinet have approved the sale of approximately 11.28 acres (4.56 Ha) of land at Ingenium Parc, Darlington, subject to the grant of planning permission for development. The Council-owned land is a key employment site, located within Darlington's Eastern Urban Fringe.
3. An enquiry has been received from a developer with an occupier identified to acquire a site and as part of their proposals they have indicated that, subject to planning permission, they would build a road to access their site that would in turn open up more of the Council's land.
4. The sale of the land at Ingenium Parc will help to achieve development of further plots and new income through business rates and will assist business development and job creation in Darlington.

Planning and Development Management

5. There have been 355 complaint cases recorded in 2021. 335 closed with justification from officers.
6. There have been 226 complaint cases recorded in 2022. 172 closed with justification.
7. Since the beginning of August 2020, 1,411 applications have been received of which 59 are categorised as major. 1,196 decisions have been made in this period, including Committee Decisions, Chairs Delegated and Delegated Decisions.
8. Notices under Section 215 of the Town and Country Planning Act [untidy land and buildings] have been served on a property in Skinnergate and Northgate House. Satisfactory conclusions have been arrived at, relating to both buildings, which will involve significant external appearance changes to the betterment of the Town Centre, supporting the work currently being undertaken under the Towns Fund.
9. Since the last overview report, progress has been made with colleagues across the Tees Valley to deal with this issue on a catchment area basis. Our Local MPs have also been briefed and have raised the issue at Westminster. Since the last report, further guidance has been issued by the Department for Levelling Up, Housing and Communities, supported by a Ministerial Statement, which has clarified the position for all authorities within the catchment area, including Darlington. Essentially for the moment, new

development involving overnight stays is paused until early next year, by which time Natural England will have in place a system for developers to purchase mitigation credits relating to nutrients, which will allow planning permissions for overnight stays including housing to be recommenced. There is a degree of uncertainty since the change in Government Leadership on how this issue will progress or change in the coming weeks. Guidance is awaited

Environmental Health

10. The Environmental Health Section has responded to 1,305 requests for service in Quarter 2 2022/2023. The main categories of these requests are:

- (a) Food – 109
- (b) Licensing – 105
- (c) Noise – 286
- (d) Planning Enquiries – 62
- (e) Refuse – 86
- (f) Pest – 184
- (g) Personal searches – 287

11. Environmental Health have recently taken enforcement action in relation to a food premises in Darlington. The business was visited as part of a routine inspection programme and was prosecuted due to the conditions found.

Charges

- (a) 1 The premises was not kept clean as required by Retained Regulation (EC) No 852/2004 Annex II Chapter I Para 1, contrary to Regulation 19 of the Food Safety & Hygiene (England) Regulations 2013.
- (b) Equipment in the premises was not kept clean as required by Retained Regulation (EC) No 852/2004 Annex II Chapter V Para1(a) contrary to Regulation 19 of the Food Safety & Hygiene (England) Regulations 2013.

Outcome

The defendant attended Peterlee Magistrates' Court yesterday and pleaded guilty.

Fines/costs

£695 (The defendant informed the court that he has a low income, and this was reflected in the unusually low fine)

12. Teesside Airport has applied to the Food Standards Agency to become a Border Control Post. This is required to allow the importation of food from Third Countries e.g. Africa.
13. Initially it was believed officers had approximately 12 months to facilitate this work, but following a number of high-level meetings and the announcement that Doncaster Airport is to close from the end of October, this process is now being fast tracked and it is hoped that the matter will be finalised in matter of weeks.

14. Due to current staff resource issues, the plan is to 'outsource' the day-to-day operation of the Border Control Post to officers of River Tees Port Health Authority who operate the port at Teesside, and for this purpose a Service Level Agreement is being developed.
15. Officers in Environmental Health will remain the Competent Authorised Officers for the Border Control Post and will maintain ultimate responsibility for its operation.
16. The details and costings are yet to be finalised.
17. Officers from Environmental Health, in conjunction with Public Health, have introduced the Darlington Healthy Catering Award Scheme.
18. The aim is to use community led changes to environments in which children and young people live, play and socialise. To facilitate the shift towards the healthy choice being the 'normal' choice with a joined-up community-based systems approach to encourage more healthy family behaviours.
19. The award is assessed and managed within Environmental Health Team. A link to the award is given below:
[Darlington Borough Council - Darlington Healthy Catering Award Scheme](#)
20. Darlington College Childcare Centre has recently achieved the Healthy Early Years Award. The centre put healthy eating high on the agenda along with oral health and physical literacy as it seeks to give the children the best start in life. Healthy Early Years Award is just one small part of the Darlington Healthy Weight Plan.
21. Councillor Jon Clarke, Cabinet Member for Children, Young People and Education, presented the Childcare Centre with its award and said: "It's brilliant, I'm 100% behind it and I will be banging the drum for other settings to try for the award."
22. The Air Quality Annual Status Report 2022, reporting on the air quality monitoring carried out during 2021 and measures to improve air quality, has been approved by Defra. Air quality levels across all monitoring sites around the Borough remain below the annual air quality objective for nitrogen dioxide. Work will continue in conjunction with other council sections, neighbouring councils and through the Tees Valley Combined Authority, to implement local actions to continue to improve air quality within the borough.

Business Investment

23. Hundreds of businesses and local job seekers took advantage of the first ever Darlington Business Summit held at the Dolphin Centre from Wednesday 5 until Friday 7 October.
24. Organised by Darlington Borough Council, and in conjunction with Darlington Business Club, the three-day event gave local business people, and those who are thinking of starting a business, the chance to network with others and to find out more about the help and support available across the borough and the wider Tees Valley.
25. Work opportunities and training became the focus of the middle day of the event as Darlington Jobs Fair took centre stage. More than 800 people browsed a wide range of stalls from around 60 local employers and training providers. The event gave people the chance to chat face to face with employers to find out more about the local opportunities on offer. A live jobs board also gave people the chance to apply for immediate vacancies across more than 100 jobs.
26. The final event provided the Darlington economic update to an audience of business leaders and business stakeholders. In addition, a special presentation was made by Darlington Economic Campus, detailing the opportunities presented by the location of more than 1600 Civil servants in the town.
27. Following the Business Summit, the Business Investment Team have received a number of enquiries from local businesses seeking advice on guidance on a range of issues including recruitment, energy efficiency and digital marketing.

Climate Change

28. The second quarter reports on the climate change action plan are being gathered by the Climate Change Officer. He will soon be starting work with lead officers on next year's milestones.
29. We are looking at ways to improve both the data gathering and reporting process. We are working with the Systems Development Team to see if we can use the same systems as the corporate action plan.
30. Work has also started with Senior Management Teams to develop an adaptation plan, to ensure that we are ready for whatever climate change challenges us with.
31. In light of the short timescales and the first come first served nature of recent government funding, we are looking to develop a pipeline of projects.

Darlington Town Fund

32. Towns Fund projects continue to be developed and delivered. In the town centre, design work is progressing at the Northern Echo building in relation to the proposed Adult Skills facility. Whilst in Skinnergate and The Yards, delivery and design work providing improvement and enhancements to both the public realm and properties continues, with a number of properties along Skinnergate improved, adding to those within the Yards.

Improvements have also been undertaken to the entrance way into Mechanics Yard from High Row.

33. The new T Levels facility at Darlington College is progressing well onsite, with structural steelwork now erected.
34. Victoria Road enhancements are now progressing, with plans for lighting enhancements, improvements to exterior of selected properties, re-establishment of the pocket park at the junction with the ring road and plans to explore opportunities for new artwork. The draft creative strategy is in development and will be shared with the wider community in the coming weeks.
35. Darlington's participation in the Southampton University *'Feeling Towns Programme'* aimed at developing an understanding of what 'pride' means to different people, continues to progress toward completion of the academic report by the University.

Councillor Jamie Bartch
Cabinet Member with Economy Portfolio

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COUNCIL
24 NOVEMBER 2022

OVERVIEW OF HEALTH AND HOUSING PORTFOLIO

Purpose of the Report

1. Since the last meeting of Council, the main areas of work under my Health and Housing Portfolio were as follows:-

NHS Winter Plan

2. NHS England recently outlined plans to prepare local services for additional pressure, by creating the equivalent of 7,000 more beds through a mixture of new hospital beds, 'virtual ward' spaces and initiatives to improve patient flow over the coming months.
3. Campaigns such as the COVID Booster and Flu Vaccines campaigns are a key part of a broad range of efforts to avoid preventable illnesses and hospital admissions over the winter period.
4. Flu vaccination is safe and effective. It's offered every year through the NHS to help protect people at risk of getting seriously ill from flu. The seasonal flu and COVID – 19 vaccination programmes are now fully underway locally. In addition, school-based programme for school aged children is underway and many of our local primary schools have had their school-based vaccine session.
5. Those residents eligible for free seasonal flu vaccination can access seasonal flu vaccinations from their local GP as well as from community pharmacies in Darlington.
6. COVID vaccinations are available in Darlington from the Vaccination Centre at Darlington Arena and some community pharmacies. Eligible residents can book their vaccination slots via the NHS National Booking System. Residents should NOT contact their own GP as they will be unable to help them with their COVID vaccination.
7. Darlington Memorial Hospital has created an additional ward to support, in particular patient transfers at Accident and Emergency. I recently undertook a visit to see the process in operation and to better understand the challenges faced by teams at Darlington Memorial Hospital.

Public Health

8. The new Section 75 Partnership agreement has been agreed with Harrogate and District Foundation Trust for our Health Visiting and School Nursing service in Darlington and went live on Monday 3 October.
9. Harrogate and District Foundation Trust has provided this service in Darlington since 2015 and have consistently provided a high-quality service throughout this period.

10. There will be no immediate difference noticeable to children and families, but this gives more opportunities for closer joint and partnership work between the 0-19 Service and other partners in Darlington.
11. A programme of community activities and taster activities took place over October half term for Adults with Learning Disabilities which included Aqua Aerobics, Carpet Bowls, and walks at South Park. An exercise to music class is taking place at Eastbourne Sports Complex, as well as food preparation session in collaboration with Age UK.
12. Darlington Borough Council Adult Day Services are providing Healthy Lifestyle information sessions and an offer of free 6-month membership at the Dolphin Centre, as part of the exercise on referral scheme.

Housing Services

Anti-Social Behaviour

13. I'm pleased to report that our Housing Tenancy Enforcement Team were recently successful in 2 further cases to resolve ongoing and serious issues relating to anti-social behaviour (ASB) in Council accommodation.
14. Firstly, they secured the eviction of a tenant living in a Council property in the Lascelles area and the tenant was subsequently evicted as a result. The tenant had subjected neighbours to various forms of ASB which included drug related activity and damage to council property. Tenancy Enforcement Officers worked collaboratively with the Police and residents to secure this eviction.
15. In addition, Officers were also successful in obtaining an ASB Closure Order for a Council property in the Firthmoor area. Officers worked with Police and local Ward Members in relation to reports of disruption and ASB from visitors to the property, noise nuisance and criminal activity.

Homelessness

16. As part of a North East regional bid to secure £3.7m of Government funding from the Rough Sleeper Initiative for 2022-25, our Housing Options service has obtained the following for the next 3 years:
 - (a) 2 "Housing First" properties that will help alleviate homelessness for people with complex and multiple needs.
 - (b) A Housing Options Navigator post, to help us deliver the Homelessness Duty to Refer function of the Homeless Reduction Act 2017.
 - (c) An Outreach Support Worker, to deliver daily street checks, work on the streets to get individuals into services, support the Rough Sleeper Action Groups and bi-monthly rough sleeper counts, Street Link alerts and responses.
 - (d) A Regional Rough Sleeper Coordinator to work alongside our regional partners to plan and identify gaps in services and help deliver this element within the Preventing

Rough Sleeping and Homelessness Strategy.

17. In addition, our Housing Options team were also successful in securing over £300k of Government funding as part of the Rough Sleeper Accommodation Programme, to deliver 5 units of accommodation for homeless clients with high level complex needs. This was a joint bid with our voluntary sector partner, the 700 Club who will develop the scheme.

Dolphin Centre

18. The Dolphin Centre was extremely fortunate to host one of the Army's finest bands, Band of the Coldstream Guards, for a poignant commemorative concert, raising funds for ABF The Soldiers' Charity on the 30 September. The Band of the Coldstream Guards is one of the oldest and best-known military bands in the world and attracted an audience of 450 children from Darlington schools during the day and a further 400 attendees on the evening.
19. The Dolphin Centre gym underwent a refurbishment to update equipment to the latest models provided by global fitness equipment leaders, Technogym, and modernise the environment for customers. Current membership numbers now exceed 2,000 in addition to casual users, which is in line with the highest membership figures in the history of the gym.
20. The October half-term school holiday focused on celebrations for the Dolphin Centre's 40th birthday. This included the installation of a roller-skating rink in the sports hall to acknowledge the popularity of its roller discos in previous years. Free family entertainment was included during the week, including face painting, balloon modellers and 80's themed mascots. A competition was also held with primary schools to design a t-shirt that staff wore during half-term. The winning entry was from a year 5 pupil at Reid Street School, who won the opportunity to bring their class to DC Bowl on 2 November; the Dolphin Centre's official birthday.

Holiday Activity Project

21. For the October half-term holiday period, 15 events were organised at venues across the town with 540 places available, working with the Parent Carer Forum who organise sessions for families and children with SEN. Sessions took place at Pendragon and DC Bowl.

Sheltered Housing Project

22. The Move More team delivers 13 sessions weekly in sheltered housing schemes, which vary from chair-based exercises to Tai Chi and carpet bowls. The majority of residents are aged 60 years plus.



Councillor Kevin Nicholson
Cabinet Member with Portfolio for Health and Housing

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COUNCIL
24 November 2022

OVERVIEW OF RESOURCES PORTFOLIO

1. Since the last meeting of Council, the following are the main areas of work undertaken under the Resources Portfolio.

Revenues and Benefits Debt Recovery

2. Our Revenues and Benefits team has continued to achieve a number of recent successes in recovering some long-standing high debts and further demonstrates our commitment to pursue residents who deliberately avoid paying amounts owed to the Council:
 - (a) a debtor living in the Cockerton area had a number of outstanding Council Tax debts for previous addresses totalling £12,095. No contact was received from the debtor, so bankruptcy proceedings were commenced. However, before the court hearing, the debtor made a full payment, together with costs of £1,635.
 - (b) a debtor living in the Northgate area owed over £7,365 in Council Tax for his home he had moved into in December 2016 and had not made any payments. No contact was received from the debtor, so extensive investigations were undertaken by Recovery Officers to locate his employer. An attachment of earnings order was then served on his employers and so far, £2,121 has been collected.

Capital Projects and Design Services Management

3. The Council's capital programme has a wide range of projects being developed and delivered. Design work is progressing on a number of schemes.
 - (a) Darlington Station - the demolitions phase is now underway on the Eastern side of the scheme with a number of buildings already cleared.
 - (b) The Railway Heritage Quarter continues on site with the new engineering shed and refurbishment work to the 1861 shed on Whessoe Road
 - (c) works are ongoing at the Central Library and the Crematorium and new Chapel development.
 - (d) The Innovation Central building has recently been completed on Central Park and is now being operated by NE-BiC.
4. The impact of inflation continues to be monitored on a project-by-project basis across the capital programme.

Parliamentary Boundary Review

5. The Boundary Commission for England (BCE) published the revised proposals for the new constituency boundaries on Tuesday 8 November 2022. The consultation on the revised proposals will run from 8 November to Monday 5 December 2022 and it is the last opportunity to participate in the 2023 Boundary Review. Further information on the review, how to be involved and interactive maps can be found on the BCE's website <https://boundarycommissionforengland.independent.gov.uk/>.

Annual Canvass (Electoral Registration) 2022

6. This year's Annual Canvass commenced on 4 July 2022, the third Annual Canvass under the new reformed process. As reported at the previous meeting, an initial data match with national and local data sets was undertaken prior to the Canvass commencing, and this suggested that a significant number of properties had no changes in terms of the household composition. As such, the residents within these properties were only required to respond to the Annual Canvass Form where there was a change.
7. The final stage of the Annual Canvass commenced in September and is still on-going whereby those households that were required to respond, but the forms were still outstanding, would receive a personal to encourage them to complete the form. This work will be finalised by the end of November with the updated Register of Elections being published on 1 December 2022.

Elections - Draft Legislation

8. The Department for Levelling Up, Housing and Communities (DHLUC) has laid draft legislation before Parliament, on Thursday 3 November 2022, to implement the establishment of voter identification at elections, as stipulated in the Elections Act 2022. It is anticipated that the regulations will become law in mid-January 2023 and will be in force for the elections scheduled to take place from May 2023. The regulations, when implemented, will require voters to identify themselves by showing an approved form of photographic identification at a polling station before being issued with a ballot paper to cast their vote.
9. DHLUC has also laid before Parliament draft Statutory Instruments on changes to the voting arrangements for Combined Authority Mayoral Elections from May 2023. The legislation amends the practical arrangements to reflect the change to the first past the post voting system and provides for new forms of ballot papers and other forms to be used at future elections.

Councillor Scott Durham
Cabinet Member with Resources Portfolio

COUNCIL
24 NOVEMBER 2022

OVERVIEW OF STRONGER COMMUNITIES PORTFOLIO

1. Since the last meeting of Council, the following are the main areas of work undertaken under the Stronger Communities Portfolio.

Community Safety

Safer Streets Programmes

2. The Safer Streets 3 programme continues to progress. The multi-agency safe place, 'number 40', in Skinnergate was launched on 1 September 2022, and opened as a safe place on Friday 2 September 2022. The project has already started demonstrating success and has seen around 80 recorded interactions in the first six weeks of operation. There are now in excess of 20 volunteers signed up (with more anticipated) who will staff the premises.
3. All Safer Streets 4 workstreams are well underway.
 - (a) Future Pathways, multi-activity sessions provided by Martin Gray Academy.
 - (b) Theatre in Education programme in secondary schools focussed on ASB issues.
 - (c) Bespoke ASB education programme for smaller targeted groups in secondary schools.
 - (d) Recruitment of a reparation worker to deliver an ASB pathway and early intervention programme.
 - (e) Delivery of a family support programme for 10 families.
 - (f) Completion of a digital ASB training package by all Civic Enforcement Officers and Police Community Support Officers.

Civic Enforcement Service

Anti-Social Behaviour (ASB)

4. Officers have commenced referrals into the Future Pathways initiative, which forms part of the Safer Streets 4 programme of work.
 - (a) nine First Warnings have been given to youths identified as being involved in ASB.
 - (b) one Final Warning has been given to a youth who refused to sign an Acceptable Behaviour Agreement (ABA).

- (c) 11 Youths have been identified as being involved in ASB and are now awaiting an interview.

Environmental Crime

- 5. In the period of reporting, the following outcomes have been achieved:
 - (a) two convictions at court for fly tipping offences;
 - (b) two Fixed Penalty Notices issued for littering (feeding the pigeons in the Town Centre);
 - (c) five Community Protection Notice Warnings issued for side waste.

Trading Standards

- 6. In the period of reporting, the following outcomes have been achieved:
 - (a) Under Operation CeCe, a national initiative, a multi-agency team, visited numerous shops targeting illegal tobacco trading. The exercise seized over 46,000 cigarettes, over 14Kg of rolling tobacco, 218 illegal vapes and counterfeit watches.
 - (b) In a separate operation the team seized 628Kg of tobacco products.
 - (c) The team are working with the National Trading Standards Scams Team to compensate vulnerable victims who were fraudulently targeted to make upfront payments of fees. The compensation came from funds secured from the proceeds of crime. Five victims in Darlington have received compensation to date. The team are also working with national teams on bank fraud and visiting victims to offer advice and put measures in place to prevent further scams.
 - (d) The team have also issued a warning letter to a farmer over an animal health matter where a number of severely lame ewes were presented for sale.

Private Sector Housing

Private Sector Housing Strategy 2022-2027

- 7. The Private Rented Sector performs an essential role in supporting Darlington's economic viability and meeting housing needs. As such, Private Sector Housing have published a five-year plan with three key aims:
 - (a) Decent quality homes in the private rented sector
 - (b) Enable growth in the private rented sector
 - (c) Working with and supporting all residents in Darlington

8. This strategy presents some of the key challenges facing the Private Sector Housing team. There is a focus both on current initiatives and future intentions to ensure that the living conditions of residents continue to improve.

Smoke and Carbon Monoxide Regulations

9. Changes to regulations were introduced in October 2022. In addition to ensuring smoke alarms are positioned on each floor, at the start of each tenancy landlord's must now:
 - (a) ensure a carbon monoxide alarm is equipped in any room used as living accommodation which contains a fixed combustion appliance (excluding gas cookers);
 - (b) ensure smoke alarms and carbon monoxide alarms are repaired or replaced once informed and found to be faulty.
10. Prior to the changes in legislation, the majority of landlords were compliant with the 2015 regulations. Awareness amongst landlords of the new regulations will need to be raised.

PREVENT

11. A joint bid was submitted with Durham County Council to the Home Office for £30k to deliver specific education to designated safeguarding leads in schools/colleges. This training will upskill these members of staff to recognise and mitigate the impact of Autism Spectrum Disorder and Attention Deficit/Hyperactivity Disorder on 11–18-year-olds in relation to risk of being radicalised.

Communications

12. A pilot event for the Eyes and Ears programme was held on 29 September 2022. All learning will be incorporated into future delivery, which will commence in November/December 2022 pending availability of prospective attendees.
13. HM Treasury have asked for a member of the UNITY group to represent Darlington communities at their newly formed engagement group, with the first meeting scheduled for 25 November 2022.

Crime and Disorder

14.

Darlington	YTD SEPTEMBER 2021	YTD SEPTEMBER 2022	% Increase/decrease
Crime	5588	5682	+2%
Incidents	13487	16137	+4%
ASB	1780	1748	-2%

15.

DARLINGTON TOWN CENTRE	YTD SEPTEMBER 2021	YTD SEPTEMBER 2022	% Increase/decrease
Crime	657	740	+13%
Incidents	1244	1303	+5%
ASB	149	148	-1%

Climate Change

Local Authority Delivery Phase 2 (LAD2)

16. As part of the LAD2 project, 57 energy efficiency measures were installed in energy inefficient owner-occupied properties. These included ten properties which have benefited from external wall insulation and 28 properties that have been fitted with solar panels.

Home Upgrade Grant phase 1 (HUG1)

17. The HUG1 project commenced in October 2022 and will focus on improving 260 energy inefficient homes across the Tees Valley that are 'off gas' (those not connected to or not using gas to heat their homes or water). This project is being managed by the Tees Valley Combined Authority and is expected to be completed by March 2023.

Household Support Fund

18. On 26 May 2022, the Chancellor announced, as part of a number of measures to provide help with global inflationary challenges and the significantly rising cost of living, that the Household Support Fund (HSF) would be extended from 01 October 2022 to 31 March 2023. As has been done for previous schemes, the fund has been made available to County Councils and Unitary Authorities in England to support those most in need. This will be the second extension to the fund since its inception in October 2021.
19. A programme of support was agreed at Cabinet on October 11th and a proposal submitted to the Department of Work and pensions on October 28th.
20. The allocation for Darlington is £913,853. To comply with the guidance and taking into account delivery in previous rounds the following elements for inclusion in the programme are as follows:
- (a) Food vouchers to families with children on free school meals
 - (b) Fuel vouchers
 - (c) Support for the Food Bank
 - (d) Support for Care Leavers
 - (e) Support for Elderly
 - (f) Support for Vulnerable Groups through the voluntary and community sector

21. For elements delivered by third party organisations procurement procedures have been followed with allocations approved by Procurement Board on 24th October. Agreements have been drawn up and arrangements for spend are in place.
22. Provision of food vouchers during school holidays for families with children on free school meals has been included as in previous rounds as has fuel vouchers. In total 57% of the allocation is being delivered by the third sector.

Stronger Communities Awards

23. The Stronger Communities Awards was held on Friday 11 November. The awards celebrate achievements in 15 categories. This year 430 nominations from the public were received. The ceremony itself attracted over 400 guests including The Mayor, High Sheriff and Vice Lord Lieutenant, who subsequently wrote to say that through the awards the strength of community in Darlington shone out.

Councillor Mike Renton
Stronger Communities Portfolio

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COUNCIL
24 NOVEMBER 2022

COUNCIL TAX SUPPORT - SCHEME APPROVAL 2023-24

**Responsible Cabinet Member -
Councillor Scott Durham, Resources Portfolio**

**Responsible Director -
Elizabeth Davison, Group Director of Operations**

SUMMARY REPORT

Purpose of the Report

1. To approve the Council Tax Support (CTS) scheme for 2023-24.

Summary

2. On 25 November 2021, Council approved the local CTS scheme for 2022-23 and the scheme became operational on 1 April 2022.
3. Councils are required to set a CTS scheme each year and as part of that exercise:
 - (a) Consider whether any changes should be made to the existing scheme, and
 - (b) Where changes are made, consider what transitional protection, if any, should apply to anyone affected by those changes.
4. This report sets out the details of the CTS scheme for 2023-24. No significant changes are proposed to the existing scheme, other than the removal of the provisions for care leavers under the age of 25, as it is proposed to introduce a Council Tax exemption for this group, covered under a separate report.
5. This report was considered by Cabinet on 8 November 2022, who agreed its onward submission for approval by Council.

Recommendation

6. It is recommended that Council:-
 - (a) Consider the contents of this report.
 - (b) Approve the CTS scheme for 2022-23 at **Appendix 1** which is to continue providing up to 80% CTS for all working age people.

Reasons

7. The recommendations are supported by the following reasons :-

- (a) The Council is required to publish a local CTS scheme for 2023-24 by 11 March 2023.
- (b) The CTS schemes since 2013 have all been implemented successfully without any major challenges.
- (c) The continued application of a reduced entitlement for working aged people is still appropriate, given the current financial position of the Council.

Elizabeth Davison
Group Director of Operations

Background Papers

- (i) Local Government Finance Bill 2012
- (ii) Council Tax Reduction Schemes (Prescribed Requirements) Regulations 2012

Anthony Sandys: Extension 6926

S17 Crime and Disorder	There are no issues
Health and Wellbeing	The CTS scheme may have an adverse impact on the health and well-being of low income groups
Carbon Impact and Climate Change	There is no impact in this report
Diversity	Working aged recipients of CTS are treated differently to pensioners, whose CTS entitlement is decided under a national set of regulations
Wards Affected	All wards are affected but in particular, those with higher numbers of people claiming CTS
Groups Affected	Working age recipients of CTS are affected by the local scheme. Pensioners are protected under a national set of regulations.
Budget and Policy Framework	The issues contained within this report do not represent a change to Council budget or the Council's policy framework
Key Decision	This is not an Executive decision
Urgent Decision	This is not an Executive decision
Council Plan	This report supports the Council Plan to maximise Council Tax income
Efficiency	The operation of the local CTS scheme continues to represent a significant financial challenge to the Council and other precepting authorities

Impact on Looked After Children and Care Leavers	Care leavers under the age of 25 will be exempt from Council Tax from April 2023 covered under a separate report
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MAIN REPORT

Information and Analysis

8. Since 2013, the previous national Council Tax Benefit scheme was replaced with local CTS schemes, designed and administered by local authorities. Grants are paid to local authorities to fund CTS, but the overall amount does not fully meet actual expenditure levels.
9. The Council is required to design and publish a new CTS scheme each year, in time to implement for annual Council Tax billing. A full public consultation exercise and an equality impact assessment were undertaken on the initial scheme in 2013.
10. Each year, the Council has to consider whether any changes should be made to the existing scheme and, where changes are made, consider what transitional protection, if any, should apply to anyone affected by those changes.
11. Each year's scheme then has to be approved by full Council.
12. The key feature of Darlington's CTS scheme is that working aged people can only receive a maximum of 80% support towards their Council Tax. In April 2018, a provision was made to provide up to 100% support for care leavers under the age of 25. Under a separate report, it is proposed to provide a Council Tax exemption for this group from April 2023 and therefore, this provision in the CTS scheme has been removed for 2023-24 (as care leavers under the age of 25 will no longer pay Council Tax). Pensioners are also protected under a national set of regulations.
13. No other changes are recommended for the 2023-24 CTS scheme however, Members should note the following:
 - (a) The applicable amounts in Table 1 and non-dependant deductions in Table 2 are those amounts currently applied to the 2022-23 CTS scheme and will be uprated for 2023-24. The uprated amounts will be calculated with reference to the amended Prescribed Requirement regulations and Social Security Benefits Up-rating Order. These regulations will be published in January 2023 and the CTS scheme for 2023-24 will therefore be amended before publication.
 - (b) Any other changes to the Prescribed Requirements regulations 2023 will also be incorporated into the CTS scheme for 2023-24 before publication. These changes are for reference only and do not represent a change to the local CTS scheme.

Financial Implications

14. The recommendations in paragraph 6 will not have any significant financial implications and therefore it is not intended to amend the budget in the MTFP.

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Council Tax Support Scheme

2023 - 2024

Introduction

1. Council Tax Support (also referred to as Council Tax Reduction) is the means of helping people on low incomes pay their Council Tax. Each Council Tax billing authority is responsible for setting its own local Council Tax Support scheme every year.
2. Pensioners are protected from the effects of local schemes by a national framework of rules and eligibility. Working aged people however are subject to the provisions of the locally defined scheme.
3. On 25 November 2021, Darlington Borough Council approved the Council Tax Support scheme for 2022-2023, which became operational from 1 April 2022.
4. This document sets out Darlington Borough Council's scheme for 2023-2024 and should be read in conjunction with the following regulations.
 - (a) The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012.
 - (b) The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (England) (Amendment) Regulations 2012.
 - (c) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2013.
 - (d) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2014.
 - (e) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) (No. 2) Regulations 2014.
 - (f) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2015.
 - (g) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2016.
 - (h) The Council Tax Reduction Schemes (Amendment) (England) Regulations 2017.
 - (i) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2018.
 - (j) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2020.
 - (k) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2021.

- (l) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2022.

Executive Summary

Prescribed requirements

5. There are a number of prescribed requirements that will apply to all local Council Tax Support schemes and are therefore not included in Darlington's local scheme. These are set out in the regulations referred to in paragraphs 4(a) to 4(l), copies of which can be found at: www.legislation.gov.uk
6. Where the prescribed regulations apply, reference has been made to the relevant parts in the Council Tax Support scheme. For the purpose of this document, "the regulations" are the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012, as amended. A summary of the key features of the regulations are as follows:
 - (a) There is a prescribed scheme for persons who have reached the qualifying age for state Pension Credit. 'Working aged' is defined as people who have not yet reached the qualifying age for state Pension Credit.
 - (b) There are restrictions excluding foreign nationals with limited immigration status and non-economically active European Union individuals.
 - (c) Individuals with refugee status, humanitarian protection, discretionary or exceptional leave to remain granted outside the immigration rules and who are exempt from the habitual residence test are entitled to support with their Council Tax.
 - (d) Regulations allow arrangements for a person to act on behalf of another, for example where a person has been granted a power of attorney over a liable Council Tax payer.
 - (e) Formal rights of appeal are set out in the regulations and appeals are heard by Valuation Tribunals.
 - (f) Billing authorities are required to consider whether to revise or replace their Council Tax Support schemes each year and under such circumstances, to consider what transitional arrangements may be required to move from an existing local scheme to a replacement scheme. Schemes cannot be amended within a financial year.

Key features of Darlington's Council Tax Support scheme

7. The requirements for Council Tax Support schemes are set out in an amendment to the Local Government Finance Act 1992, under Schedule 1A.
8. Council Tax Support for working aged people will be based on 80% of their Council Tax liability (as opposed to pensioners, where entitlement is based on 100%).

9. Entitlement to Council Tax Support will be means tested. The amount of Council Tax Support awarded will depend on:
- (a) The circumstances of the claimant and their family, such as their income and savings.
 - (b) The number of children who live in the household and their circumstances.
 - (c) The number of other adults who live in the household and their circumstances.
 - (d) The amount of Council Tax, less any other discounts or reliefs.

Temporary absence from home

10. There are no temporary absence rules for working aged people in Darlington's Council Tax Support scheme. Anyone who is liable for Council Tax on a dwelling which is their sole or main residence and not subject to a Council Tax exemption is able to claim Council Tax Support. The temporary absence rules for pensioners are set out in Schedule 1, Part 1, paragraph 5 of the regulations.

Students

11. There are no specific exclusions for students in the Council Tax Support scheme. Anyone who is liable for Council Tax and not subject to the Council Tax student exemption is able to claim Council Tax Support.

Extended payments

12. Under the Council Tax Support scheme, anyone losing entitlement to a qualifying benefit, such as Income Support, income based Jobseekers Allowance, income related Employment and Support Allowance or Universal Credit due to moving into work or increasing their hours or pay, automatically qualifies for a 4 week run on of their Council Tax Support.

Backdating

13. An automatic backdating rule exists for Council Tax Support claims. Claims can be paid for any period where entitlement to Council Tax Support exists. There is no requirement for a person to show 'good cause' as to why they didn't claim earlier.
14. The backdating rules for pensioners are set out in Schedule 8, Part 2, paragraph 6 of the regulations.

Discretionary discounts

15. The Council has the power under section 13A of the Local Government Finance Act 1992, to reduce the Council Tax liability of a person "to such an extent as it thinks fit". This includes the power to reduce the amount to nil.

16. The Council has a Council Tax Discretionary Discount policy, details of which can be found at: [Darlington Borough Council - Discounts and Exemptions](#).

People who can claim Council Tax Support

Who can claim

17. The rules for making an application to Council Tax Support is set out in Schedule 8, Part 2, paragraph 4 of the regulations. These state:

- (a) In the case of a couple or members of a polygamous marriage an application is to be made by whichever one of them they agree should apply or, in default of agreement, by such one of them as the council decides.
- (b) Where the person who is liable for Council Tax is unable to act the Council will accept or appoint a person who may make an application on their behalf, in accordance with the provisions contained within this part of the regulations.

18. The classes of working aged people entitled to a reduction under the Council's scheme are as follows:

People in receipt of a qualifying benefit

19. People in receipt of a qualifying benefit are classed as:

- a) Working aged
- b) Liable to pay Council Tax on a dwelling they occupy as their sole or main residence
- c) Entitled to Income Support, income-based Jobseekers Allowance or income-related Employment and Support Allowance.

20. Having claimed Council Tax Support, this class of people will be entitled to the maximum support of 80% of their eligible Council Tax, less any deductions for non-dependants.

People with income equal to or less than their applicable amount

21. People with income equal to or less than their applicable amount are classed as:

- (a) Working aged
- (b) Liable to pay Council Tax on a dwelling they occupy as their sole or main residence
- (c) Capital is less than £16,000
- (d) Income is equal to or less than their applicable amount

22. Having claimed Council Tax Support, this class of people will be entitled to the maximum support of 80% of their eligible Council Tax, less any deductions for non-dependants.

People with income more than their applicable amount

23. People with income more than their applicable amount are classed as:

- (a) Working aged
- (b) Liable to pay Council Tax on a dwelling they occupy as their sole or main residence
- (c) Capital is less than £16,000
- (d) Income is more than their applicable amount

24. Having claimed Council Tax Support, this class of people will have their income compared to their applicable amount. The amount of Council Tax Support will be reduced by 20% of the amount the income exceeds the applicable amount. Entitlement will be up to a maximum of 80% of their eligible Council Tax, less any deductions for non-dependants.

People receiving Universal Credit with income equal to or less than their Universal Credit maximum award

25. People receiving Universal Credit with income equal to or less than their Universal Credit maximum award are classed as:

- (a) Working aged
- (b) Liable to pay Council Tax on a dwelling they occupy as their sole or main residence
- (c) Capital is less than £16,000
- (d) In receipt of Universal Credit
- (e) Assessment of income provided by Universal Credit plus the award of Universal Credit is equal to or less than their Universal Credit maximum award.

26. Having claimed Council Tax Support, this class of people will be entitled to the maximum support of 80% of their eligible Council Tax, less any deductions for non-dependants.

People receiving Universal Credit with income more than their Universal Credit maximum award

27. People receiving Universal Credit with income more than their Universal Credit maximum award are classed as:

- (a) Working aged
- (b) Liable to pay Council Tax on a dwelling they occupy as their sole or main residence
- (c) Capital is less than £16,000
- (d) In receipt of Universal Credit

- (e) Assessment of income provided by Universal Credit plus the award of Universal Credit is more than their Universal Credit maximum award.

28. Having claimed Council Tax Support, this class of people will have their assessment of income provided by Universal Credit plus the award of Universal Credit compared to their Universal Credit maximum award. The amount of Council Tax Support will be reduced by 20% of the amount the income exceeds the Universal Credit maximum award. Entitlement will be up to a maximum of 80% of their eligible Council Tax, less any deductions for non-dependants.

29. The classes of pensioners who are entitled to a Council Tax reduction are set out in Schedule 1, Part 1 of the regulations, as follows:

Pensioners with income equal to or less than their applicable amount

30. Pensioners with income equal to or less than their applicable amount are classed as:

- (a) Pension aged
- (b) Liable to pay Council Tax on a dwelling they occupy as their sole or main residence
- (c) Not absent from the dwelling, as defined in Schedule 1, Part 1, paragraph 5 of the regulations
- (d) Capital is less than £16,000
- (e) Income is equal to or less than their applicable amount.

31. Having claimed Council Tax Support, this class of people will be entitled to the maximum support of 100% of their eligible Council Tax, less any deductions for non-dependants.

Pensioners with income more than their applicable amount

32. Pensioners with income more than their applicable amount are classed as:

- (a) Pension aged
- (b) Liable to pay Council Tax on a dwelling they occupy as their sole or main residence
- (c) Not absent from the dwelling, as defined in Schedule 1, Part 1, paragraph 5 of the regulations
- (d) Capital is less than £16,000
- (e) Income is more than their applicable amount.

33. Having claimed Council Tax Support, this class of people will have their income compared to their applicable amount. The amount of Council Tax Support will be reduced by 20% of the amount the income exceeds the applicable amount. Entitlement will be up to a maximum

of 100% of their eligible Council Tax, less any deductions for non-dependants.

Alternative maximum Council Tax Support

34. People entitled to alternative maximum Council Tax Support are classed as:

- (a) Pension aged
- (b) Liable to pay Council Tax on a dwelling they occupy as their sole or main residence
- (c) Not absent from the dwelling, as defined in schedule 1, part 1, paragraph 5 of the regulations
- (d) One or more people reside with the claimant who are not a member of their family
- (e) No other resident in the dwelling is liable to pay rent to the claimant in respect of that dwelling.

35. Having claimed Council Tax Support, this class of people will have their Council Tax Support calculated on the income, or aggregate incomes, of one or more people who reside in the dwelling, up to a maximum of 25% of their eligible Council Tax.

Pensioners with war pensions

36. Pensioners with war pensions are classed as:

- (a) Pension aged
- (b) Liable to pay Council Tax on a dwelling they occupy as their sole or main residence
- (c) Not absent from the dwelling, as defined in Schedule 1, Part 1, paragraph 5 of the regulations
- (d) In receipt of a war pension, as defined by The Housing Benefit and Council Tax Benefit (War Pension Disregards) (Amendment) Regulations 2009.

37. Having claimed Council Tax Support, this class of people will be assessed in accordance with the prescribed regulations for pensioners. Any war pension will be fully disregarded.

Pensioners

38. The provisions for pensioners are set out in Schedules 1 to 6 of the regulations.

39. The meaning of who is and who is not a pensioner is set out in paragraph 3 of the regulations. These state:

- (a) A person is a 'pensioner' if they have attained the qualifying age for state Pension Credit; and

- (b) They, or their partner are not in receipt of Income Support, income-based Jobseekers Allowance, income related Employment and Support Allowance, or Universal Credit
- (c) A person is 'not a pensioner' if they have not attained the qualifying age for state Pension Credit; or
- (d) They have attained the qualifying age for state Pension Credit and they, or their partner are in receipt of Income Support, income-based Jobseekers Allowance, income related Employment and Support Allowance, or Universal Credit.

Membership of a family

40. The meaning of a 'couple' is set out in paragraph 4 of the regulations. These state a 'couple' is:

- (a) A man and woman who are married to each other or who are civil partners of each other and are members of the same household; or
- (b) A man and a woman who are not married to each other or who are not civil partners of each other but are living together as if they were a married couple or civil partners; or
- (c) Two people of the same sex who are married to each other or who are civil partners of each other and are members of the same household; or
- (d) Two people of the same sex who are not married to each other or who are not civil partners of each other but are living together as if they were a married couple or civil partners.

41. The rules for polygamous marriages are set out in paragraph 5 of the regulations. This regulation applies to:

- (a) A person who is a husband or wife by virtue of a marriage entered into under a law which permits polygamy, and
- (b) Either party to the marriage has for the time being any spouse additional to the other party.

42. The meaning of 'family' is set out in paragraph 6 of the regulations. These state a 'family' is:

- (a) A couple
- (b) A couple and a member of the same household for whom one of them is or both are responsible and who is a child or a young person
- (c) A person who is not a member of a couple and a member of the same household for whom that person is responsible and who is a child or a young person

- (d) A child or young person includes those in respect of whom section 145A of the Social Security Child Benefit Act 2005 applies for the purposes of entitlement to Child Benefit
 - (e) A young person does not include those who are in receipt of Income Support, income-based Jobseekers Allowance, income related Employment and Support Allowance, Universal Credit; or a person to whom section 6 of the Children (Leaving Care) Act 2000 applies.
43. The rules for circumstances in which a person is to be treated as responsible or not responsible for another are set out in paragraph 7 of the regulations. These state:
- (a) A person is to be treated as responsible for a child or young person who is normally living with them
 - (b) Where a child or young person spends equal amounts of time in different households, or where there is a question as to which household they are living in, they will be treated as normally living with;
 - i. the person who receives Child Benefit in respect of that child or young person, or
 - ii. if there is no such person, the person who has claimed Child Benefit, or the person who has the primary responsibility for them.
44. The rules for membership of a household are set out in paragraph 8 of the regulations. These state:
- (a) The claimant and any partner who are treated as responsible for a child or young person, that child or young person and any child of that child or young person, are to be treated as members of the same household
 - (b) A child or young person is not treated as a member of the claimant's household where they are;
 - i. placed with the claimant or their partner by a local authority under section 22C or 23(2)(a) of the Children Act 2002 or by a voluntary organisation under section 59(1)(a) of that Act, or
 - ii. placed with the claimant or their partner prior to adoption, or
 - iii. placed with the claimant or their partner in accordance with the Adoption and Children Act 2002
 - (c) A child or young person is not treated as a member of the claimant's household where they are not living with the claimant as they are;
 - i. being looked after by a local authority under a relevant enactment, unless they live with the claimant for part or all of a relevant week or the authority

considers it reasonable to do so taking into account the nature and frequency of that child's or young person's visits, or

- ii. placed with a person other than the claimant prior to adoption, or
- iii. placed for adoption in accordance with the Adoption and Children Act 2002.

Non-dependants

45. The meaning of non-dependants is set out in paragraph 9 of the regulations. These state a 'non-dependant' is:

- (a) Any person who normally resides with the claimant or with whom the claimant normally resides
- (b) This excludes;
 - i. any member of the claimant's family,
 - ii. a child or young person who is living with the claimant but is not classed as a member of their household,
 - iii. any person who is jointly and severally liable to pay Council Tax in respect of the dwelling,
 - iv. any person who is liable to make payments on a commercial basis to the claimant or their partner in respect of occupation of the dwelling, unless that person is a close relative of the claimant or their partner, or the tenancy or other agreement between them is other than on a commercial basis, or where it appears to the authority to have been created to take advantage of a scheme,
 - v. a person who lives with the claimant in order to care for them or their partner and who is engaged with a charitable or voluntary organisation which makes a charge to the claimant or their partner for the services provided by that person.

Persons from Abroad

46. The rules for persons treated as not being in Great Britain are set out in paragraph 12 of the regulations. These state:

- (a) Persons treated as not being in Great Britain are a class of person prescribed for the purposes of paragraph 2(9)(b) of Schedule 1A to the 1992 Act and which must not be included in the Council's scheme
- (b) Except where a person falls within paragraph (e) below, a person must be treated as not being in Great Britain if the person is not habitually resident in the United

Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland

- (c) A person must not be treated as habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland unless the person has a right to reside in one of those places
- (d) A right to reside does not include a right which exists by virtue of, or in accordance with;
 - i. regulation 13 of the EEA regulations 2016,
 - ii. regulation 14 of the EEA regulations 2016, but only in a case where the rights exist under that regulation because the person, or a family member, is a jobseeker for the purpose of the definition of a 'qualified person' in regulation 6(1) of those regulations,
 - iii. regulation 16 of the EEA regulations 2016, but only in a case where the right exists under that regulation because the claimant satisfies the criteria in paragraph (5) of that regulation,
 - iv. a person having been granted limited leave to enter, or remain in the United Kingdom under the Immigration Act 1971 by virtue of;
 - 1. Appendix EU to the immigration rules made under section 3(2) of that Act (except a person who has a right to reside granted by virtue of being a family member of a relevant person of Northern Ireland and would have a right to reside under EEA Regulations 2016 if the relevant person of Northern Ireland were an EEA national),
 - 2. being a person with a 'Zambrano' right to reside as defined in Annex 1 and Appendix EU to the immigration rules made under section 3(2) of that Act;
 - 3. having arrived in the United Kingdom with an entry clearance that was granted under Appendix EU (Family Permit) to the immigration rules made under section 3(2) of that Act.
- (e) A person is to be treated as not being in Great Britain if the person is not habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland, except;
 - i. a person granted leave in accordance with the immigration rules made under section 3(2) of the Immigration Act 1971, where such leave is granted by virtue of the Afghan Relocations and Assistance Policy, or the previous scheme for locally-employed staff in Afghanistan,

- ii. a person in Great Britain who left Afghanistan in connection with the collapse of the Afghan government that took place on 15 August 2021,
- iii. a qualified person (or their family member), for the purposes of regulation 6 of the EEA regulations 2016 as a worker or self-employed person,
- iv. a person who has a right to reside permanently in the United Kingdom by virtue of regulation 15(1)(c), (d) or (e) of the EEA regulations 2016,
- v. a family member of a relevant person of Northern Ireland, with a right to reside, provided that the relevant person of Northern Ireland is a qualified person, or would do so but for the fact they are not an EEA national,
- vi. a frontier worker within the meaning of regulation 3 of the Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020,
- vii. a family member of a frontier worker, who has been granted limited leave to enter, or remain in, the United Kingdom by virtue of Appendix EU to the immigration rules made under section 3(2) of the Immigration Act 1971,
- viii. a person recorded by the Secretary of State as a refugee within the definition in Article 1 of the Convention relating to the Status of Refugees, as extended by Article 1(2) of the Protocol relating to the Status of Refugees,
- ix. a person who has been granted leave outside of the rules under section 3(2) of the Immigration Act 1971 where that leave is discretionary leave to enter or remain in the United Kingdom, leave to remain under the Destitution Domestic Violence concession, or leave deemed to have been granted by virtue of regulation 3 of the Displaced Persons (Temporary Protection) Regulations 2005,
- x. a person who has humanitarian protection granted under those rules,
- xi. a person who is not subject to immigration control within the meaning of section 115(9) of the Immigration and Asylum Act 1999 and who is in the United Kingdom as a result of their deportation, expulsion or other removal by compulsion of law from another country to the United Kingdom,
- xii. a person in receipt of Income Support or income related Employment and Support Allowance,
- xiii. a person in receipt of income based Jobseekers Allowance and has a right to reside in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland,
- xiv. a Crown servant or member of HM forces posted overseas and the person is performing overseas the duties of a Crown servant or member of Her Majesty's forces and was, immediately before the posting or the first of consecutive postings, habitually resident in the United Kingdom.

47. The rules for persons subject to immigration control are set out in paragraph 13 of the regulations. These state:

- (a) Persons subject to immigration control are a class of person prescribed for the purposes of paragraph 2(9)(b) of Schedule 1A to the 1992 Act and which must not be included in the Council's scheme, except;
 - i. a person who is a national of a state which has ratified the European Convention on Social and Medical Assistance, or a state which has ratified the Council of Europe Social Charter and who is lawfully present in the United Kingdom
- (b) 'Persons subject to immigration control' has the same meaning as in section 115(9) of the Immigration and Asylum Act 1999.

Applicable amounts

48. The applicable amount will be made up of a number of elements. These may include, depending upon individual circumstances:

- (a) A personal allowance for the claimant and their partner
- (b) An amount for every child or young person who is a member of the family
- (c) A family premium where at least one child or young person is part of the household
- (d) Premiums for people in receipt of Employment and Support Allowance
- (e) Premiums which may apply in special circumstances.

49. The weekly amounts to be included in the applicable amount are detailed below. The qualifying conditions for each of these personal allowances and premiums are set out in Schedule 3 of The Council Tax Reduction Schemes (Default Scheme) (England) Regulations 2012. These are summarised in **Table 1**. The applicable amounts for pensioners are set out in Schedule 2 of the regulations.

50. The amounts detailed below in Table 1 are those stated within the 2022-2023 scheme and will be uprated for 2023-2024. The uprated amounts will be calculated with reference to the amended regulations and Social Security Benefits Up-rating Order.

51. People in receipt of Universal Credit will have their Council Tax Support calculated based on their Universal Credit maximum award.

52. The Family Premium does not apply from 1 May 2016, unless the conditions in paragraph 53 apply.

53. Claims for Council Tax Support where the Family Premium applied at 30 April 2016 will continue to be entitled to the Family Premium from 1 May 2016 until their claim for Council

Tax Support ends or their household no longer includes at least one child or young person.

Table 1: Applicable Amounts

Personal allowances	Weekly amount 2022-2023	Weekly amount 2023-2024
Single claimant aged 18 to 24	£61.05	
Working aged single claimant aged 25 or over	£77.00	
Single claimant entitled to main phase Employment and Support Allowance	£77.00	
Working aged lone parent	£77.00	
Working aged couple	£121.05	
Couple entitled to main phase Employment and Support Allowance	£121.05	
Single claimant or lone parent who has attained pensionable age before 1 April 2021	£197.10	
Couple where one or both members have attained pensionable age before 1 April 2021	£294.90	
Single claimant or lone parent who has attained pensionable age on or after 1 April 2021	£182.60	
Couple where one or both members have attained pensionable age on or after 1 April 2021	£278.70	
A child or young person until the day before their twentieth birthday	£70.80	
Family premium	Weekly amount 2022-2023	Weekly amount 2023-2024
A household which includes at least one child or young person (but see paragraphs 52 and 53)	£17.85	
Employment and Support Allowance premiums	Weekly amount 2022-2023	Weekly amount 2023-2024
The claimant or their partner are in receipt of the work related activity component of Employment and Support Allowance	£30.60	
The claimant or their partner are in receipt of the support component of Employment and Support Allowance	£40.60	
Special circumstances premiums (entitlement limited to only one of the premiums below)	Weekly amount 2022-2023	Weekly amount 2023-2024

<p>Disability premium (single) – the claimant is registered blind, or in receipt of one or more of the following:</p> <ul style="list-style-type: none"> • Attendance Allowance • Disability Living Allowance • Mobility Supplement • Long term Incapacity Benefit • Severe Disablement Allowance • The disability or severe disability element of Working Tax Credit • Personal Independence Payment • Armed Forces Independence Payment 	£36.20	
<p>Disability premium (couple) – the claimant or partner is registered blind, or in receipt of one or more of the following:</p> <ul style="list-style-type: none"> • Attendance Allowance • Disability Living Allowance • Mobility Supplement • Long term Incapacity Benefit • Severe Disablement Allowance • The disability or severe disability element of Working Tax Credit • Personal Independence Payment • Armed Forces Independence Payment 	£51.60	
<p>Carers premium – the claimant or partner is entitled to Carers Allowance, the carers element in Universal Credit, or the carers addition in Pension Credit</p>	£38.85	
<p>Special circumstances premiums (entitlement can be applied on top of any other premiums awarded)</p>	Weekly amount 2022-2023	Weekly amount 2023-2024
<p>Severe disability premium (single rate) - for a single claimant, lone parent or couple where:</p> <ul style="list-style-type: none"> • The claimant or partner is receiving Attendance Allowance, or the care component of Disability Living Allowance at the higher or middle rate, or the daily living component of Personal Independence Payment, or Armed Forces Independence Payment, and • No non-dependants aged 18 or over reside with them, and • No one is in receipt of a Carers Allowance, carers element, or carers addition for looking after them. 	£69.40	

<p>Severe disability premium (double rate) – for a couple where:</p> <ul style="list-style-type: none"> • Both the claimant and partner are receiving Attendance Allowance, or the care component of Disability Living Allowance at the higher or middle rate, or the daily living component of Personal Independence Payment, or Armed Forces Independence Payment, and • No non-dependants aged 18 or over reside with them, and • No one is in receipt of a Carers Allowance, carers element, or carers addition for looking after both of them. 	£138.80	
<p>Enhanced disability premium (single) – where:</p> <ul style="list-style-type: none"> • The claimant has limited capability for work related activity, or • The highest rate care component of Disability Living Allowance is payable for the claimant or any member of the claimant's family, or • The daily living component of Personal Independence Payment is payable for the claimant or any member of the claimant's family. 	£17.75	
<p>Enhanced disability premium (couple) – where:</p> <ul style="list-style-type: none"> • The claimant or partner has limited capability for work related activity, or • The highest rate care component of Disability Living Allowance is payable for the claimant or any member of the claimant's family, or • The daily living component of Personal Independence Payment is payable for the claimant or any member of the claimant's family. 	£25.30	
<p>Enhanced disability premium (disabled child) – where:</p> <ul style="list-style-type: none"> • The highest rate care component of Disability Living Allowance is payable for a child or young person, or 	£27.44	

<ul style="list-style-type: none"> • The daily living component of Personal Independence Payment is payable for a child or young person. 		
<p>Disabled child premium – where a child or young person:</p> <ul style="list-style-type: none"> • Receives Disability Living Allowance, or • Receives Personal Independence Payment, or • Is registered blind. 	£68.04	

Making a claim

54. The rules by which a person may apply for a reduction under an authority's scheme are set out in Schedule 7, Part 1 of the regulations. These state that:
- (a) The claim may be made in writing, by electronic communication means or by telephone
 - (b) A claim made in writing must be made to the Council on a properly completed form
 - (c) A claim is considered properly completed if it has been completed in accordance with the instructions on the form, including any instructions to provide information and evidence in connection with the claim
 - (d) Where a claim is defective because it has not been made on a form approved for the purpose, the Council may request the claimant to complete an approved form
 - (e) Where a claim is defective because it is not accepted as being properly completed, the Council may allow the claimant sufficient time to provide information and evidence in connection with the claim, or request further information and evidence
 - (f) If a claim made by electronic communication is defective, the Council must provide the claimant with an opportunity to correct the defect. A claim made by electronic communication is defective if the claimant does not provide all the information the Council requires.

Time and manner of making a claim

55. A claim for Council Tax Support may be made with the Council by completing the on-line claim form on the 'Council Tax Support' page of the Darlington Borough Council website. Where the Council holds sufficient information to decide entitlement to Council Tax Support, the claim may be made by telephone.
56. Where the Council becomes aware that a person may be entitled to Council Tax Support, or where a claim form has been requested, they will invite a claim by asking them to complete the on-line claim form or by contacting them by telephone.
57. Where a claim is made for Housing Benefit and the claimant or their partner is liable for Council Tax in respect of that dwelling, the claim for Housing Benefit will be deemed to be a claim for Council Tax Support.
58. Where a claimant notifies the Department for Work and Pensions of their intention to apply for Council Tax Support and as a consequence of this notification, the Department for Work and Pensions share details of the claimant's Department for Work and Pensions benefit with the Council, this data share will constitute an application for Council Tax Support.
59. The Council will offer assistance to the claimant to make their claim for Council Tax Support, where this is required.

Information and evidence

60. The rules for the information and evidence required to support a claim or ongoing award of Council Tax Support is set out in Schedule 8, Part 2, paragraph 7 of the regulations. These state:

- (a) The claim must be accompanied by a statement of the claimant's (and any other person in respect of whom they are making an application) national insurance number and information or evidence to establish that that number has been allocated to that person
- (b) Where the person has applied for a national insurance number, the claim must be accompanied by evidence of the application for a national insurance number to be allocated
- (c) The claim must be accompanied by any certificates, documents, information and evidence in connection with the claim or an award as may reasonably be required by the Council to decide the claim or a continuing award
- (d) The claimant must provide the Council with the information and evidence it requires to decide the claim or a continuing award within one month of a request to do so, or such longer time as the Council may consider reasonable
- (e) The claimant is not required to provide evidence of any income or capital which are disregarded under the Council Tax Support scheme.

61. Where information and/or evidence has already been verified by the Department for Work and Pensions in relation to a claim for Income Support, Jobseekers Allowance, Employment and Support Allowance, Universal Credit, or Pension Credit, the Council will also accept this as verified for any Council Tax Support claim or a continuing award.

Amendment and withdrawal of claim

62. The rules for the amendment and withdrawal of a claim for Council Tax Support is set out in Schedule 8, Part 2, paragraph 8 of the regulations. These state:

- (a) A person who has made a claim may amend it at any time before a decision has been made on it
- (b) A person who has made a claim may withdraw it at any time before a decision has been made on it.

Income and capital

Treatment of income

63. The income of the claimant and their partner will be added together, for the purpose of calculating entitlement to Council Tax Support. Where the person is receiving Universal Credit, the income will be the assessment of income provided by Universal Credit, plus the award of Universal Credit.
64. 'Income' includes any of the following:
- (a) Earnings
 - (b) Social Security Benefits
 - (c) Tax credits
 - (d) Pensions
 - (e) Maintenance
 - (f) Income from rent / board and lodgings
 - (g) Royalties
 - (h) Student grants
 - (i) Compensation payments.
65. Income will be calculated on a weekly basis. Any income paid for a period other than on a weekly basis, will be converted to a weekly figure. All income will be taken into account in full, unless a disregard applies.
66. The income to be taken into account will be the actual weekly income or likely average weekly income of the claimant and partner. This will be calculated over such a period as is likely, in the opinion of the Council, to provide the most accurate estimate.
67. In the case of earnings from employment, the earnings will be taken into account for the period they relate to, even if the person does not actually receive the earnings from their employer during that period.
68. In the case of earnings from employment, where employment is due to commence, an estimate of likely earnings will be based on whatever information is available from the person or the person's employer.
69. The treatment of income for pensioners is set out in Schedule 1, Part 6 of the regulations.

Earnings

70. The meaning of remunerative work is set out in paragraph 10 of the regulations. These state:

- (a) A person must be treated as in remunerative work if they are engaged on average, for not less than 16 hours a week, in work for which payment is made or expected
- (b) Where a person's working hours fluctuate, regard must be had to the normal cycle of work, the number of hours they are expected to work, or the 5 weeks immediately prior to the date of claim or such other length of time that may allow the person's weekly average hours of work to be determined
- (c) Where a person works at a school or other educational establishment, any vacation periods or holidays where they are not required to work will be disregarded for establishing the average hours for which they are working
- (d) Where no recognisable cycle can be established in respect of a person's work, regard must be had to the number of hours or average hours where these fluctuate, which they are expected to work in a week
- (e) Any periods of absence from work, such as holiday, will be disregarded for establishing the average hours for which the person is working
- (f) A person must not be treated as engaged in remunerative work if they are on maternity leave, paternity leave, adoption leave, shared parental leave, parental bereavement leave, or if they are absent from work because they are ill.

71. 'Earnings' mean any remuneration or profit derived from that employment and includes:

- (a) Bonuses or commission
- (b) Payments in lieu of remuneration
- (c) Payments in lieu of notice
- (d) Holiday pay
- (e) Payments by way of a retainer
- (f) Payments for expenses not wholly, exclusively and necessarily incurred in the performance of the employment
- (g) Statutory sick pay, maternity pay, paternity pay, shared parental pay, parental bereavement pay, or adoption pay.

72. A claimant or partner's net earnings will be the gross earnings less:

- (a) Income Tax

(b) National Insurance contributions

(c) Half of any sum paid by the employee towards an occupational or personal pension scheme.

73. Where the person is receiving Universal Credit, the earnings will be the assessment of earnings provided by Universal Credit.

74. The calculation of earned income for pensioners is set out in Schedule 1, Part 6 of the regulations.

75. The following sums will also be disregarded in the calculation of earnings:

(a) Temporary care provision payments in the calculation of earnings

(b) Payments relating to former employment paid after retirement

(c) Compensation payments for loss of employment

(d) Guarantee payments on medical or maternity grounds

(e) Payments for expenses wholly, exclusively and necessarily incurred in the performance of the employment

(f) For a single person, the first £5.00 each week of any earnings

(g) For a couple, the first £10.00 each week of any earnings

(h) For a lone parent, the first £25.00 each week of any earnings

(i) For people in receipt of contribution-based Employment and Support Allowance, Incapacity Benefit or Severe Disablement Allowance, where a permitted earnings disregard applies, the first £152.00 each week of any earnings

(j) For people entitled to the disability premium, the severe disability premium or one of the Employment and Support Allowance premiums, the first £20.00 each week of any earnings, except where the permitted earnings disregard applies

(k) For people entitled to the carers premium, the first £20.00 each week of any earnings

(l) For people in certain special occupations, the first £20.00 each week of any earnings. These are:

i. Part-time fire-fighters

ii. Auxiliary coastguards

- iii. Part-time life-boat workers
- iv. Members of the Territorial Army or similar reserve force
- (m) For people in receipt of the additional earnings disregard in Working Tax Credit, an additional disregard of £17.10 each week of any earnings. If the additional disregard would result in a negative earned income figure, the disregard will be made from their Working Tax Credit
- (n) Disguised remuneration lump sum payments
- (o) Child care charges (see below).

76. The sums disregarded from pensioner's earnings are set out in Schedule 4 of the regulations.

Child care charges

77. Child care charges up to a maximum of £175.00 each week for one child, or £300.00 each week for two or more children, will be deducted from earned income, plus any Working Tax Credit and Child Tax Credit where:

- (a) A lone parent works 16 hours each week or more, or
- (b) Both members of a couple work 16 hours each week or more, or
- (c) One member of a couple works 16 hours each week or more and the other member of the couple is disabled, and the disability premium or one of the Employment and Support Allowance premiums is included in the couple's applicable amount due to this disability, or
- (d) One member of a couple works 16 hours each week or more and the other member of the couple is on maternity leave and receiving Statutory Maternity Pay or Maternity Allowance, or
- (e) One member of a couple works 16 hours each week or more and the other member of the couple is in hospital or prison.

78. The child must be under 15 years of age, or 16 if they are disabled, and the care must be provided by one of the following:

- (a) A registered child minder
- (b) A registered nursery or play scheme
- (c) An out of hours scheme run by an approved provider

- (d) An out of hours club provided by a school on school premises (this applies only if the child is aged 8 or over).

79. The treatment of child care charges for pensioners is set out in Schedule 1, Part 6 of the regulations.

Self-employed earnings

80. The weekly earnings of a self-employed claimant or partner will be calculated based on:

- (a) The most recent year's trading accounts, if the claimant or partner have been self-employed for one year or more, or
- (b) The estimated net weekly profit figure provided by the claimant or partner, if they have been self-employed for less than a year, together with any evidence of their recent actual income and expenses.

81. In calculating the estimated net weekly profit figure, the Council will use the gross income of the employment, less any expenses which are wholly and reasonably incurred for the purpose of the business. The following will not be allowable in the calculation of the estimated net weekly profit figure:

- (a) Sums employed or intended to be employed in setting up or expanding the business
- (b) Capital repayments on business loans, except where these are for replacing business equipment or machinery
- (c) Any other capital expenditure
- (d) Depreciation of any capital asset
- (e) Losses incurred before the beginning of the assessment period
- (f) Debts, other than proven bad debts
- (g) Business entertainment
- (h) Any sum for domestic or private use
- (i) Drawings from the business.

82. For child minders, one third of the gross profit will be used to calculate the gross income.

83. The net income will then be calculated by deducting an amount for tax, national insurance contributions and half of any pension contributions from the gross pre-tax profits.

84. In cases where the actual tax and national insurance contributions are not provided, the Council will estimate the likely tax and national insurance contributions payable.

85. The treatment and calculation of self-employed earnings for pensioners is set out in Schedule 1, Part 6 of the regulations.

Student grants

86. The whole amount of a person's grant income will be taken into account, with the exception of the following:

- (a) Payments for tuition fees or examination fees
- (b) Payments in relation to the student's disability
- (c) Payments for term-time residential study away from the student's educational establishment
- (d) Payments for another home at a place other than which the student resides during the course
- (e) Payments for books and equipment
- (f) Payments for travel expenses to attend the course
- (g) Payments for child care costs
- (h) Any special support grant, education maintenances allowances, 16-19 bursary fund payments, higher education grant, or higher education bursary for care leavers
- (i) Any other amounts intended for expenditure necessary to attend the course.

87. A student's grant income will be apportioned over the period of study the grant relates to.

Student covenant income

88. Where a student is receiving a grant and a contribution has been assessed, the whole of the covenant income will be taken into account.

89. A student's covenant income will be apportioned over the whole calendar year and an amount of £5.00 each week will be disregarded.

90. Where a student is not receiving a grant, the whole of the covenant income will be taken into account. In these circumstances, a student's covenant income will be apportioned as follows:

- (a) Any covenant income up to the amount of the standard maintenance grant will be apportioned over the period of study, less any amounts to be disregarded as set out above in 'Student grants'.

- (b) Any covenant income over the amount of the standard maintenance grant will be apportioned over the whole calendar year and an amount of £5.00 each week will be disregarded.

Student loans

91. The whole amount of a person's student loan will be taken into account, less any amounts to be disregarded in the same way as set out above in 'Student grants'. A student's loan will be apportioned over the period of study the loan relates to and an amount of £10.00 each week will be disregarded.
92. A person will be treated as having a student loan in respect of an academic year where:
- (a) A student loan has been made to them for that year, or
 - (b) They could have taken reasonable steps to acquire a loan. In these cases, the amount to be taken into account will be the maximum amount they could have acquired for that year.

93. A loan for fees, known as a fee loan or a fee contribution loan will be fully disregarded.

Payments from access funds

94. A payment from access funds will be disregarded as income, with the exception of any payments intended for:
- (a) Food
 - (b) Ordinary clothing or footwear
 - (c) Household fuel
 - (d) Water charges
 - (e) Rent
 - (f) Council Tax.

95. In these circumstances, the whole amount will be taken into account and an amount of £20.00 each week will be disregarded.

96. Where a payment from access funds is made to bridge the period until a student loan is received, the whole amount will be disregarded.

Student income treated as capital

97. The following amounts paid to students will be treated as capital:
- (a) A refund of tax deducted from a student's covenant income

- (b) An amount paid from access funds as a single lump sum, whatever the purpose of the payment.

Notional income

- 98. A claimant will be treated as possessing income of which they or their partner have deliberately deprived themselves of, to qualify for Council Tax Support.
- 99. The treatment of notional income for pensioners is set out in Schedule 1, Part 6 of the regulations.

Tariff income from capital

- 100. Where the claimant and their partner have capital in excess of £6,000 (but less than £16,000), a tariff income of £1.00 each week will be taken into account for every £250, or part of £250, over £6,000.
- 101. The calculation of tariff income from capital for pensioners is set out in Schedule 1, Part 6 of the regulations.

Other income

- 102. Any other income of the claimant or partner will be taken fully into account, with the exception of 'income disregarded' below.
- 103. Where deductions are being made from income in the recovery of overpayments or taxes, by public bodies, the gross income amount will be taken into account.

Income disregarded

- 104. The following income paid to the claimant or partner will be disregarded in full, unless otherwise stated:
 - (a) Any payment of expenses for participation in 'work for your benefit' schemes
 - (b) Any payment of expenses for attending mandatory work activity, employment, skills or enterprise schemes
 - (c) Any payment of expenses for a person who is a volunteer for a charitable or voluntary organisation
 - (d) Any payment of expenses for a person who participates as a service user
 - (e) Certain state benefits and pensions:
 - i. Attendance Allowance

- ii. Child Benefit
 - iii. Disability Living Allowance
 - iv. Discretionary Housing Payments
 - v. Education Maintenance Allowance
 - vi. Guardian's Allowance
 - vii. Housing Benefit
 - viii. Income Support
 - ix. Income based Jobseekers Allowance
 - x. Income related Employment and Support Allowance
 - xi. Mobility supplements
 - xii. Personal Independence Payments
 - xiii. Armed Forces Independence Payments
 - xiv. Any war pension, as defined by The Housing Benefit and Council Tax Benefit (War Pension Disregards) (Amendment) Regulations 2009
 - xv. Widowed Mother's Allowance
 - xvi. Widowed Parent's Allowance
- (f) The income of a person in receipt of Income Support, income based Jobseekers Allowance or income related Employment and Support Allowance
- (g) Universal Credit payments (for pension-aged claims only)
- (h) Any payment made to a person as a holder of the Victoria Cross or George Cross
- (i) Charitable or voluntary payments
- (j) Any income from capital
- (k) Any payments received from dependants or non-dependants
- (l) The first £20.00 each week of any rental payments from a person, other than a non-dependant, who occupies the claimant's home

- (m) The first £20.00 each week, and then 50% of any income over £20.00 each week, of any rental payments from a boarder, other than a non-dependant, who occupies the claimant's home
- (n) Any payment in kind made by a charity
- (o) Any income payable outside the United Kingdom where there is a prohibition against the transfer to the United Kingdom of that income
- (p) Any payment made for adoption, fostering, guardianship support or supported lodgings
- (q) Any payment made for a person who is not normally a member of the claimant's household, but is temporarily in their care
- (r) Any payment made by a Local Authority under section 17 of the Children's Act 1989
- (s) Any payment ordered by a court for a personal injury, accident or disease in respect of the claimant or their family
- (t) Any payment made under an agreement to settle a claim for personal injury
- (u) Any payment received under an insurance policy taken out to insure against the risk of being unable to maintain repayments of a loan
- (v) Any income treated as capital
- (w) Any social fund payment, Local Welfare Assistance award or any equivalent scheme
- (x) Any payment for banking charges or commission, to convert a payment of income to sterling
- (y) Any payment made under the following:
 - i. The Macfarlane Trust
 - ii. The Eileen Trust
 - iii. The Independent Living Fund
 - iv. The Skipton Fund
 - v. The Caxton Foundation
 - vi. The London Bombing Relief Charitable Fund
 - vii. The London Emergencies Trust

- viii. The We Love Manchester Emergency Fund
- ix. The Variant Creutzfeldt-Jacob Disease Trust
- x. An approved infected blood support scheme
- xi. The Thalidomide Health Grant or other Thalidomide Trust
- xii. Any Windrush Compensation Scheme payment
- xiii. Any historical child abuse payment
- xiv. The National Emergencies Trust
- xv. The Child Migrants Trust

(z) Any payment of expenses for jurors, witnesses or prison visitors

(aa) Any refund of Council Tax

(bb) Any payment of child maintenance

(cc) The first £15.00 each week of any maintenance, other than child maintenance

(dd) Sports awards

(ee) Any victims' payments under the Victims' Payments Regulations 2020.

105. The income disregarded for pensioners is set out in Schedule 5 of the regulations.

Capital

106. The capital of the claimant and their partner will be added together, for the purpose of calculating entitlement to Council Tax Support.

107. Where the person is receiving Universal Credit, the capital will be the assessment of capital provided by Universal Credit.

108. All capital of the claimant or partner will be taken fully into account, with the exception of 'capital disregarded' below.

109. Where capital is jointly held by the claimant or partner and one or more other persons, the Council will apportion the capital to decide what share is held by the claimant or partner.

110. Where the value of the capital item is not known, the Council will calculate the value of the capital item using the information available to provide the most accurate estimate, including:

- (a) The current market or surrender value of the capital item
- (b) Less any costs for selling the capital item
- (c) Less any debt or charge secured against the capital item.

111. The treatment and calculation of capital for pensioners is set out in Schedule 1, Part 6 of the regulations.

Income treated as capital

112. The following payments will be treated as capital:

- (a) Holiday pay, paid 4 weeks or more after termination of employment
- (b) Tax refunds
- (c) Lump sum charitable or subsistence payments
- (d) Arrears of Tax Credits.

Notional capital

113. A claimant will be treated as possessing capital of which they or their partner have deliberately deprived themselves of, to qualify for Council Tax Support.

114. The treatment of notional capital for pensioners is set out in Schedule 1, Part 6 of the regulations.

Capital disregarded

115. The following capital held by the claimant or partner will be disregarded in full, unless otherwise stated:

- (a) The dwelling normally occupied by the claimant as their home
- (b) Any property which is actively being sold
- (c) Any property acquired by the claimant which they intend to occupy as their home, whilst they are preparing for occupation
- (d) Any property acquired by the claimant, which they intend to occupy as their home, which is undergoing essential repairs or alterations
- (e) The proceeds of sale of any property formerly occupied by the claimant as their home, which is to be used for the purchase of another property intended for their occupation
- (f) Any property occupied by a partner or relative of the claimant or any member of their family, where that person is a pensioner or is disabled

- (g) Any property occupied by the former partner of the claimant as their home, where the former partner is a lone parent, or where the property is actively being sold
- (h) The capital of a person in receipt of Income Support, income based Jobseekers Allowance or income related Employment and Support Allowance
- (i) Any future interest in property, other than land or premises where the claimant has granted a lease or tenancy
- (j) The assets of any business owned by the claimant for the purpose of their self-employment
- (k) Any arrears of state pensions, benefits or tax credits
- (l) Any amount paid to the claimant, or acquired by the claimant as a loan, as a result of damage or loss of the home or personal possessions and intended for its repair or replacement
- (m) Any amount deposited with a Registered Provider, which is to be used for the purchase of another property intended for occupation
- (n) Any personal possessions
- (o) The value of the right to receive any income under an annuity or the surrender value of an annuity
- (p) Where the funds of a trust resulted from a payment for a personal injury to the claimant or their partner, the value of the trust fund and the right to receive any payment under that trust
- (q) The value of the right to receive any income under a life interest or from a life rent
- (r) The value of the right to receive any income payable in a country outside the United Kingdom where there is a prohibition against the transfer to the United Kingdom of that income
- (s) The surrender value of any life insurance policy
- (t) Where payments of capital are made by instalments, the value of the right to receive any outstanding instalments
- (u) Any payment made by a local authority under section 17 of the Children Act 1989
- (v) Any payment made for adoption, fostering, guardianship support or supported lodgings
- (w) Any social fund payment, Local Welfare Assistance award or any equivalent scheme

- (x) Any refund of tax deducted on a payment of loan interest for the purpose of acquiring a home or carrying out repairs or improvement to the home
- (y) Where a payment of capital is made in a currency other than sterling, any banking charge or commission payable in converting that payment into sterling
- (z) Any payment made under the following:
 - i. The Macfarlane Trust
 - ii. The Eileen Trust
 - iii. The Independent Living Fund
 - iv. The Skipton Fund
 - v. The Caxton Foundation
 - vi. The London Bombing Relief Charitable Fund
 - vii. The London Emergencies Trust
 - viii. The We Love Manchester Emergency Fund
 - ix. The Variant Creutzfeldt-Jacob Disease Trust
 - x. An approved infected blood support scheme
 - xi. The Thalidomide Health Grant or other Thalidomide Trust
 - xii. Any Windrush Compensation Scheme payment
 - xiii. Any historical child abuse payment
 - xiv. The National Emergencies Trust
 - xv. The Child Migrants Trust
- (aa) The value of the right to receive any rent
- (bb) Any payment in kind made by a charity
- (cc) Any refund of Council Tax
- (dd) Any payment made by a local authority to the claimant, to be used to purchase a property for occupation as their home, or to carry out repairs or alterations to the home
- (ee) Any payments for:

- i. travel expenses for hospital visits
 - ii. medical supplies and vouchers
 - iii. health in pregnancy grants
- (ff) Home Office payments for prison visits
- (gg) Any payment made to assist a disabled person to obtain or retain their employment
- (hh) Any payment made by a local authority under the Blind Homeworkers' Scheme
- (ii) Any capital administered on behalf of a person by the High Court, County Court, or the Court of Protection
- (jj) Any payment to the claimant as a holder of the Victoria Cross or George Cross
- (kk) Any payment made to assist a person under the self-employment route
- (ll) Any payment of a sports award
- (mm) Any payment of an education maintenance allowance
- (nn) Any payment made by a contractor for a person participating in an employment zone programme
- (oo) Any arrears of subsistence allowance
- (pp) Any payment made by a local authority for a service which is provided to develop or sustain the capacity of the claimant or their partner to live independently in their accommodation, including personal budgets
- (qq) Any victims' payments under the Victims' Payments Regulations 2020.

116. The capital disregarded for pensioners is set out in Schedule 6 of the regulations.

Calculation of entitlement

Maximum Council Tax Support

117. The amount of a person's maximum Council Tax Support for a day which they are liable to pay Council Tax will be 80%.
118. The amount of Council Tax Support will be calculated as A divided by B and multiplied by 80% where:
- (a) A is the amount of Council Tax set for the financial year for the dwelling the person resides in and for which they are liable, less any discount which applies
 - (b) B is the number of days in that financial year
 - (c) Less any non-dependant deductions.
119. Where a person is jointly and severally liable for Council Tax, which they are liable with one or more other persons, the maximum amount of Council Tax Support will be the amount in A divided by the number of people who are jointly and severally liable. This will not apply if the only person they are jointly and severally liable with is their partner.
120. The maximum Council Tax Support for pensioners is set out in Schedule 1, Part 5 of the regulations.

Council Tax Support taper

121. The percentage of excess income over the applicable amount (or Universal Credit maximum award) which will be deducted from the weekly maximum Council Tax Support will be 20%.

Non-dependant deductions

122. A deduction from a person's maximum Council Tax Support will be made for non-dependants, as follows. The amounts detailed below are those stated within the 2022-2023 scheme (**Table 2**) and will be uprated for 2023-2024. The uprated amounts will be calculated with reference to the amended regulations.

Table 3: Non-dependant deductions 2022-2023

Non-dependant type	Weekly amount
A non-dependant aged 18 or over in remunerative work where their normal gross weekly income is:	
Less than £224.00	£4.20
Not less than £224.00 and less than £389.00	£8.55
Not less than £389.00 and less than £484.00	£10.70
Not less than £484.00	£12.85
A non-dependant aged 18 or over not in remunerative work	£4.20

123. In calculating the gross income of a non-dependant, any amounts which would normally be disregarded for a Council Tax Support claimant, will also be disregarded for a non-dependant.
124. Only one non-dependant deduction will be made for a couple, and the amount deducted will be based on their joint income, calculated as above.
125. Where a person is jointly and severally liable for Council Tax for a dwelling they reside in, which they are liable with one or more other persons, the amount of the non-dependant deduction will be apportioned equally between those liable persons.
126. Non-dependant deductions will not be made in the following circumstances:
 - (a) Where the claimant or their partner is blind
 - (b) Where the claimant or their partner receives Attendance Allowance, or the care component of Disability Living Allowance, or the daily living component of Personal Independence Payment, or Armed Forces Independence Payment
 - (c) Where the non-dependant normally resides elsewhere
 - (d) Where the non-dependant receives a training allowance
 - (e) Where the non-dependant is a full-time student
 - (f) Where the non-dependant is not residing with the claimant because they have been an in-patient for more than 52 weeks (without any break exceeding 28 days)
 - (g) Where the non-dependant receives Income Support, income based Jobseekers Allowance, income related Employment and Support Allowance, or Pension Credit
 - (h) Where the non-dependant receives Universal Credit, where the award has been calculated on the basis that they do not have any earned income
 - (i) Where the non-dependant is aged under 18
 - (j) Where the non-dependant is not residing with the claimant because they are a member of the armed forces and they are absent, while on operations, from the dwelling usually occupied as their home.
127. Where the income of the non-dependant is not known or has not been provided, the Council will assume that the maximum deduction will apply.
128. The rules for non-dependant deductions for pensioners are set out in Schedule 1, Part 3 of the regulations.

Date on which a claim is made and entitlement begins

129. The rules for the date on which a claim is made are set out in Schedule 8, Part 2, paragraph 5 of the regulations. These state:

- (a) Where an award of Pension Credit (guarantee credit), Income Support, income-based Jobseekers Allowance, income-related Employment and Support Allowance, or Universal Credit has been made to the claimant or their partner; and the claim for Council Tax Support is made within one month of the date of the claim for one of those benefits; the date of claim will be the first day of entitlement to those benefits
- (b) Where the claimant or their partner is receiving Pension Credit (guarantee credit), Income Support, income-based Jobseekers Allowance, income-related Employment and Support Allowance, or Universal Credit; and they become liable for Council Tax for the first time; and the claim for Council Tax Support is made within one month of the date of the change; the date of claim will be the date on which the change takes place
- (c) Where the claimant is the former partner of a person who was entitled to Council Tax Support before the date of death or separation; and the claimant makes a claim for Council Tax Support within one month of the date of death or separation; the date of claim will be the date of death or separation
- (d) Where the claim for Council Tax Support is made within one month of a request to claim Council Tax Support, or such longer period as the Council considers reasonable, the date of claim will be the date on which the request was made
- (e) In all other cases, the date of claim for Council Tax Support will be the date the claim form is received by the Council.

130. Council Tax Support will begin on the date of claim unless:

- (a) The claimant requests the claim is paid for an earlier period, or
- (b) The Council identifies entitlement to Council Tax Support for an earlier period.

131. Council Tax Support will be awarded for an earlier period once the Council has received sufficient information and evidence to calculate entitlement to Council Tax Support for the earlier period.

132. The rules for the backdating of claims for pensioners are set out in Schedule 8, Part 2, paragraph 6 of the regulations.

Duration of award and reviews

133. Council Tax Support will be awarded for an indefinite period, until:

- (a) Council Tax liability ends

- (b) A change in the claimant or partner's circumstances results in Council Tax Support ending
- (c) The claimant fails to respond to a request for information or evidence in connection with their claim or an award.

134. The Council may review a person's entitlement to Council Tax Support at any time.

Extended reductions

135. A person who is entitled to Council Tax Support will be entitled to an extended reduction where:

- (a) The claimant or their partner were entitled to a qualifying benefit or any combination of those benefits of either;
 - i. Income Support, or
 - ii. Jobseekers Allowance (income based or contributory), or
 - iii. Employment and Support Allowance (income related or contributory), or
 - iv. Universal Credit, or
 - v. Incapacity Benefit, or
 - vi. Severe Disablement Allowance.
- (b) Entitlement to a qualifying benefit ceased because the claimant or their partner;
 - i. Commenced employment as an employed or self-employed earner, or
 - ii. Increased their earnings from their employment, or
 - iii. Increased the number of hours in their employment.
- (c) Providing that the claimant remains liable for Council Tax at the dwelling in which they reside during the extended reduction period.

136. The extended reduction period will start on the day after Council Tax Support would normally have ended after the qualifying benefit has ceased and will last for 4 weeks or up to the day Council Tax liability at the dwelling in which they reside ends, if this is earlier.

137. The amount of the extended reduction will be the higher of:

- (a) The amount of Council Tax Support which the claimant was entitled to before the qualifying benefit ceased, or

- (b) The amount of Council Tax Support which the claimant is entitled to after the qualifying benefit ceased.

138. The rules for extended reductions for pensioners is set out in Schedule 1, Part 7 of the regulations.

Extended reductions – movers into Darlington

139. The rules covering people who move into Darlington who are in receipt of an extended reduction is set out in Schedule 8, Part 1, paragraph 2 of the regulations. These state:

- (a) Where a claim for Council Tax Support is made and the claimant or their partner is in receipt of an extended reduction from another authority, the Council must reduce any entitlement to Council Tax Support by the amount of that extended reduction.

Decision making and notifications

Decisions and notification

140. The rules by which the Council must make and notify decisions for Council Tax Support are set out in Schedule 8, Part 3 of the regulations. These state:
- (a) The Council must make a decision on a Council Tax Support claim within 14 days of receiving all the information and evidence for that claim, or as soon as reasonably practicable after that date
 - (b) The Council must notify the claimant in writing of any decision relating to a Council Tax Support claim within 14 days of making the decision, or as soon as reasonably practicable after that date
 - (c) The decision notice must include a statement informing the claimant of their duty to notify changes of circumstances, explaining the consequences of failing to comply with that duty, and setting out the changes which may affect entitlement to Council Tax Support
 - (d) Where the decision is to award Council Tax Support, the notice must include a statement as to how it will be paid
 - (e) The decision notice must include the procedure by which an appeal may be made
 - (f) The claimant may request a statement of reasons about the notification, within one month of the date of the notification. The statement of reasons must then be sent to the claimant within 14 days of the request, or as soon as reasonably practicable after that date
 - (g) A person affected by a decision relating to Council Tax Support will be the claimant, or where the person who is liable for Council Tax is unable to act, the accepted or appointed person who has made an application on their behalf.

Payment of Council Tax Support

141. The rules for the payment of Council Tax Support are set out in Schedule 8, Part 4 of the regulations. These state:
- (a) Payment of Council Tax Support will be made to the person entitled to the reduction of their Council Tax liability
 - (b) Where a person is jointly and severally liable for Council Tax, payment of Council Tax Support will be paid to the person entitled to the reduction of an appropriate amount of their Council Tax liability, rounded to the nearest penny
142. Payment of Council Tax Support will be made by reducing the Council Tax liability of the person entitled to the reduction.

Electronic communications

143. The rules by which the Council can undertake electronic communications is set out in Schedule 7, Part 4 of the regulations. These state:

- (a) The Council must meet certain conditions to allow electronic communication in relation to its Council Tax Support scheme
- (b) The Council may use intermediaries in connection with electronic communication in relation to its Council Tax Support scheme
- (c) Any information delivered by the Council by electronic means must meet all the other conditions relating to its Council Tax Support scheme
- (d) Proof of identity of the sender or recipient of information will need to be verified where information is sent or received by electronic means
- (e) The Council will need to establish procedures to verify delivery of information by electronic means.

Changes in decisions

Duty to notify changes of circumstances

144. The duty to notify changes of circumstances is set out in Schedule 8, Part 2, paragraph 9 of the regulations. These state:

- (a) The claimant, or a person acting on their behalf, must notify the Council of any changes of circumstances which they might reasonably be expected to know may affect their entitlement to Council Tax Support
- (b) Notification of a change of circumstances may be made in writing, by telephone or by any other means agreed by the Council and within 21 days of the change occurring, or as soon as reasonably practicable after that date.

145. Notifications of changes of circumstances in writing may be made by completing the on-line change of circumstances form on the 'Council Tax Support' page of the Darlington Borough Council website.

Date on which a change of circumstances will affect Council Tax Support

146. The Council will review the amount of Council Tax Support, following a change of circumstances, as follows:

- (a) Where entitlement to Council Tax Support continues after the change, Council Tax Support will change on the Monday following the date the change occurred
- (b) Where entitlement to Council Tax Support ends after the change, Council Tax Support will end on the Sunday of the week in which the change occurred
- (c) Where Council Tax liability changes or ends, Council Tax Support will be changed or ended on the same day.

Ending Council Tax Support

147. Council Tax Support will end in the following circumstances:

- (a) Council Tax liability ends
- (b) A Council Tax exemption applies
- (c) A change of circumstances occurs, which ends entitlement to Council Tax Support
- (d) A change of circumstances occurs, but there is insufficient information or evidence to decide if entitlement to Council Tax Support will continue
- (e) The claimant fails to provide, when requested, sufficient information or evidence to decide if entitlement to Council Tax Support will continue, one month following the date of the request or such longer time as the Council considers reasonable.

Revisions

148. An original decision relating to a claim for Council Tax Support may be revised by the Council at any time.

Appeals

149. The rules by which a person may make an appeal against certain decisions of the authority are set out in Schedule 7, Part 2, paragraph 8 of the regulations. These state:

- (a) A person who disagrees with a decision in relation to their Council Tax Support claim may appeal in writing, stating their grounds for appeal
- (b) The Council must consider the appeal and notify the person in writing of the outcome of their appeal and the reasons for the decision, within 2 months of the appeal being received
- (c) If the person is still aggrieved or if the Council fails to notify the person of the outcome of their appeal within 2 months of receiving their appeal, they may appeal to a valuation tribunal under section 16 of the 1992 Act.

Downward adjustments of Council Tax Support

150. Any additional Council Tax liability created as a result of a downward adjustment of Council Tax Support entitlement, will be treated under the national Council Tax regulations.

Discretionary reductions

151. The rules for an application for a discretionary reduction are set out in Schedule 7, Part 3, paragraph 9 of the regulations. These state:

- (a) An application for a reduction under section 13A(1)(c) of the 1992 Act may be made in writing, by telephone, or by electronic means
- (b) A claim for Council Tax Support may also be treated as an application for a reduction under section 13A(1)(c) of the 1992 Act.

COUNCIL
24 NOVEMBER 2022

COUNCIL TAX EXEMPTION FOR CARE LEAVERS 2023-24

**Responsible Cabinet Member -
Councillor Scott Durham, Resources Portfolio**

**Responsible Director -
Elizabeth Davison, Group Director of Operations**

SUMMARY REPORT

Purpose of the Report

1. To approve a Council Tax exemption for care leavers under the age of 25 from 2023-24.

Summary

2. Since 1 April 2018, a provision has been made in the Council Tax Support (CTS) scheme to provide care leavers under the age of 25 up to 100% support with their Council Tax costs. All other working age people can only receive up to 80% support with their Council Tax costs under the CTS scheme.
3. As the CTS scheme is means tested, some young care leavers may still have some or all of their Council Tax costs to pay, depending on their income and other circumstances.
4. It is proposed to replace the current provision in the CTS scheme for care leavers under the age of 25, with a full Council Tax exemption from 1 April 2023. This will be achieved using the Council's powers under section 13a of the Local Government Finance Act 1992 (discretionary Council Tax discounts) and full details are provided in the main report.
5. The financial implications of this change are considered to be minimal, given that most care leavers under the age of 25 already receive support with their Council Tax costs through the CTS scheme.
6. This report was considered by Cabinet on 8 November 2022, who agreed its onward submission for approval by Council.

Recommendation

7. It is recommended that Council:-
 - (a) Consider the contents of this report.

- (b) Approve Council Tax exemption for care leavers under the age of 25 from 2023-24.

Reasons

8. The recommendations are supported by the following reasons :-
- (a) Darlington Borough Council has a responsibility to support young care leavers whilst they are developing the skills and confidence to live independently.
 - (b) A Council Tax exemption will provide young care leavers with the assurance and stability with their Council Tax costs.
 - (c) A Council Tax exemption will be much easier for the Council to administer than the current arrangements through the CTS scheme and for young care leavers to access and understand.

Elizabeth Davison
Group Director of Operations

Background Papers

- (i) Local Government Finance Act 1992

Anthony Sandys: Extension 6926

S17 Crime and Disorder	There are no issues
Health and Wellbeing	There are no issues
Carbon Impact and Climate Change	There is no impact in this report
Diversity	Care leavers under the age of 25 will be treated differently to other working age people liable for Council Tax, recognising their specific needs
Wards Affected	All wards are affected
Groups Affected	Care leavers under the age of 25 who are liable for Council Tax on a dwelling they occupy as their sole or main residence
Budget and Policy Framework	The issues contained within this report do not represent a change to Council budget or the Council's policy framework
Key Decision	This is not an Executive decision
Urgent Decision	This is not an Executive decision
Council Plan	This report supports the Council Plan to maximise Council Tax income and to improve life opportunities for care leavers
Efficiency	The operation of a Council Tax exemption for care leavers under the age of 25 will be more efficient than the current arrangements in the CTS scheme
Impact on Looked After Children and Care Leavers	Care leavers under the age of 25 will be exempt from Council Tax from 1 April 2023

MAIN REPORT

Information and Analysis

Background

9. Children and young people who are looked after by the Council are amongst the most vulnerable people in our community. Young care leavers often have to start living independently much earlier than their peers, taking on more financial responsibilities, when they might be on a low income and without the same family support network.
10. As a corporate parent, Darlington Borough Council has a responsibility to support young care leavers whilst they are developing the skills and confidence to live independently. The provision of a Council Tax exemption for care leavers under the age of 25 will give the practical help and financial assistance to achieve this.
11. In April 2018, support for care leavers under the age of 25 with their Council Tax costs was provided through the CTS scheme. A provision was made to provide up to 100% support, whereas all other working age people can only receive up to 80% support with their Council Tax costs under the scheme. As the CTS scheme is means tested, some young care leavers may still have some or all of their Council Tax costs to pay, depending on their income and other circumstances.
12. The decision to provide support through the CTS scheme was to specifically target additional support to those care leavers liable to pay Council Tax who were on a low income.
13. A Council Tax exemption will provide young care leavers with the assurance and stability with their Council Tax costs, without the need to make a means tested application that can result in them still having to pay some Council Tax and is subject to changes in circumstances. In addition, it will be much easier for the Council to administer and for young care leavers to access and understand.

Definition

14. A care leaver, for the purpose of this Council Tax exemption, is a person aged 18 to 24 who was formerly a child in the care of Darlington Borough Council, or any other local authority, and has then become a "care leaver" as defined by the Children (Leaving Care) Act 2000.

Eligibility Criteria

15. The following eligibility criteria will apply for the Council Tax exemption:
 - (a) The care leaver must be liable for Council Tax on a dwelling they occupy as their sole or main residence.
 - (b) The exemption will apply from 1 April 2023, or from their 18th birthday, if this is after that date. Any person aged under 18 who is liable for Council Tax on a dwelling they occupy as their sole or main residence, is subject to a statutory Council Tax

exemption.

- (c) The Council Tax exemption will be applied to the Council Tax liability, after taking into account any other available Council Tax discounts to which the care leaver may be entitled (such as the single occupancy discount).
- (d) The Council Tax exemption will apply to the full Council Tax liability where:
 - (i) The care leaver has sole Council Tax liability
 - (ii) The care leaver is jointly and severally liable for Council Tax with one or more eligible care leavers who are also under the age of 25
 - (iii) The care leaver is jointly and severally liable for Council Tax with one other person who is their partner.
- (e) Otherwise, where the care leaver is jointly and severally liable for Council Tax with one or more other persons, the Council Tax exemption will be divided by the number of people who are jointly and severally liable.
- (f) The Council Tax exemption will cease on the care leaver's 25th birthday.

Application process

- 16. Any care leaver under the age of 25 who is receiving CTS on 31 March 2023 will be automatically awarded a Council Tax exemption from 1 April 2023.
- 17. The Looked After Through Care team will notify the Revenues and Benefits team of any care leavers under the age of 25 that they are aware of, who have a Council Tax liability in Darlington. The Revenues and Benefits team will then automatically award a Council Tax exemption from 1 April 2023 or from the date they first became liable for Council Tax, if it is after 1 April 2023.
- 18. An on-line application form will be available for any care leaver under 25 to apply for a Council Tax exemption, including those care leavers who were being looked after by another local authority. Darlington care leavers who move out of the Council's area will be subject to the rules under that local authority.

Financial Implications

- 19. There are currently 128 care leavers living in semi-independent or independent accommodation who are being supported by our Looked After Through Care team. Of these, 37 have a Council Tax liability and 36 of these are receiving support through the CTS scheme.
- 20. Based on the average Council Tax charge for a band B property in 2022-23, and assuming a 25% single occupancy discount applies, offering the 37 care leavers a Council Tax exemption would cost a total of £44,089 (£1,191.61 for each property). The amount of CTS currently being awarded to young care leavers is £37,927 so this proposal would cost an additional £6,162 plus any increase for Council Tax in 2023-24.

Legal Implications

21. Under section 13a of the Local Government Finance Act 1992, local authorities have the discretionary power to reduce (or further reduce) the liability for Council Tax for a chargeable dwelling for a specified period, including the power to reduce the Council Tax liability to nil. This discretion may be exercised in relation to particular cases or by determining a class of case in which liability can be reduced.

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COUNCIL

24 NOVEMBER 2022

TREASURY MANAGEMENT ANNUAL REPORT AND OUTTURN PRUDENTIAL INDICATORS 2021/22

Responsible Cabinet Member -
Councillor Scott Durham, Resources Portfolio

Responsible Director -
Elizabeth Davison, Group Director of Operations

SUMMARY REPORT

Purpose of the Report

1. This report provides important information regarding the regulation and management of the Council's borrowing, investments and cash-flow. It is a requirement of the Council's reporting procedures and by regulations issued under the Local Government Act 2003 to produce an annual treasury management review that covers treasury activity for 2021/22. The report also seeks approval of the Prudential Indicators results for 2021/22 in accordance with the Prudential Code.

Summary

2. The financial year 2021/22 was another unprecedented year with regard to treasury management due to the ongoing pandemic, with the cost of borrowing remaining low throughout. However, as Members are aware due to low returns for cash investments new ways to improve investment returns are continually sought.
3. During 2021/22 the Council complied with its legislative and regulatory requirements. The borrowing need (**Table 1**) was only increased for capital purposes.
4. At 31 March 2022 the Council's external debt was £149.649m which is £11.882m less than the previous year, this reduction relates to not re-borrowing for matured debt due to an increase in the level of monies received by the Council. The average interest rate for borrowing reduced from 2.76% in 2020/21 to 2.47% in 2021/22. Investments totalled £63.399m at 31 March 2022 (£59.399m at 31 March 2021) earning interest of 0.21% on short term cash investments and 2.21% on Property Fund units net of costs.
5. Financing costs have been reduced during the year and a saving of £0.366m has been achieved from the original MTFP. The savings are a mixture of reduced interest on debt as well as increased investment income, especially from property funds.

Recommendation

6. It is recommended that:

- (a) The outturn 2021/22 Prudential Indicators within this report and those in **Appendix 1** be noted.
- (b) The Treasury Management Annual Report for 2021/22 be noted.

Reasons

7. The recommendations are supported by the following reasons:

- (a) In order to comply with the Prudential Code for Capital Finance in Local Authorities.
- (b) To inform members of the Performance of the Treasury Management function.
- (c) To comply with the requirements of the Local Government Act 2003.

Elizabeth Davison
Group Director of Operations

Background Papers

- (i) Accounting Records
- (ii) Annual Investment Strategy 2021/22
- (iii) Prudential Indicators and Treasury Management Strategy Report 2021/22

Peter Carrick: Extension 5401

S17 Crime and Disorder	This report has no implications for crime and disorder
Health and Well Being	There are no issues relating to health and wellbeing which this report needs to address
Carbon Impact and Climate Change	There are no issues relating to carbon impact
Diversity	There are no specific implications for diversity
Wards Affected	The proposals affect all wards
Groups Affected	The proposals do not affect any specific group
Budget and Policy Framework	The report does not change the Council's budget or Policy framework but needs to be considered by Council
Key Decision	This is not an Executive decision
Urgent Decision	This is not an Executive decision
Council Plan	The proposals in the report support delivery of the Council Plan through appropriate and effective deployment of the Councils Resources
Efficiency	The report outlines movements in the national economic outlook that have enabled officers to take advantage of different types of Investments and changing interest rates to benefit the Revenue MTFP.
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

MAIN REPORT

Information and Analysis

8. This report summarises:
 - (a) Capital expenditure and financing for 2021/22
 - (b) The Council's overall borrowing need
 - (c) Treasury position at 31 March 2022
 - (d) Prudential indicators and compliance issues
 - (e) The economic background for 2021/22
 - (f) A summary of the Treasury Management Strategy agreed for 2021/22
 - (g) Treasury Management activity during 2021/22
 - (h) Performance and risk benchmarking
9. Throughout this report a number of technical terms are used, a glossary of terms can be found at the end of this report.

The Council's Capital Expenditure and Financing 2021/22

10. The Council undertakes capital expenditure on long term assets, which is financed either,
 - (a) Immediately through capital receipts, capital grants, contributions and from revenue; or
 - (b) If insufficient financing is available, by borrowing.
11. Part of the Council's treasury activities is to address this borrowing need, either through borrowing from external bodies, or utilising temporary cash resources within the Council. The wider treasury activities also include managing the Council's cash flow, its previous borrowing activities and the investment of surplus funds. These activities are structured to manage risk foremost and then optimise performance.
12. Capital Expenditure forms one of the prudential indicators that are used to regulate treasury activity. Table 1 shows total capital expenditure and how this was financed, compared with what was expected to be spent and how this would have been financed. Actual expenditure was £6.290m less than planned, mostly down to reduced activity in the HRA and reduced lending to the joint ventures. However, the mix of funding differs from that which was expected as some schemes progressed quicker than others. This impacted slightly on the borrowing needed to fund expenditure which was £1.078m lower than initially anticipated.

Table 1 – Capital Expenditure and Financing

	2020/21	2021/22		
	Outturn £m	Revised Estimate £m	Outturn £m	Variance £m
General Fund Capital Expenditure	20.094	27.036	26.072	(0.964)
HRA Capital Expenditure	6.434	13.183	10.729	(2.454)
Loans to Joint Ventures etc	3.501	9.459	6.587	(2.872)
Total Capital Expenditure	30.029	49.678	43.388	(6.290)
Resourced by:				
Capital Receipts GF	2.538	0.586	0.586	0.000
Capital receipts Housing	0.684	0.303	0.986	0.683
JV Loans Repaid	6.200	7.727	7.927	0.200
Capital Grants	11.717	21.294	19.371	(1.923)
Capital Contributions	0.029	0.000	0.038	0.038
Revenue Contributions - GF	0.145	0.000	0.123	0.123
Revenue Contributions - HRA	5.750	12.835	8.502	(4.333)
Total Resources	27.063	42.745	37.533	(5.212)
Borrowing needed to finance expenditure	2.966	6.933	5.855	(1.078)

The Council's Overall Borrowing Need

13. The Council's underlying need to borrow is called the Capital Financing Requirement (CFR). The figure is a gauge for the Council's debt position. The CFR results from the capital activity of the Council and resources used to pay for the capital spend. It represents 2021/22 and prior years' net capital expenditure which has not yet been paid for by revenue or other resources.
14. Part of the Council's treasury activities is to address the funding requirements for this borrowing need. Depending on the capital expenditure programme, the treasury service organises the Council's cash position to ensure that sufficient cash is available to meet the capital plans and cash flow requirements. This may be sourced through borrowing from external bodies (such as the government, through Public Works Loan Board (PWLb), or the money markets) or utilising temporary cash resources within the Council.
15. The Council's (non HRA) underlying borrowing need (CFR) is not allowed to rise indefinitely. Statutory controls are in place to ensure that capital assets are broadly charged to revenue over the life of the asset. The Council is required to make an annual revenue charge, called the Minimum Revenue Provision (MRP), to reduce the CFR. This is effectively a repayment of the non-Housing Revenue Account borrowing need, (there is no statutory requirement to reduce the HRA CFR). This differs from the treasury management arrangements which ensure that cash is available to meet capital commitments. External debt can also be borrowed or repaid at any time, but this does not change the CFR.

16. The total CFR can be reduced each year through a Voluntary Revenue Provision (VRP) or by the application of additional capital financing resources (such as unapplied capital receipts).
17. The Council's CFR for the year is shown in Table 2 and represents a key prudential indicator. The CFR outturn for 2021/22 is £224.285m which is £1.578m lower than approved due to the reduced borrowing need required to finance the additional capital expenditure in 2021/22.
18. No statutory MRP repayments were made on the General Fund debt in line with the report to Council on 23 February 2017, although a £0.500m VRP was made.

Table 2 - Capital Financing Requirement

	2020/21	2021/22		
	Outturn £m	Approved Indicator £m	31 March Actual £m	Variance £m
Opening Balance	219.488	220.685	220.685	0.000
Add Capital Expenditure financed by borrowing	9.166	14.660	13.782	(0.878)
Less repayment of JV loans	(6.200)	(7.727)	(7.927)	(0.200)
Less MRP/VRP GF	0.000	0.000	(0.500)	(0.500)
Less MRP/VRP Housing	(0.629)	(0.629)	(0.629)	0.000
Less MRP/VRP PFI	(1.140)	(1.126)	(1.126)	0.000
Closing balance	220.685	225.863	224.285	(1.578)

Treasury Position at 31 March 2022

19. Whilst the measure of the Council's underlying need to borrow is the CFR, the Group Director of Operations can manage the Council's actual borrowing position by:
 - (a) Borrowing to the CFR level; or
 - (b) Choosing to utilise some temporary cash flows instead of borrowing ("under borrowing"); or
 - (c) Borrowing for future increases in CFR (borrowing in advance of need, the "over borrowed" amount can be invested).
20. The Council's treasury management debt and investment position is organised by the treasury management service in order to ensure adequate liquidity for revenue and capital activities, security for investments and to manage risks within all treasury management activities. Procedures and controls to achieve these objectives are well established both through member reporting and through officer activity detailed in the Council's Treasury Management Practices.

21. The Council's total debt outstanding at 31 March 2022 was £149.649m. In addition to this, a liability of £9.232m relating to the PFI scheme and Finance Leases brings the total to £158.881m. The Council's revised CFR position was estimated to be £225.863m, however, the actual out turn position was £224.285m. When comparing this to our actual borrowing of £158.881m this meant that the Council was "under borrowed" by £65.404m. This "under borrowed" amount was financed by internal borrowing which means that the amount that could have been invested externally was reduced to cover this. The reduced under borrowed position still has the dual effect of reducing costs to the MTFP because borrowing costs are generally greater than investment returns and it reduces counterparty risk by reducing our exposure to banks and other financial institutions.
22. The treasury position at the 31 March 2022, including investments compared with the previous year is shown in table 3 below.

Table 3 – Summary of Borrowing and Investments

Treasury Position	31 March 2021		31 March 2022	
	Principal £m	Average Rate %	Principal £m	Net Annualised Average Rate %
General Debt - Fixed Rate Debt, Market and Public Works Loan Board (PWLb)	136.531	2.98%	124.649	2.66%
Property Fund Borrowing	25.000	1.42%	25.000	1.30%
Total Debt	161.531	2.76%	149.649	2.47%
Cashflow Investments up to 6 months	19.400	0.09%	33.400	0.21%
Capital Investments over 6 months	10.000	0.96%	0.000	0.00%
Property Fund Investment - net of costs	29.999	2.33%	29.999	2.21%
Total Investments	59.399		63.399	
Net borrowing position	102.132		86.250	

Prudential Indicators and Compliance Issues

23. Some prudential indicators provide an overview while others are specific limits on treasury activity. These indicators are shown below:
24. **Gross Borrowing and the CFR** – in order to ensure that borrowing levels are prudent over the medium term and only for a capital purpose, the Council should ensure that its gross external borrowing does not, except in the short term, exceed the total of the capital financing requirement in the preceding year (2020/21) plus the estimates of any additional capital financing requirement for the current (2021/22) and next two financial years. This essentially means that the Council is not borrowing to support revenue expenditure. This indicator allowed the Council some flexibility to borrow in advance of its immediate capital

needs in 2021/22. The table below highlights the Council's gross borrowing position against the CFR. The Council has complied with this prudential indicator.

Table 4 – Gross Borrowing Compared with CFR

	31 March 2021 Actual £m	31 March 2022 Approved Indicator £m	31 March 2022 Actual £m
Gross Borrowing Position	161.531	164.849	149.649
PFI and Finance Lease Liability	10.358	9.232	9.232
Total	171.889	174.081	158.881
CFR	220.685	225.863	224.285
(Under)/over funding of CFR	(48.796)	(51.782)	(65.404)

25. **The Authorised Limit** – The Authorised Limit is the “Affordable Borrowing Limit” required by section 3 of the Local Government Act 2003. The Council does not have power to borrow above this level.
26. **The Operational Boundary** – The Operational Boundary is the expected borrowing position of the Council during the year. Periods where the actual position is either below or over the Boundary are both acceptable, subject to the Authorised Limit not being breached.
27. **Actual financing costs as a proportion of net revenue expenditure** - This indicator identifies the trend in the cost of capital (borrowing and other long term obligation costs net of investment income) against the net revenue expenditure. The actual for this indicator has risen from the previous year due to an increase in the Financing costs outturn.

Table 5 – Key Prudential Indicators

	Actual 2020/21 £m	Original Approved Limits 2021/22 £m	Revised Approved Limits 2021/22 £m	Actual Total Liabilities Borrowing + PFI/ leases 2021/22 Maximum £m
Approved Indicator – Authorised Limit	231.719	240.979	237.156	158.881
Approved Indicator – Operational Boundary	171.889	186.550	174.081	158.881
Financing costs as a percentage of net revenue expenditure	2.39%	2.22%	2.22%	1.94%

28. At 31 March 2022 the total liabilities were £158.881m which is below both the approved Authorised Limit and the approved Operational Boundary. The Operational Boundary is the point at which we expect borrowing to be, but it can be lower or higher. Borrowing cannot exceed the Authorised Limit.
29. A further four prudential indicators are detailed in Appendix 1.

Economic Background for 2021/22

30. A summary of the general economic conditions that have prevailed through 2021/22 provided by Link Asset Services, the Council's treasury management advisors is attached at **Appendix 2**. This update was provided in April 2022 to facilitate the outturn report for 2021/22. As members will be aware the economic position for the country has changed significantly, with the financial landscape moving rapidly with increased and further projected increases in interest rates. Further updates will be provided in the next treasury management update report.

Summary of the Treasury Management Strategy agreed for 2021/22

31. The revised Prudential Indicators anticipated that during 2021/22 the Council would need to borrow £6.933m to finance part of its capital programme, whereas the actual outturn figure was £5.855m.
32. The Annual Investment Strategy stated that the use of specified (usually less than 1 year) and non-specified (usually more than 1 year) investments would be carefully balanced to ensure that the Council has appropriate liquidity for its operational needs. In the normal course of the Council's business it is expected that both specified and non-specified investments will be utilised for the control of liquidity as both categories allow for short term investments.
33. Longer term instruments (greater than one year from inception to repayment) will only be used where the Council's liquidity requirements are safeguarded. An estimate of long term investments (over 1 year) were included in the report on the Prudential Indicators update these were as follows £50m for 2021/22 and £50m for 2022/23. No other investments of over 1 year duration have been made during 2021/22.

Treasury Management Activity during 2021/22

Borrowing Strategy

34. During 2021/22, the Council maintained an under-borrowed position. This meant that the capital borrowing need, (the CFR), was not fully funded with loan debt as cash supporting the Council's reserves, balances and cash flow was used as an interim measure. This strategy was prudent as investment returns were very low and minimising counterparty risk on placing investments also needed to be considered.
35. A cost of carry remained during the year on any new long-term borrowing that was not immediately used to finance capital expenditure, as it would have caused a temporary increase in cash balances; this would have incurred a revenue cost – the difference between (higher) borrowing costs and (lower) investment returns.

36. The policy of avoiding new borrowing by running down spare cash balances has served well over the last few years (see table 6 below). However, this was kept under review to avoid incurring higher borrowing costs in the future when this authority may not be able to avoid new borrowing to finance capital expenditure and/or the refinancing of maturing debt.

Table 6 – net borrowing

	Market Loans (incl. other Local Authorities)			Total
	Amount £m	Length of Loan	Interest Rate %	£m
New Loans Taken	5.000 3.000	1 year 1 year	0.25% 0.10%	8.000
Loans Repaid	(4.750) (5.000) (2.000) (3.000) (5.000)	10 years 2 years 1 year 1 year 1 year	3.19% 0.87% 0.90% 0.90% 0.20%	
Total New Borrowing				(19.750) (11.750)

37. The additional funding was utilised to not replace maturing short term loans.
38. **Summary of Debt Transactions** –The consolidated rate of interest reduced from 2.76% to 2.47% due to the above transactions as some of the debt repaid was at a higher interest rate than the longer term debt still held.

Investment Position

39. **Investment Policy** – the Council’s investment policy for 2021/22 is governed by the DLUHC Guidance which has been implemented in the annual investment strategy for 2021/22 approved by Special Council on 18 February 2021. This policy sets out the approach for choosing investment counterparties, and is based on credit ratings provided by the three main credit rating agencies, supplemented by additional market data, (such as rating outlooks, credit default swaps, bank share prices etc.).
40. The investment activity during the year conformed to the approved Strategy and the Council had no liquidity difficulties.
41. Investment returns remained close to zero for much of 2021/22. Most local authority lending managed to avoid negative rates and one feature of the year was the continued

growth of inter local authority lending. The expectation for interest rates within the treasury management strategy for 2021/22 was that Bank Rate would remain at 0.1% until it was clear to the Bank of England that the emergency level of rates introduced at the start of the Covid -19 pandemic were no longer necessitated.

42. The Bank of England and the Government also maintained various monetary and fiscal measures, supplying the banking system and the economy with massive amounts of cheap credit so that banks could help cash-starved businesses to survive the various lockdowns/negative impact on their cashflow. The Government also supplied huge amounts of finance to local authorities to pass on to businesses. This meant that for most of the year there was much more liquidity in financial markets than there was demand to borrow, with the consequent effect that investment earnings rates remained low until towards the turn of the year when inflation concerns indicated central banks, not just the Bank of England, would need to lift interest rates to combat the second-round effects of growing levels of inflation (CPI was 6.2% in February).
43. While the Council has taken a cautious approach to investing, it is also fully appreciative of changes to regulatory requirements for financial institutions in terms of additional capital and liquidity that came about in the aftermath of the financial crisis. These requirements have provided a far stronger basis for financial institutions, with annual stress tests by regulators evidencing how institutions are now far more able to cope with extreme stressed market and economic conditions.
44. Investment balances have been kept to a minimum through the agreed strategy of using reserves and balances to support internal borrowing, rather than borrowing externally from the financial markets. External borrowing would have incurred an additional cost, due to the differential between borrowing and investment rates. Such an approach has also provided benefits in terms of reducing counterparty risk exposure, by having fewer investments placed in the financial markets.
45. Investments held by the Council consist of temporary surplus balances, capital receipts and other funds. Cash balances are invested on a daily basis to maximise the benefit of temporary surplus funds. These include investments in Money Market Funds, the Government's Debt Management Office, other local authorities and bank short term notice accounts. Short term investments of up to a year earned interest of £52k on an average balance of £25.526m which equated to an annual average interest rate of 0.21%.
46. The Council also has longer term investments which consist of the property funds and the returns are shown below in **Table7**.

Table 7 – Longer Term 6 months to 5 years - Property Funds

	Original Budget 2021/22	Actual 2021/22
Daily average level of Investments	£29.999m	£29.999m
Interest earned (gross)	0.840m	0.988m
Average Rate of Return on Investment Interest earned (gross)	2.80%	3.29%
Average Rate of Return on Investment (net of costs)	1.53%	2.21%

Performance and Risk Benchmarking

47. A regulatory development is the consideration and approval of security and liquidity benchmarks. Yield benchmarks are currently widely used to assess investment performance.
48. The following reports the current position against the benchmarks originally approved.
49. Security – The Council’s maximum security risk benchmarks for the current portfolio of investments, when compared to historic default tables was set as follows:

0.077% historic risk of default when compared to the whole portfolio

50. **Table 8** shows that there has been a fluctuation in the historic levels of default over the year although still well below the benchmark. This is mainly due to some longer term investments actually being made for shorter terms, i.e. up to six months rather than 1 year as these investments were better value than longer term investments and were also a better fit with how the council was expecting to utilise investments. It also shows more emphasis being placed on counterparties with a higher credit rating.
51. The investment portfolio was maintained within this overall benchmark during this year as shown in **Table 8**.

Table 8

Maximum	Benchmark 2021/22	Actual June 2021	Actual October 2021	Actual December 2022	Actual March 2022
Year 1	0.077%	0.012%	0.007%	0.004%	0.013%

52. The counterparties that we use are all high rated therefore our actual risk of default based on the ratings attached to counterparties is virtually nil.
53. Liquidity – In respect of this area the Council set liquidity facilities/benchmark to maintain

- (a) Bank Overdraft £0.100M
- (b) Liquid short term deposits of at least £3.000M available within a week's notice.
- (c) Weighted Average Life benchmark is expected to be 146 days with a maximum of 1 year.

54. Liquidity arrangements have been adequate for the year to date as shown in **Table 9**.

Table 9

	Benchmark	Actual June 2021	Actual October 2021	Actual December 2022	Actual March 2022
Weighted Average life	146 days to 1 year	165 days	127 days	173 days	164 days

55. The figures are for the whole portfolio of cash flow investments deposited with Money Market funds on a call basis (i.e. can be drawn on without notice) as well as call accounts that include a certain amount of notice required to recall the funds.
56. Yield - In respect of this area performance indicators relating to interest rates for borrowing and investments were set with reference to comparative interest rates. For borrowing, the indicator is the average rate paid during the year compared with the previous year. Investment rates are compared with a representative set of comparative rates.

Risk

57. The Council's treasury management activities are regulated by a variety of professional codes, statutes and guidance:-
- (a) The Local Government Act 2003(the Act), which provides the powers to borrow and invest as well as providing controls and limits on this activity.
 - (b) The Act permits the Secretary of State to set limits either on the Council or nationally on all local authorities restricting the amount of borrowing which may be undertaken (although no restrictions were made in 2021/22).
 - (c) Statutory Instrument (SI) 3146 2003, as amended, develops the controls and powers within the Act.
 - (d) The SI requires the Council to undertake any borrowing activity with regard to the CIPFA Prudential Code for Capital Finance in Local Authorities.
 - (e) The SI also requires the Council to operate the overall treasury function with regard to the CIPFA code of Practice for Treasury Management in Public Services.
 - (f) Under the Act the Department of Levelling Up, Housing & Communities has issued Investment Guidance to structure and regulate the Council's investment activities.

- (g) Under section 238(2) of the Local Government and Public Involvement in Health Act 2007 the Secretary of State has taken powers to issue guidance on accounting practices. Guidance on Minimum Revenue Provision was issued under this section on 8 November 2007.

58. The Council's Treasury Management function has complied with all of the relevant statutory and regulatory requirements, which limit the levels of risk associated with its treasury management activities. In particular its adoption and implementation of both the Prudential Code and the code of Practice for Treasury Management means both that its capital expenditure is prudent, affordable and sustainable and its treasury practices demonstrate a low risk approach.
59. Officers of the Council are aware of the risks of passive management of the treasury portfolio and, with the support of Capita Asset Services, the Council's advisers, have proactively managed the debt and investments over the year.

Treasury Management Budget

60. There are three main elements within the Treasury Management Budget:

- (a) Long Term capital investments including Property Funds which earns interest, this comprises of the Council's revenue and capital balances, unused capital receipts, reserves and provisions.
- (b) Cash flow interest earned – the authority has consistently had positive cash flow. Unlike long term capital investments it does not represent any particular sum but it is the consequence of many different influences such as receipts of grants, the relationship between debtors and creditors, cashing of cheques and payments to suppliers.
- (c) Debt servicing costs – This is the principal and interest costs on the Council's long term debt to finance the capital programme.

Table 10 - Changes to the Treasury Management Budget 2021/22

	£m	£m
Original Treasury Management Budget		0.823
Debt		
Reduced interest payable on debt	(0.189)	
Investments		
Increased investment income including property funds etc	(0.144)	
Other Costs		
Less reduced brokerage charges	(0.033)	(0.366)
Outturn Treasury Management Budget 2021/22		0.457

61. The savings relate to a reduction in the interest payable on debt due to the cost of short term borrowing and reduced debt levels as well as an increase in the interest received on investments due to the cashflow levels.

Conclusion

62. The Council's treasury management activity during 2021/22 has been carried out in accordance with Council Policy and within legal limits. Financing costs have been reduced during the year and a saving of £0.366m achieved from the original MTFP.

Outcome of Consultation

63. No formal consultation has been undertaken regarding this report.

Appendix 1

Additional Prudential Indicators not reported in the body of the report

		2020/21 Actual	2021/22 Approved Indicator	2021/22 Outturn
1	limits on fixed interest rates	88%	100%	84%
2	limits on variable interest rates	12%	40%	16%
3	Maturity structure of fixed interest rate borrowing (upper Limit)			
	Under 12 months	12%	40%	16%
	12 months to 2 years	22%	50%	19%
	2 years to 5 years	25%	60%	19%
	5 years to 10 years	35%	90%	29%
	10 years and above	100%	100%	100%
4	Maximum Principal funds invested greater than 364 days	£50m	£50m	£50m

The Economy and Interest Rates

UK. Economy. Over the last two years, the coronavirus outbreak has done huge economic damage to the UK and to economies around the world. After the Bank of England took emergency action in March 2020 to cut Bank Rate to 0.10%, it left Bank Rate unchanged at its subsequent meetings until raising it to 0.25% at its meeting on 16th December 2021, 0.50% at its meeting of 4th February 2022 and then to 0.75% in March 2022.

The UK economy has endured several false dawns through 2021/22, but with most of the economy now opened up and nearly back to business-as-usual, the GDP numbers have been robust (9% y/y Q1 2022) and sufficient for the MPC to focus on tackling the second-round effects of inflation, now that the CPI measure has already risen to 6.2% and is likely to exceed 8% in April.

Gilt yields fell towards the back end of 2021, but despite the war in Ukraine gilt yields have shot higher in early 2022. At 1.38%, 2-year yields remain close to their recent 11-year high and 10-year yields of 1.65% are close to their recent six-year high. These rises have been part of a global trend as central banks have suggested they will continue to raise interest rates to contain inflation.

Historically, a further rise in US Treasury yields will probably drag UK gilt yields higher. There is a strong correlation between the two factors. However, the squeeze on real household disposable incomes arising from the 54% leap in April utilities prices as well as rises in council tax, water prices and many phone contract prices, are strong headwinds for any economy to deal with. In addition, from 1st April 2022, employees also pay 1.25% more in National Insurance tax. Consequently, inflation will be a bigger drag on real incomes in 2022 than in any year since records began in 1955.

Average inflation targeting. This was the major change in 2020/21 adopted by the Bank of England in terms of implementing its inflation target of 2%. The key addition to the Bank's forward guidance in August 2020 was a new phrase in the policy statement, namely that "it does not intend to tighten monetary policy until there is clear evidence that significant progress is being made in eliminating spare capacity and *achieving the 2% target sustainably*". That mantra now seems very dated. Inflation is the "genie" that has escaped the bottle, and a perfect storm of supply side shortages, labour shortages, commodity price inflation, the impact of Russia's invasion of Ukraine and subsequent Western sanctions all point to inflation being at elevated levels until well into 2023.

USA. The flurry of comments from Fed officials following the mid-March FOMC meeting – including from Chair Jerome Powell himself – hammering home the hawkish message from the mid-March meeting, has had markets pricing in a further 225bps of interest rate increases in 2022 on top of the initial move to an interest rate range of 0.25% - 0.5%.

In addition, the Fed is expected to start to run down its balance sheet. Powell noted that the rundown could come as soon as the next meeting in May.

The upward pressure on inflation from higher oil prices and potential knock-on impacts on supply chains all argue for tighter policy (CPI is estimated at 7.8% across Q1), but the hit to real disposable incomes and the additional uncertainty points in the opposite direction.

More recently, the inversion of the 10y-2y Treasury yield spread at the end of March led to predictable speculation that the Fed's interest rate hikes would quickly push the US economy

into recession. Q1 GDP growth is likely to be only between 1.0% and 1.5% annualised (down from 7% in Q4 2021). But, on a positive note, the economy created more than 550,000 jobs per month in Q1, a number unchanged from the post-pandemic 2021 average. Unemployment is only 3.8%.

EU. With euro-zone inflation having jumped to 7.5% in March it seems increasingly likely that the ECB will accelerate its plans to tighten monetary policy. It is likely to end net asset purchases in June – i.e., earlier than the Q3 date which the ECB targeted in March. And the market is now anticipating possibly three 25bp rate hikes later this year followed by more in 2023. Policymakers have also hinted strongly that they would re-start asset purchases if required. In a recent speech, Christine Lagarde said “we can design and deploy new instruments to secure monetary policy transmission as we move along the path of policy normalisation.”

While inflation has hit the headlines recently, the risk of recession has also been rising. Among the bigger countries, Germany is most likely to experience a “technical” recession because its GDP contracted in Q4 2021, and its performance has been subdued in Q1 2022. However, overall, Q1 2022 growth for the Eurozone is expected to be 0.3% q/q with the y/y figure posting a healthy 5.2% gain. Finishing on a bright note, unemployment fell to only 6.8% in February.

China. After a concerted effort to get on top of the virus outbreak in Q1 of 2020, economic recovery was strong in the rest of the year; however, 2021 has seen the economy negatively impacted by political policies that have focussed on constraining digital services, restricting individual freedoms, and re-establishing the power of the One-Party state. With the recent outbreak of Covid-19 in large cities, such as Shanghai, near-term economic performance is likely to be subdued. Official GDP numbers suggest growth of c4% y/y, but other data measures suggest this may be an overstatement.

Japan. The Japanese economic performance through 2021/22 is best described as tepid. With a succession of local lockdowns throughout the course of the year, GDP is expected to have risen only 0.5% y/y with Q4 seeing a minor contraction. The policy rate has remained at -0.1%, unemployment is currently only 2.7% and inflation is sub 1%, although cost pressures are mounting.

World growth. World growth is estimated to have expanded 8.9% in 2021/22 following a contraction of 6.6% in 2020/21.

Deglobalisation. Until recent years, world growth has been boosted by increasing globalisation i.e. countries specialising in producing goods and commodities in which they have an economic advantage and which they then trade with the rest of the world. This has boosted worldwide productivity and growth, and, by lowering costs, has also depressed inflation. However, the rise of China as an economic superpower over the last 30 years, which now accounts for 18% of total world GDP (the USA accounts for 24%), and Russia’s recent invasion of Ukraine, has unbalanced the world economy. In addition, after the pandemic exposed how frail extended supply lines were around the world, both factors are now likely to lead to a sharp retrenchment of economies into two blocs of western democracies v. autocracies. It is, therefore, likely that we are heading into a period where there will be a reversal of world globalisation and a decoupling of western countries from dependence on China (and to a much lesser extent Russia) to supply products and vice versa. This is likely to reduce world growth rates.

Central banks’ monetary policy. During the pandemic, the governments of western countries have provided massive fiscal support to their economies which has resulted in a big increase in total government debt in each country. It is therefore very important that bond yields stay low while debt to GDP ratios slowly subside under the impact of economic growth. This provides governments with a good reason to amend the mandates given to central banks to allow higher average levels of inflation than we have generally seen over the last couple of decades. Both the

Fed and Bank of England have already changed their policy towards implementing their existing mandates on inflation, (and full employment), to hitting an average level of inflation. Greater emphasis could also be placed on hitting subsidiary targets e.g. full employment before raising rates. Higher average rates of inflation would also help to erode the real value of government debt more quickly.

Glossary of Terms

Capital Financing Requirement (CFR)	This is the Councils underlying need to borrow which can be traced back to the Councils Balance Sheet and the value of the Councils assets which have yet to be paid for.
Minimum Revenue Provision (MRP)	Monies set aside from the revenue budget to repay accumulated debt.
Call	Investments that can be returned without a period of notice
Counterparty	Institutions, Banks etc. that with make investments or take out loans with.
Specified Investments	Investments in Banks and Building Societies with a high credit rating for periods of less than 1 year
Non-Specified Investments	Investments in un-rated Building Societies and any investments in Banks and Building Societies for more than 1 year.
Operational Liquidity	Working Cash flow
Authorised Limit	Maximum amount of borrowing that could be taken in total.
Operational Boundary	The expected amount of borrowing assumed in total.
PWLB	Public Works Loan Board. The Governments lending body to Local Authorities
Discount	Amount payable by the PWLB when loans are repaid if the current loan rate is less than the rate borne by the original debt
Yield Curve	Is a graph that shows the relationship between the interest rate paid and length of time to repayment of a loan.
Gilts	Government Borrowing Bonds
SONIA	The Sterling Overnight Index Average –generally a replacement set of indices (for LIBID) for those benchmarking their investments.
Spreads	The difference between the highest rate of interest and the lowest rate of interest earned/charged on any one particular maturity period i.e. 1 year, 2 year 5 year etc.
LIBID	London Interbank Bid Rate. The average rate at which a bank is willing to borrow from another bank – No longer used
LIBOR	London Interbank Offer Rate. The average rate at which a bank is willing to lend to another bank. LIBOR is always higher than the corresponding bid rate and the difference between the two rates is known as the spread.

COUNCIL
24 NOVEMBER 2022

**DARLINGTON TRANSPORT PLAN,
DARLINGTON TOWN CENTRE TRANSPORT PLAN
AND DARLINGTON PARKING STRATEGY**

Responsible Cabinet Member – Councillor Andy Keir, Local Services Portfolio

Responsible Director – Dave Winstanley, Group Director of Services

SUMMARY REPORT

Purpose of the Report

1. For members to consider the adoption of the Darlington Transport Plan, Darlington Town Centre Transport Plan and Parking Strategy following the consultation process.

Summary

2. The Tees Valley Strategic Transport Plan (STP) 2020-2030 was developed by Tees Valley Combined Authority (TVCA) in partnership with all Tees Valley local authorities. The strategy was published in 2020 and sets out the strategic direction for transport in the Tees Valley. The STP is supported by other strategies developed by TVCA including the Local Cycling and Walking Infrastructure Plan (LCWIP) and the Tees Valley Bus Service Improvement Plan (BSIP).
3. The Darlington Transport Strategy sets out how the priorities set out in the STP will be delivered in Darlington. It takes account of local priorities and sets a delivery framework to ensure that these priorities are delivered.
4. Cabinet approved the Darlington Transport Plan framework on 9 March 2021, as a basis for consulting the public and other stakeholders on our key transport objectives and priorities.
5. The Darlington Town Centre Transport Plan will support the Town Centre Strategy 2019-2030 and the Towns Fund Investment Plan. Good quality transport into and within the town centre is important to support the transformation, growth and management of movement within the town centre and will help to make it a more attractive place to live, work and visit.
6. The Darlington Parking Strategy sets out a framework for the provision and control of parking within the borough in order to meet the aspirations of the Darlington Transport Strategy and the Darlington Town Centre Transport Plan.

7. Communities and Local Services Scrutiny Committee considered all three plans on 25 August 2022.
8. Cabinet considered all three plans on 8 November 2022.
9. The plans were consulted on and in terms of responses, there were 34 responses to the Darlington Transport Strategy, 14 responses to the Darlington Parking Strategy and no responses to Darlington Town Centre Transport Plan. The responses were broadly in support of our approach and no changes were made to the documents as a result of consultation.

Recommendation

10. It is recommended that Council approves and agrees adoption of the Darlington Transport Strategy, Darlington Town Centre Transport Plan, and Darlington Parking Strategy into the policy framework.

Reasons

11. The recommendations are supported by the following reasons :-
 - (a) To provide a strategic framework to support growth in Darlington through the provision of improved transport infrastructure and promote sustainable transport initiatives.
 - (b) To support the Town Centre Strategy by improving transport links into, and reducing the impact of traffic travelling through the Town Centre in order to help it be a place where people will want to continue visiting, shopping, working and living in.

Dave Winstanley
Group Director of Services

Background Papers

- (i) Cabinet – 9 March 2021 - Item 7a Local Transport Plan
- (ii) Communities and Local Services Scrutiny Committee 25 August 2022 - Item 6, Darlington Transport Plans and Parking Strategy
- (iii) Cabinet – 8 November 2022 – Item 7(a)

Kay Gamble: Extension 6491

S17 Crime and Disorder	The policy documents are not considered to have any material implications on crime and disorder.
Health and Wellbeing	The Transport Strategy seeks to achieve better health and longer life expectancy for everyone by reducing the risk of death, injury or illness from transport and by providing travel options to keep people active and independent.
Carbon Impact and Climate Change	The Transport Strategy seeks to tackle climate change through quantified reductions in greenhouse gas emission from transport. The programme includes schemes to encourage the use of sustainable modes of transport.
Diversity	As highway schemes have an impact on the built environment disability groups are consulted to ensure the needs of disabled people are considered.
Wards Affected	ALL
Groups Affected	There are no proposals that impact on specific groups.
Budget and Policy Framework	The Tees Valley Strategic Transport Plan (STP) has been adopted by TVCA Cabinet as the Local Transport Plan for the Tees Valley including the constituent local authorities. The Darlington Transport Plan and supporting strategies sets out the policies and actions to deliver Darlington's element of the STP. This will form part of the policy framework subject to approval by Cabinet and adoption by Council.
Key Decision	This is not an executive decision.
Urgent Decision	This is not an executive decision.
Council Plan	Darlington Transport Plan will support economic growth through the delivery of planned sustainable transport solutions to enable people to access employment and other important services in an efficient manner.
Efficiency	The Transport Plan seeks to implement schemes that demonstrate value for money and/or deliver the greatest outcomes at a local level. An evidence-based approach is used to identify schemes that have higher benefit cost ratios, reduce maintenance liabilities and/or seek to reduce revenue costs. Maintaining the highway network will reduce traffic disruption in the longer term and improve network management. Vehicle delay has a negative impact on the economy, including logistics and freight.
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

MAIN REPORT

Information and Analysis

12. Tees Valley Combined Authority (TVCA) are the transport authority for the Tees Valley region. They are required to produce a transport strategy for the area and published their Strategic Transport Plan (STP) in 2020 after a period of consultation. The document sets the transport priorities for the Tees Valley.
13. It was agreed that the constituent Local Authorities would develop their own transport strategy and implementation plan to support delivery of the STP and to capture local priorities and issues. Darlington Transport Strategy has been developed to address these regional and local priorities whilst contributing to national and international priorities such as carbon reduction and climate change.
14. The framework for the Darlington Transport Strategy was approved by Cabinet in March 2021. This framework has been developed into a full strategy and consultation has taken place with the public and other key stakeholders. In addition, two supporting documents have been developed, Darlington Town Centre Transport Plan and Darlington Parking Strategy. Both documents were also the subject of consultation.
15. The transport strategy has a number of objectives:
 - (a) Reduce transport's impact on the environment and support health and wellbeing.
 - (b) Improve safety for all road users.
 - (c) Connect people with job and training opportunities and link communities.
 - (d) Support a revitalised and transformed Darlington town centre.
 - (e) Maintain and effectively manage a resilient transport system.
16. In addition, we have also developed the Darlington Town Centre Transport Plan to support the Town Centre Strategy 2019-2030 and the Towns Fund Investment Plan. It sets out how transport can help deliver the new focus set out in the Town Centre Plan.
17. Darlington Parking Strategy sets out a framework for the provision and control of parking within the borough in order to meet the aspirations of the Darlington Transport Strategy and the Darlington Town Centre Transport Plan.
18. A consultation on the above documents has taken place from 9 August to 9 September 2022. Full versions of the strategies and plans were published including summary documents to make them as accessible as possible. The documents are listed below:
 - (a) Darlington Transport Plan (**Appendix 1**)
 - (b) Darlington Transport Strategy Summary Document (**Appendix 2**)
 - (c) Darlington Town Centre Transport Plan (**Appendix 3**)
 - (d) Darlington Town Centre Transport Plan Summary Document (**Appendix 4**)
 - (e) Darlington Parking Strategy (**Appendix 5**)
 - (f) Darlington Parking Strategy Summary Document (**Appendix 6**)

19. The consultation process included electronic versions of the strategies and plan, and printed documents that were available from the Town Hall, Crown Steet Library and Cockerton Library. The printed documents were also available on request. Press releases and Facebook posts were also used to promote the consultation and specific groups were contacted. Full details of the consultation are provided below. Details of the responses are provided at **Appendix 7** and **8**.

Financial Implications

20. The documents will enable the Council to prioritise annual funding such as the Local Transport Plan Integrated and Maintenance blocks as well as support bids for national and regional funding from programmes such as Levelling Up Fund and City Region Sustainable Transport Settlement.

Legal Implications

21. There is a statutory duty for a transport authority to have a Local Transport Plan. Darlington currently has a Third Local Transport Plan 2011-2026, adopted by Council on 10 March 2011 as part of the Council's policy framework. The statutory duty for the Local Transport Plan has now moved to Tees Valley Combined Authority as part of the devolution deal. TVCA has produced a Tees Valley Strategic Transport Plan to fulfil this duty, which was approved by TVCA Cabinet on 31 January 2020.
22. The five constituent local authorities have been asked to produce a "Local Implementation Plan". This demonstrates how each highway authority will support the delivery of the Strategic Transport Plan at a local level but will also set out local priorities, policies and actions. The Darlington Transport Strategy will be considered by Council to be adopted as part of the Council's policy framework. It will draw together other local policies on parking, asset management, traffic management, Rights of Way Improvement Plan, and link to other corporate plans, including the Council Plan.
23. The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society pursuant to which the Council is subject to the 'Public Sector Equality Duty'. This requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. This is relevant in the context of transport policy making, where for example the change or cessation of services may disproportionately impact protected characteristic groups. The Council will observe its Public Sector Equality Duty in policy and schemes relating to transport.

Estates and Property Advice

24. The highway maintenance programme will be works within the adopted highway and does not require corporate landlord advice. Any modifications to the adopted highway will be notified to the highway asset management team.

25. Any individual scheme that involves a land requirement outside of the adopted highway, whether that be Council owned land or land in third party ownership, will involve the Estates Team to negotiate land acquisition or other legal agreement. If a scheme cannot be implemented within the adopted highway or permitted rights the required planning permission will be sought at an early stage in the process.
26. The Woodland Road roundabout and Cockerton roundabout schemes both require planning permission and Estates and Legal advice has been sought on land and property issues associated with those schemes.

Procurement Advice

27. All procurement activity will be in line with the Council's Contract Procedure Rules and the Public Contracts Regulations 2015. Where a suitable framework is available for a procurement this will be used in the first instance. Applications to Tees Valley Combined Authority for funding will be subject to a robust due diligence process which includes procurement, legal and value for money. All procurements will be in line with the requirements of any subsequent grant funding agreements from TVCA or any other funder.
28. TVCA has undertaken a number of procurements some of which require call off contracts by Darlington Borough Council to deliver programmes at a local level. Procurement and legal advice will be provided to ensure that Darlington Council procurement procedure rules are adhered to.

Consultation

29. A consultation process has taken place from 9 August to 9 September 2022. The consultation process was available online and in paper format either from the town hall, Crown Street Library and Cockerton Library, copies were also available upon request to be sent via post. There were no paper responses received for this consultation. The online responses received were as follows:
 - (a) Darlington Transport Strategy - 34 responses
 - (b) Darlington Town Centre Transport Plan - 0 responses
 - (c) Parking Strategy - 14 responses
30. Details of the responses are provided at Appendix 7 and 8.
31. In terms of Darlington Transport Strategy, maintain roads and footpaths and reduce the number of road traffic collisions had the highest level of support from those responding. Improvements for bus passengers and pedestrians had the strongest support. All measures had more respondents supporting them than opposing them.

32. In terms of the Parking strategy there was strong support for all measures. Improve signage and continue to provide more flexible ways to pay for parking had the highest level of support but again all measures had had more respondents supporting them than opposing them.
33. There were no responses to the consultation on the Town Centre Transport Plan.

Outcome of Consultation

34. As detailed in the information above there is support for Darlington Transport Plan, Darlington Town Centre Transport Plan and Parking Strategy. From the information received there appears to be support for the plans and we consequently do not propose any changes to the documents.

Equalities Considerations

35. Equalities is a key consideration of the Darlington Transport Strategy and supporting documents. The equalities impact of individual schemes and policies is considered as they are developed. As most of the work programme involves changes to the physical environment the main impacts that are considered relate to disabilities, including mobility, visual and hearing impairments and learning disabilities. Regular meetings are held with Darlington Association on Disability and other advisory groups such as RNIB and Guide Dogs are involved for specific issues.

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Darlington Transport Plan

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- Foreword
- Our Vision and Objectives
- Purpose
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 - Objectives of transport in Darlington
 - Objective 1 - Reduce transport's impact on the environment and support health and wellbeing
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 - Objective 4 - Support a revitalised and transformed Darlington town centre
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- Fit with wider policies
- Action plan (appendix)



Foreword

At the heart of transport are people and services. Transport moves people and goods to where they need to go. We all rely on transport and it provides us with opportunities.

How we travel will matter even more in the future. It will matter to our future health, wellbeing and prosperity and that of our children's.

Without substantial efforts to curb greenhouse gas emissions over the next decade we are likely to face severe, widespread, and irreversible impacts on our society. The predicted impacts of climate change in Darlington include more frequent and intense flooding, drought, episodes of extreme heat and stormier conditions. In July 2019, Darlington Borough Council declared a climate emergency and committed to becoming a carbon neutral council by 2050. As a result, we need to both mitigate and adapt to climate change.

At the same time we are becoming less healthy. The COVID-19 pandemic has had an impact on the mental and physical health of our people and there are new strains on our health facilities that mean we need to think about how we can encourage everyone to lead healthier lives.

Part of the way in which we can tackle this is to work together to change the way we travel. We all must be part of the change to less pollution, less congestion and more green space and healthier, affordable ways to move around and run our businesses. These changes will set our community towards a bright future.

Darlington is our town, it's a great place to live, work and visit. We attract talent and jobs into our region, we are a place to raise families and grow old in good health. We are well connected to fantastic cities like Manchester, London and Edinburgh, to amazing countryside on our doorstep and we are friendly and welcoming to visitors. We care about each other and want what's best for our children. So, let's work together and find new ways to go!



Councillor Andy Keir,
Local Services Portfolio

Our Vision

We want Darlington to have a safe and resilient low carbon transport system which offers choice; promotes health and wellbeing and supports inclusive economic growth.

Our Objectives

1. Reduce transport's impact on the environment and support health and wellbeing;
2. Improve safety for all road users;
3. Connect people with job and training opportunities and link communities;
4. Support a revitalised and transformed Darlington town centre;
5. Maintain and effectively manage a resilient transport system.

Purpose

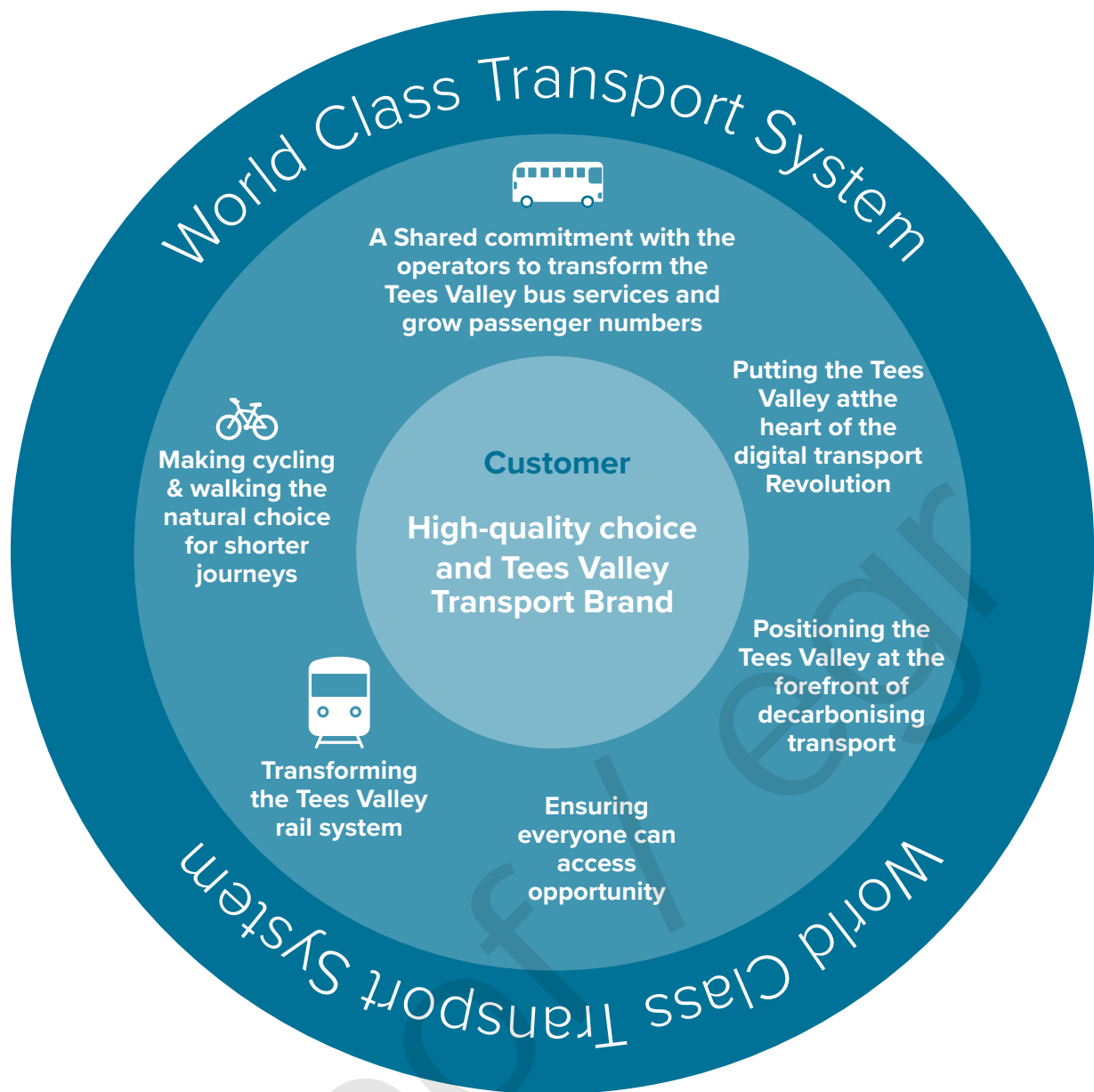
Darlington is regarded as the 'gateway' to the Tees Valley and to the wider North East region. Darlington station on the East Coast Mainline railway connects the borough and Tees Valley with the rest of the UK, whilst Teesside International Airport, located within the borough, provides links to Europe and the world through Amsterdam.

Darlington sits at the crossing of the north-south A1 motorway and the east-west A66 trunk road. Our location and excellent connections combined with a high quality of life are key assets in Darlington's attractiveness as a place to live and work.

However, given the current, urgent and interrelated environmental, economic and social challenges we are facing at an international, national and local level there is more that needs to be done. Change needs to begin at the local level with us all working together to create healthier communities with cleaner air, stronger local economies, and better resilience against climate change. Transport has a big part to play.

This Darlington Transport Strategy 2022-2030 describes what we now need to do differently to address the current and future challenges.

This Strategy also supports the delivery of the Tees Valley Strategic Transport Plan, which sets the vision, objectives and investment priorities for the transport system across the Tees Valley. The delivery of the Strategic Transport Plan (STP) has been further developed in the City Region Sustainable Transport Settlement (CRSTS) agreed with the Department for Transport (DfT). This provides the Authority with funding over five years and a clear prioritisation of decarbonisation, growth and levelling up. This also delivers against the new Local Plan 2016-2036¹ which seeks to improve connectivity, minimise the distance and length of the journey, and make best use of existing public transport and the highways network while delivering sustainable transport choices. The majority of new residential, commercial and employment development is therefore guided to the main towns and larger villages and sustainable methods of transport will be prioritised.



¹ <https://microsites.darlington.gov.uk/media/2284/local-plan-adopted-feb22-print.pdf>

Context

Climate Change

Darlington will deliver the CRSTS and STP priorities at a local level.

The UK Climate Change Commission² has clearly set out that human activity is now causing changes to the climate:

- Global and UK average land temperatures have risen by around 1.2°C since the 1850-1900 period
- UK sea levels have risen by 16cm since 1900.
- Episodes of extreme heat are becoming more frequent, with the chance of a hot summer like 2018 now up to 25% per year compared to less than 10% a few decades ago.

In June 2019, parliament passed legislation requiring the government to reduce the UK’s net emissions of greenhouse gases by 100% relative to 1990 levels by 2050 so that the UK is effectively a net zero emitter.

Key Term: Net Zero Emitter refers to achieving a balance between the amount of greenhouse gas emissions produced and the amount removed from the atmosphere.

Transport is the largest contributor to UK domestic greenhouse gas (GHG) emissions, responsible for 27% in 2019; excluding International shipping and aviation³.

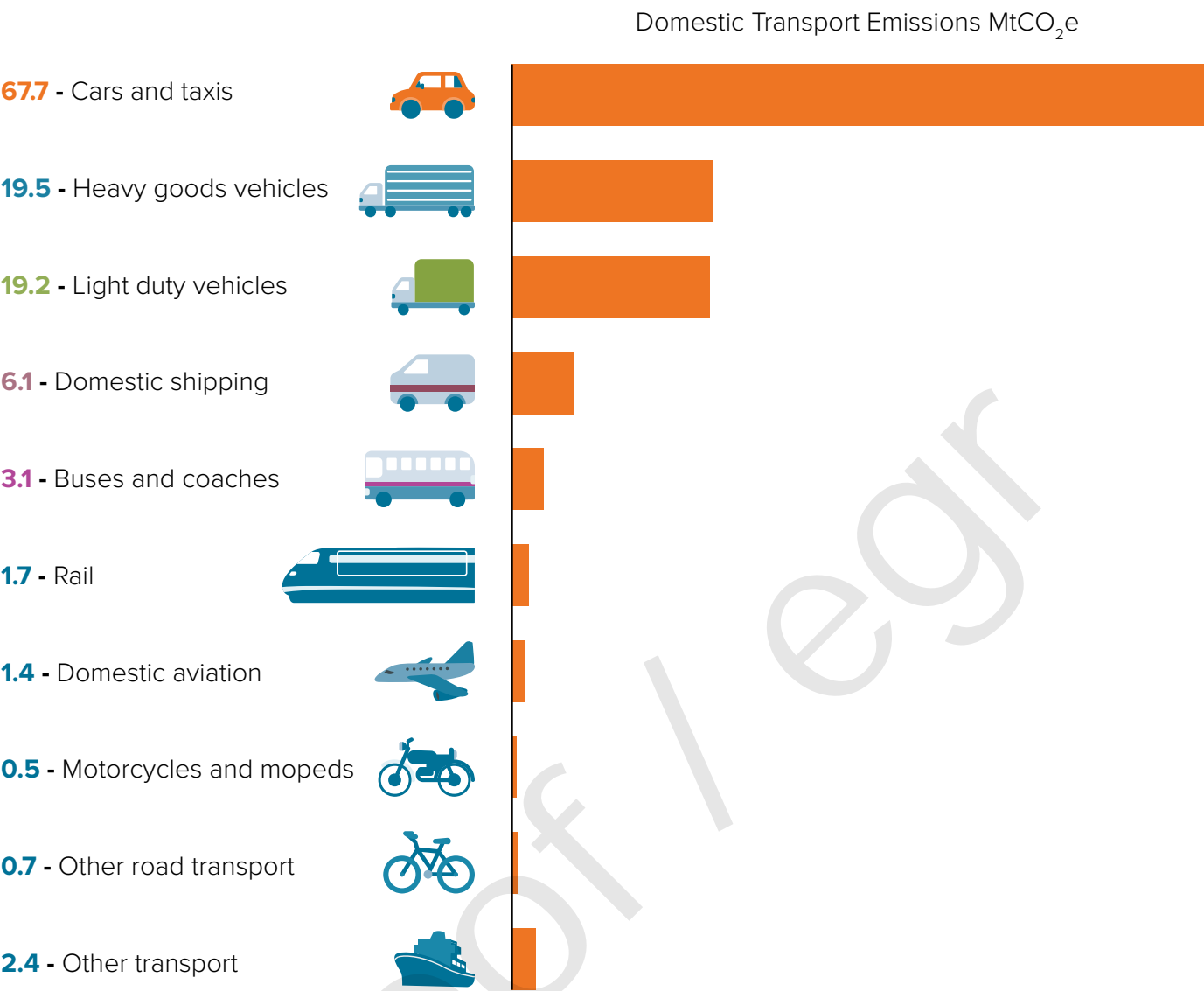
% Greenhouse gas emissions by transport mode, 2019

55.4%	Cars and taxis	1.4%	Rail
15.9%	Heavy goods vehicles	1.2%	Domestic aviation
15.7%	Light duty vehicles	0.4%	Motorcycles and mopeds
5%	Domestic shipping	0.6%	Other road transport
2.5%	Buses and coaches	1.9%	Other transport



²<https://www.theccc.org.uk/publication/independent-assessment-of-uk-climate-risk/>
³https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1009448/decarbonising-transport-a-better-greener-britain.pdf

UK domestic transport emissions 2019



Total Domestic Transport Emissions = 122.15 MtCO₂e

National Policy direction

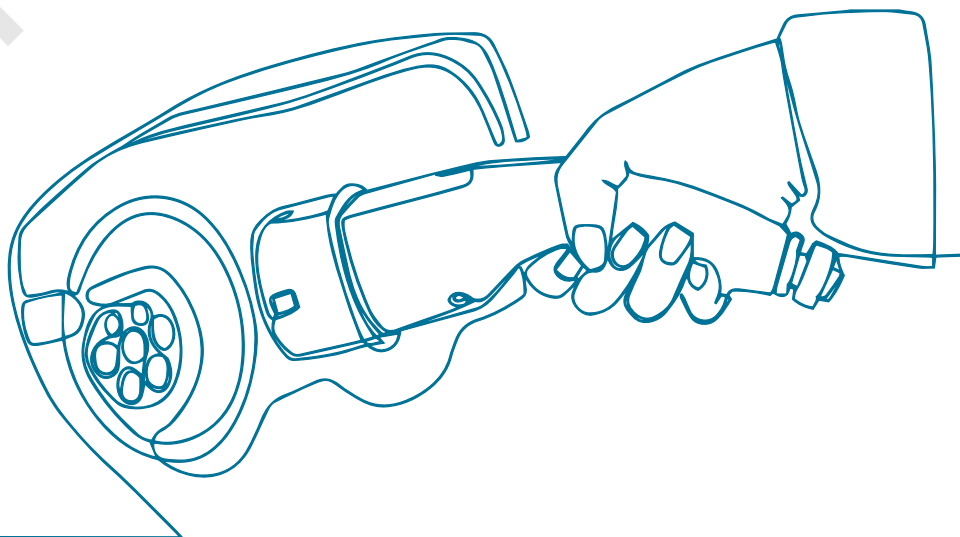
There will be no sales of petrol and diesel vehicles past 2030

Step 1 will see the phase-out date for the sale of new petrol and diesel cars and vans brought forward to 2030. Step 2 will see all new cars and vans be fully zero emission at the tailpipe from 2035. Between 2030 and 2035, new cars and vans can be sold if they have the capability to drive a significant distance with zero emissions (for example, plug-in hybrids or full hybrids), and this will be defined through consultation. After 2035, the only new cars and vans that can be sold will be pure electric ones.

Investment in electric vehicle charge point (EVCP) infrastructure

To ensure that there is encouragement for people to switch to electric vehicles there needs to be appropriate infrastructure available and this requires investment. The Government are investing significant amounts of money into EVCP infrastructure across England. This is also the case at a local level across the Tees Valley. On 25th March 2022 the Government launched their Electric Vehicle Infrastructure Strategy⁴. This was in response to the rapid uptake of EVs. In 2021, 190,000 EVs were sold in the UK, more than the previous five years combined. This brings with it concern that not everyone has access to off-street parking. The Government has pledged to support local authorities with over £500 million of funding to help find innovative ways to increase local chargepoint coverage. The strategy will put an obligation on transport authorities (TVCA are the transport authority) subject to consultation, to develop and implement local charging strategies. The Tees Valley combined Authority is also investing in the region to provide people with the appropriate infrastructure that is needed. The first phase of the programme will see 32 chargers in 32 public car parks within the Tees Valley installation of these is expected to start in 2022. The car parks that have been identified for Darlington are -

- Abbots Yard
- Winston Street North
- Commercial Street West
- Park Place East
- Park Place West
- Kendrew Street West



⁴ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1065576/taking-charge-the-electric-vehicle-infrastructure-strategy.pdf

Air quality

The 2019 UK Clean Air Strategy⁵ sets out the case for action to reduce exposure to harmful pollutants including the ending of the sale of new conventional petrol and diesel cars and vans by 2030 and new hybrids by 2035.

Darlington Borough Council currently does not have any Air Quality Management Areas. Air quality has been shown, since the year 2000, to be consistently and generally good. However, there is no statutory requirement on local authorities to review and assess PM2.5. PM2.5 are very fine particles which are now considered to be a more significant health risk than the larger particles (PM10).

For Darlington, it is estimated there are 47 deaths per year attributable to particulate air pollution (PM2.5) with an associated 481 life-years lost in the population⁶.

Key Term: Air Quality Management Areas. If a local authority finds any places where the air quality objectives are not likely to be achieved, it must declare an Air Quality Management Area there.

Health and Wellbeing

The health of people in Darlington is varied compared with the England average. Life expectancy for both men and women is lower than the England average. Life expectancy is 11.7 years lower for men and 8.5 years lower for women in the most deprived areas of Darlington than in the least deprived areas. In Year 6, 22.5% of children are classified as obese, worse than the average for England⁷.

Good mental health is important to daily life. According to the charity Mind, mental health in many ways is just like physical health: everybody has it and we need to take care of it. Good mental health means being generally able to think, feel and react in the ways that you need and want to live your life. Mental health problems affect around one in four people in any given year⁹.

In Darlington levels of depression and anxiety amongst respondents over 18 surveyed as part of the GP Patient Survey (2016/17) were higher than the England average (15.7% compared to 13.7%) and claimants of employment support allowance for mental and behavioural disorders are much higher at 34.4 per 1000 people of working age compared to 27.3 in England as a whole (2018)¹⁰.

Darlington in 100 people⁸

Causes of death



⁵ UK Clean Air Strategy 2019 - https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/770715/clean-air-strategy-2019.pdf

⁶ Public Health England. Estimating Local Mortality Burdens associated with Particulate Air Pollution A M Gowers, B G Miller and JR Steadman, 2014

⁷ https://www.darlington.gov.uk/media/6987/2018_darlington_health_profile.pdf

⁸ <https://www.darlington.gov.uk/media/3413/darlington-health-and-wellbeing-plan-as-adopted-by-health-and-wellbeing-board-october-2017-v1-8.pdf>

⁹ <https://www.mind.org.uk/information-support/types-of-mental-health-problems/mental-health-problems-introduction/about-mental-health-problems/>

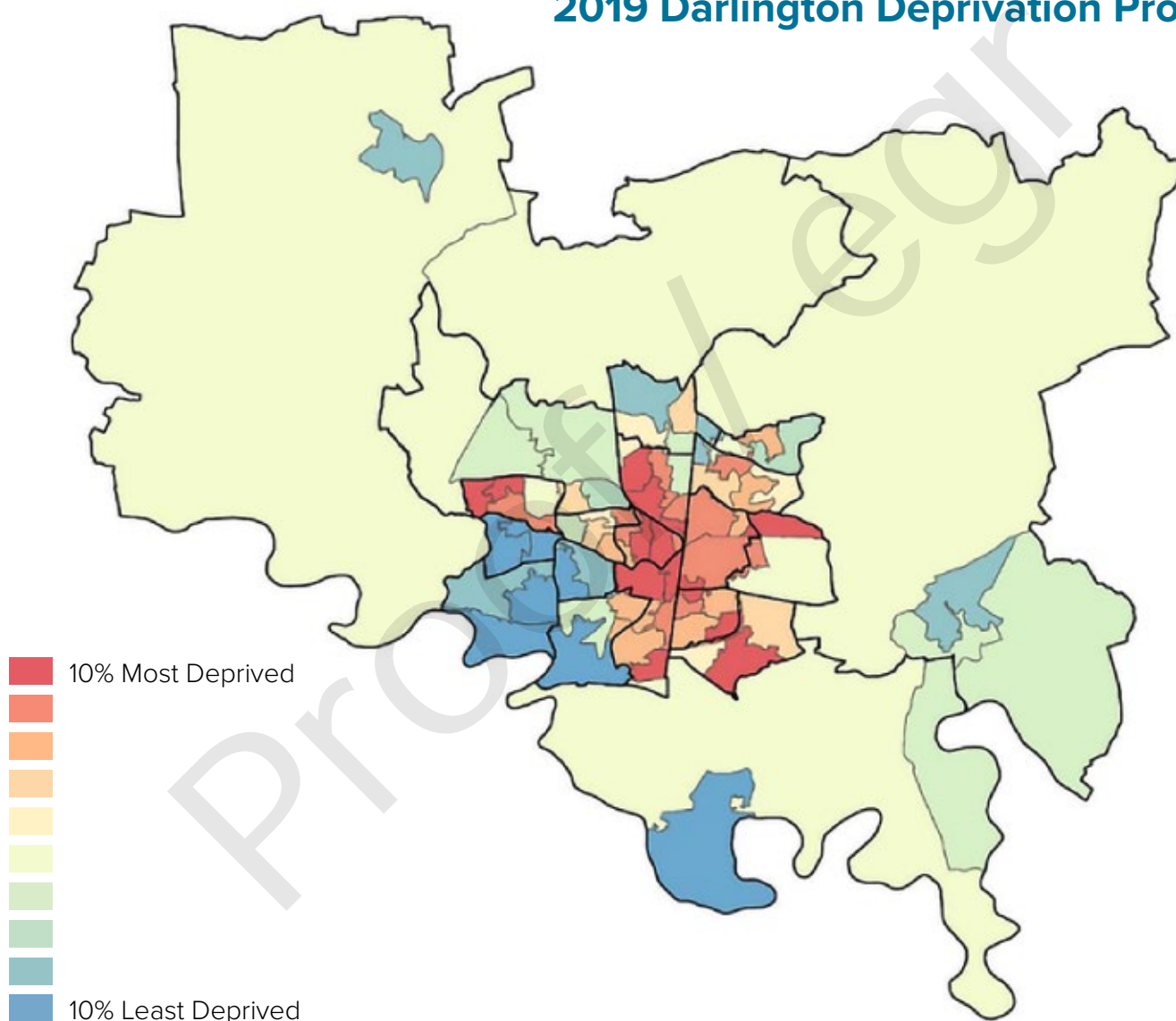
¹⁰ <https://fingertips.phe.org.uk/profile-group/mental-health/profile/mh-jsna/data#page/0/gid/1938132922/pat/6/par/E12000001/ati/102/are/E06000005/iid/93495/age/164/sex/4/cid/4/tbm/1/page-options/ovw-do-0>

Social Inequalities

Indices of multiple deprivation¹¹ relatively rank each small area of England from most deprived to least deprived. The indices consider 7 areas including income, employment, education, health, crime, living environment and barriers to housing and services. In 2019, new data was released and indicated that Darlington has become relatively more deprived.

Of the 317 local authorities in England, Darlington is ranked 77th most deprived based on the average score of the small areas although it remains the least deprived of all the Tees Valley local authorities. Darlington now has 21 small areas within the 20% most deprived in England.

2019 Darlington Deprivation Profile



¹¹ <https://www.darlington.gov.uk/media/10456/index-of-multiple-deprivation-2019-v3.pdf>

Economic Recovery and Town Centre Redevelopment

Recovery from the COVID-19 pandemic is a major challenge for Darlington. We have the lowest workplace and residence-based earnings in the whole of the Tees Valley and we also have an increasing proportion of young people not in work, education or training (NEETs) whilst local graduates often leave the Borough to find "good jobs" elsewhere¹².

Darlington town centre serves 106,000 in the immediate surrounding area and a further 100,000 within a 15-minute drive time. There is a real threat to the fabric of Darlington town centre due to its heavy reliance on retail. Approximately 55% of occupied buildings are used for retail compared to 26% nationally. Darlington has seen a dramatic reduction of 18% in footfall over the last 3 years (pre-pandemic) and retail vacancies reflect this¹³.

Summary

The local context shapes our priorities

Climate change	reduce carbon emissions from the movement of people and goods
Air quality	reduce carbon emissions from the movement of people and goods
Health	Increase levels of active travel and maintain a good road safety record
Social inequalities	Improve connectivity to jobs, training, education and support services, at an affordable price
Economic growth	Build a sustainable transport system alongside businesses and housing to achieve a high quality place in which to live, work and visit



¹² https://www.darlington.gov.uk/media/1021/economic_strategy_2012-2026.pdf

¹³ <https://www.darlington.gov.uk/media/9359/town-centre-strategy-2019-30.pdf>

Journey So Far

The past (2000-2021)

Sustainable Travel Town (2004) and Cycle Demonstration Town (2005)

Darlington has a national and international reputation for the work it has done on sustainable transport and active travel. In 2004, it became a Sustainable Travel Town delivering a five-year project funded by the Department for Transport (DfT), to implement projects and test ideas to see if these could change the way people travel in Darlington. The project was named "Local Motion". In 2005, Darlington was chosen as a Cycle Demonstration Town. Both projects demonstrated that a successful approach combines physical improvements with smarter choices; recognises that personal advantage is a key driver of change (people were motivated by improving their health or saving money); and that a strong brand is essential.

KEY TERM: Smarter Choices are defined as more sustainable forms of travel, away from single occupancy vehicles. This includes active travel (walking, cycling), public transport (buses, trains), car sharing, electric vehicles and reducing the need to travel altogether.

Tees Valley Bus Network Improvements (2010-2015)

At the start of the last decade, there was significant investment in a comprehensive package of measures designed to address the overall decline in bus passenger numbers, offered a step change in bus service provision, and provided a real alternative to the private car to help support the long-term economic recovery. As well as bringing new gas-powered buses into Darlington, measures on Yarm Road and North Road, in particular, allowed better reliability, along with more real-time information to give people confidence around using buses.

Local Motion (2011-2015)

Local Motion, funded through the DfT Local Sustainable Travel Fund, enabled Darlington to extend the Local Motion works across the borough and managed to achieve reductions in car use and increases in walking and cycling for short journeys within the urban area of Darlington during a period of employment growth. The work was expanded into South Durham in partnership with Durham County Council to target cross boundary travel.

TVCA (2017-2021)

With the formation of the Tees Valley Combined Authority (TVCA) and the election of the Tees Valley Mayor there has been significant change in the way that transport is planned and managed. TVCA is the Transport Authority whilst the individual local authorities continue as the Highway Authorities. All transport funding is awarded to TVCA and expenditure is agreed by the Tees Valley Transport Committee. Investment is directed by the Tees Valley Strategic Transport Plan and with significant increases in available funding this has enabled the implementation of the Plan to be accelerated. The ongoing partnership working between the Tees Valley Combined Authority (TVCA) and the other Tees Valley local authorities ensures that the transport system meets the needs of a diverse geography, economy and population. Funding is being spent on schemes such as:

- Let's Go Tees Valley, funded by the DfT Access Fund, that offers ideas, advice, support and motivation for people to find greener, healthier and cheaper ways to travel. It builds on the Local Motion work of Darlington but covers the whole of the Tees Valley.
- The Tees Valley Local Walking and Cycling Infrastructure Plan has been developed and implementation is now underway which includes the first phase of a walking and cycling route between West Park and Darlington town centre via Cockerton.
- A new three-year Wheels 2 Work scheme following a successful pilot has introduced a fleet of 75 electric motorcycles offered to new workers needing reliable transport to get to employment
- Promotion of TeesFlex, an on-demand bus service available to residents in the rural areas of Darlington with no bus services.

Darlington has or is also delivering:

- National Productivity Investment Fund schemes to provide highways improvements that will support Darlington's growing economy. The funding from DfT is being used on some of Darlington's busiest routes to improve access to the town centre and sites around Central Park, Lingfield Point, Yarm Road Industrial Estate and Ingenium Parc.
- Rethinking Victoria Road scheme: Victoria Road was identified as a key street that links our ambitious plans for Darlington Station, the redevelopment of the Auction Mart site and our ongoing support of the town centre economy. The work on Victoria Road has been completed and improves the public realm for residents, businesses and visitors on this key gateway to the town with reduced traffic speeds, wider footpaths and the introduction of trees and planters.
- Rollout of additional Electric Vehicle Charging Points in car parks with the first to be installed in 2021/22.

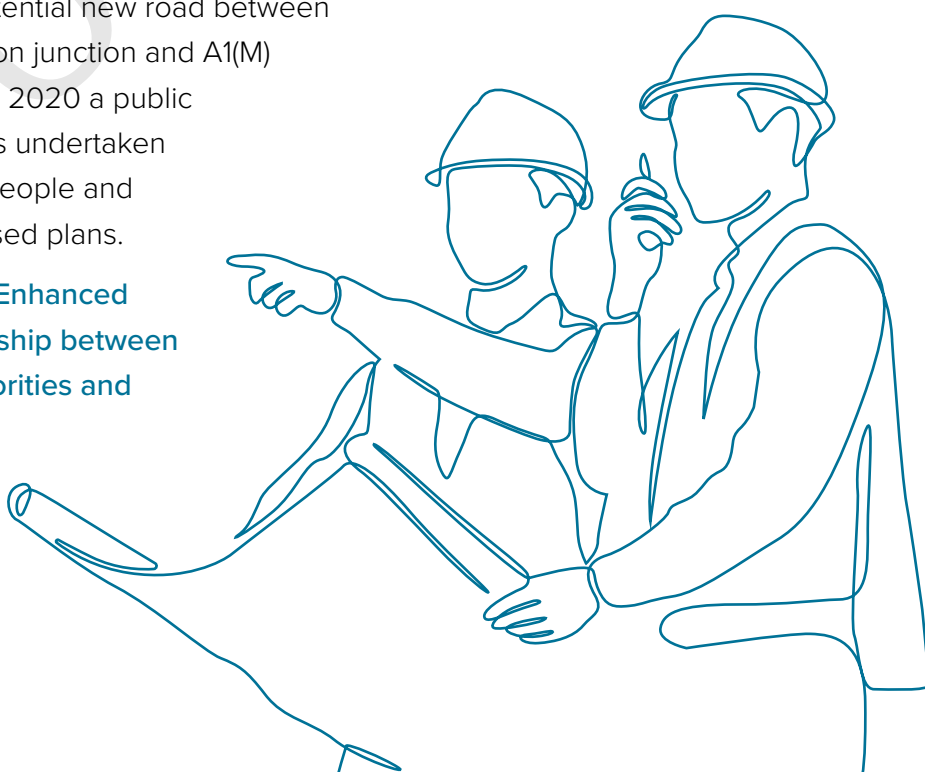
The present

- A significant shift to levelling up, growth and decarbonisation -
 - CRSTS - funding opportunity and prioritisation of walking, cycling, bus and rail, electric and hydrogen vehicles.
- Bus Service Improvement Plan (BSIP) -
 - Delivery of bus back batter
 - Enhanced partnership
- Delivery of gear change through the delivery of Local Cycling and Walking Infrastructure Plan (LCWIP)

The future

- Stockton and Darlington Railway Walking and Cycling Route: To create a 26-mile route as close to the original alignment of the railway as possible so that people can walk and cycle its full length. Some sections already exist but there are significant gaps that need completing so that there is a permanent continuous route in place.
- Development of a new Urban Traffic Management and Control (UTMC) system to enable the Council to better manage traffic flows.
- A new Bus Partnership has been established with representatives from the main commercial bus operators and the local authorities. Working groups have been established to improve bus services and coordinate efforts to encourage people back onto buses, including looking at ticket options, services and bus priority measures. A Bus Service Improvement Plan has been submitted to Government and an Enhanced Partnership will be in place from 2022.
- Progressing the designs for Darlington Station and feasibility work to identify accessibility improvements at Dinsdale and North Road Stations.
- Northern Link Road: A potential new road between the A66/A1150 Little Burdon junction and A1(M) Junction 59. In November 2020 a public engagement exercise was undertaken to get the views of local people and businesses on our proposed plans.

Key Term: Bus Partnership or an Enhanced Partnership is a statutory partnership between one or more local transport authorities and their local bus operators that sets out how they will work together to deliver outcomes in the defined geographical area(s).



Objectives

The five objectives for the 2022-30 Transport Plan for Darlington include:

1. Reduce transport's impact on the environment and support health and wellbeing;
2. Improve safety for all road users;
3. Connect people with job and training opportunities and link communities;
4. Support a revitalised and transformed Darlington town centre;
5. Maintain and effectively manage a resilient transport system.

Objective 1:

Reduce Transport's Impact On The Environment and Support Health and Well-Being

We want Darlington to have a low carbon transport system which delivers better air quality and reduces noise pollution. We also want our transport network to prioritise health and mental well-being by encouraging more active travel, like walking and cycling.

Key Term: Active Travel means walking and cycling for everyday journeys. This includes journeys to school, work, to the shops and to access health and leisure services.

The actions we need to take to deliver this objective are as follows and are discussed in more detail below:

- Reduce the need to travel
- Change the way we travel
- Switch to zero emission vehicles



Reduce the need to travel

Reducing the need to travel means reducing the number or length of journeys or both. It does not mean reducing the freedom to travel¹⁴.

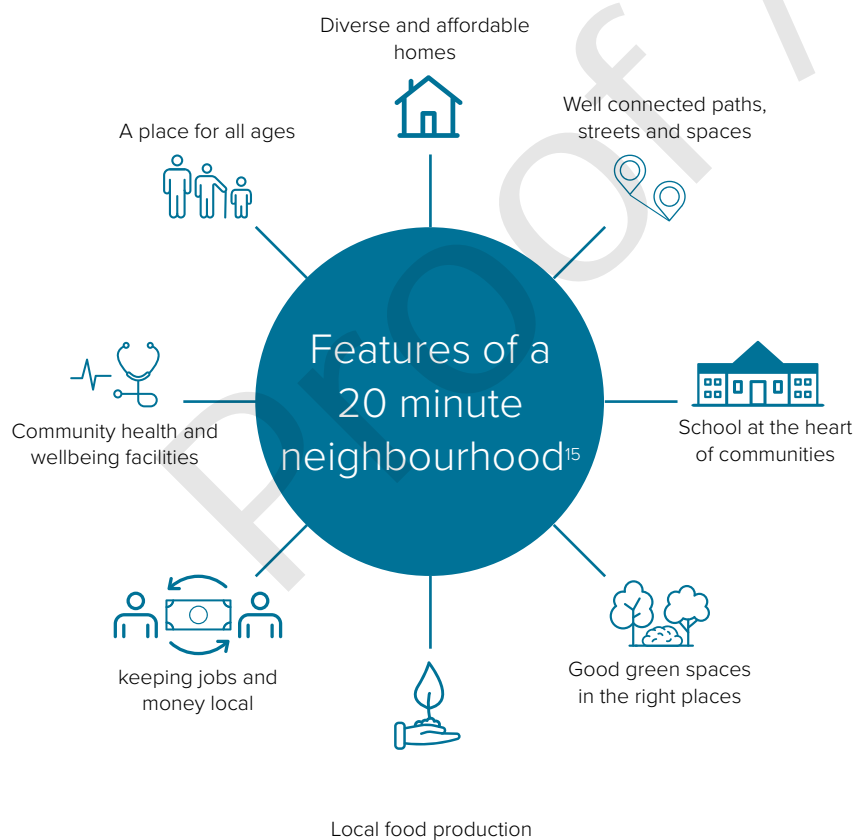
The lockdown that started in March 2020, and the guidance to stay at home that followed that for an 18-month period, has made many people think about whether their previous patterns of working 9-to-5 and 5-day-a-week commuting is strictly necessary in the future.

Agile working policies and accessing shopping and services on line will continue to change the demand for travel

With more people accessing work, learning, services and goods online and from home through the use of technology, the reduction in demand to travel will continue to play an important part in our transport strategy. Reducing the need to travel will continue to be monitored, evaluated, and assessed on ways residents, tourists and businesses can all reduce trips across all sectors.

‘Stay local’ or ‘support your local high street’

A lot of travel happens as people need to get to places such as work, shops, schools, health or leisure facilities and these are located away from where they live. One way in which the need to travel can be reduced is in the creation of complete, compact and connected neighbourhoods in which people can meet most of their daily needs within a short walk or cycle ride. These are often referred to as “20-minute neighbourhoods”.



¹⁴ <https://bettertransport.org.uk/sites/default/files/research-files/reducing-the-need-to-travel-guide.pdf#:~:text=Reducing%20the%20need%20to%20travel%20means%20reducing%20the,qualified%20e.g.%20%E2%80%98by%20car%E2%80%99%20or%20%E2%80%98especially%20by%20car%E2%80%99>

¹⁵ <https://www.tcpa.org.uk/Handlers/Download.ashx?IDMF=f214c4b8-ba4d-4196-9870-e9d240f86645>

New developments will be greener through travel planning - giving us healthier, better ways to work and live

As Darlington expands and new developments are proposed the location, design, layout and connectivity of the sites need to support the premise of being able to access local services, schools, shops, green spaces in safe walkable neighbourhoods. Working with developers and the policies set out in the Local Plan the creation of new and re-imagining our existing housing areas in this way could make a significant difference in the overall demand for travel.

Secured through the Darlington borough council planning application process and implementing the newly adopted Travel Plan Guidance, travel plans ensure that each development actively mitigates the additional traffic that it adds to the highway network through better transport services, infrastructure improvements and information for local residents to benefit our borough in the long-term. The Travel Plan Guidance will ensure developers produce and implement travel plans to a consistent format and standard contributing to the goals and objectives of national and local policies. Further information can be found in the guidance.

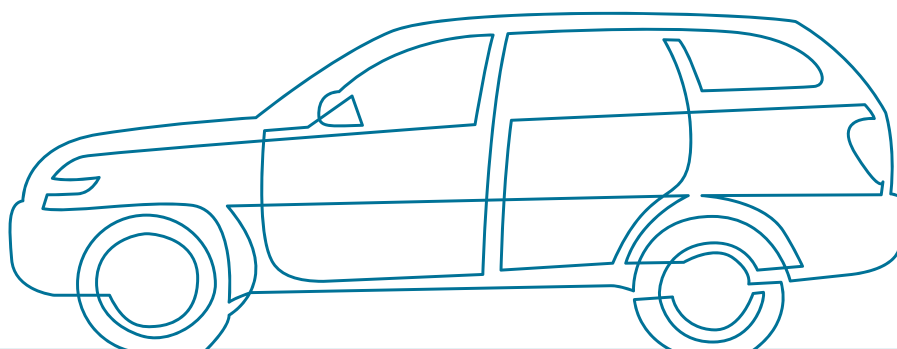
Also, as part of the planning application process, the most recent Cycle Infrastructure design Local Transport Note 1/20 (July 2020)¹⁶ is applied to all planning applications. This Local Transport Note provides guidance and good practice for the design of cycle infrastructure, in support of the Cycling and Walking Investment Strategy. Darlington has already seen many changes to its cycling infrastructure. And through the planning process as detailed above new developments will be required to adhere to the Cycle infrastructure design Local Transport Note 1/20 (July 2020).

Change the way we travel

As well as reducing the need to travel, how we travel can also help to achieve our aims. The average British car is parked up for 23 hours a day, according to new research from the RAC Foundation¹⁷ with almost three-quarters of its time parked by its owner's home address.

Whilst there are some journeys where cars are essential, or the only realistic way of getting around, for quite a few journeys, there are alternatives. So, for shorter journeys like the school run, some work commutes, and trips under 5 miles we aim to promote public transport, walking and cycling.

We will seek to achieve this through a combination of investment in infrastructure and transport services and a behaviour change programme.



¹⁶ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/951074/cycle-infrastructure-design-ltn-1-20.pdf

¹⁷ www.racfoundation.org%2Fwp-content%2Fuploads%2Fstanding-still-Nagler-June-2021.pdf

How do we help more people make active and green transport choices?

There are several projects that are available to help residents in Darlington change the way they travel, including:

Let's Go Tees Valley in Darlington

The Let's Go Tees Valley team offer ideas, support and motivation for people to find greener, healthier and less costly ways to travel. People are being asked to walk, cycle or use the bus or train when possible, especially on shorter journeys less than 2-3 miles; and if you have a car, to use it less.

Let's Go Tees Valley, together with Connect Tees Valley, is funded by the Department of Transport's Access Fund; supported by Tees Valley Combined Authority.

Personalised Travel Planning (PTP)

Darlington, along with the other four local authorities within the Tees Valley, has a team of travel advisors. This team offers ideas, advice, support and motivation for people to find greener, healthier and less costly ways to travel. PTP travel advisors deliver information, incentives, and motivation directly to individuals to help them make more sustainable travel choices.

In addition to home visits, PTP travel advisors also provide personalised, bespoke workshops to job centres and job seekers, as well as specific information and support to students and apprentices at colleges and employees at businesses.

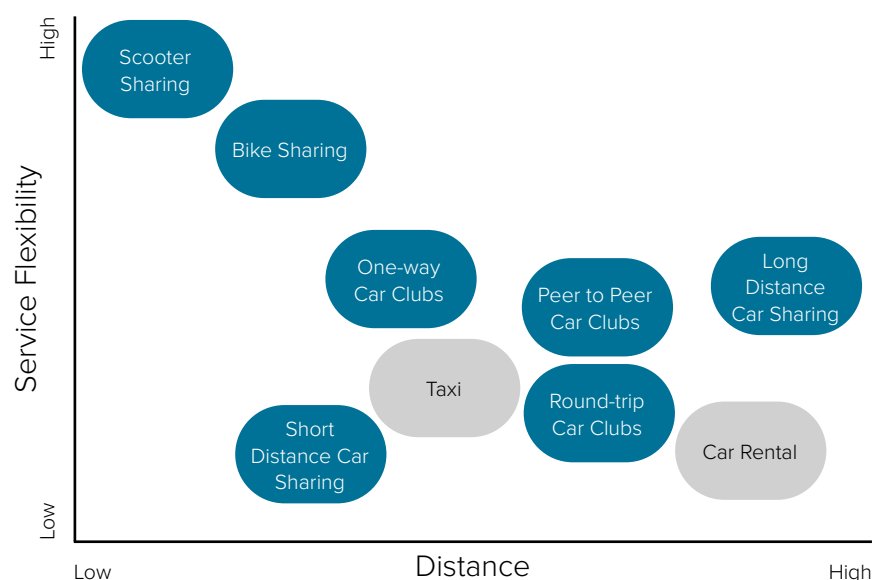
Shared Mobility

Owning and running a car (and some other forms of motorised transport) is often expensive, especially for young people, and so there are opportunities to look at new models of sharing transport to ensure that it is available when people need it, but that it is not necessarily sitting idle on a drive or by the side of the road. This is called shared mobility – and there are a range of options, each depending on the distances to be travelled. Car sharing is the most common now and the Council has developed a scheme in collaboration with EE which it is looking to expand to other large employment sites.

A Car Club provides a further opportunity, providing access to a car on a bookable ad hoc basis rather than owning your own car. This will be explored further as part of developments in the town centre.



Figure 1: Shared mobility models ¹⁸



Promote car-sharing to get to work and to save money

Key Term: Shared Mobility Shared transport is “part of a continuum between private and public transport” with shared mobility an umbrella term for all kinds of shared transport service¹⁹.

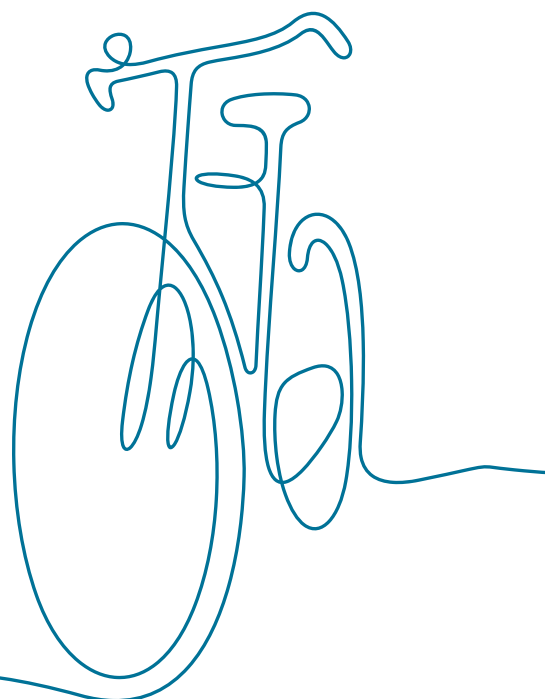
Switch To Zero Emission Vehicles

As set out in the DfT Transport Decarbonisation Plan²⁰ the UK is a climate leader. By law the UK’s emissions must now be net zero by 2050.

In July 2019, Darlington borough council members declared a climate emergency and committed the council, in terms of its own activities, to reach net zero carbon emissions by 2050.

Results of recent work by the Tyndall Centre for Climate Change research²¹ show that for Darlington to make its fair contribution to delivering UK’s commitments an immediate and rapid programme of decarbonisation is needed.

Transport contributed 17.3% of CO₂ emissions in Tees Valley in 2017. This is largely from private car usage, although road freight continues to make a significant contribution to emissions in the region. Given that a significant proportion of existing emissions are a result of transport, a move away from vehicles propelled by fossil fuels is critical and becoming increasingly urgent. Key to this will be increasing the uptake and usage of electric vehicles (EVs) and potentially other emerging technologies as they become available.



¹⁸ Source: Schwartz, Joachim. Presentation at Car-Free Cities Working Group Seminar, London, 1999. – updated by Steer

¹⁹ <https://www.creds.ac.uk/wp-content/uploads/CREDS-Shared-mobility-comm-report-WEB.pdf>

²⁰ Decarbonising Transport – A Better, Greener Britain (publishing.service.gov.uk)

²¹ <https://carbonbudget.manchester.ac.uk/reports/E06000005/print/>

Electric Vehicle Charging Infrastructure (EVCPs) will expand

Darlington currently has 24 Electric Vehicle Charging Points (EVCPs) and will see this number expanded over time. TVCA has committed £2m to providing EV infrastructure across the Tees Valley town centre car parks to provide electric charging for both visitors to the town centre and residents who may not be able to charge at home. This expansion in infrastructure will begin to support the change to carbon zero transport electric cars in our town. Currently, we are expanding our EVCPs in public car parks in Darlington.

Whilst we anticipate that the commercial operators will invest in locations with high levels of traffic such as key roadside locations, petrol stations, supermarkets, leisure destinations and drive through food outlets, there will be some locations that are deemed commercially unviable. However, we want to make the change to electric vehicles to be available and accessible to all residents.

New developments to include ECVPs

EVCPs will also be secured through the planning process which will require certain developments to integrate EVCPs into their planning applications.

Objective 2: Safe Roads for All Highway Users

As set out in the County Durham & Darlington Road Safety Strategy (February 2020)²² road casualties have reduced in recent years, but we need to continue to strive to reduce road casualties even further. Every fatality is a tragedy for the family and friends involved. Also, serious injuries can be life changing and far reaching in their consequences for the victim and their family and friends.

In the last 10 years Durham County Council and Darlington Borough Council has overseen:

- A 40% reduction in all recorded injury collisions;
- A 20% reduction in serious injuries; and
- A 49% reduction in slight recorded injuries

Each year Darlington Borough Council take part in the National Highways and Transportation Network NHT survey. The NHT survey provides Darlington Borough Council with information from members of the public regarding their views on transport and highways. In 2020, 729 people responded to the NHT survey in Darlington. 89% of respondents stated that having safe roads was “very important”; therefore, safe roads remain a clear priority.

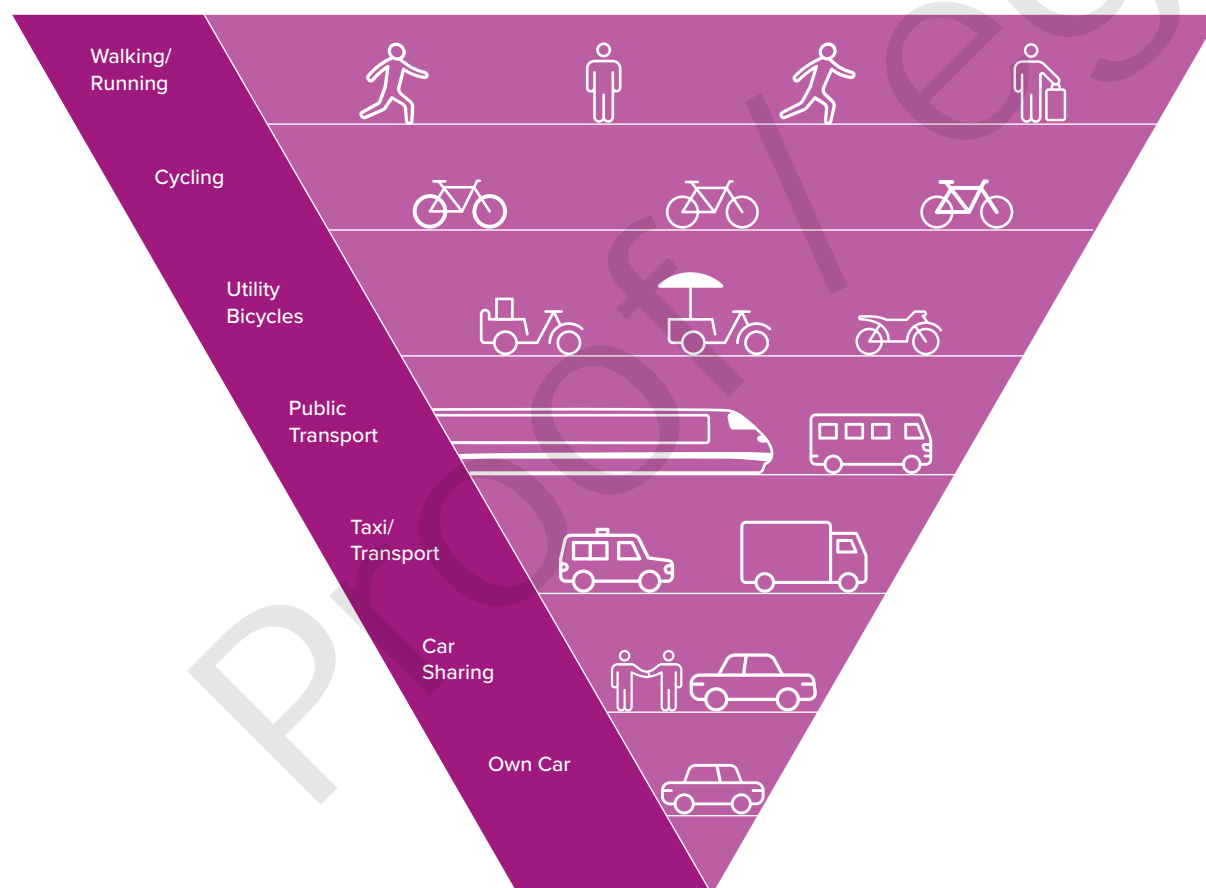
²² <https://www.durham.gov.uk/media/32337/-Road-Safety-strategy/pdf/RoadSafetyStrategy.pdf?m=637187407326770000>

We want Darlington to be a safe place for residents to be educated, to work, to live and to socialise. Therefore, it is important that we strive to have the best possible, and overall, safe highway network. So, how do we achieve keeping roads safe for all users, by users we mean pedestrians, cyclists, vehicles; anyone that uses the highway?

We will reduce the risk to vulnerable road users being involved in road traffic collisions through a programme of engineering, road safety education, enforcement and evaluation.

Our work alongside our partners will also target certain key road user groups and risk-taking behaviours and will consider the “hierarchy of road users” included in the new version of the Highway Code. The code outlines that everyone has an equal right to use the road, and they should do so in a safe, considerate and responsible manner. However, the changes will mean that road users who have potential to cause the greatest harm will be asked to take the greatest share of responsibility to reduce the danger they pose²³.

KEY TERM: Hierarchy of road users: This means an order of road with the most vulnerable at the top (think pedestrians followed by cyclists) and those considered the most dangerous such as cars and heavy goods vehicles at the bottom.



It should be noted that there is a link between the volume of traffic and the number of accidents and therefore there is a road safety benefit from our other proposals to reduce car use and encourage public transport, cycling and walking.

²³ <https://www.gov.uk/government/consultations/review-of-the-highway-code-to-improve-road-safety-for-cyclists-pedestrians-and-horse-riders/outcome/government-response-to-the-review-of-the-highway-code>

Engineering for Safety

We will provide a safer highway network and reduce the risk of traffic collision through a programme of speed management and local safety interventions.

School 20 mph and speed management schemes

In Darlington many of our schools are now in streets with a 20 mph speed limit. We will look to extend this to all schools in Darlington, including traffic calming measures put in place where appropriate.

Area wide 20 mph schemes and in all new developments

Whilst schools are the immediate priority, area wide 20mph zones will be considered for some areas. Such a scheme has already been introduced in the town centre.

Any new residential development will be required to have speed limit of 20 mph.

School Streets Programme

A school street is a scheme which restricts vehicle access on roads outside a school during drop off and pick up times, creating a safer, healthier, and pleasant environment for everyone. An initial prioritisation process is complete and discussions are now ongoing with individual schools to develop options.

Active Neighbourhoods

Or Low Traffic Neighbourhood (LTNs) are a way to reduce traffic in certain areas. The way in which an active neighbourhood or low-traffic neighbourhood works, is to reduce the total vehicle journeys, while re-directing “rat run” traffic away from local residential streets. This can be achieved at relatively low cost on residential streets, to prevent through traffic while retaining access to all properties for residents, businesses, maintenance vehicles and emergency services.

These simple solutions make the movement of people a priority over the movement of vehicles. They are not new, there are examples in Darlington such as Borough Road and Hewitson Road, but there is potential to expand their use such as on Outram Street as part of the West Park to town centre walking and cycling route.



Education to learn road safety

Bikeability (Cycle training of young people)

Bikeability training is a nationally accredited cycle training programme. It is about gaining practical skills and understanding how to cycle on today's roads. Bikeability gives everyone the skills and confidence for all kinds of cycling.

In Darlington we deliver to most primary schools in either years 5 or 6 for Levels 1 & 2. We deliver Level 3 training in some senior schools and it includes riding the route from the student's home to their school.

In 2019/2020 - 1,490 children received Bikeability training across the Darlington Borough.

Pedestrian training (Road safety for young children)

Similarly, the aim of pedestrian training is to improve children's perception of speed and distance and to develop good road safety behaviour and crossing practices.

Pedestrian training is a 3-week course available to all year 1-3 children and open to participation by all Darlington's Primary Schools. Children are encouraged to 'learn by doing' rather than by having to learn a series of rules to follow.

In 2019-2020 - 2,988 children received Pedestrian training across the Darlington Borough.

Further Road Safety Education

The road safety team in Darlington work with a number of partners aim to educate, inform and encourage safer road user behaviour.

A variety of road safety training schemes for schools, including special assemblies and Junior Road Safety Officers in Year 5 are offered to all primary schools. School crossing patrols are offered across Darlington providing 24 number of safe place for children to safely cross on the way to/from school.

We regularly deliver and share campaigns with partners such as the Cleveland and Durham Police; Darlington Fire Service for Safety Carousel, Junior Education and Diversion. We also promote and share national road safety campaigns from Brake, THINK! and North East Road Safety.

Enforcement of speed limits and Traffic Regulation Orders

We work with the police on an ongoing basis to review speed limits. As Darlington develops as a borough, we will review speed limits on roads to ensure that the speed limits are suitable for the areas.

Ultimately the highest form of enforcement is the police who have the authority to fine individuals where there are breaches of speed restrictions.

Then there is community speed watch where residents of Darlington can contact the police to raise and report concerns about speeding vehicles within their communities and the police will investigate these issues.

The Council also maintains safety on roads by enforcing restrictions set out in Traffic Regulation Orders (parking and loading restrictions). Purple flag accreditation for night-time economy means to be safe and welcoming into late evenings.

Objective 3:

Connect People with Job And Training Opportunities and Link Communities

We want Darlington to be a place that is easy to get around, whichever way its residents and visitors choose to travel. Our transport system helps us to be able to do this in a way that meets the needs of businesses, visitors and residents and considering individual needs.

Darlington is a small borough with a compact urban area with good connections to national and regional road and rail networks and cross boundary bus services. In addition the local airport provides national and international travel. Connecting all our residents to opportunities for work, leisure, retail, education and health, with an effective and efficient transport network is important, and we will continue to make sure that improvements are targeted and necessary, making best use of our existing assets first.

We want to maintain and improve access to key places in Darlington by:

- Enabling people to access jobs, education, healthcare, shopping, and cultural/visitor attractions.
- Improve connections between the rural areas of Darlington and the town centre
- Improve transport links to neighbouring towns and areas.
- Ensure that the transport system is well maintained and becomes more resilient
- Increase the availability and accessibility of travel choices for everyone; especially vulnerable users.
- Identify and resolve physical and social barriers to travel that prevent people from reaching essential facilities and services;
- or making use of the borough outdoor green spaces.
- Improve information for all local public transport journeys

Connectivity

To help ensure that we connect all our residents, we also need to make sure that our transport system is both accessible and safe. It seems wrong that in the 2020s we still have some rail stations that are not fully accessible to disabled people or parts of the transport network where some people feel unsafe at certain times of the day, or year. We need to make our transport system works for everyone.

To help encourage a change in the way we travel, we will continue to invest in a comprehensive network of safe walking and cycling routes between important destinations and residential areas. We will place walking and cycling at the top of our user hierarchy, designing facilities that make this clear.

Tees Valley Bus Improvements: Simple, Connected, Attractive

There is no credible path to net zero without a strong public transport network, and in Darlington much of that will be provided by buses. The Tees Valley Bus Network Improvements project made a start on redressing the balance towards buses, but the recent National Bus Strategy²⁴ called for a step-change in how we think about buses and what facilities we provide to make them attractive.

Nine Key Bus Corridors across the Tees Valley

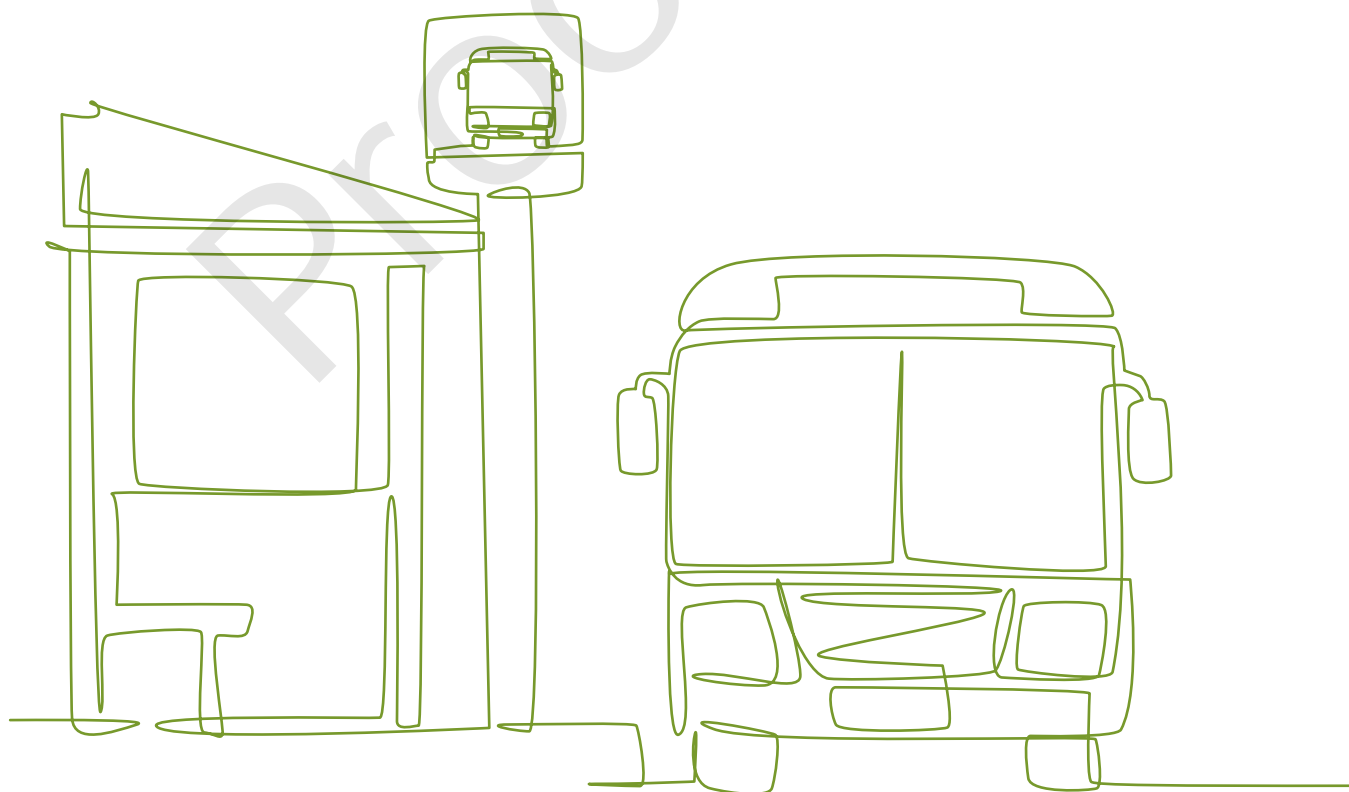
We will target improvements to key bus corridors – we have already identified nine key corridors including 3 in Darlington - Darlington to Durham, Darlington to Middlesbrough (via Stockton) and Branksome to Red Hall (via Darlington town centre). For each of these, we have completed Site Assessment Reports with the operators to get a clear list of the issues on each route and Whole Route Improvement Plans in are now in development to identify options to ensure buses arrive at bus stops on time.

Simpler and Cheaper Bus Fares

The BSIP also calls for fares to be made simple and cheaper, and so we are in discussions around a future ticketing strategy and will seek to make fares value-for-money. We will also provide a consistent concessionary fares scheme across the Tees Valley to make cross boundary trips seamless.

Passenger Improvements at the heart of more bus use

An informal partnership has been established bringing together bus operators and the public sector, but there is a Tees Valley Enhanced Partnership proposed in response to National Bus Strategy to make all parties more accountable to passengers in delivering the improvements needed to bring passengers back to bus. As part of the new Partnership, a Customer Charter will be developed.



²⁴ <https://www.gov.uk/government/publications/bus-back-better>

Darlington Rail Improvements: Regeneration with direct, faster connections

Rail provides a more effective longer-distance connection, both to and from Darlington, and so we will continue to develop our rail network in line with the wider Tees Valley aim of providing a 'turn up and go' rail service with increased frequencies and new stations.

Regeneration of Darlington Station: Faster, better connected

Our flagship project is the long overdue regeneration of Darlington Station, which we hope to complete by 2025, subject to government funding. This would see new platforms, new station entrances, new connections to key housing and employment opportunities and enhancements to the existing historic facilities. It will provide a true rail 'gateway' to the town, the borough and the wider Tees Valley. The first set of planning applications (for the new station entrances) were lodged in June 2021. It will enable the rail industry to operate more services through Darlington Station and provide opportunities to increase service frequency on both the Tees Valley and Bishop Lines, as well as a potential new direct connection to Hartlepool.

New Station for Teesside International Airport

Feasibility work is progressing on options for the station at Teesside International Airport, to provide access not only to the airport but proposed commercial developments on the airport site.

Railway Heritage Quarter (RHQ) North Road and Dinsdale Station Improvements

At a Tees Valley-wide level, work will continue to improve passenger facilities at local stations and feasibility work is underway to identify options to improve access at North Road Station to support the wider developments at the Rail Heritage Quarter, and options to further improve facilities at Dinsdale Station. We will collaborate with the Bishop Line Community Rail Partnership (CRP) to deliver their action plan, including the objective of increasing rail service frequency to half hourly.

Strategic Highway Network Improvements

Even with a reduced need to travel, we will continue to invest in selective road improvements.

We have carried out a thorough assessment of the highway network as part of the evidenced based for the local plan²⁵. This is mainly focused on traffic issues and assesses both the current and future reliability of the network. The work has identified a list of locations where improvements are required and also identifies the timing of the improvement schemes. These will be likely to be funded through a mixture of development contributions and public money.

Any new roads will include facilities for all road users but most road schemes are improving existing roads and in the main are funded from specific plans, programmes and funding schemes such as Bus Service Improvement Plan or the Local Walking and Cycling Infrastructure Plan.

The list of improvements planned are outlined on the action plan on page 34.

²⁵ <https://microsites.darlington.gov.uk/media/2284/local-plan-adopted-feb22-print.pdf>

Objective 4:

Support a Revitalised and Transformed Darlington Town Centre

The Darlington Town Centre Strategy²⁶ has set out the following vision:

“By 2030, Darlington Borough Council (DBC), working together with partners and local communities, will deliver real positive change to our town centre, placing it at the heart of our community for years to come”

Transport brings people together in Town Centre

Transport will play an important role in achieving this vision, given that different transport modes come together in the town centre. Darlington railway station is a 10-minute walk from the centre and the main bus stops are located on Northgate, Prebend Row, Feethams and Tubwell Row, providing access to approximately 30 different bus routes to surrounding communities. In addition, the town centre also benefits from a wide range of long and short stay car parking in central locations.

However, there is more that we can do to create an accessible town centre for pedestrians, cyclists, public transport users and motorists.

Increasing footfall is an important issue as it is a main influence on the viability of businesses. The quality of the walking environment is a determining factor in people's use of spaces. People who walk to their high street have been shown to spend more, and in a wider range of shops, than visitors arriving by car, bus or bike²⁷.

“The urban spaces and network of pedestrian walkways in our town centres and high streets can be described as the veins and arteries that keep that community heart beating.”²⁸

Streets for people

Streets should be places in which people want to spend time and are not just transport corridors. It is particularly important that we ensure any projects are inclusive and meet the needs of a diverse range of people in terms of disability, age etc.

In support of the Darlington Town Centre Strategy, we will:

- Invest in public realm and cycle infrastructure to complement other plans and strategies being taken forward.
- Improve pedestrian and cycle signage to assist with wayfinding.
- Improve and expand the amount of cycle parking at key locations.
- Ensure bus services can continue to operate within the town centre and provide convenient access to the facilities and invest in supporting infrastructure such as bus stops/shelters.
- Improve traffic management by providing variable message signs and improved parking signage.
- Review the condition and contribution of the council owned car parks to the town centre as part of the parking strategy and invest in the provision of electric vehicle charging points.
- Examine the options for changes to traffic management and enforcement.

²⁶ <https://www.darlington.gov.uk/media/9359/town-centre-strategy-2019-30.pdf>

²⁷ <https://www.livingstreets.org.uk/media/3890/pedestrian-pound-2018.pdf>

²⁸ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/5987/2185491.pdf

Objective 5:

Maintain and Effectively Manage A Resilient Transport System

It is important we ensure our transport network can operate effectively and efficiently. Transport is something we all rely on every day. Moving people and goods is vital for healthy towns, strong communities and economic stability.

To ensure that the transport network is resilient and able to move people and freight/goods day-to-day we ensure we maintain and manage it effectively on a day-to-day basis and look to improve in the longer term.

To ensure a resilient transport network we:

- Maintain
- Manage
- Improve

Maintain

Darlington Borough Council is responsible for the maintenance of more than 574km (366 miles) of highways in Darlington. We have a programme of automated and visual tools that provide the government with a national performance indicator and are used by our highway engineers to produce a medium term (five year) programme of work. The annual plan of work is based on the available budgets.

We do not waste time or money

The council is committed to providing the most effective and efficient methods to maintain its highways in a safe condition for the highway user.

The objective of maintenance is to intervene before major deterioration occurs and the integrity of roads, footways and cycleways or safety of street lighting are compromised.

Preventing failure can reduce costs and be more efficient, as if total reconstruction or replacement is required, costs become significantly greater.

Our maintenance activities will continue in the future and Darlington will look to bid for additional funding that becomes available. Darlington has been successful in competing for such funds in the past including being awarded £1.274 million in September 2020 from the DfT's Pothole and Challenge Fund. This has been spent on pothole and micro-asphalt schemes in 2020/21 and will be used to implement two large scale maintenance schemes in 2021/22.

216 km of Public Rights of Way

We are also responsible for 216 miles (346 kilometres) of rights of way (public footpaths and bridleways) and our countryside team is responsible for their protection, maintenance and signposting. The *Darlington Public Rights of Way Improvement Plan* seeks to create a network that allows all of the public to have sustainable access to quality countryside. Approximately 30km of rights of way are located within the town of Darlington itself. Many of the surrounding villages have good networks of Public Rights of Way both around the villages themselves and linking them with neighbouring settlements and the main urban area of Darlington²⁹.

Manage

Urban Traffic Management and Control (UTMC) systems

The idea behind Urban Traffic Management and Control (UTMC) systems is to maximise road network potential to create a more robust and intelligent system that can be used to meet current and future management requirements.

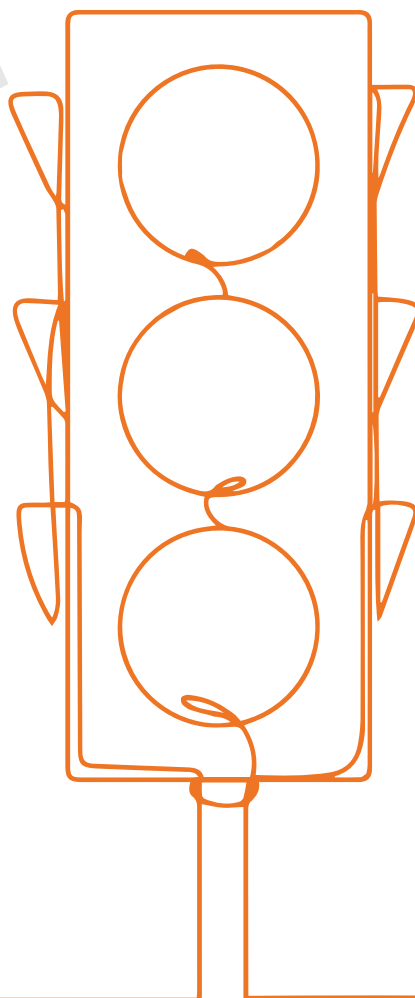
Urban Traffic Management and Control (UTMC) systems are designed to allow different applications used within modern traffic management systems to communicate and share information with each other. The type of data that can be collected includes Automatic Number Plate Recognition (ANPR), traffic signals, bus real time information, air quality monitoring stations and weather data.

The basic UTMC system is now operational in the Tees Valley and enables current activities to be continued, such as:

- Traffic signal optimisation.
- Variable message sign operation.
- Car park integration; and
- Traffic and data gathering.

Darlington's assets will be added to the system so that they can be managed more effectively, repaired more quickly and adjusted to respond to changes in travel patterns.

The new system that is proposed³⁰ will also allow remote network visualisation for each local authority to assist with network management and provide better ability to predict future transport needs. This will help to maximise the capacity of the highway network and ensure that travel is as quick and efficient as possible. The Council will be able to be more proactive in managing traffic rather than reactive, helping to keep buses operating on time for instance.



²⁹ <https://www.darlington.gov.uk/media/2386/rowip-v14-with-charts.pdf>

³⁰ <https://teesvalley-ca.gov.uk/wp-content/uploads/2021/02/UTMC-Business-Case-Executive-Summary.pdf>

Transport improvement to make Darlington the best place to live, work and grow

As a Highway Authority we have a duty under the traffic management act to ensure the ‘expeditious movement of traffic on the highway’. This means we must ensure the traffic moves easily around the Borough of Darlington. Traffic on the highway means any user of the highway, including public transport such as buses and taxis and cyclists and pedestrians.

We have carried out a thorough assessment of the highway network as part of the evidenced based for the local plan³¹. This is mainly focused on traffic issues and assesses both the current and future reliability of the network. The work has identified a list of locations where improvements are required and identifies the timing of schemes. Improvement will likely be funded through a mixture of development contributions and public money.

The list of improvements planned are outlined on the action plan on page 34.

Key Terms: Automatic Number Plate Recognition

ANPR consist of a camera that is linked to a computer. When a vehicle passes by the camera the camera records an image which is automatically ‘read’ by the computer and the vehicle registration recorded.

Key Terms: Variable message signs display the latest traffic information to motorists on roads in real-time. The signs let road users know of incidents such as road closures, queues ahead and upcoming events in the area. This can help to shorten journey times and improve the overall travelling experience.

Traffic signal optimisation

Ensuring traffic signals (traffic lights) are timed effectively is one of the most cost-effective methods for reducing congestion. Changing the amount of green time for different movements across junctions, dependent on traffic levels at different times of day, can help to keep traffic moving.



³¹ <https://microsites.darlington.gov.uk/media/2399/local-plan-adopted-feb22v2.pdf>

Car parking

The Council understands that different groups and individuals have different parking needs and expectations, and that parking facilities must be best managed to meet those needs. We operate and regulate 18 pay and display off street car parks as well as 310 on-street pay and display spaces. The Council also provides six permit holder contract car parks. We also manage 16 Resident Permit Zones within the Borough of Darlington where parking is restricted to permit holders 8am to 6pm Monday to Sunday.

Car parking is a key component of effective traffic management and improving traffic flow. The integration of enforcement and parking policy into our overall transport policy will allow for effective parking management, support for the town centre and development of a low carbon transport network. The car parking strategy has been reviewed to consider the changing nature of town centre uses, particularly the retail sector. It looks at parking supply, location and tariffs as well as residents parking, parking management and enforcement to tackle dangerous and obstructive parking that can pose a danger to pedestrians by blocking pavements and forcing them onto the roads, reducing visibility for other motorists and impeding traffic flow. The parking strategy will seek to balance the following three objectives:

- Manage travel demand
- Sustain and enhance the vitality and viability of the town
- Effectively manage the total parking supply

Roadworks Permit Scheme

Roadworks can cause significant disruption to the smooth running of the highway network. This includes by utility companies, developers and maintenance work by the council. Whilst this may be necessary work, it is important that it is managed as effectively as possible.

In July 2018, the Secretary of State for Transport wrote to all councils, that had not yet done so, asking them to consider adopting a system of permits for utility street works and highway authority road works.

The Darlington Permit Scheme went live on 2nd March 2020. The first year of the permit scheme had the added difficulty of managing the impacts of the Covid-19 pandemic. The difficulties encountered applied to both the Utilities and the Highway Authority so it was more important than ever to work together, building on existing good working relationships to resolve any issues. Through this collaborative approach we were able to manage and maintain the local highway network whilst allowing promoters access to maintain their services and assets. In the first year:

- A total of 4,579 permit applications were received with only 76 (2%) being refused.
- 4,579 permit applications and variations were received with 99.4% being assessed within the permitted timescales³².

We will continue to work closely with works promoters both internal and public utilities to maintain low levels of permit refusals and maintain good levels of collaboration and information sharing with the other North East Highway Authorities to ensure the ongoing success of the scheme.

³² DBC permit scheme evaluation report year 1 (darlington.gov.uk)

Improve

- LCWIP and local cycling and walking links
- Dropped kerbs and new crossing facilities for pedestrians and cyclists
- BSIP corridors
- Improved bus waiting facilities
- Local safety schemes

Fit with Wider Policies

The sections above set out how multiple actions will ensure we deliver the vision and objectives of this strategy. In turn, delivery of those objectives will support the key outcomes set out in national and regional transport policy and also contribute to the outcomes of other local policy areas. Figure 1 illustrates this alignment and Table 1 below, demonstrates how each of the objectives contributes to wider policy outcomes. The Tees Valley Strategic Plan alignment is demonstrated in the summary tables for each of the objectives.

Figure 1

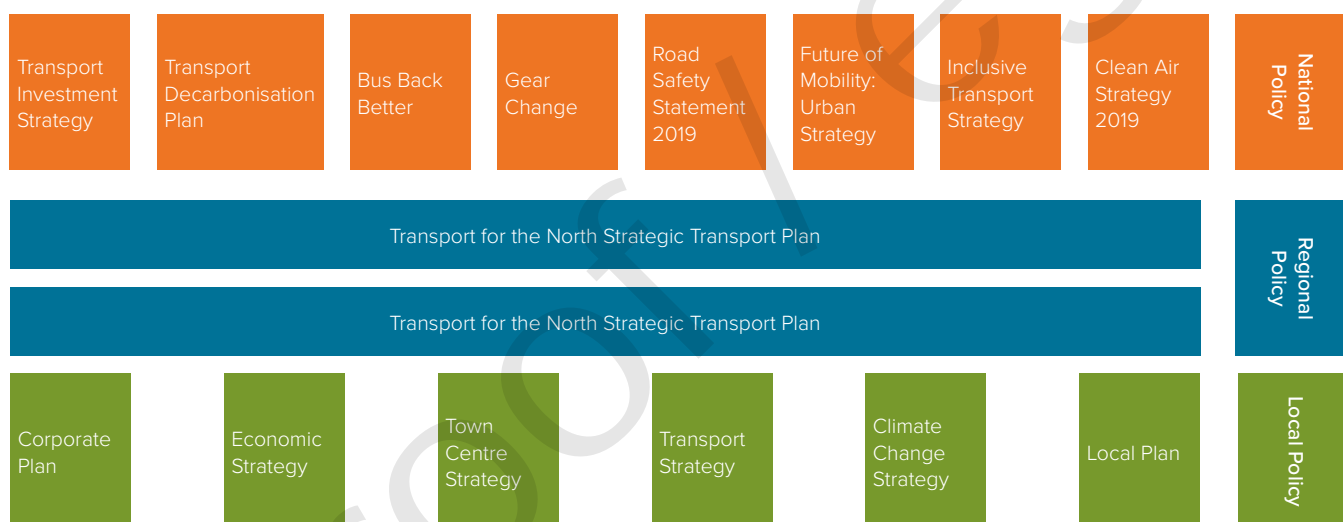


Table 1

	Transport Investment Strategy	Transport Decarbonisation Plan	Bus Back Better	Gear Change	Road Safety Statement 2019	Future of Mobility: Urban Strategy	Inclusive Transport Strategy	Clean Air Strategy 2019
OBJECTIVE 1 - Reduce transport's impact on the environment and support health and wellbeing.	✓	✓✓	✓	✓✓	✓	✓✓	✓	✓✓
OBJECTIVE 2 - Improve safety for all road users	✓	✓		✓✓	✓✓	✓	✓	
OBJECTIVE 3 - Connect people with job and training opportunities and link communities.	✓	✓	✓✓	✓✓	✓	✓✓	✓✓	✓
OBJECTIVE 4 - Support a revitalised and transformed Darlington town centre.	✓	✓	✓✓	✓	✓	✓	✓✓	✓
OBJECTIVE 5 - Maintain and effectively manage a resilient transport system.	✓✓		✓	✓	✓	✓	✓	✓✓

Action Plan - 2021-2030 - Transport projects in Darlington

Mode Of Transport	Projects	Fulfills Objective	Cost/Description	Dates	Anticipated Outcomes
Public Transport (Rail)	Deliver Darlington Station master plan	1,3	£25 million renovation to ensure connectivity, commerce and better access	2022-2024	<ul style="list-style-type: none"> Enables a faster and more regular train service between Darlington and the Tees Valley Provides a more attractive national and regional gateway to Darlington
	Rail Heritage Quarter	1,3	Deliver improvements at North Road Station to support the RHQ Masterplan	2023/2024	<ul style="list-style-type: none"> Improved station environment and interchange with other transport modes
	Dinsdale Station	1,3	Investigate future improvements at Dinsdale station as part of TVCA project to review stations	2025/2026	<ul style="list-style-type: none"> Review of station accessibility, particularly for people with mobility issues Review of waiting facilities
	Teesside Airport Station Improvements	1,3	Invest in international, national and regional transport gateways, including the airport, rail stations and bus and coach interchange in partnership with key stakeholders	2025/2026	<ul style="list-style-type: none"> Provide improved interchange at Teesside International Airport by all modes
Public Transport (Bus)	New Bus Partnership	1,3,4,5	Implementation of a new enhanced partnership between bus operators, TVCA and Local Authorities	2022/2023	<ul style="list-style-type: none"> Improved bus services on 9 key routes across the Tees Valley Encourage more bus patronage Improved ticket options across Tees Valley Stable and reliable bus services

Mode Of Transport	Projects	Fulfills Objective	Cost/Description	Dates	Anticipated Outcomes
	Provide measures to improve bus journey times and reliability on three bus corridors in Darlington as part of the City Region Sustainable Transport Settlement (CRSTS)	1,3,4,5	Improvements to the Branksome to Red Hall, Darlington to Stockton/ Middlesbrough and Darlington to Durham bus corridors	2022 2026	<ul style="list-style-type: none"> Improved bus journey times and reliability Increased bus patronage.
	Improve customer waiting facilities for bus and coach passengers	1,3,4,5	Implement new contracts to provide high quality bus shelters and waiting facilities.	2022/ 2023	<ul style="list-style-type: none"> Provision of high quality facilities on the 9 key bus routes across the Tees Valley Maintenance and improvement of all other bus/coach waiting facilities as part of a new commercial contract
Active Travel	Woodland Road/A68 (LCWIP) phase 1 Phase 2 Phase 3	1,2,3,4	New high quality cycling facilities linking the town centre to Faverdale/West Park.	2022/ 2023 2023/ 2024 2024/ 2025	<ul style="list-style-type: none"> Provision of high quality cycling facilities along the A68 corridor Increased cycling levels Improved health and wellbeing Reduced carbon emissions
	Development of a programme of LCWIP schemes on the remaining five identified corridors	1,2,3,4	Development and delivery of new high quality cycling facilities on corridors with the highest propensity for an increase in cycling.	2023- 2030	<ul style="list-style-type: none"> Provisions of high quality cycling facilities Increased cycling levels Improved health and wellbeing Reduced carbon emissions

Mode Of Transport	Projects	Fulfills Objective	Cost/Description	Dates	Anticipated Outcomes
	Stockton & Darlington Cycling Route 26 miles connection to walk and cycle	1,2,3,4	New high quality cycle route along the route of the Stockton and Darlington Railway Line.	2022-2024	<ul style="list-style-type: none"> • Provision of high quality cycling facilities from Haughton Road to Burtree Lane via Rail Heritage Quarter and from Middleton St George to Stockton Borough Boundary • Develop options for a route from Burtree Lane north to the Durham County Council boundary.
Highways	Urban Traffic Management and Control system (UTMC)	2,3,5	The provision of urban traffic control systems on North Road, Yarm Road and Tornado Way/ McMullen Road	2023/2024	<ul style="list-style-type: none"> • Improve the efficiency of the highway network • Enable bus priority through identification of late running buses
	Maintenance of roads and footpaths	2,3,4,5	Maintain 366 miles of roads and associated footpaths. Maintain and improve our network of public rights of way.	2022-2030	<ul style="list-style-type: none"> • Fewer potholes • Less roadworks • More efficient network
	Darlington Northern Link Road (DNLR)	2,5	Potential new road between the A66/A1150 Little Burdon junction and A1 (M) Junction 59.	2030	<ul style="list-style-type: none"> • Reduced journey times between Teesside, Darlington and Durham • Reduction in traffic on local road network • Reduction in HGV's on the local road network

Mode Of Transport	Projects	Fulfills Objective	Cost/Description	Dates	Anticipated Outcomes
	Key Road Network (KRN) hot spots - <ul style="list-style-type: none"> • A68/B6280 Carmel Road North corridor • A1150 Salters Lane • Darlington Eastern approaches • A167/White Horse junction • McMullen Road/ Tornado Way junction 	2,5	Improvements to existing junctions to accommodate additional traffic from development proposals contained in the Local Plan.	2022-2026	<ul style="list-style-type: none"> • Reduced congestion on the local road network • Reduced journey times on the local road network • Reduction in impact from development proposals
	Identify pinch points on the highway network and carry out improvements in a timely manner	2,5	Improvements to junctions and link roads to maintain and improve the flow of vehicles.	2022-2030	<ul style="list-style-type: none"> • Maintain traffic flow
	Support National Highways A66 improvement programme	2,5	Improvements to existing junctions on the Strategic Road Network (SRN) to accommodate additional traffic from development and background traffic growth on the SRN.	2022-2030	<ul style="list-style-type: none"> • Reduced congestion on the SRN • Reduced journey times on the SRN • Reduction in impact from development proposals • Maintain road safety
Electric Vehicles	Rollout of additional Electric Vehicle Charging Points (EVCPs)	1,3,4	Provision of a range of EVCPs to enable residents to make the switch to electric vehicles	2022-2025	<ul style="list-style-type: none"> • Increased take up of EV vehicles • Reduced carbon emissions • Reduced air pollution.

Mode Of Transport	Projects	Fulfills Objective	Cost/Description	Dates	Anticipated Outcomes
Safety	Implementation of a package of safety measures around schools including - <ul style="list-style-type: none"> • 20mph zones • Safe routes to school • Waiting restrictions • School streets • School crossing patrol service • Pedestrian and cycle training 	1,2,3	Implementation of a package of measures to improve safety around schools and encourage increased walking and cycling.	2022-2030	<ul style="list-style-type: none"> • Reduction in child casualties • Increased walking and cycling • Reduced carbon emissions • Reduced air pollution
	Develop a programme of area wide 20mph zones	1,2,3	Development of a programme of 20mph zones, including consolidation of existing traffic calmed areas.	2022-2030	<ul style="list-style-type: none"> • Reduction in casualties • Increased walking and cycling
	Develop a programme of measures to reduce casualties and manage speeds, including - <ul style="list-style-type: none"> • Casualty reduction schemes • Speed indicator devices • Village gateways 	1,2,3	Development of a programme to identify and treat road traffic casualty hot spots and implement speed management measures to reduce the risk and severity of road traffic casualties occurring.	2022-2030	<ul style="list-style-type: none"> • Reduction in casualties • Reduction in vehicle speeds



Proof \ egr





DARLINGTON
Borough Council






Darlington Transport Plan

Summary Document

Our Vision and Objectives

We want Darlington to have a safe and resilient low carbon transport system which offers choice; promotes health and wellbeing and supports inclusive economic growth.

Our Objectives

1. Reduce transport's impact on the environment and support health and wellbeing (Page 15);	
2. Improve safety for all road users (Page 20)	
3. Connect people with job and training opportunities and link communities (Page 24)	
4. Support a revitalised and transformed Darlington town centre (Page 27);	
5. Maintain and effectively manage a resilient transport system (Page 28)	

Purpose and Context

We need to work together to create healthier communities with cleaner air, a stronger local economy, and more resilience against climate change.

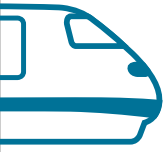









The Darlington Transport Strategy 2022-2030 describes what we need to do differently to address current and future challenges. Some of these challenges are set out below.










Climate change	reduce carbon emissions from the movement of people and goods
Air quality	reduce carbon emissions from the movement of people and goods
Health	Increase levels of active travel and maintain a good road safety record
Social inequalities	Improve connectivity to jobs, training, education and support services, at an affordable price
Economic growth	Build a sustainable transport system alongside businesses and housing to achieve a high quality place in which to live, work and visit





This Strategy also supports:





- The delivery of the Tees Valley Strategic Transport Plan which sets out the vision, objectives and priorities for the transport system across the Tees Valley
- The delivery of the City Region Sustainable Transport Settlement (CRSTS) agreed with the Department for Transport (DfT) that provides funding over five years.
- The new Darlington Local Plan 2016-2036 which seeks to ensure the majority of new housing, employment and services are provided in the main towns and larger villages supported by improvements in sustainable forms of transport (public transport, walking and cycling).

Action Plan (2021-30)

Mode Of Transport	Projects	Fulfills Objective	Cost Description	Dates	Anticipated Outcomes
	Deliver Darlington Station master plan	  	£25 million renovation to ensure connectivity, commerce and better access	2022-2024	<ul style="list-style-type: none"> Enables a faster and more regular train service between Darlington and the Tees Valley Provides a more attractive national and regional gateway to Darlington
	Rail Heritage Quarter		Deliver improvements at North Road Station	2023-2024	<ul style="list-style-type: none"> Improved station environment and interchange with other modes
	Dinsdale Station		Investigate future improvements at Dinsdale station	2025-2026	<ul style="list-style-type: none"> Review of station accessibility, particularly for people with mobility issues Review of waiting facilities
	Teesside Airport Station Improvements		Deliver improvements at Teesside Airport Station	2025-2026	<ul style="list-style-type: none"> Improved interchange at Teesside International Airport by all modes
	New Bus Partnership	    	New enhanced partnership between bus operators, TVCA and Local Authorities	2022-2023	<ul style="list-style-type: none"> Stable and reliable bus services Improved bus services on 9 key routes across the Tees Valley Improved ticket options Increase in bus patronage
	Measures to improve bus journey times and reliability on three bus corridors in Darlington		Improvements to bus corridors: <ul style="list-style-type: none"> Branksome to Red Hall Darlington to Stockton/ Middlesbrough Darlington to Durham 	2022-2026	<ul style="list-style-type: none"> Improved bus journey times and reliability Increased bus patronage.
	Improve customer waiting facilities for bus and coach passengers		<ul style="list-style-type: none"> Provision of high quality facilities on the 9 key bus routes across the Tees Valley Maintenance and improvement of all other bus/coach waiting facilities as part of a new commercial contract 	2022-2023	<ul style="list-style-type: none"> Increase in bus user satisfaction Increase in bus patronage

Mode Of Transport	Projects	Fulfills Objective	Cost Description	Dates	Anticipated Outcomes
	Woodland Road/A68 (LCWIP) Phase 1 Phase 2 Phase 3	 	New high quality cycling facilities linking the town centre to Faverdale/West Park.	2022-2023 2023-2024 2024-2025	<ul style="list-style-type: none"> • Provision of high quality cycling facilities along the A68 corridor • Increased cycling levels • Improved health and wellbeing • Reduced carbon emissions
	Development of a programme of LCWIP schemes on the remaining five identified corridors	 	Development and delivery of new high quality cycling facilities on corridors with the highest propensity for an increase in cycling.	2023-2024	<ul style="list-style-type: none"> • Provisions of high quality cycling facilities • Increased cycling levels • Improved health and wellbeing • Reduced carbon emissions
	Stockton & Darlington Cycling Route		New high quality cycle route along the route of the Stockton and Darlington Railway Line.	2022-2024	<ul style="list-style-type: none"> • Provision of high quality cycling facilities from Haughton Road to Burtree Lane via Rail Heritage Quarter and from Middleton St George to Stockton Borough Boundary • Develop options for a route from Burtree Lane north to the Durham County Council boundary.
	Rollout of additional Electric Vehicle Charging Points (EVCPs)	  	Provision of a range of EVCPs to enable residents to make the switch to electric vehicles	2022-2025	<ul style="list-style-type: none"> • Increased take up of EV vehicles • Reduced carbon emissions • Reduced air pollution.

Mode Of Transport	Projects	Fulfills Objective	Cost Description	Dates	Anticipated Outcomes
	Urban Traffic Management and Control system (UTMC)		The provision of urban traffic control systems on North Road, Yarm Road and Tornado Way/ McMullen Road	2023-2024	<ul style="list-style-type: none"> • Improve the efficiency of the highway network • Enable bus priority through identification of late running buses
	Maintenance of roads and footpaths	 	Maintain 366 miles of roads and associated footpaths. Maintain and improve our network of public rights of way.	2022-2030	<ul style="list-style-type: none"> • Fewer potholes • Less roadworks • More efficient network
	Darlington Northern Link Road (DNLR)		Potential new road between the A66/A1150 Little Burdon junction and A1 (M) Junction 59.	2030	<ul style="list-style-type: none"> • Reduced journey times between Teesside, Darlington and Durham • Reduction in traffic/HGVs on local roads
	Key Road Network (KRN) hot spots		Improvements to existing junctions to accommodate additional traffic from Local Plan development proposals e.g.A68/B6280 Carmel Road North corridor, A1150 Salters Lane, Darlington Eastern approaches, A167/White Horse junction, McMullen Road/Tornado Way junction.	2022-2026	<ul style="list-style-type: none"> • Reduced congestion on the local roads • Reduced journey times on the local roads • Reduction in impact from development proposals
	Identify and improve pinch points on the highway network		Improvements to junctions and link roads to maintain and improve the vehicle flow	2022-2030	<ul style="list-style-type: none"> • Maintain traffic flow
	Support National Highways A66 improvement programme		Improvements to existing junctions on the Strategic Road Network (SRN) to accommodate additional traffic (development and background)		<ul style="list-style-type: none"> • Reduced congestion/ journey times • Reduction in impact from development proposals • Maintain road safety

Mode Of Transport	Projects	Fulfills Objective	Cost Description	Dates	Anticipated Outcomes
	Implementation of a package of safety measures around schools	  	<ul style="list-style-type: none"> • 20mph zones • School streets/Safe routes to school • Waiting restrictions • School crossing patrol service • Pedestrian and cycle training 	2022-2030	<ul style="list-style-type: none"> • Reduction in child casualties • Increased walking and cycling • Reduced carbon emissions • Reduced air pollution
	Develop a programme of area wide 20mph zones		Maintain 366 miles of roads and associated footpaths. Maintain and improve our network of public rights of way.	2022-2030	<ul style="list-style-type: none"> • Reduction in casualties • Increased walking and cycling
	Develop a programme of measures to reduce casualties and manage speeds		<ul style="list-style-type: none"> • Casualty reduction schemes • Speed indicator devices • Village gateways 	2022-2030	<ul style="list-style-type: none"> • Reduction in casualties • Reduction in vehicle speeds

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Darlington Town Centre Transport Plan

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1 Introduction and Context

Darlington is a historic market town, surrounded by open countryside with a number of large and small villages. The town centre provides employment, shops and services for large parts of North Yorkshire and south and west County Durham and the western part of the Tees Valley. The late night economy of the Borough is principally centred around the town centre where a number of entertainment premises including the theatre and cinema, pubs, bars, restaurants and takeaway establishments are situated. Generally Darlington is an economy of small, owner-managed businesses that co-exist with branch factories, offices and shops. It has performed relatively well in recent years, however there has been a closure of several national retail operators in high profile locations.

Darlington has ambitious plans for the town centre as set out in the Town Centre Strategy 2019-2030 and the Towns Fund Investment Plan. Transport underpins these developments, enabling people to travel to, from and through the town centre by all modes of transport. The transport system needs to be planned in a cohesive way to ensure that as each development in the town centre comes forward the appropriate design and function can be achieved for the people living, working or visiting the destination or locality.

1.1 Policy Context

The Vision of the Darlington Town Centre Strategy 2019-2030 is as follows:

By 2030, Darlington Borough Council working together with partners and local communities, will deliver real positive change to our town centre, placing it at the heart of our community for years to come.

Darlington's Town Centre Strategy is seeking to deal with structural changes in the retail industry as well as the impact of the COVID-19 pandemic and Brexit by redefining the town centre so that it continues to be at the core of the community and economic life, offering a more diverse mix of places to live, meet, interact, do business and access facilities and services. The retail offer will continue to be important to both attract visitors and support town centre living.

The strategy links the town centre to the major developments at Darlington Station via Victoria Road and Parkgate. It also links to the Rail Heritage Quarter tourist attraction (and the existing adjacent North Road Station) which will be completed by 2024 via the emerging Northgate Masterplan.

In addition, the Darlington Transport Plan sets out the following vision and objectives.

Vision -

We want Darlington to have a safe and resilient low carbon transport system which offers choice; promotes health and wellbeing; and supports inclusive economic growth.

Objectives -

1. Reduce transport's impact on the environment and support health and wellbeing;
2. Improve safety for all road users;
3. Connect people with job and training opportunities and link communities;
4. Support a revitalised and transformed Darlington town centre;
5. Maintain and effectively manage a resilient transport system.

The Darlington Town Centre Transport Plan forms the link between these two strategically important policy documents and is also influenced by a number of other local policies and plans as illustrated in Figure 1.

Figure 1: Relevant Policies and Plans



2 Town Centre Transport Issues and Opportunities

As the town centre uses change it is important that the town centre does not become congested with traffic; instead the benefits of the pedestrianisation, public spaces, the riverside and low traffic areas need to support a vibrant town centre. Meeting the needs of businesses in the town centre must also be balanced with the needs of people living within and visiting it.

The following sections outline a number of issues and opportunities by mode that will need to be addressed as the Darlington Town Centre Strategy is delivered.

2.1 Cycling and Walking

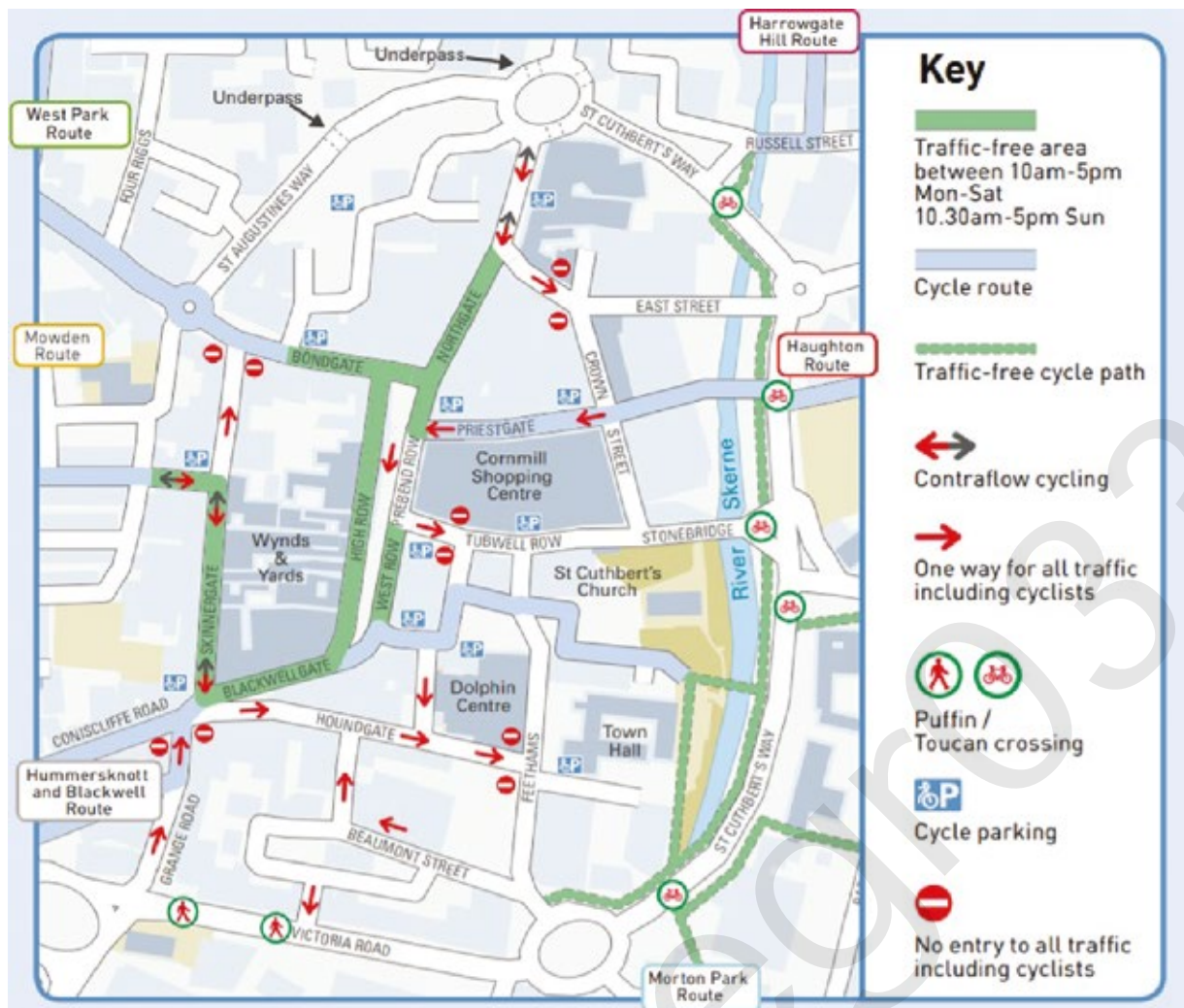
2.1.1 Opportunities

Darlington is relatively flat, making it ideal for the promotion of cycling and walking to replace short / local car journeys. Between 2004 and 2009 Darlington was a Sustainable Travel Demonstration Town and between 2005 and 2011 was a Cycle Demonstration Town. Darlington received funding to start to implement seven radial cycling routes from the edge of Darlington to the town centre. These radial routes are all connected by a circular route. In total there are over 40km of off-road cycle routes in Darlington and 26km of signed routes. These radial routes form the core of the Darlington cycling network.

Since then funding for walking and cycling projects has been secured from various Department for Transport funding streams and the network has been under continual development through an ongoing process to fill gaps in the network, improving existing routes and providing access for all.

As a result, there are strong foundations on which to build:

- Walking and cycling routes as far as the Inner Ring Road have been well developed and there are several signalised crossing points over the Inner Ring Road to help people cycle into the town centre.
- The pedestrianised areas of High Row, Blackwellgate, Northgate and Bondgate provide space for people to walk and cycle. The landscaping along High Row, including the benches and lighting, is of a high quality and shows what can be achieved. The Riverside Park is another good example of high quality public realm enhancing a walking and cycling route.
- The town centre is generally accessible for those using wheelchairs, mobility aids and prams/pushchairs.
- There is sufficient cycle parking although this is not always obvious and the quality can vary.
- There is a concentration of cycle trips made in Darlington, with 9 of the highest cycling flows in the Tees Valley within the borough. The 10 highest cycling flows in Darlington are focussed on the town centre.



2.1.2 Issues

However, there are a number of issues that need addressing, related particularly to cycles and pedestrian accessibility and safety and security.

Cycle and Pedestrian Accessibility:

- Need to create gateways into the town centre so that cyclists and pedestrians know that they are in a different space, more shared, less traffic and cyclists need to slow their speed.
- Need to be able to cycle through or round the town centre as well as into it
- Need easy-to-find cycle parking with nearby seating and maps for navigation
- The market square is used as a means of accessing the town centre by bike but it is sometimes blocked by events such as the fair or market stalls, which encourages cyclists to use the footpath outside the Dolphin Centre
- Outside of the pedestrianised area the town centre feels more disconnected – it doesn't link together or encourage people to explore

Pedestrian and Cyclist Safety

- The cobbles along East Row/Bull Wynd/Horsemarket and Skinnergate are difficult to walk on.
- The underpasses are not designed for use by cyclists and are not the most pleasant/safe environment for pedestrians
- Crossing points on Prebend Row corners are difficult to use by pedestrians due to the buses and taxis (and other vehicles) – feels unsafe; also other locations such as Northgate/Crown Street and Tubwell Row/Church Row
- Cycle parking needs to be secure
- Potential conflict between pedestrians and cyclists needs to be minimised through clear signed cycle routes



2.2 Public Transport

2.2.1 Opportunities

Bus services are a mixture of town services (that run between the town's residential areas and employment sites, and the town centre) and out of town services that link to North Yorkshire, South Durham and other areas within the Tees Valley to the east. The following image 1 shows the frequency levels within Darlington and surrounding areas. It also shows the demand responsive transport network (DRT) (Teesflex).

Image 1

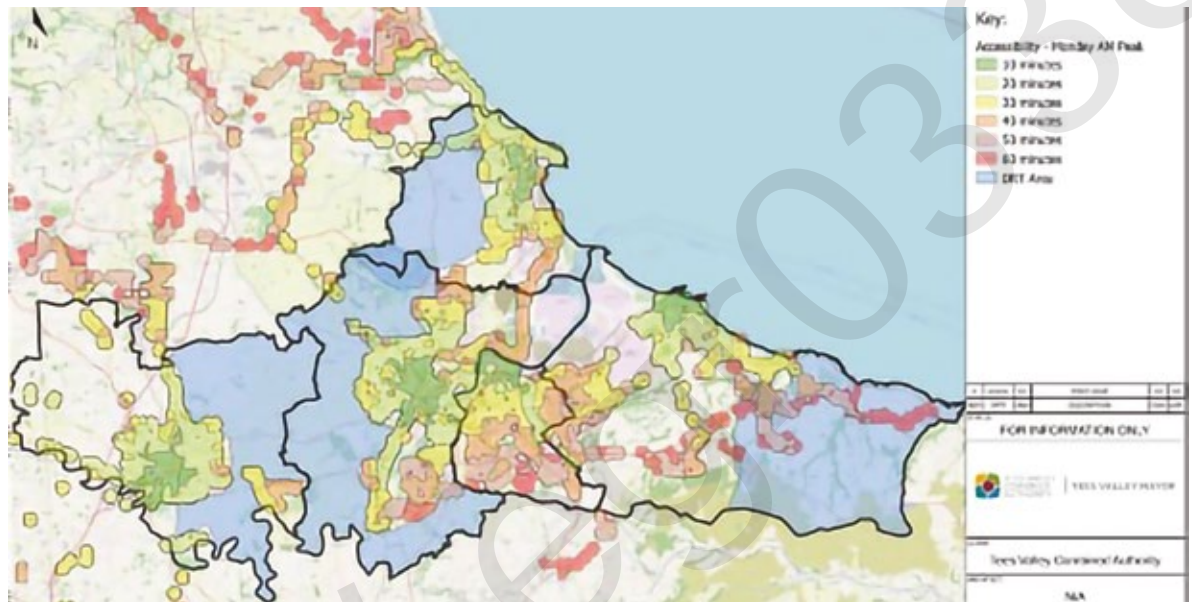


Image 2



Buses are at the heart of the retail/leisure area in Darlington. Existing stops and bus routes are shown in image 2, as well as the coach stop. The route exit points onto the Inner Ring Road are in the right location for onward journeys e.g.:

- Stonebridge (all radial routes); and
- Feethams (Victoria Road, Grange Road).

In addition, all buses that access the town from Northgate roundabout drop off passengers at Northgate and then passengers have the opportunity to be dropped off at a second location further round the 'bus loop' (Priestgate/Prebend Row/Tubwell Row). This arrangement meets with historic user requirements, with previous customer feedback identifying that

bus users want to alight in one location, walk/shop through town and board at another location. This requirement should be reviewed with customers as the town centre changes, especially with the loss of major national retailers in the Northgate area.

Within the town centre there is good compliance with 20mph speed limit by buses and there is a good level of infrastructure provision including shelters and real time information displays. Bus timetables at all stops are also up to date. In addition, the layover stand on Feethams provides the main commercial operator with space for a spare vehicle in the town centre so that there is rapid response to any issue involving a vehicle which should be in service e.g. mechanical breakdown, road traffic accidents, ill passenger or driver etc.

There has been investment in the bus fleet with gas buses operating on some routes but there needs to be further investment into zero or low emission buses to reduce the impact of bus services on the air quality and noise pollution in the town centre. There has been investment in technology to support people using buses such as next stop announcements on some buses, real time information displays at town centre bus stops to advise passengers when buses will arrive and the Arriva app which also shows bus operation in real time as well as providing opportunities to buy e-tickets.

2.2.2 Issues

However, there are a number of issues that need addressing, related particularly to kerbside stopping capacity (the number of bus stops), bus user waiting capacity (the space for people to stand or sit and wait for a bus), stop accessibility issues (walking routes to bus stops) and conflicts with other modes, in particular HGVs and LGVs.

Stopping Capacity and Condition

There is insufficient kerb space (capacity) for the number of buses that operate per hour. This creates congestion and delay to bus services, and will get worse if more services operate more often. There are particular hot spots at:

- Northgate Stops A, B & C;
- Crown Street Stop D; and
- Tubwell Row Stops H, I & J.

The coach stop on Feethams has capacity for 3 coaches at any one time. However this is insufficient at peak times with coaches parking further along Feethams causing confusion for drivers and passengers.

Waiting Capacity

There is also insufficient bus user waiting capacity or pavement space for the number of waiting passengers creating congestion on the footways for both passengers and passing pedestrians, particularly on Prebend Row East Street and Tubwell Row. Furthermore, it is also difficult for users to identify some of the bus stops and some of the shelters and information panels have been vandalised.

Stop Accessibility

It is difficult for pedestrians and bus users to cross in between the existing bus stops, especially at the corners of Northgate/Crown Street, Priestgate/Prebend Row and Prebend Row/Tubwell Row.

Conflict with other modes

There is also some conflict with other modes. In particular, traffic entering Northgate from the roundabout in contravention of the traffic restrictions means that bus priority is being undermined and needs to be addressed. East Street is also now open to two way traffic, which brings additional traffic into the town centre and slows down the passage of buses. There is also a need to manage conflicts between buses and cyclists, particularly where there are contra flow cycle lanes, to ensure the safety of all users. The location and use of the loading bays also creates conflict, particularly on Tubwell Row.



2.3 Taxis

Department for Transport figures show 228 vehicles were licensed to operate in Darlington at the end of March 2021. Of those, 147 were traditional taxis which can be hailed from the street, while 81 were private hire vehicles, such as those available through Uber, which need to be pre-booked.

There are 81 taxi rank spaces around the town centre with ranks located in the locations illustrated in Table 1.

Table 1: Taxi Rank Locations

Stand	Location	Maximum number of spaces
Beaumont Street West 7:00pm - 7:00am	On the north side from 8 metres west of Beaumont Street westwards for 40 metres	8 vehicles - vehicles to face east
Bondgate - 9:00am - midnight midnight - 7:00am	On the south side from 6 metres west of Skinnergate westwards for 20 metres	4 vehicles - vehicles to face west
Bondgate - 6:00pm - 8:00am	On the south side from 11 metres east of Skinnergate eastwards for 18 metre	4 vehicles - vehicles to face west
East Row - 24 hours per day	In the lay-by lying approximately 4 to 25 metres south of junction with Tubwell Row	3 vehicles - vehicles to face north
East Row - 24 hours per day - feeder Rank	From a point of 32 metres south of its junction with Tubwell Row to a point of 2 metres north of its junction with Horsemarket Not to encroach into the Loading bay as there is a stretch of No Waiting 7am – 11pm.	5 vehicles - vehicles to face north
Gladstone Street - 7:00 pm – 7:00 am	On the south side from 43 metres westwards for 85 metres west of Northgate	17 vehicles - vehicles to face west
Grange Road - 24 hours per day	On the west side from 5 metres south of Coniscliffe Road to 10 metres north of Northumberland Street	4 vehicles - vehicles to face north
Grange Road - 6:00 pm – 8:00am - feeder rank	On the west side from Northumberland Street northwards	2 vehicles - vehicles to face north
Priestgate - 24 hours per day	On the south side from 5 metres east of Prebend Row to 10 metres west of Penny Yard	5 vehicles - vehicles to face west
Tubwell Row - 6:00pm – 8:00am	On the north side in the lay-by from Crown Street westwards for approximately 30 metres excluding pedestrian route across lay-by	6 vehicles - vehicles to face east
Feethams - 24 hours per day	On the east side outside DL1	5 vehicles - vehicles to face south

Recently taxi marshals have been deployed in Darlington town centre to tackle an ongoing issue with queueing and traffic issues. The two marshals operate at Grange Road on Friday and Saturday nights each week.

Durham Police and Crime Commissioner's Office has recently been awarded £453,813 from the Home Office under the Safer Streets Fund. Some of this funding will be utilised to make improvements in Darlington town centre, including impr

2.2.1 Issues

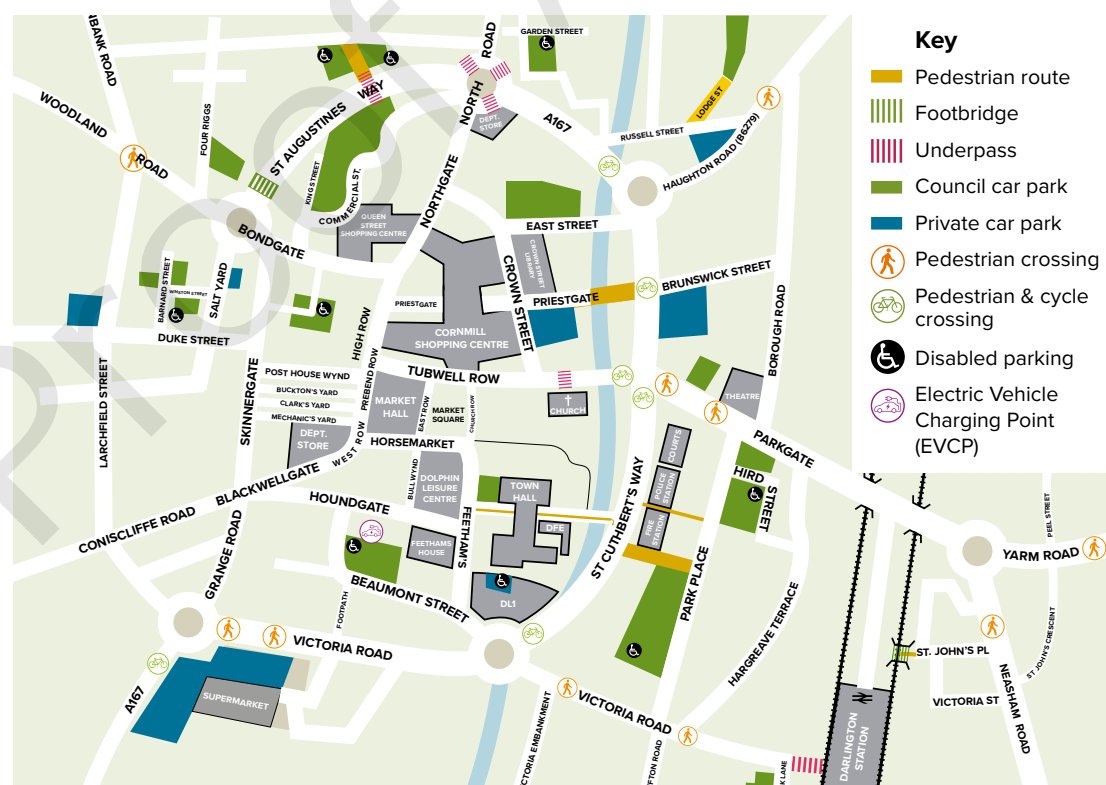
Whilst recognising the excellent service provided by the taxi trade in Darlington there is a need to take into account the need to reduce harmful emissions from vehicles in the future, for the benefit of everyone. The new taxi policy adopted on 1st January 2021 has therefore included key policies regarding age requirements for licensed vehicles and tougher emissions standards to help improve air quality and reduce carbon emissions but this is something that needs to be kept under review.

2.4 Highways and Parking

Currently the Inner Ring Road carries the majority of the traffic around the outside of Darlington town centre. Traffic restrictions (governed by Traffic Regulation Orders) then manage most of the traffic within the town centre for bus services, taxi services, loading and servicing, cycling and parking.

The quality of the road network will remain a vital part of the town centre transport plan as it is shared by several transport modes, including some more sustainable modes, such as public transport and cycling. It is therefore in the wider interest of sustainable travel to have a road network that continues to function efficiently. The main elements of the town centre highway network are shown on Figure X.

Figure X



2.4.1 Opportunities

Currently vehicle traffic is limited in pedestrianised areas creating a safer environment and there is good compliance with the 20mph speed limit that is in place. However, increased development in the Borough, and particularly the town centre, has the potential to create additional vehicle movements or alter the highway network that will need to be managed.

The Council owns and operates a number of off-street car parks in Darlington (see Figure X) as well as managing on-street parking, disabled parking and coach/HGV parking. In addition there are a number of private car parks. The Council understands that different groups and individuals have different parking needs and expectations, and that parking facilities must be best managed to meet those needs. The quality and operation of car parks is important as part of the town centre offer, in terms of payment options, security and electric vehicle charging points. In addition, as car parking and its management form an important part of a balanced transport strategy, there is the opportunity to utilise it to support economic growth and town centre vitality, manage traffic and encourage the use of more sustainable modes



2.4.2 Issues

Currently traffic is restricted in some locations but there is little enforcement. This results in additional traffic in the town centre which leads to congestion, illegal parking and obstruction and a reduction in perceived and actual safety. This has a direct impact on pedestrians and the operation of bus and taxi services.

The Council needs to ensure that deliveries can be made to businesses through the provision of highway access and loading bays. This needs to be balanced and managed. Through the increase in 'click and collect' services and takeaway food and drink businesses, very short stay drop off/pick up needs to be considered as part of the mix, but this may be provided in car parks rather than on street, where space is very limited. Alternative delivery and collection models provide other opportunities such as the successful cargo bike GreenLink service which already operates in the town centre alongside bike delivery services such as Deliveroo.

Other specific issues that the Darlington Town Centre Transport Plan will need to be mindful of include:

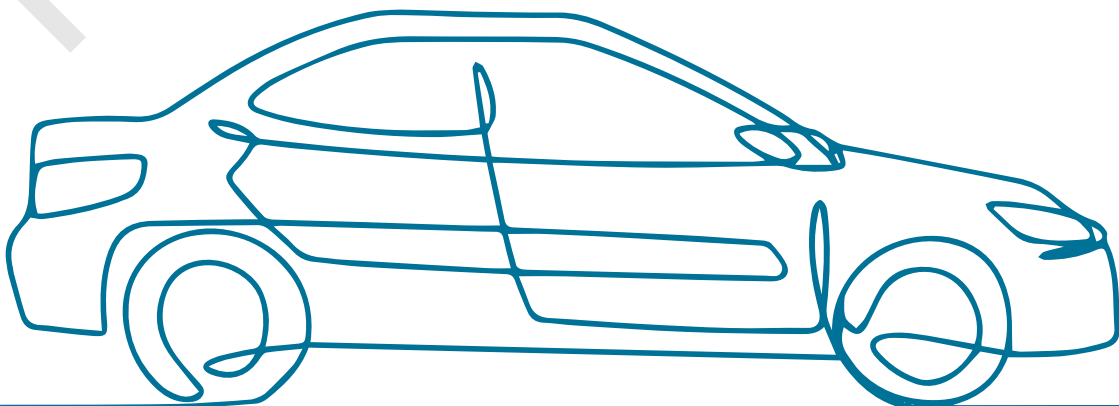
Road space Reallocation

Since the COVID-19 pandemic there has been a reallocation of road space to both highway and non-highway functions. Some of this has been to provide additional space for active modes whilst some has been to provide outside space for socialising e.g. café/drinking areas. Further road space reallocation needs to be carefully considered to ensure it does not have a detrimental impact on our transport objectives and traffic management duties.

Residential Parking

There is a need to consider residential parking standards for town centre developments to take into account different sizes/types of housing and to reflect the potential impacts where buildings are converted and have no available parking.

In addition, as more people are working from home since the COVID-19 pandemic a greater number of cars are parked on street during the day – especially in existing Residential Parking Zones (RPZs) around the town centre. Therefore, there is a need to consider whether additional controls or changes needs to be made to the current system.



2.4 Other

2.5.1 Opportunities

In 2019, Darlington became the first in the region to be awarded Purple Flag status. Purple Flag is an accreditation process similar to the Green Flag award for parks and the Blue Flag for beaches. It leads to Purple Flag status for town and city centres that meet or surpass the standards of excellence in managing the evening and night time economy. Purple Flag assessors look for how safe and welcoming the town feels, how easy it is to move around the town and to get home safely, how good the range of leisure and entertainment venues are in terms of choice, and how the town generally looks and feels.

2.5.2 Issues

Despite Darlington gaining this accreditation there are still a number of other issues that need addressing within the town centre are as follows:

Street Clutter and Identity

The town centre is cluttered and confusing as it has not been planned in a holistic way – the Pedestrian Heart introduced some key street furniture and signs etc but these were not used as a standard for the rest of the town centre – so different styles/designs of cycle parking; 20mph signs added; new planters that don't match added; directional signs not updated etc. Confusing for visitors and feels disjointed.

Space could be allocated so people know where 'to meet' or 'to sit' or to 'wait for the bus or the taxi' – use landscaping/art – currently conflict occurs as people try to use the space for different things – sitting on the ramps reducing access for wheelchair users, blocking access points whilst they wait for a bus.

The Pavements for People policy guide needs to be updated to manage the design and use of the space within the town centre to ensure it better meets the needs of disabled people whilst also ensuring that the town centre economy can operate effectively. A design code for the town centre would also start to provide coherence and identity to the streets and businesses to inform new development and redevelopment as well as transport infrastructure.



2.6 Summary

Mode	Opportunities	Issues
Walking and Cycling	<p>Walking and cycling routes as far as the Inner Ring Road with signalised crossing points</p> <p>Pedestrianised areas of High Row, Blackwellgate, Northgate and Bondgate</p> <p>High quality examples of public realm exist e.g. High Row and Riverside Park</p> <p>Ability to plan improvements so that walking or cycling to the town centre is an option or preference for more people</p>	<p>Vulnerable road users are not always the priority when there are conflicting demands on space</p> <p>Need to create gateways into the town centre for pedestrians and cyclists and ensure different parts link together.</p> <p>Need to be able to cycle through or round the town centre as well as into it</p> <p>Need easy-to-find, secure cycle parking</p> <p>Some crossing points are difficult to use by pedestrians due to the buses and taxis</p>
Bus	<p>Darlington is comparatively well served by bus with around 90% of the population served by a frequent (30 minute) service.</p> <p>Buses are at the heart of the retail/leisure area in Darlington.</p> <p>There has been investment in the bus fleet and technology to support people using buses e.g. next stop announcements, real time information displays.</p>	<p>Limited space to provide higher frequency, punctual bus and coach services and to provide a quality waiting environment for passengers</p> <p>Lack of kerbside stopping capacity (the number of bus stops) and bus user waiting capacity (the space for people to stand or sit and wait for a bus),</p> <p>Stop accessibility issues (walking routes to bus stops)</p> <p>Conflicts with other modes, in particular HGVs and LGVs.</p>
Taxi	<p>72 taxi rank spaces around the town centre</p> <p>Taxi marshals already deployed to manage queuing and traffic</p> <p>Investment in improved lighting at taxi ranks to enhance safety</p>	<p>Suitability of existing taxi rank locations as the town centre evolves</p> <p>Further requirement for tougher emissions standards to help improve air quality and reduce carbon emissions</p>

Mode	Opportunities	Issues
Highways and Parking	Can prioritise which traffic should have access, when or for what purpose, using the hierarchy of road user needs as a starting point	Limited space within the inner Ring Road to accommodate all existing and future transport demands
Other	Darlington is the first in the region to be awarded Purple Flag status.	Town centre is cluttered and confusing as it has not been planned in a holistic way. Pavements for People policy guide needs to be updated to manage the design and use of the space within the town centre.

Objectives

The objectives of the Darlington Town Centre Transport Plan are informed by the policies and plans identified in Chapter 3 as well as the existing and anticipated issues and opportunities set out in Chapter 4.

The objectives of the plan are set out below alongside the objectives of the Town Centre Strategy and Transport Strategy. They reflect the need for a long term, multi-modal, sustainable and equitable transport plan to accommodate the movement of people and goods into and within the town centre.

Darlington Town Centre Transport Plan Objectives	Darlington Town Centre Strategy Objectives	Darlington Transport Plan Objectives
Enable good access for retail, leisure and work by all modes of transport	Making Darlington a great place to live, work and visit	Connect people with job and training opportunities and link communities
Create attractive points of entry and a legible town centre transport network	Enhancing the attractiveness and vitality of our town centre	Maintain and effectively manage a resilient transport system.
Reduce vehicular traffic in the town centre and prioritise access for sustainable and public transport and deliveries/ servicing	Celebrating our heritage	Improve safety for all road users
	Enhancing the attractiveness and vitality of our town centre	Support a revitalised and transformed Darlington town centre
Provide suitable supporting infrastructure for town centre residents to allow the town centre to develop as a place to live with a strong and cohesive community	Improving the health and wellbeing of people	Reduce transport's impact on the environment and support health and wellbeing
	Supporting local economic growth	Maintain and effectively manage a resilient transport system

Darlington Town Centre Transport Plan Objectives	Darlington Town Centre Strategy Objectives	Darlington Transport Plan Objectives
Address the impact of transport on the environment and climate change		
Facilitate residential, commercial, retail and leisure property development		

The objectives have been used to derive a number of interventions that reflect discreet elements of the transport system as follows.

- Walking and Cycling
- Bus and Coach
- Cars and Taxis
- Rail
- Servicing and Deliveries
- Parking

The success of the Town Centre Transport Plan will lie in the delivery of interventions in these areas. Further detail is provided in the following chapters



3 Walking and Cycling

The development of high quality, direct, safe walking and cycling routes is vital in particular for those without access to a private car or who are unable to drive so that they can access employment, leisure, health, retail and other essential services. With further investment, cycling and walking into the town centre could become a practical choice for many more people and more journeys.

The £9.2m Pedestrian Heart project has already transformed the centre of Darlington through the creation of a series of new public spaces, improved streetscapes and public art. This has continued with the developments around Feethams and the creation of the Riverside Park. There is now a need for the Town Centre Transport Plan to build on the positives of these projects, whilst learning the lessons around the use and design of space for everyone, specifically meeting the needs of people with disabilities.

We also need to ensure that with more people cycling, we must consider investment in suitable infrastructure to sustain the increase. Increased levels of walking and cycling contribute to increasing levels of zero or low emission travel, and associated benefits of better air quality, reduced noise pollution and reduced road safety risk.

3.1 Measures

Walking and Cycling Network Improvements

The following improvements will be made to the cycling and walking network within the town centre:

- We will create gateways at the Inner Ring Road to connect with the existing cycle routes to Northgate (North Road Station), Haughton Road, Victoria Road (Station), Feethams, Grange Road, Duke Street and Kendrew Street;
- We will create an outer and an inner cycle route:
 - Outer – Along the south side of St Augustine's Way between Northgate roundabout and Bondgate, potentially utilizing Commercial Street and replacing the underpass with an at grade crossing for pedestrians and cyclists – improving access to North Lodge Park
 - Outer – along the south or north side of Victoria Road to link into Grange Road (into and out of town)
 - Inner route – 2 way cycling on Skinnergate to link to Duke Street
 - Inner route east/west across the market square and Horsemarket; and
- We will improve crossing points along bus routes for pedestrians e.g. Church Row/Tubwell Row and Northgate bus interchange.



Landscaping and Green Spaces

The Town Centre Strategy will look to implement a programme of landscaping that will link together key sites and green spaces such as Riverside Park, Market Hall and beyond to South Park, North Lodge Park, as well as beyond as part of the Northgate masterplan. The transport plan will ensure that the spaces are linked for those who are walking or cycling.

Cycle Parking Standards

Good quality, secure, convenient cycle parking is required to encourage trips to town by bike. The attractiveness of cycling will be enhanced if at the end of journeys into the town centre, effective and attractive facilities for cycle parking are available.

As stipulated in the Darlington Parking Strategy we will ensure cycle parking meets the requirements of LTN1/20 and is well-designed, high-quality, convenient and well maintained. We will also consider the need to provide for electric cycles (in terms of electricity supply) given their increasing popularity as well as adapted cycles for disabled cyclists. We will also increase the number of covered, secure cycle parking areas.

Legibility

One of the key issues relating to movement around Darlington town centre is legibility, or the ability for people to easily find their way around. We need to ensure that that signage and waymarking across the town centre makes it easy for people to get to the places they want to be and reinforces the message that it is compact and walkable/cyclable. We will therefore develop an easy to understand plan of the cycle network so cyclists can navigate their way around or through town from each of the access points on the Inner Ring Road. We will also develop and refine our pedestrian and cycle signage across the town centre so that is consistent. However, in doing and through the implementation of other measures we will also consider how we can minimise street clutter.

4 Bus and Coach

Buses are the most efficient use of road space and so measures which provide greater priority will enable bus operators to deliver even better journeys for passengers and make public transport a viable choice for more users. Prioritising road space for buses to ensure a fast and consistent journey time that is competitive with the private car is essential to encourage people to make the switch to more sustainable and environmentally friendly forms of transport. It is also important that buses are able to reach the parts of the town centre that passengers want to travel to, and that the infrastructure provides an accommodating environment for buses and comfortable facilities for passengers.

4.1 Measures

Review Bus Routing and Priority Measures

Bus services should be continually reviewed to ensure the most effective routeing, quality and level of bus services are in place. Bus routes should have minimal conflict with pedestrians and reduce congestion within the town centre. We have reviewed various options for bus services and retaining the existing bus loop is the most effective way to operate.

Bus Services

The Tees Valley Bus Service Improvement Plan identifies some key priorities which will improve bus services in Darlington town centre, subject to the amount of funding available. This could result in new bus shelters, bus priority at traffic signals, improvements to the provision of information at bus stops and zero or low emission buses.

We will also look to further promote Tees Flex, the on-demand bus service currently available in rural parts of Darlington where there are no bus services, and investigate opportunities to expand the service. Nine new, high-quality Mercedes Sprinter buses operated by Stagecoach and funded by the Tees Valley Mayor and Combined Authority are being used, with passengers able to pre-book the bus via a smartphone app, a website or over the telephone. Darlington town centre is one of the destinations.

Real Time Passenger Information and Selective Bus Detection

We will also, where possible utilise the upgraded Urban Traffic Management and Control (UTMC) system (being funded by the Tees Valley Combined Authority) to provide bus priority to assist any late running buses to catch up time and arrive/depart from the town centre on time.

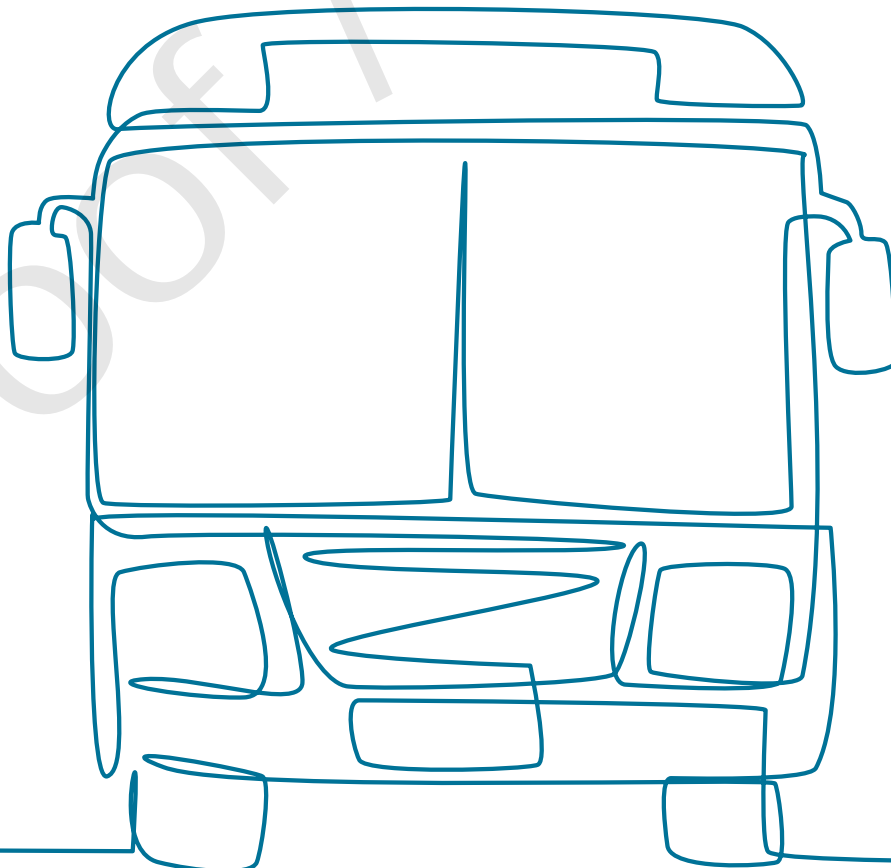
Upgrade Customer Waiting Facilities

We recognise the need to raise the profile of bus travel for current and potential users and ensure that this is combined with high quality bus stops and bus shelters. Over many years, various types of shelters and poles have been installed which do not necessarily reflect local user needs or provide a consistent experience.

To address this issue, we will develop a set of standards for bus stops, bus shelters and information provision. Locations will be identified where more space can be allocated to waiting customers to reduce the conflict with passing pedestrians, in particular on Prebend Row.

Coach

Options to create more coach facilities near Feethams Town Hall bus stop (outside Feethams House) will be considered for holiday tour coaches (National Holidays and others), leaving the existing coach stop for coaches that serve the Dolphin Centre (such as school swimming coach services), National Express Coach services and the existing loading bay. We will keep the need for coach parking spaces under review, in terms of both the number and location, as the Town Centre Strategy and this Transport Plan are delivered to ensure there is adequate provision.



5 Rail

Darlington Station is a key rail hub, not just for the Tees Valley but further afield and a major redevelopment of the station is planned and being taken forward. The scheme will improve the frequency and reliability of services as well as connectivity along the East Coast Main Line and to other regional stations. The £100 million redevelopment will pave the way for a new platform, entrance, station building and upgrades to its transport links. It will be important for the Town Centre Transport Plan to ensure that the links between Darlington station and the town centre are strengthened so that the full benefit of the investment is realised. The Victoria Road scheme, that has recently been completed, is one element of the investment required.

In addition, the Darlington Railway Heritage Quarter (DRHQ) close to North Road Station is to be developed into a new internationally significant major visitor attraction and museum by 2024 so that it can be a central part of the bi-centenary celebrations of the Stockton and Darlington Railway in 2025. As well as carrying out essential improvements to a number of historic buildings on the site, there will be a new immersive ride experience, café and shop, themed play area and a new Live Engineering building. Ensuring that links between the town centre and North Road Station are enhanced must be considered as part of the Town Centre Transport Plan and delivered through both the wider transport strategy and Northgate masterplan.

5.1 Measures

Improve Station Connections

We will ensure that as the Darlington Station and Darlington Railway Heritage Quarter projects are delivered that they are implemented in such a way that it is easier to reach both the Darlington and North Road stations from the town centre by bus, on foot or by bike.

Station Facilities

We will work with Network Rail and the Train Operating Companies to ensure that the Darlington Station project will deliver enhanced passenger facilities that meet the needs of users and the Station remains a gateway to the town centre. Initial feasibility work is underway to identify improvements at North Road Station to ensure that this station is accessible to all, with enhanced facilities and is a gateway to both the Rail Heritage Quarter and Darlington town centre via (an improved) Northgate.

Service Improvements

Once the Darlington Station project has been implemented, we will also push for local rail service improvements such as enhanced frequencies and extended operating hours so that commuters/leisure travellers have greater choice and can access earlier and later trains. The Bishop Line has secured a clockface hourly service but is now pushing for a half hourly service; and the Tees Valley Line is seeking to increase the number of services from 2 an hour in both directions to 4 an hour.



6 Servicing and Deliveries

To ensure the economic vitality of the town centre, it is important that servicing and deliveries are considered. The physical layout of the town centre needs to provide adequate access for delivery and servicing as changes in business models (click and collect and takeaway) and residential development (home delivery) projects are brought forward. However, there is also a need to ensure that appropriate day-to-day policies and measures are in place so that deliveries and servicing are managed, and any disruption or environmental impact they may cause is minimised over time.

6.1 Measures

Last mile delivery

Operating a local delivery service can support town centre businesses and reduce carbon emissions and congestion. We will therefore promote the use of last mile delivery through providers such as Green Link. Green-Link is Darlington's first and only zero-emission delivery and distribution company. They use a fleet of state-of-the-art cycles and electric vehicles to offer a highly reliable, professional and cost-effective method for moving documents and goods in and around Darlington.

Timed restrictions on HGVs

Deliveries are currently limited in some locations such as Skinnergate and High Row to before 10am and after 5pm and— this creates a better environment for pedestrians and people wanting to eat outdoors. Other areas such as Tubwell Row are not restricted and this creates issues for other users of the town centre. We will therefore consider whether restrictive times of delivery within town centre (enforced by TROs) should be expanded to other streets. The legal orders are enforced by a combination of the Police (moving traffic) and the Council (loading and parking restrictions). Changes to enforcement legislation may enable more enforcement to be managed using cameras.

Delivery and Servicing Management Plans

As new development comes forward in the town centre in support of the Town Centre Strategy we will ensure that through the planning process Delivery and Servicing Management Plans are required for commercial developments. These documents will need to set out how deliveries and the servicing of the development will be managed to minimise impact on amenity and operation of highways and transport infrastructure; and where possible to be off the highway completely. They will therefore be required to consider items such as:

- the location of loading and unloading;
- the hours of loading and unloading;
- the frequency and size of vehicles;
- routing;
- consolidation of deliveries; and
- Any other control measures.

7 Cars and Taxis

High levels of car use leads to congestion, poor air quality and greenhouse gas emissions. There is a need to move towards a reduced reliance on travel by fossil-fuel burning vehicles whilst also addressing the costly issue of traffic congestion characterised by slower speeds, longer journey times, and increased vehicular queueing.

However, in limiting private cars it should be noted that taxis play an important and valuable role within the town's transport system and provide for a wide range of journeys. For example, in the daytime taxis accommodate those that travel in to town by foot or by bus, but then do their shopping and require a door to door service to get home. In the evening the taxi trade is focused around hospitality and culture and needs to be located near these venues and away from residential areas. A successful taxi system is therefore central to supporting the town centre and the Council recognises and welcomes the contribution that the Private Hire and Hackney Carriage trade make to the transport and tourism industry in the area.

7.1 Measures

Limit Cars

As indicated by the measures set out above roads in the town centre need to be prioritised for public transport and business servicing/deliveries with dedicated facilities for active modes. Private cars should only require access to parking with through routes restricted. The Pedestrian Heart project has already limited access for private vehicles by reorganising and redesigning the traffic system and as any changes to bus routing and bus priority are implemented we will ensure that the same principles regarding access for private vehicles are adhered to. We will also consider the needs to address traffic management issues in specific locations such as the options for changes to traffic management in the Skinnergate and Duke Street areas.



Improve Taxi Rank Provision

As well as helping to manage the supply of taxis at busy locations, ranks also help reduce congestion and vehicle emissions by limiting the time drivers spend on the road while waiting to be hired.

As the Town Centre Strategy and this Transport Plan are delivered we will review Darlington's taxi rank network, to identify where improvements are required and where new ranks are needed. We will work with the taxi trade to identify priority locations, especially where there are opportunities to better integrate with other modes. As part of any review, we will also consider the impacts on existing ranks caused by new development projects and where possible seek to replace rank spaces at suitable alternative locations.

Furthermore, we will work with taxi and private hire operators to install rapid electric charging points in suitable locations and then use our local authority taxi licensing function to incentivise the uptake of ultra-low emission taxis and private hire vehicles, for example by designating ULEV taxi ranks in high demand areas.

Taxi Licensing Review

The Council is aware that the public should have reasonable access to safe and comfortable hackney carriages and private hire vehicles because of the role they play in local transport provision. Local authorities are responsible for the licensing, administration and enforcement of taxi (hackney carriage) and private hire vehicles in their areas. In July 2020 the Department for Transport (DfT) published 'Statutory Taxi and Private Hire Vehicle Standards' and it expects these recommendations to be implemented unless there is a compelling local reason not to and therefore Darlington Borough Council published a revised policy effective from 1 January 2021.

The DfT guidance asks licensing authorities to consider how far their vehicle licensing policies can and should support any local environmental policies that they may have adopted and suggests that authorities may, for example, wish to consider setting vehicle emissions standards, perhaps by promoting cleaner fuels.

In its updated policy, Darlington Borough Council has included a 25% reduction in licensing fees for certain fuel efficient vehicles including electric, petrol electric hybrid, liquid petroleum gas and compressed natural gas. The policy also outlines that tougher emissions standards will be introduced for all licensed vehicles. These standards will be phased, with strict retirement dates for vehicles that fail to meet the latest standards.

A full review of the Policy will be conducted every five years and as part of this review process we will consider additional options for enhancing environmental sustainability such as:

- Free licence renewal for a set period in return for upgrading to an eligible low emission vehicle;
- Requirement for all licenced vehicles to be ultra-low emission by a certain date (aligned with the proposed expansion of the electric vehicle charge point network);
- Taxi Vehicle Age Limits - a new upper age requirement for vehicles, potentially reducing overtime for certain vehicle types;
- No longer granting first-time taxi vehicle licences to diesel taxis.

Education and Enforcement Activities (moving traffic offences)

Targeted enforcement will be undertaken to address issues associated with taxi/private hire driver behaviour, including over ranking, violation of traffic orders and illegal parking. In addition to this, we will compile transparent complaints data and aim for a reduction in the number of complaints received. The data compiled will also allow us to better plan enforcement action alongside the Police, until such time as the Council takes over these powers.

We will also conduct education and training sessions with taxi /private hire drivers and operators illustrate the benefits of making their operations more environmentally friendly. This may include:

- A no idling campaign (an education and behaviour change initiative that tasks all drivers to switch off their engine when parked up, wherever possible) - engine idling (leaving your vehicle engine running while stationary) is a significant source of local air pollution and contributes to poor air quality, which in turn damages people's health;
- Demonstrating the potential fuel savings and financial benefits from operating ULEV taxis and private hire vehicles; and
- Opportunities to trial electric vehicles.

Car Club

Car clubs are privately operated 'pool cars'. Members pay a small annual or monthly membership fee then have access to vehicles that can be booked and used at short notice. The cars are parked so that they are easily accessible to members and are generally cheaper than conventional car hire, with bookings made over the internet or phone. The benefit of car clubs is that they encourage people to forego private car ownership and are also attractive to people that make very limited use of a car. While not having the expense of buying, insuring and maintaining their own vehicle, members have access to a car that is parked conveniently in dedicated parking spaces.

Car clubs have the best chance of success in areas where parking for private cars is limited or non-existent. Car clubs therefore have a central part to play in addressing reduced parking provision in new town centre developments and encouraging existing residents to use the car less when travelling. They can bridge the gap between lack of car parking (on site and on street), use of public transport, cycling and walking and the need for occasional access to a car. They can also result in a boost to local trade as car club members tend to use more local services rather than drive to out-of-town shopping centres.

We will seek to attract a car club operator to Darlington town centre either on a commercial basis or through the planning process and designate priority parking spaces either in a car park or on-street as the car club grows . This will be funded initially through contract parking revenue and developer contributions, until it becomes commercially viable.

8 Parking

Parking facilities are an important element of the transport system and issues relating to their effectiveness are therefore relevant to this town centre transport plan. The Darlington Parking Strategy highlights that there are 18 public car parks within the town centre and 310 on-street pay and display spaces. The Council provides designated disabled spaces within 90% of its car parks as well as dedicated spaces for motorcyclists. There are 16 Resident Permit Zones within the Borough of Darlington, with many surrounding the town centre. Chesnut Street car park is the only car park in Darlington that offers HGV and coach parking, providing 6 spaces in total, though there is capacity to increase this.

8.1 Measures

Implement Darlington Parking Strategy

We will implement the parking strategy to achieve its objectives of being:

- **Balanced:** To increase use of more sustainable and healthy forms of travel and achieve a more effective and efficient transport system, whilst taking into account:
- The economic vitality of Darlington and the town centre in particular;
- Environmental objectives including carbon emissions, air quality and noise.
- Social objectives including social inclusion and health and wellbeing;
- **Fair and Well Managed:** Ensure we apply and enforce a consistent and easy to understand approach to parking management, that is transparent and financially sustainable.
- **Safe and Convenient:** Deliver facilities that are safe, secure and convenient for a variety of users;
- **Modern:** Embrace opportunities created by new technology to manage car parking.

This will mean parking within the heart of the town centre will predominantly remain as short stay to encourage people to visit for 2 or 3 hours and maximise the use of the spaces. Longer stay commuter parking will remain in car parks outside of the Inner Ring Road.



Enhance Car Park Accessibility

The location of disabled parking bays may change as land is redeveloped and uses of buildings or sites change. We will therefore give careful consideration to the overall numbers, location and usage as the Town Centre Strategy is delivered.

In addition, we will investigate how the UTM project being delivered by TVCA can assist in better managing off street car parking and reducing circulating vehicles searching for available spaces.

Increase Public Electric Vehicle Charging

A number of Electric Vehicle Charging Points will be installed in town centre car parks in 2022 as part of a Tees Valley wide project funded by TVCA. Their use will be monitored and if more capacity is required we will seek further funding from TVCA or other funding opportunities. In addition, we will ensure that town centre residential developments include EV charging within their plans and install charging points in support of car club promoters.

Contract parking

Contract parking is provided in three car parks in the town centre (within the inner ring road). This is for businesses that implement a Travel Plan and who have a requirement for operational rather than commuter parking. The spaces are paid for on an annual basis. If more spaces were allocated to contract parking it removes capacity for visitor parking to support town centre businesses. As set out in the Darlington Parking Strategy we will update the current policy and adopt a protocol for deciding upon future allocations that considers how to encourage greater use of sustainable modes where appropriate. Revenue from the contract parking should support the development of a Car Club for use by businesses/employees.

Adequate Parking Provision for New Residential Developments

The town centre is a sustainable location as there is good access to bus, rail, coach and taxi services and many services are within walking or cycling distance, therefore zero or low parking numbers are appropriate. If parking is to be provided it should be within the development red line boundary and on street parking will remain strictly limited. Parking for visitors is available in short stay car parks in the town centre or long stay car parks outside of the Inner Ring Road.

Options to provide residential parking on a similar basis as business contract parking will, as stipulated in the Darlington Parking Strategy, be subject to a policy for contract parking in the town centre for residential properties. The Council will adopt a protocol for deciding upon future allocations that considers how best this can be managed and how to encourage greater use of sustainable modes where appropriate. Revenue from the contract parking should support the development of a Car Club for use by residents.

9 Summary

The table overleaf summarises the proposed measures contained within this Town Centre Transport Plan and demonstrates how they align with the proposals set out in the Darlington Town Centre Strategy. The following table summarises the town centre transport policies and how these align with the objectives of the Town Centre Transport Plan.

Whilst not transport related, it should be noted that in delivering the Darlington Town Centre Strategy it will be important to take the opportunity to make the town centre brand more powerful and instantly recognisable through the consistent design and provision of signage, information panels, maps, visitor information and art installations. These elements together can communicate the town brand consistently and effectively to visitors and residents.

As the town centre changes, a focal point for the provision of help and information would be a benefit for businesses and residents. Whilst a lot of information is available online it is not in one place and not everyone has access. 'Big data players' such as Trip Advisor dominate searches meaning people miss out on hidden gems, events and activities and these sites don't work as a signposting service to local businesses and services.



Town Centre Transport Measures

Walking and Cycling	Walking and Cycling Network Improvements	<p>A town to be proud of (Page 17):</p> <ul style="list-style-type: none"> Review the lighting strategy and develop proposals for improvement Skinnergate and the Yards (Page 21) Improving shop fronts and the public realm including in the Yards and Wynds. Lighting and access will also be improved making the area more attractive.
	Landscaping and Green Spaces	<p>A town to be proud of (Page 17)</p> <ul style="list-style-type: none"> Introduce more trees, shrubs and plants Extend the Riverside Park to incorporate land north of Stonebridge
	Cycle Parking Standards	<p>Other interventions (Page 24)</p> <ul style="list-style-type: none"> Cross cutting infrastructure investment such as public realm, highway, landscaping and other works will be delivered within the town centre boundary to complement other plans and strategies.
	Legibility	<p>A town to visit (Page 14):</p> <ul style="list-style-type: none"> Improve the presentation of our heritage assets through various initiatives including events, festivals, public art, enhanced lighting, effective signage and public realm improvements.
Bus and Coach	Review bus routing and priority	<p>Other interventions (Page 24)</p> <ul style="list-style-type: none"> Cross cutting infrastructure investment such as public realm, highway, landscaping and other works will be delivered within the town centre boundary to complement other plans and strategies
	Bus Services	
	RTPI and Selective Bus Detection	
	Upgrade shelters and information	
	Coach	
Rail	Station Connections	<p>Other interventions (Page 24)</p> <ul style="list-style-type: none"> Cross cutting infrastructure investment such as public realm, highway, landscaping and other works will be delivered within the town centre boundary to complement other plans and strategies.
	Station Facilities	
	Service Improvements	
Servicing and Deliveries	Last mile delivery	<p>A town to do business in (Page 16)</p> <p>Other interventions (Page 24)</p> <ul style="list-style-type: none"> Cross cutting infrastructure investment such as public realm, highway, landscaping and other works will be delivered within the town centre boundary to complement other plans and strategies.
	Timed restrictions on HGVs	
	Service and delivery management plans	

Cars and Taxis	Limit cars	A town to visit (page 14): <ul style="list-style-type: none"> Examine the options for changes to traffic management in the Skinnergate and Duke Street areas
	Education and Enforcement Activities (moving traffic offences)	Other interventions (Page 24) <ul style="list-style-type: none"> Cross cutting infrastructure investment such as public realm, highway, landscaping and other works will be delivered within the town centre boundary to complement other plans and strategies.
	Improve Taxi Rank Provision	
	Taxi Licencing Review	
	Car Club	
Parking	Implement Darlington Parking Strategy	A town to visit (page 14): <ul style="list-style-type: none"> Improve traffic management by providing variable message signage and improved parking signage Review the condition and contribution of council owned car parks
	Enhance car park accessibility	
	Increase public Electric Vehicle Charging	
	Adequate parking provision for new residential developments	Northgate (Page 22) <ul style="list-style-type: none"> Consider the contribution Commercial Street car park can play.

Town Centre Transport Measures

Town Centre Policies	Darlington Town Centre Transport Plan Objectives
<p>The hierarchy of road users will be used to inform changes to the public realm, highway and transport services within the town centre</p>	<p>Reduce vehicular traffic in the town centre and prioritise access for sustainable and public transport and deliveries/servicing</p> <p>Create attractive points of entry and a legible town centre transport network</p> <p>Enable good access for retail, leisure and work by all modes of transport</p>
<p>Cycle routes and cycle parking will be planned and constructed so cyclists can cycle to and from the town centre, with alternative routes for cyclists that wish to avoid the town centre</p>	
<p>Clear bus priority routes within the town centre will be identified and measures put in place so buses are punctual</p>	
<p>Sufficient space will be allocated to bus passenger waiting environments; and facilities will be improved to include bus shelters with green roofs, additional seating, clear signs and up to date easy to understand information</p>	
<p>Safety must be considered in all developments including road safety, personal safety, vehicle security and reducing road user conflict wherever possible</p>	
<p>Town centre traffic management plans will ensure the efficient use of the highway in line with the Traffic Management Act</p>	
<p>Support the transition to zero and low emission transport through prioritising walking and cycling, creating infrastructure and programmes to move to electric and hydrogen vehicles, cargo bike deliveries and a Car Club</p>	<p>Address the impact of transport on the environment and climate change</p>
<p>Town centre developments, including residential, must have clear strategies for parking, servicing and deliveries</p>	<p>Provide suitable supporting infrastructure for town centre residents to allow the town centre to develop as a place to live with a strong and cohesive community</p> <p>Facilitate residential, commercial, retail and leisure property development</p>

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Darlington Town Centre Transport Plan Summary Document

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Foreword

Darlington has ambitious plans for the town centre as set out in the Town Centre Strategy 2019-2030 and the Towns Fund Investment Plan. Transport underpins these developments, enabling people to travel to, from and through the town centre by all modes of transport.

The Vision of the Darlington Town Centre Strategy 2019-2030 is as follows:

By 2030, Darlington Borough Council working together with partners and local communities, will deliver real positive change to our town centre, placing it at the heart of our community for years to come.

In addition, the Darlington Transport Plan sets out the following vision.






We want Darlington to have a safe and resilient low carbon transport system which offers choice; promotes health and wellbeing; and supports inclusive economic growth.

The Darlington Town Centre Transport Plan forms the link between these two important policy documents and is also influenced by a number of other local policies and plans as illustrated in Figure 1.



Issues and Opportunities

The following table summarises the main issues and opportunities for transport in Darlington town centre.

Mode	Opportunities	Issues
Walking and Cycling 	<ul style="list-style-type: none"> Walking and cycling routes exist as far as the Inner Ring Road with signalised crossing points Existing pedestrianised areas of High Row, Blackwellgate, Northgate and Bondgate High quality examples of public realm e.g. High Row and Riverside Park Ability to plan improvements so that walking or cycling to the town centre is an option of preference for more people 	<ul style="list-style-type: none"> Vulnerable road users (pedestrians/ cyclists) are not always prioritised due to conflicting demands on space Need gateways into the town centre for pedestrians and cyclists and to link different areas together Need to be able to cycle through or round the town centre as well as into it Need easy-to-find, secure cycle parking Some pedestrians crossing points are difficult to use due to buses and taxis
Bus 	<ul style="list-style-type: none"> Darlington is well served by bus with around 90% of the population served by a frequent (30 minute) service. Buses are at the heart of the retail/leisure area There has been investment in the bus fleet and technology to support people using buses e.g. next stop announcements, real time information displays. 	<ul style="list-style-type: none"> Lack of space for buses to stop and also space for people to stand/ sit and wait for a bus Stop accessibility issues (walking routes to bus stops) Conflicts with other modes, in particular HGVs and LGVs.
Taxi 	<ul style="list-style-type: none"> 72 taxi rank spaces around the town centre Taxi marshals already deployed to manage queuing and traffic Investment in improved lighting at taxi ranks to enhance safety 	<ul style="list-style-type: none"> Appropriateness of existing taxi rank locations as the town centre evolves Further requirement for tougher emissions standards to help improve air quality and reduce carbon emissions
Highways and Parking 	<ul style="list-style-type: none"> Can prioritise which traffic should have access, when or for what purpose 	<ul style="list-style-type: none"> Limited space within the Inner Ring Road to accommodate all existing and future transport demands
Other 	<ul style="list-style-type: none"> Darlington is the first town in the region to be awarded Purple Flag status e.g. it meets or exceeds the standards of excellence in managing the evening and night-time economy. 	<ul style="list-style-type: none"> Town centre is cluttered and confusing. Pavements for People policy guide needs to be updated to manage the design and use of the space within the town centre.

Objectives

The objectives of the plan are set out below alongside the objectives of the Town Centre Strategy and Transport Strategy. They reflect the need for a long term, transport plan to accommodate the movement of people and goods into and within the town centre.

Darlington Town Centre Transport Plan Objectives	Darlington Town Centre Strategy Objectives	Darlington Transport Plan Objectives
Enable good access for retail, leisure and work by all modes of transport	Making Darlington a great place to live, work and visit Enhancing the attractiveness and vitality of our town centre	Connect people with job and training opportunities and link communities
Create attractive points of entry and a legible town centre transport network	Celebrating our heritage	Maintain and effectively manage a resilient transport system. Improve safety for all road users
Reduce vehicular traffic in the town centre and prioritise access for sustainable and public transport and deliveries/ servicing		
Provide suitable supporting infrastructure for town centre residents to allow the town centre to develop as a place to live with a strong community	Enhancing the attractiveness and vitality of our town centre Improving the health and wellbeing of people	Support a revitalised and transformed Darlington town centre
Address the impact of transport on the environment and climate change	Improving the health and wellbeing of people	Reduce transport's impact on the environment and support health and wellbeing
Facilitate residential, commercial, retail and leisure property development	Supporting local economic growth	Maintain and effectively manage a resilient transport system

Measures

	<p>Walking and Cycling</p> <ul style="list-style-type: none"> • Walking and Cycling Network Improvements - Inner Ring Road cycle gateways, new outer/ inner cycle routes, improved pedestrian crossing points along bus routes • Landscaping and Green Spaces linking together key sites and green spaces • Well-designed, high-quality, convenient and well maintained cycle parking • Improved pedestrian and cycle signage and a town centre cycle plan
	<p>Bus and Coach</p> <ul style="list-style-type: none"> • Review bus routing and priority • Bus Services - Tees Valley Bus Service Improvement Plan and Tees Flex • Real Time Passenger Information and Selective Bus Detection • Upgrade shelters and information • Consider options to create more coach facilities
	<p>Rail</p> <ul style="list-style-type: none"> • Ensure stations are easy to reach by bus, on foot or by bike • Support delivery of enhanced passenger facilities • Local rail service improvements - enhanced frequencies/ extended operating hours
	<p>Servicing and Deliveries</p> <ul style="list-style-type: none"> • Last mile delivery - promote through providers such as Green Link • Timed restrictions on HGVs • Service and delivery management plans
	<p>Cars and Taxis</p> <ul style="list-style-type: none"> • Reduce the need for cars to travel throughout the town centre • Education and Enforcement Activities • Improve Taxi Rank Provision • Taxi Licencing Review • Provide Car Club
	<p>Parking</p> <ul style="list-style-type: none"> • Implement Darlington Parking Strategy • Enhance car park accessibility • Increase public Electric Vehicle Charging • Adequate parking provision for new residential developments

Town Centre Transport Policies

To support the interventions set out above eight town centre transport policies have been developed to guide how transport in the town centre is planned in the future. These policies are listed below:

- 1.** A hierarchy of road users will inform any changes to public realm, highway and transport services in the town centre
- 2.** Cycle routes and cycle parking will be planned and constructed so cyclists can cycle to and from the town centre, with alternative routes for cyclists that wish to avoid the town centre
- 3.** Clear bus priority routes within the town centre will be identified and measures put in place so buses are punctual
- 4.** Sufficient space will be allocated to bus passenger waiting environments and facilities will be improved to include bus shelters with green roofs, additional seating, clear signs and up to date easy to understand information
- 5.** Safety must be considered in all developments including road safety, personal safety, vehicle security and reducing road user conflict wherever possible
- 6.** Town centre traffic management plans will ensure efficient use of the highway in line with the Traffic Management Act
- 7.** We will support the transition to zero/low emission transport by prioritising walking and cycling, creating infrastructure and programmes for electric/hydrogen vehicles, encouraging cargo bike deliveries and by providing a Car Club
- 8.** Town centre developments, including housing, must have clear strategies for parking, servicing and deliveries



Darlington Parking Strategy

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1 Introduction

Darlington is a historic market town, surrounded by open countryside with a number of large and small villages. The town centre provides employment, shops and services for large parts of North Yorkshire and south and west County Durham and the western part of the Tees Valley.

The Borough has excellent national and international transport links, by rail (East Coast Main Line, Bishop Line and Saltburn Line), road (A1(M) and A66 (T)) and air (Tees Valley International Airport) and is the 'gateway' to the Tees Valley. The town has a comprehensive network of bus services and cycle routes. The Borough has a variety of parking requirements to meet the needs of residents, commuters and visitors, and for different modes including cars, HGV's, bikes and motorbikes we also need to consider how parking restrictions are enforced in order to meet our traffic management duties. Good quality parking can support the local economy and the quality of our streets and neighbourhoods when balanced with sustainable and public transport policies.



1.1 Why do we need a new parking strategy?

The Council understands that different groups and individuals have different parking needs and expectations, and that parking facilities must be best managed to meet those needs. In addition, car parking and its management form an important part of a balanced transport strategy that supports economic growth, manages traffic and encourages the use of more sustainable modes such as public transport, cycling and walking in support of safety, health and environmental objectives. Since Darlington Borough Council last produced a parking strategy several local, national and global issues have occurred affecting parking, including:

- **Climate Change Emergency**

Climate change is one of the most significant issues facing the world today and the effects are being felt already. 2020 was the 2nd hottest year on record (second only to 2016), with the top 10 warmest years all having occurred in the last decade. With a warming climate comes much more unpredictable weather patterns. In December 2021, areas in the North East of England and in Scotland were still without power following Storm Arwen. COP26, held in 2021 in Glasgow, demonstrated the world's commitment to meeting the targets set out in Paris in 2015 to limit global warming to well below 2 degrees, and to aim for 1.5 degrees.

However, under all emissions scenarios outlined in the most recent IPCC (The Intergovernmental Panel on Climate Change) report (2021), without immediate, rapid and large-scale reductions in emissions the Paris targets will be out of reach, increasing the risk of drought, floods, extreme heat and poverty.

In July 2021 the Department for Transport published “Decarbonising Transport A Better, Greener Britain”. Transport is the largest contributor to UK domestic greenhouse gas (GHG) emissions, responsible for 27% in 2019. The plan identifies that we must deliver a step change in the breadth and scale of our ambition on transport emissions to reach net zero. Under Priority 5 (Placebased Solutions) it highlights that *local authorities will have the power and ambition to make bold decisions to influence how people travel and take local action to make the best use of space to enable active travel, transform local public transport operations, ensure recharging and refuelling infrastructure meets local needs, **consider appropriate parking or congestion management policies**, initiate demand responsive travel, as well as promoting and supporting positive behaviour change through communications and education¹.*

In July 2019, Darlington Borough Council Members acknowledged the threat of climate change and passed a motion committing Darlington Borough Council to reach net zero carbon emissions by 2050 on its own operations. No specific emissions target has been established for the Borough as a whole but the Council acknowledges the government commitment to achieve net zero carbon emissions nationally by 2050 and within the Darlington Local Plan 2016-2036 (see below) there is a specific aim to respond to climate change and reduce energy consumption, supporting the continued move towards a low carbon community by encouraging efficient use of resources, good design and well located development, whilst increasing resilience to impacts from climate change (Specific Aim 6).

¹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1009448/decarbonising-transport-a-better-greener-britain.pdf

- ## COVID-19 Pandemic

During the COVID-19 recovery it will be important to evaluate changing travel patterns, including the role of parking within this. There is a need to plan transport in a way that helps to prevent infection but also supports the reinvigoration of local economies following the periods of lockdown. The COVID-19 pandemic also presents the opportunity to reshape travel patterns and our transport network to provide sustainable healthy travel alternatives.

The Tees Valley Mayor has made parking free for a minimum of two hours up to a maximum of three hours in council-run car parks in each of the five Tees Valley main town centres. The free town centre parking was introduced in January 2021 to encourage more people to support shops, cafes and other businesses in their town centres and high streets when coronavirus restrictions allowed them to do so safely. Funding for free parking has been allocated for two years but there is a need to ensure that sustainable travel alternatives are also promoted to lock in positive changes in transport behaviour.

- ## Updated National Planning Policy Framework

An updated National Planning Policy Framework (NPPF) was published in July 2021. Paragraphs 108 and 109 of NPPF indicates:

In town centres, local authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists.

Planning policies and decisions should recognise the importance of providing adequate overnight lorry parking facilities.

This guidance will need to be a central consideration in the development of the parking strategy and its implementation.

- ## Updated Tees Valley Strategic Economic Plan and Investment Plan, New Tees Valley Strategic Transport Plan

The Tees Valley Strategic Economic Plan (SEP) sets out the growth ambitions for the region for a ten year period spanning from 2016 to 2026. The SEP focuses on attracting investment to the area to stimulate job creation and encourage business growth, whilst enhancing transport and infrastructure to support and facilitate this growth.

The associated Investment Plan (2019-2029) sets out the investment priorities for two areas that are of relevance - Transport and Place. In relation to Transport, the Investment Plan makes reference to the Strategic Transport Plan (adopted January 2020) prepared for the Tees Valley and emphasises the importance of connecting centres, supporting economic growth and reducing carbon emissions, minimising the impact of the transport network on the environment.

The Investment Plan, under the Place theme, highlights the need to rejuvenate town centres as locations for professional and business services jobs as well as supporting creative and cultural uses. Parking policy and management will play an integral part in delivering these investment priorities and associated outcomes.

- **New Darlington Local Plan**

The Darlington Borough Local Plan 2016-2036 (the local plan) has been adopted in February 2022. The Local Plan aims to establish the policy framework that guides and shapes development with specific aims of:

1. Facilitating economic growth,
2. Meeting housing needs,
3. Creating a well connected borough,
4. Create cohesive, proud and healthy communities,
5. Protect and enhance the countryside and natural environment,
6. Respond to climate change and reduce energy consumption.

The Plan will guide how the borough develops by allocating some land for new development and protecting some in its current use. It will give clear guidance and vision which will stimulate inward investment and much needed housing development across the borough as well as including detailed new policies to help determine planning applications and manage developments of all types across the borough. The plan will replace the Darlington Local Plan 1997, and the Darlington Core Strategy 2011.

Successful implementation of the Local Plan will enable Darlington Borough to continue to grow and prosper providing appropriate housing and job opportunities for existing and future residents. The ambitious growth aspirations contained within the plan will inevitably place pressures on the boroughs transport network in particular the strategic highway network and major roads within the borough.

- **New Darlington Transport Strategy (Local Implementation Plan)**

The Darlington Transport Strategy 2022-2030 describes what we now need to do differently at a local level to address the current and future challenges in relation to transport. It supports the delivery of the Tees Valley Strategic Transport Plan, which sets the vision, objectives and investment priorities for the transport system across the Tees Valley.

The key objectives are -

1. Reduce transport's impact on the environment and support health and wellbeing;
2. Improve safety for all road users;
3. Connect people with job and training opportunities and link communities;
4. Support a revitalised and transformed Darlington town centre;
5. Maintain and effectively manage a resilient transport system.

- ## New Darlington Town Centre Strategy

Darlington's Town Centre Strategy (and associated Town Centre Transport Plan) is seeking to deliver positive change in the period up to 2030, placing the town centre at the heart of the community for years to come. The strategy seeks to deal with structural changes in the retail industry as well as the impact of the COVID-19 pandemic and Brexit by redefining the town centre so that it continues to be at the core of the community and economic life, offering a more diverse mix of places to live, meet, interact, do business and access facilities and services. This new parking strategy will set parking policy for period up to 2030. It has reflected on previous parking strategies and what they achieved, whilst looking to what is required from the strategic management of parking over the next decade.

1.2 How does the parking strategy align with other policies and plans?

The Darlington Parking Strategy forms an important part of the Darlington Transport Strategy and Town Centre Transport Plan, which themselves are influenced by a number of other policies and plans as illustrated in Figure 1.

Figure 1



2 Where is our parking?

Free parking is available on most streets in the borough, unless it is restricted for traffic management or road safety reasons. Over and above that the Council own and operate a number of car parks in Darlington, to provide parking for cars, coaches, lorries and motorcycles. The Council also manages on-street parking, provides disabled parking and cycle parking.

Off-Street Car Parks

The Council operates and regulates 18 pay and display off-street car parks. (see figure 2). The car parks within the inner ring road are short stay car parks; and the car parks outside of the ring road are a combination of long stay or mixed tariffs i.e. charged per hour up to 4 hours. This is to ensure that there is a supply of customer parking to support town centre businesses with commuter parking outside of the town centre. The car parks have all been improved over recent years - resurfaced, re-lined, improved lighting, pay and display machines that accept debit cards, contactless payment and pay by phone. The following car parks met Park Mark quality standard -

- Abbott's Yard
- Feethams Multi Storey Car Park
- Archer Street Car Park
- Central House Car Park
- Kendrew Street West Car Park
- Kendrew Street East Car Park
- Commercial Street West Car Park
- Commercial Street East Car Park
- Town Hall Car Park
- Winston Street North & South Car Parks
- Park Place East Car Park
- St Hildas Car Park
- Park Place West Car Park

For those car parks that are not currently under Park Mark quality standards, we will endeavour to bring these up to standard in line with this strategy.

Private Car Parking

Car parks are not provided in villages but there is an additional car park in Cockerton to serve the Cockerton District Centre. In addition there are a number of private off-street car parks that are not owned or operated by the Council. Those of most significance include:

- Cornmill car park (400 spaces)
- Sainsburys (572 spaces for customers only, limited to 2 hours)
- Russell Street (122 spaces)
- Feethams Complex (80 spaces)

Contract Parking

The Council also provides 5 permit holder contract car parks:

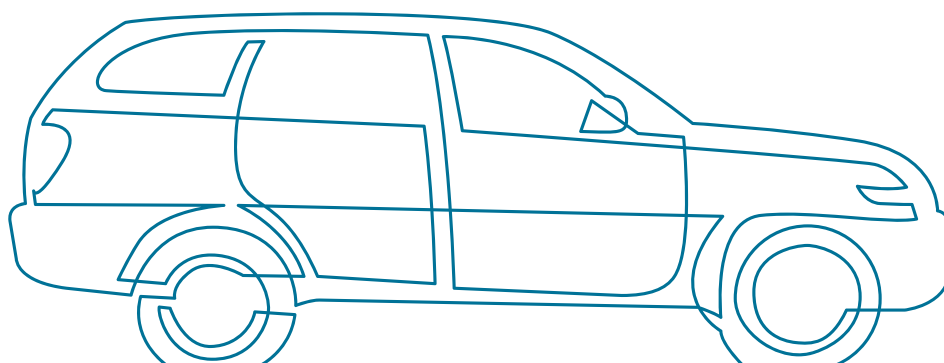
- Beaumont Street West located on Beaumont Street
- Four Riggs located off Bondgate
- Silver Place car park located at Central Park
- Feethams Multi Storey located on Beaumont Street
- Morton Palms located at Morton Palms Business Park

Beaumont Street West and Four Riggs are dedicated to local businesses to serve operational parking needs. Silver Place & Morton Palms are rented solely to specific businesses. Feethams Multi Storey is a public car park with limited contract parking availability. Contract parking is charged for and the fees are set annually as part of The Medium Term Financial Plan.

Figure 2 - Town Centre Car Parks On-Street Parking Spaces



Council Car Parks Short Stay Tariff		Street Entrance	Spaces
1	Feethams Multi-Storey	Beaumont Street	650
2	Abbott's Yard	Bondgate (exit Skinnergate)	94
3	Winston Street North	Winston Street	27
4	Winston Street South	Barnard Street	54
5	Winston Street West	Barnard Street	
6	Commercial Street, West	Commercial Street	119
7	Commercial Street, East	Commercial Street	157
Council Car Parks Mixed/Long Stay Tariff			
8	East Street	East Street	338
9	Archer Street	Upper Archer Street off Four Riggs	62
10	Kendrew Street East	Kendrew Street	76
11	Kendrew Street West	Kendrew Street	85
12	Park Place East	Park Place	95
13	Park Place West	Park Place	115
14	Garden Street	Garden Street	72
15	Chesnut Street	Chesnut Street	109
16	Park Lane	Park Lane	83
17	Hird Street	Hird Street, off Park Place	14
18	St. Hilda's Tannery Yard	Parkgate	15
Private Car Parks		Street Entrance	Spaces
19	Cornmill Car Park	Priestgate, off Crown Street	400
20	Bondgate Car Park	Salt Yard	
21	St Cuthberts Way Car Park	Brunswick Street	
22	Sainsbury's (For customers, limited to 3hrs)	Victoria Road	572
23	Duke Street	Duke Street	27
24	Russell Street (Halfords)	Russell Street	122
25	DL1	Access from Feethams via side road	80



On-Street Parking Spaces

There are approximately 310 on-street pay and display spaces in Darlington town centre which are restricted to a maximum stay of 2 hours with no return within an hour (with the exception of Grange Road and Northumberland Street, which are 3 hours no return within an hour). These limited waiting sections are in place to support turnover for the businesses located in and around the area. The on-street pay and display areas are listed below -

Council On Street Spaces

On Street	Spaces	On Street	Spaces
Beaumont Street	10	Raby Street	2
Grange Road	38	Primrose Street	5
East Raby Street	13	Powlett Street	12
Northumberland Street	14	Larchfield Street	10
South Arden Street	4	West Powlett Street	2
Winston Street	25	Gladstone Street	37
Barnard Street	11	North Lodge Terrace	6
Duke Street	34	Victoria Embankment	9
Napier Street	8	Victoria Road	7
Kendrew Street	7	Swan Street	5
Park Place	24	Market	14
Hargreave Terrace	13	Total	310

Disabled Parking

The Council provides designated disabled spaces within 95% its car parks. Pay and display charges for disabled badge holders in Council car parks were introduced January 2018.

Residents Parking

There are 16 Resident Permit Zones within the Borough of Darlington. Parking is restricted to permit holders 8am to 6pm Monday to Sunday. Out of the 16 zones, 12 require payment for a residents permit and 4 are designated free zones due to parking congestion being created after the construction of the college and football stadium. In 2021 physical permits were replaced by virtual permits.

Coach and HGV parking

Chestnut Street car park is the only car park in Darlington that offers HGV and coach parking. It offers 6 spaces in total. Demand for coach parking may increase as the Rail Heritage Quarter has identified that more people will arrive on coach tours and there is no coach parking provided within the proposed visitor car park.

Motorcycle Parking

There are various free spaces within the following town centre car parks dedicated to motorcyclists:

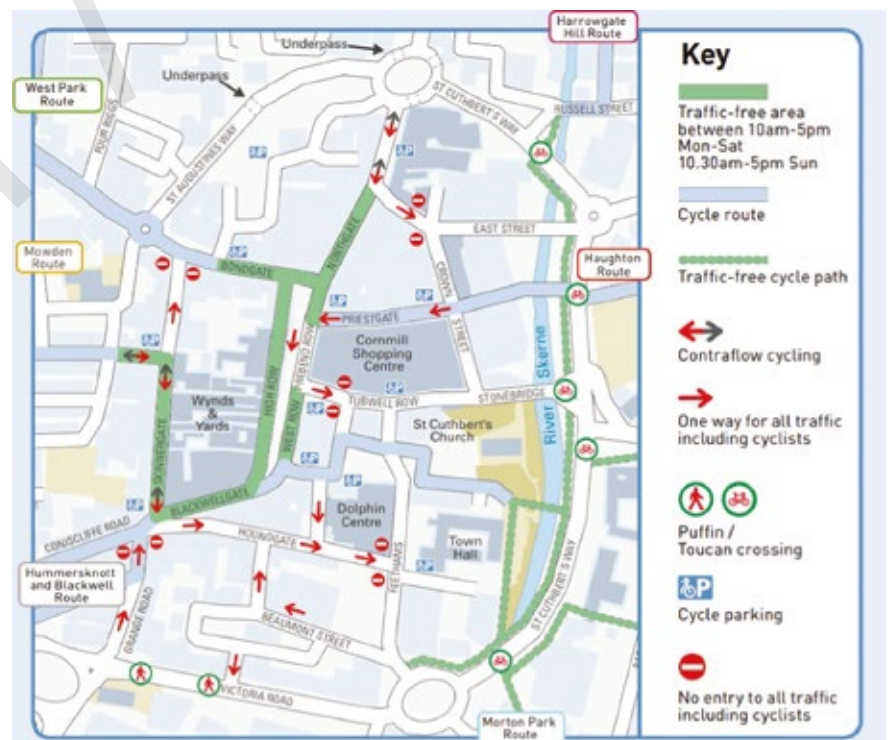
- Abbots Yard
- Central House
- Commercial Street West
- East Street
- Feethams Multi-storey
- Garden Street
- Park Place East
- St Hilda's
- Winston Street North

Motorcycles parked elsewhere within a car park must pay the appropriate fee. You must keep the pay and display ticket.

Cycle Parking

There is sufficient cycle parking within the town centre although this is not always easy to find and the quality can vary. Figure 3 illustrates the location of existing cycle parking. There is a secure cycle store for 40 bikes located at the Town Hall forecourt on Feethams. This has an access control and is covered, ideal for longer stay cycle parking.

Figure 3



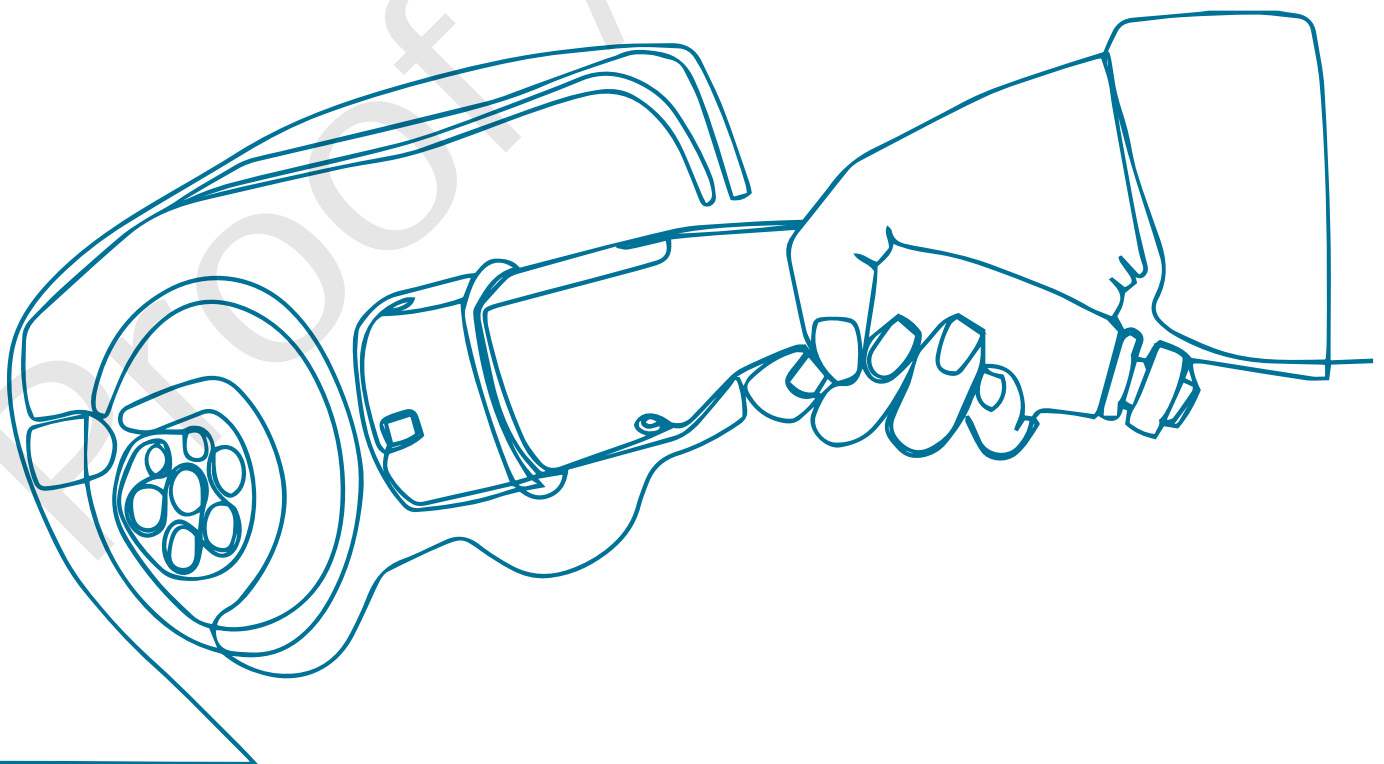
Electric Vehicle Parking

TVCA has committed £2m to providing EV infrastructure across the Tees Valley town centre car parks to provide electric charging for both visitors to the town centre and residents who may not be able to charge at home. In early 2022 between 40 and 50 charge points will be provided in a number of short and long stay car parks in Darlington. In the National Infrastructure Strategy, Government committed to publish an electric vehicle charging infrastructure strategy by November 2021. This is urgently required to help support the delivery of charging infrastructure that will encourage drivers to make the required switch to electric vehicles. It will also help both the market and local authorities plan the delivery of additional charging points.

Currently Darlington Borough Council provide electric vehicle charge points at Feethams Multi-storey car park and East Street car park. There are a number of other privately operated but publicly accessible charging points throughout the Borough.

Variable Message Signs

Darlington has a number of Variable Message Signs that provide information on the occupancy of car parks within the town centre. The signs and the system that supports them have been in place for a number of years and the technology is now outdated and does not provide the required functionality to manage car parking. A survey² conducted in 2015 noted that the majority of respondents (71%) indicated that they 'never' use variable message signs when choosing where to park in Darlington Town Centre. 24% 'sometimes' use variable message signs, while one-in-twenty respondents 'always' (5%) use variable message signs when choosing where to park.



² <https://www.darlington.gov.uk/media/2854/final-car-parking-survey-report-141215.pdf>

3 What local challenges and opportunities are we facing?

3.1 Challenges

The dispersed settlement pattern of the Tees Valley means the car is the primary mode of transport for many people, despite car ownership being lower in the Tees Valley than the national average, potentially adding to congestion in and around the urban centres.

9,000 new homes are to be provided within Darlington by 2036, so there could be a significant increase in traffic levels and parking demand as a result.

The town centre continues to face competition from neighbouring settlements and out of centre facilities, which are easily accessible from the wider area.

Wider economic conditions, including the COVID-19 pandemic, have led to a marked decline in some previously healthy town centres due to suppressed disposable incomes, more people working from home and not commuting to work in town centres and an increase in the proportion of expenditure committed online. This is leading to changes in the function of town centres as detailed in the Darlington Town Centre Strategy. Towns and cities are also now seeking to improve their urban realm and prioritise space for people over traffic in order to create safer, cleaner, more pleasant places. Streets play a fundamental role in moving people and well-designed streets can help enhance quality of life.

3.2 Opportunities

There is the opportunity to provide a balanced mixture of parking options to support a vibrant economy in light of a number of proposed transport, development and regeneration schemes, including:

- Darlington Town Centre Strategy – recognising the changes in town centre uses from retail to a greater mix of leisure, retail and residential.
- Darlington Station Masterplan and other rail station improvements, require interchange between rail services and other modes - taxi, car, bus, motorcycle, cycle and walking.
- Darlington Rail Heritage Quarter Masterplan and Connecting Northgate Masterplans
- Central Park Masterplan;
- Other transport capital project including Local Cycling and Walking Investment Plan schemes.

There are also opportunities to utilise new technology to extend parking guidance and payments systems to enhance the attractiveness and efficiency of existing car parks.

Following the changes in travel patterns brought about by the pandemic there is also the opportunity to 'lock in' some of the benefits of an increase in active travel to reduce traffic levels and parking demand. In addition, many more people are using their local shops and businesses more than before and this needs to be accounted for in terms of accommodating movements to and within these local centres in a way that is convenient but also environmentally sustainable.

There is also an opportunity to develop a Car Club so that car ownership and parking requirements can be reduced through membership of a car club that is a "pay as you go" option for using a car.

4 Vision and Objectives

The parking strategy has a key role to play in delivering the visions set out in the transport and the town centre strategies for Darlington:

Darlington Town Centre Strategy:

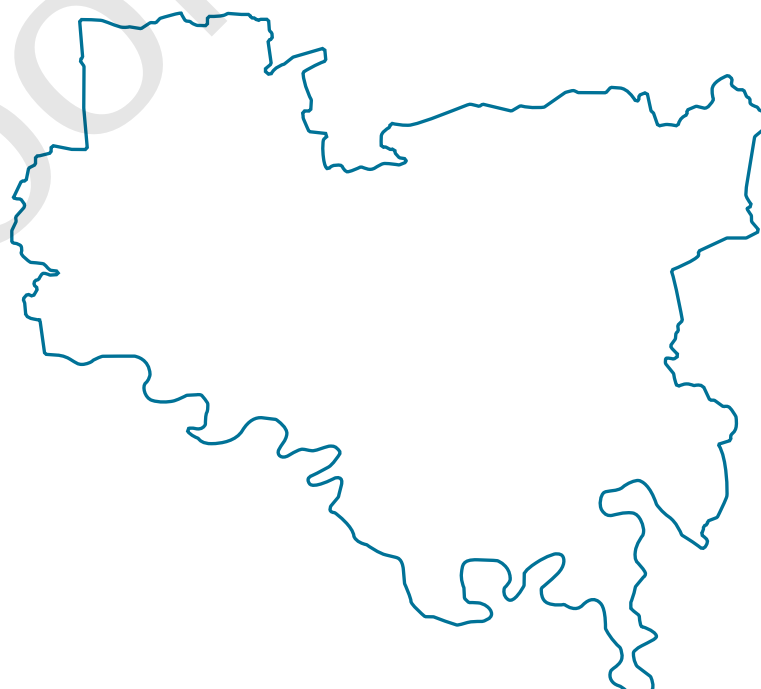
By 2030, Darlington Borough Council working together with partners and local communities, will deliver real positive change to the town centre, placing it at the heart of the community for years to come.

Darlington Transport Strategy Vision:

We want Darlington to have a safe and resilient low carbon transport system which offers choice; promotes health and wellbeing; and supports inclusive economic growth

In support of these vision statements the following objectives have been determined for the parking strategy, building upon the objectives of the previous parking strategy and recognising the policy context previously outlined:

- **Balanced:** To increase use of more sustainable and healthy forms of travel and achieve a more effective and efficient transport system, whilst taking into account:
 - The economic vitality of Darlington and the town centre in particular;
 - Environmental objectives including carbon emissions, air quality and noise.
 - Social objectives including social inclusion and health and wellbeing;
- **Fair and Well Managed:** Ensure we apply and enforce a consistent and easy to understand approach to parking management, that is transparent and financially sustainable.
- **Safe and Convenient:** Deliver facilities that are safe, secure and convenient for a variety of users;
- **Modern:** Embrace opportunities created by new technology to manage car parking;



5 Policy Levers



5.1 Parking Supply

Parking supply concerns the number of spaces provided for different vehicle types and parking durations as well as their locations. Controlling the type, availability and location of parking can influence travel demand. Locating public transport and sustainable transport facilities (e.g. cycle parking) closer to the main attractions rather than car parking in a town centre can make these modes more attractive; whilst prioritising parking spaces in car parks, such as locating car share spaces closest to the exit, can also influence modal choice.

5.2 Price

Price refers to direct charges for using a parking space. Prices can be structured to achieve various objectives, including recovering infrastructure/maintenance costs and managing travel demands. Things that are considered in developing pricing strategies include:

- Costs of using different modes and mode split;
- Balance of demand by parking duration (short stay/long stay)
- Demand for contract parking
- Promotions for specific events or to meet other non-transport objectives

Pricing tends to be most effective if implemented as part of an integrated parking management program that includes support strategies such as improved user information, and better enforcement.

5.3 Quality

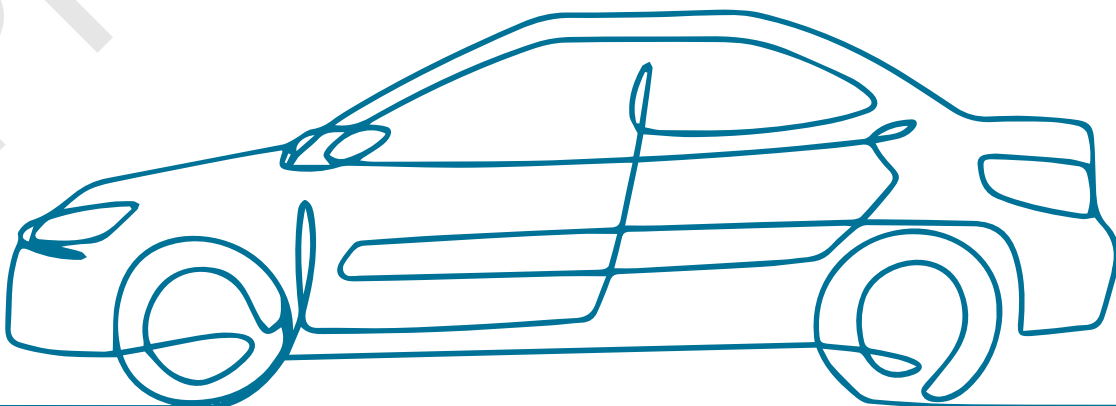
The quality of car parks can influence their level of usage. For example, personal safety and the security of the vehicle are key concerns for drivers, often more so than parking charges. Exposure to potential crime is a huge deterrent to the use of particular car parks whilst perceived safety will attract users. Convenience in terms of payment options and the ease with which spaces can be located also impact on perceptions of quality and therefore usage. This policy level therefore concerns the design, maintenance and operation of car parking and considers issues such as:

- Lighting
- Cleanliness
- Surfacing/lining/layout
- CCTV/ security
- Signage
- Payment options

5.4 Management

The management of parking, including enforcement activities allows us, as a local authority, to:

- Manage the traffic network to ensure expeditious movement of traffic, (including pedestrians and cyclists), as required under the Traffic Management Act 2004 Network Management Duty
- improve road safety
- improve the local environment
- improve the quality and accessibility of public transport;
- meet the needs of people with disabilities, some of whom will be unable to use public transport and depend entirely on the use of a car;
- meet the needs of businesses in terms of deliveries and loading;
- manage and reconcile the competing demands for parking spaces both on and off street.



6 Darlington Parking Model

Local authorities should ensure that parking in town centres and areas is convenient, safe and secure, including appropriate provision for motorcycles and deliveries. Parking policies, including enforcement, should be proportionate and should not undermine the vitality of village and town centres³.

In Darlington the management of parking provision in the town centre, around the fringes of the town centre and elsewhere needs to reflect the differing parking demands from shoppers / town centre visitors, commuters and residents.

Each of the following four distinct parking zones have differing parking needs and provisions -

- **Zone 1: Town Centre:**

The town centre core consists of a variety of parking, including:

- Time-limited short stay parking
- Feethams Multi-storey car park (incorporating pay on foot/exit and electric vehicle charging points)
- Parking for blue badge holders in on and off street parking
- Contract parking for businesses
- Motorcycle parking
- Signed and lit safer walking routes to car parks
- Cycle parking
- EVCP's
- Car Club Space

- **Zone 2: Town Centre Fringe:**

This zone focuses predominantly on the provision of long stay parking in car parks, EVCP's, HGV, coach parking and residents parking zones.

- **Zone 3: Rest Of Town:**

Residents parking zones, contract parking at employment sites, free on street parking with some controls (such as outside of schools)

- **Zone 4: Outer Lying Villages:**

free on street parking with some controls for traffic management and road safety.

³ <https://www.gov.uk/government/publications/civil-enforcement-of-parking-contraventions/guidance-for-local-authorities-on-enforcing-parking-restrictions/objectives-of-civil-parking-enforcement>

7 Actions

The following sections set out the actions that will be taken to achieve the different objectives.

7.1 Balanced - Supply and Demand

7. Periodically review the number of spaces in car parks and on-street in the town centre (working with other off-street parking providers) and aim to manage the overall number of spaces (supply) in line with current and future requirements (demand). This should be considered in line with policy objectives for the town centre - supporting the town centre economy as it changes; seeking to minimise environmental impacts; recognising the need for encouraging sustainable travel; and adapting to new technology and trends in parking. The review should also consider car parks in context of future development and the balance required between short and longer-stay parking needs.
8. Review supply and demand of on-street parking and car parks in the borough (outside the town centre).
9. Review the location and use of **residents parking zones** and ensure that they continue to meet the needs of residents in terms of the location and number of spaces. Any proposed changes or new RPZs should be supported by the majority (75%) of residents living within the RPZ.
10. Review existing **contract parking for businesses**, update the current policy and adopt a protocol for deciding upon future allocations that considers how to encourage greater use of sustainable modes where appropriate. Revenue from the contract parking should support the development of a Car Club for use by businesses/employees.
11. Introduce a policy for **contract parking in the town centre for residential properties**. Adopt a protocol for deciding upon future allocations that considers how best this can be managed and how to encourage greater use of sustainable modes where appropriate. Revenue from the contract parking should support the development of a Car Club for use by residents.
12. Provide additional parking spaces for **electric vehicle** charging within public car parks. Develop a traffic management policy for the installation and use of electric vehicle charging points on the adopted highway.
13. Develop a **Car Club**. This provides a car for use by members of the club; a bookable service which enables people to have access to a car when required without the need to own and park a vehicle. The Council will provide priority parking spaces either in a car park or on-street as the car club grows. This will be funded initially through contract parking revenue and developer contributions, until it becomes commercially viable.

14. Ensure **cycle parking** meets the requirements of LTN1/20⁴ and is well-designed, high-quality, convenient and well maintained as follows:
 - Closer than, or as close to, the nearest available car parking for the destination in question
 - in public view (or covered by security measures such as CCTV)
 - sheltered (if long-stay)
 - well-maintained
 - lit at night.
15. Maintain, monitor and review the quantity, quality and location of **coach parking** in relation to the tourism offer. Coach parking is currently located in Chesnut Street car park.
16. Maintain, monitor and review **HGV parking**. Work with TVCA to identify strategic locations within The Tees Valley to provide HGV parking and welfare facilities. This is currently located in Chesnut Street car park.

7.2 Fair and Well Managed - Pricing and Enforcement

17. Review all **tariffs** on an annual basis (car parks, on-street, contract parking and permits) to ensure they remain competitive and deliver the desired outcomes of this strategy. In setting tariffs the following principles will be considered and any decisions will be evidence based:
 - Public transport price and availability
 - Economic baseline indicators reflecting health of town centre
 - Location in relation to town centre
 - Parking demand and underutilised capacity
18. Ensure that new commercial/retail/leisure developments that provide parking are required to develop and submit a **car parking management plan** as part of their proposals so that the implications are fully understood and incorporated into future updates of this strategy.



⁴ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/951074/cycle-infrastructure-design-ltn-1-20.pdf

19. Enforcement -

- Marketing and branding to change public opinion from enforcement as income generation to compliance, so that traffic can keep moving, vulnerable road users are safe and ensure that everyone can park safely.
 - Provide an online reporting system enabling communities to report where persistent compliance issues are occurring.
 - Investigate the option for using camera enforcement at key locations to ensure that traffic regulation orders are complied with, for instance ensuring that bus lanes are kept clear of parked vehicles.
 - Review the operation of the enforcement service to ensure that there are sufficient resources to support the parking service, ensuring the most efficient use of car parking spaces, safety outside of schools and ensuring in partnership with the police that traffic (including pedestrians) can keep moving.
 - Review changes in legislation in relation to parking on footways and propose an approach that can be enforced.
20. Produce an **annual report** detailing income from Civil Parking Enforcement and Pay and Display parking and how the income is spent.

7.3 Safety and Quality

21. Ensure all car parks continue to meet the standards set out in the **Park Mark** and **Disabled Parking Accreditation Certifications**. The car parks that currently do not meet these standards should be reviewed and actions put in place to achieve accreditation.
22. Develop an **Asset Management Plan** for all our car parks to ensure they are well maintained. This should include quarterly inspection, remedial actions and improvements to ensure that the car parks are of a high standard.
23. Update the **Tees Valley Design Standards** for parking and ensure all new parking meets these design standards. This will include a review of our cycle parking standards for new development to ensure that whenever cycle parking is provided it meets the standards set out in LTN 1/20⁵.
24. We will audit existing **cycle parking** across the borough and implement a programme of improvement to bring in line with LTN 1/20.
25. Careful consideration will be given to the overall number of **disabled parking bays**, their location, design and usage, to ensure that the needs of disabled people are met. The location of disabled parking bays must be considered as land is redeveloped and uses of buildings or sites change.
26. Review car park **signage** and messaging to improve legibility.

⁵ LTN 1/20 - Cycle Infrastructure Guidance - <https://www.gov.uk/government/publications/cycle-infrastructure-design-ltn-120>

27. Ensure that **pedestrian routes** linking car-parks to key destinations are clearly marked, of good quality and safe:
 - Improve pathways and lighting between car-parks and destinations;
 - Provide signage to key destinations;
 - Review road crossing points between car-parks and destinations;
28. Review **accessibility** to on-street pay and display machines as part of the replacement programme.
29. Undertake a review of the **operation of the RPZs**, including numbers of permits per property and visitor permits.
30. Develop a comprehensive **marketing and communications plan** to ensure that residents and visitors can easily find information about all parking across the borough including the location and availability of different types of parking, tariffs and payment options. Sign up to the Positive Parking Agenda to build public confidence in the parking sector. This initiative aims to change perceptions, challenge misconceptions about the parking sector and local government's role and make the parking experience a better one for all concerned⁶.

7.4 Technology

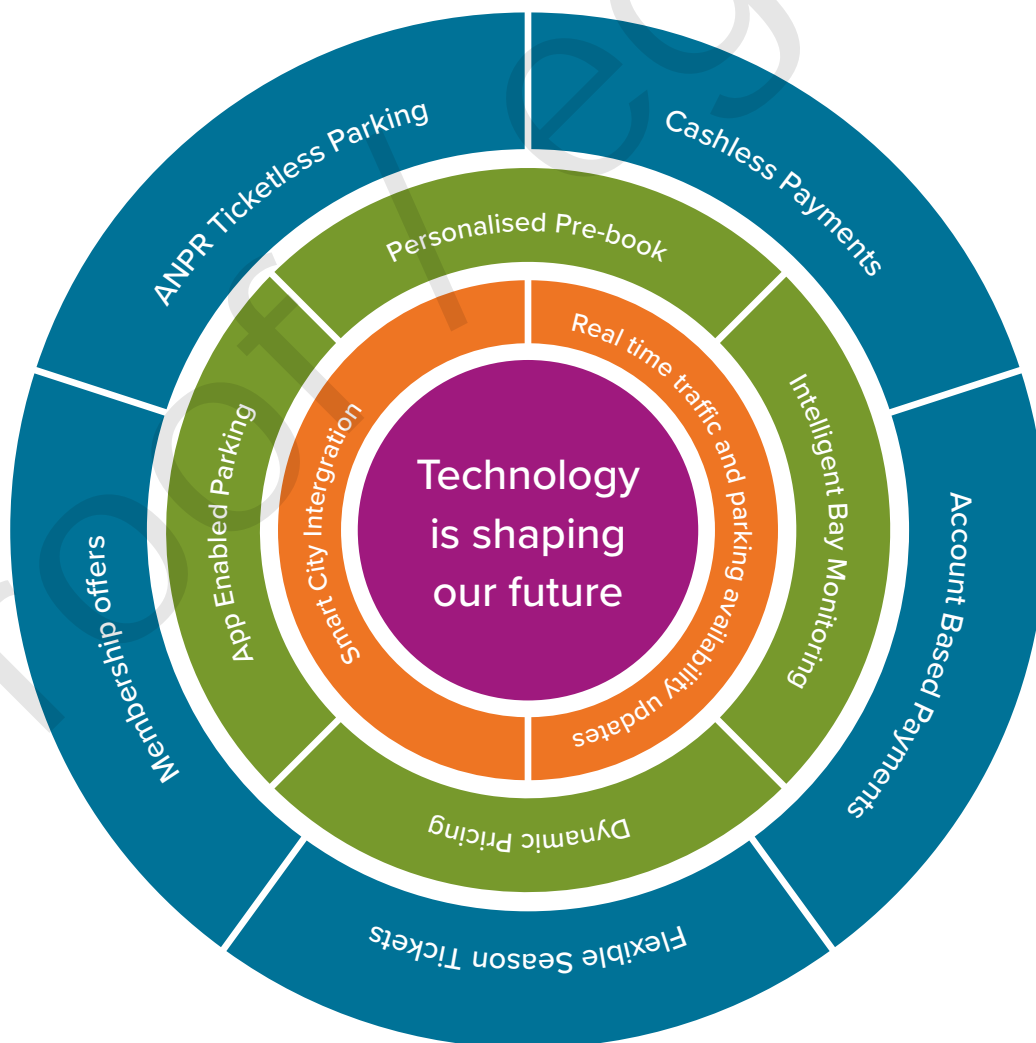
31. Procure new **contactless pay and display machines** for on-street parking payments, in line with parking machines in car parks.
32. To review the **Pay by Phone** contract when it is due for renewal to ensure that this technology is still relevant and well used.
33. Investigate ways to further **reduce energy requirements** of existing parking facilities. It is noted that electricity consumption will increase in some parking locations due to the installation and use of electric vehicle charge points. There should be a requirement for green electricity and environmental mitigation.

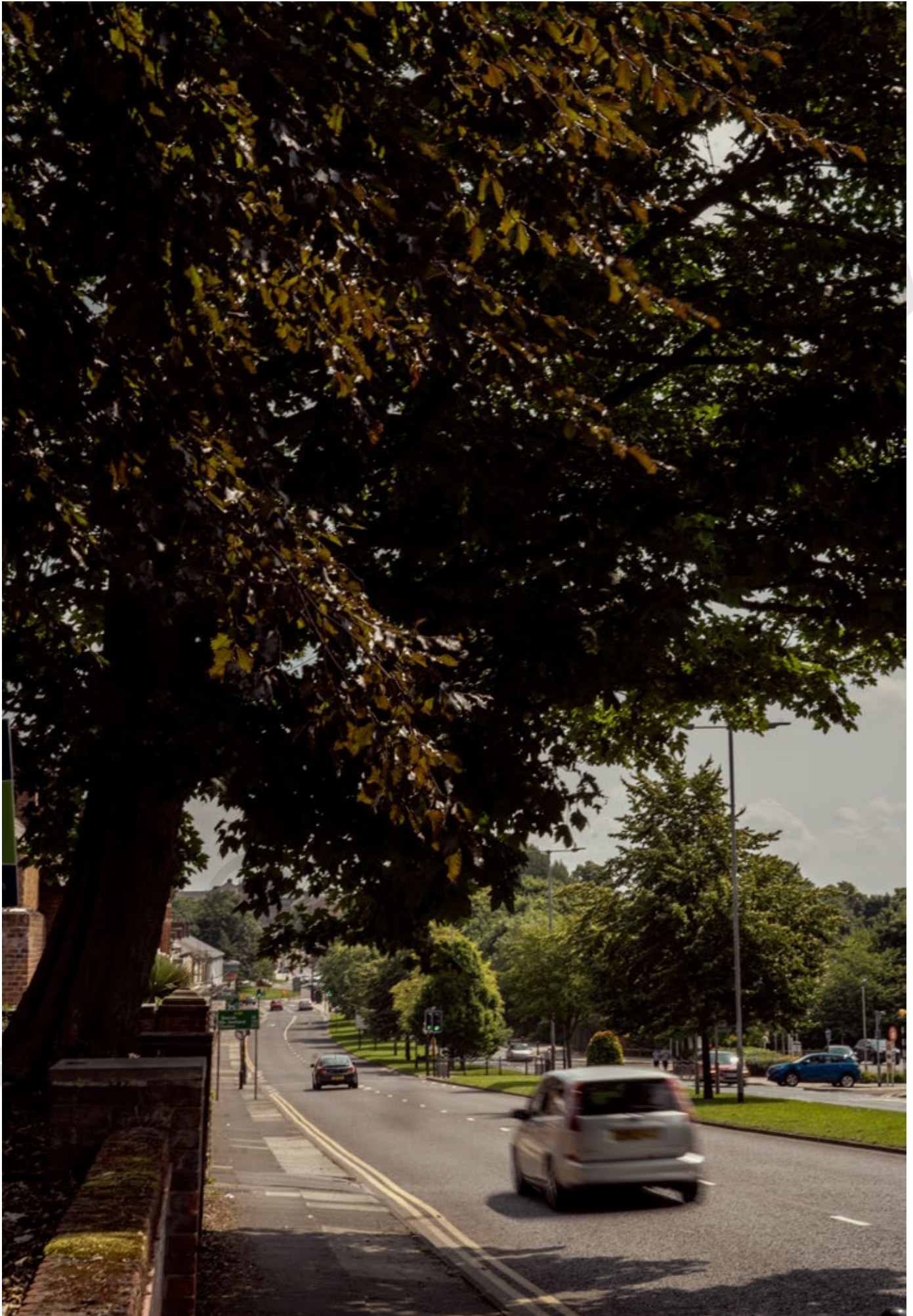


⁶ <https://www.positiveparkingagenda.co.uk/>

34. Investigate the opportunities over time to implement additional parking technology systems, drawing on some of the more relevant elements included in the diagram overleaf, produced by NCP:

- occupancy detection, such as the use of Automatic Number Plate Recognition (ANPR) cameras for off-street car parks to streamline aspects such as entry/exit, payment and security - extensions in the future could include above parking space cameras to identify the occupancy of individual spaces;
- modern payment systems – opportunities to extend but also streamline options that are available to users to minimise management pressures - extensions in the future could include dynamic pricing and app-enabled parking; and
- data management systems, linked to VMS and other information services for users (e.g. smartphone applications) as well as providing the basis for more efficient management of existing parking assets - extensions in the future could include real time traffic and parking updates, as part of the Tees Valley Urban Traffic Management and Control project.
- Electric Vehicle Charging development - opportunities to develop contactless EV charging in the bay rather than a plug in option.
- Investigate options to modify parking pricing in real time or by introducing flexible tariffs, as a way of influencing travel behaviour and encouraging modal shift.





Appendix A - Residential Parking in Town Centre - Policy

A policy is required to reflect the changing nature of the town centre (town centre strategy) and the increasing number of people who do or will live in the town centre (inner ring road).

We need to consider the provision of parking that is safe and secure and convenient for residents to use. In order to safeguard parking supply for other visitors to the town centre, visitors to residential properties will need to use public car parking.

New - This policy applies to any residential property that is created either as a new build or conversion of existing property within the town centre.

Residential parking standards should follow Tees Valley Design Guide, and should include parking for cars, small vans, motorcycles and cycles.

Sustainable location (rail, bus, walking and cycling) therefore we will accept lower or zero parking numbers.

If parking is required/provided -

- 1. First priority** - Provide within curtilage (within red line boundary) - surface level parking or basement parking or croft parking including disabled parking as a priority and electric vehicle charging points. Parking should also be provided for motorcycles and cycles. Parking to be allocated and managed by the developer/landlord/management company.
- 2. Second priority** - Provide within existing car parks as follows:
 - Which car park - Residents will be able to use a combination of the following car parks dependent on where in the town centre they live. A parking space will not be guaranteed.
 - Abbott's yard
 - Feethams Multi Storey
 - Park Place East
 - Park Place West
 - St. Hilda's
 - Kendrew Street East
 - Kendrew Street West
 - Garden Street
 - Archer Street
 - Commercial Street - East and West
 - Allocated bay or not - bays will not be allocated to an individual person or property. Use of the spaces will be on a first come first served basis and if no bays are available in one car park then another car park must be used.

- Permits - A virtual permit will be issued (with the exception of Feethams which will require a physical permit); a maximum of two permits will be issued per property. The permit must be registered to a town centre property and to a vehicle. The vehicle also has to be registered to the property via Vc5 registration document, so that permits are not abused.
- Cost - Permits will initially cost £350 per annum but charges will be reviewed annually.
- Income and car club - the income from these car parking charges should be used to support the establishment and operation of a car club.
- Enforcement - the permits will be issued and enforced by the Council's civil enforcement team.
- Technology - When technology is available it will be used where possible to provide information to permit holders on the availability of spaces.

Current - For existing residential properties in the town centre residents will be able to utilise this policy.



Proof / egr0339





Darlington Parking Strategy

Summary Document

Proof / egr

Why do we need a new parking strategy?

Since Darlington Borough Council last produced a parking strategy several local, national and global issues and policy updates have occurred affecting parking, including:

Climate Emergency		
COVID19 Pandemic		
National Policy <ul style="list-style-type: none">• Decarbonising Transport A Better, Greener Britain (July 2021)• National Planning Policy Framework (July 2021)• Levelling Up the United Kingdom (February 2022)	Regional Policy <ul style="list-style-type: none">• Tees Valley Strategic Economic Plan• Tees Valley Investment Plan• Tees Valley Strategic Transport Plan	Local Policy <ul style="list-style-type: none">• Darlington Local Plan• Darlington Transport Strategy• Darlington Town Centre Strategy and Transport Plan

Vision

The parking strategy has a key role to play in delivering the visions set out in the transport and town centre strategies for Darlington:

Darlington Town Centre Strategy:





By 2030, Darlington Borough Council working together with partners and local communities, will deliver real positive change to the town centre, placing it at the heart of the community for years to come.

Darlington Transport Strategy Vision:

We want Darlington to have a safe and resilient low carbon transport system which offers choice; promotes health and wellbeing; and supports inclusive economic growth

Objectives

To support these visions the following objectives have been determined for the parking strategy:

<ul style="list-style-type: none">• Balanced: To increase use of more sustainable and healthy forms of travel and achieve a more effective and efficient transport system	
<ul style="list-style-type: none">• Fair and Well Managed: Ensure we apply and enforce a consistent and easy to understand approach to parking management, that is transparent and financially sustainable.	
<ul style="list-style-type: none">• Safe and Convenient: Deliver facilities that are safe, secure and convenient for a variety of users;	
<ul style="list-style-type: none">• Modern: Embrace opportunities created by new technology to manage car parking;	

Policy Levers

The four policy levers we will use are:



Darlington Parking Model

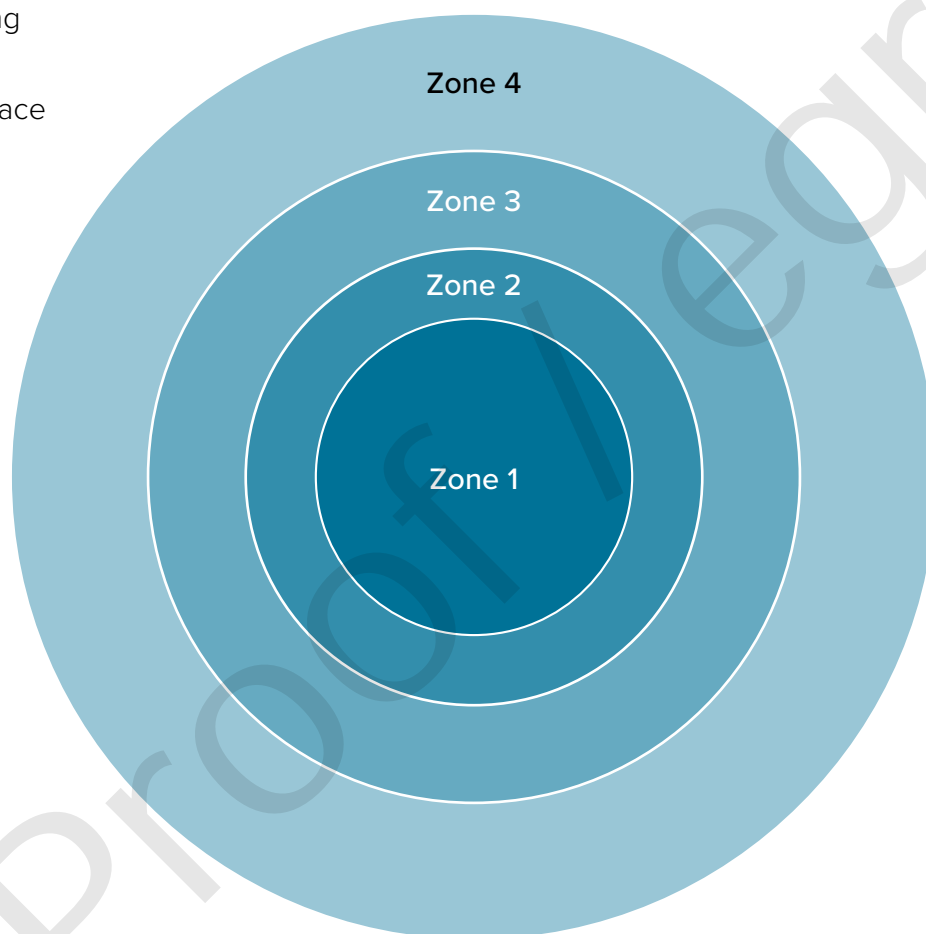
ZONE 1: TOWN CENTRE

The town centre core consists of a variety of parking, including:

- Time-limited short stay parking
- Feethams Multi-storey car park
- Parking for blue badge holders
- Contract parking for businesses
- Motorcycle parking
- Cycle parking
- EVCP's
- Car Club Space

ZONE 2: TOWN CENTRE FRINGE

This zone focuses predominantly on the provision of long stay parking in car parks, EVCP's, HGV, coach parking and residents parking zones.





ZONE 3: REST OF TOWN

Residents parking zones, contract parking at employment sites, free on street parking with some controls (such as outside of schools)



ZONE 4: OUTER LYING VILLAGES

Free on street parking with some controls for traffic management and road safety

Actions

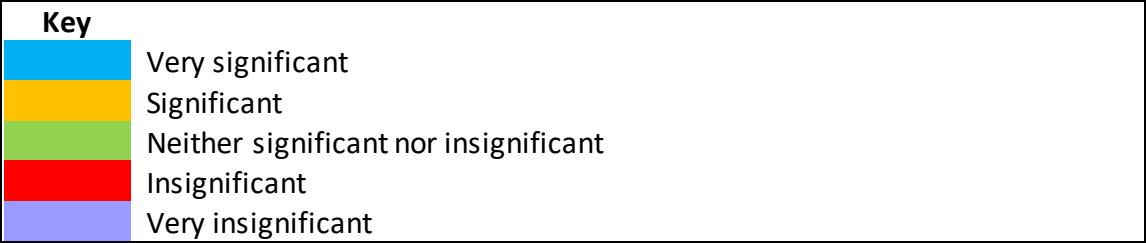
Balanced 	Periodically review the number of spaces in car parks and on-street in the town centre and aim to manage the overall number of spaces (supply) in line with current and future requirements (demand)
	Periodically review supply and demand of on-street parking and car parks in the borough (outside the town centre)
	Review the location and use of residents parking zones and ensure that they continue to meet the needs of residents
	Review existing contract parking for businesses , update the current policy and adopt a protocol for deciding upon future allocations
	Introduce a policy for contract parking in the town centre for residential properties
	Provide additional parking spaces for electric vehicle charging within public car parks
	Develop a Car Club
	Ensure cycle parking meets the requirements of LTN1/20 ¹ and is well-designed, high-quality, convenient and well maintained
	Maintain, monitor and review the quantity, quality and location of coach parking
	Maintain, monitor and review HGV parking
Fair and Well Managed 	Review all tariffs on an annual basis (car parks, on-street, contract parking and permits) to ensure they remain competitive and deliver the desired outcomes of this strategy
	Ensure that new commercial/retail/leisure developments that provide parking are required to develop and submit a car parking management plan
	Consider a number of enforcement related activities including introducing an online reporting system, camera enforcement and the requirements of legislation in relation to parking on footways.
	Produce an annual report detailing income from Civil Parking Enforcement and Pay and Display parking and how the income is spent

¹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/951074/cycle-infrastructure-design-ltn-1-20.pdf

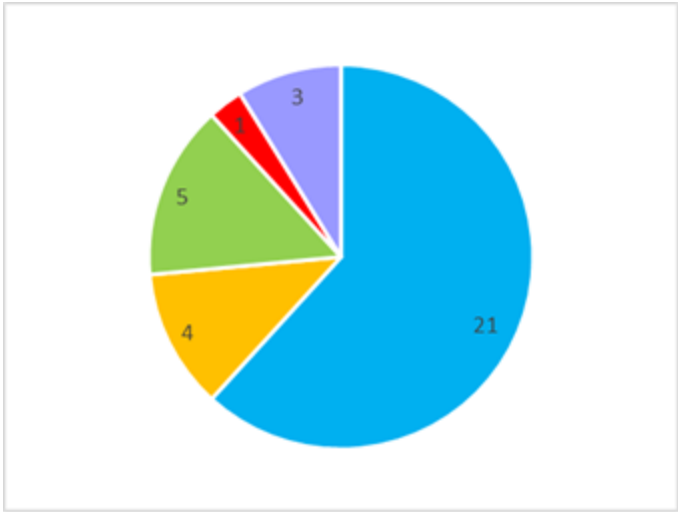
Safety and Quality 	Ensure all car parks continue to meet the standards set out in the Park Mark and Disabled Parking Accreditation Certifications
	Develop an Asset Management Plan for all our car parks
	Update the Tees Valley Design Standards for parking
	Audit existing cycle parking across the borough and implement a programme of improvement to bring in line with LTN 1/20
	Carefully consider the overall number of disabled parking bays , their location, design and usage, to ensure that the needs of disabled people are met.
	Review car park signage and messaging to improve legibility
	Ensure that pedestrian routes linking car-parks to key destinations are clearly marked, of good quality and safe
	Review accessibility to on-street pay and display machines as part of the replacement programme
	Undertake a review of the operation of the RPZs , including numbers of permits per property and visitor permits
	Develop a comprehensive marketing and communications plan
Modern 	Procure new contactless pay and display machines for on-street parking payments, in line with parking machines in car parks
	Review the Pay by Phone contract when it is due for renewal to ensure that this technology is still relevant and well used
	Investigate ways to further reduce energy requirements of existing parking facilities.
	Investigate the opportunities over time to implement additional parking technology systems

Transport Strategy Consultation – Questionnaire Responses

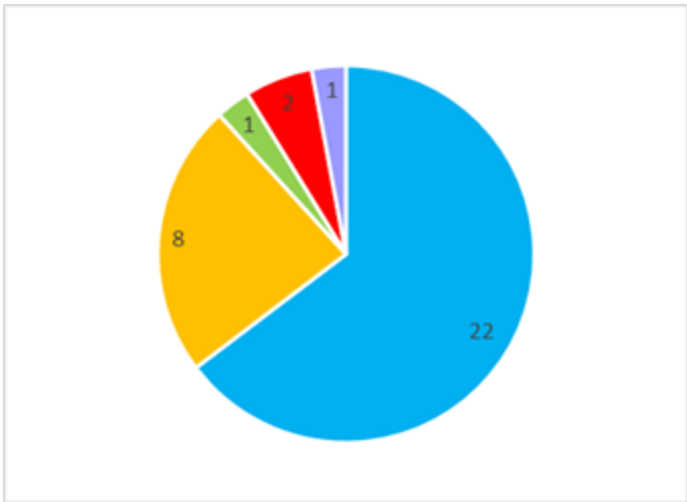
Respondents were asked whether they agreed with the vision set out in the Transport Strategy and to rate how significant the different objectives were to them, and to indicate their level of support for the proposed measures. Detailed below are a set of pie charts showing the responses received.



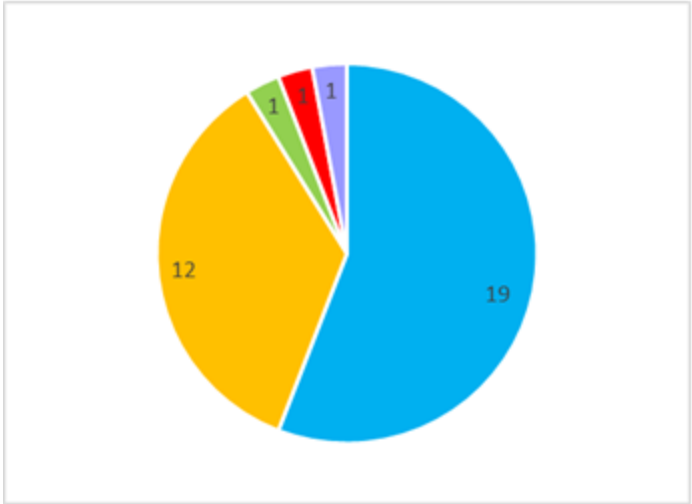
1. Reduce transport's impact on the environment and support health and wellbeing



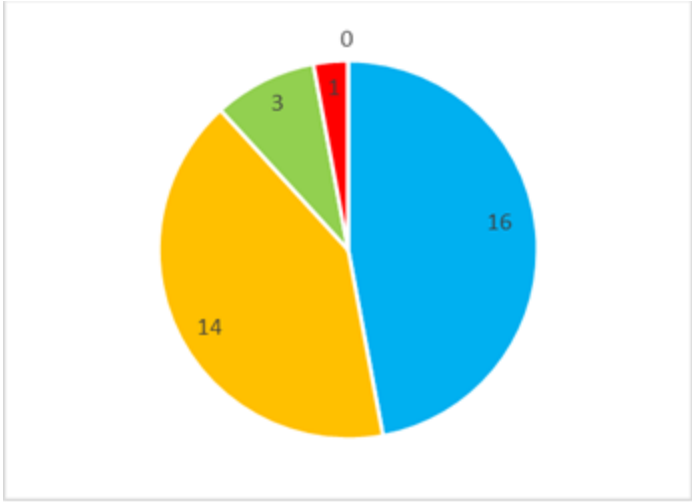
2. Improve safety for all road users

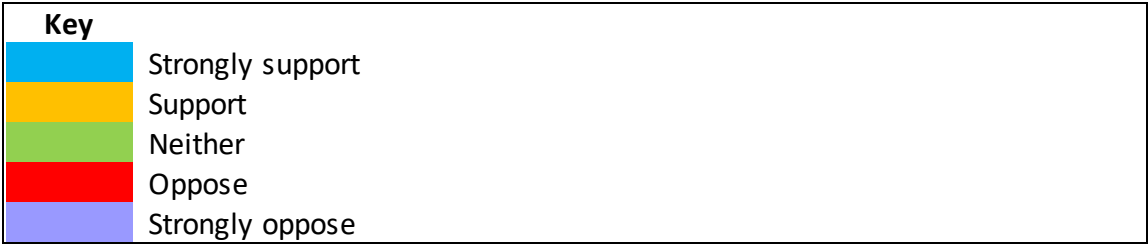


3. Connect people with job and training opportunities and link communities

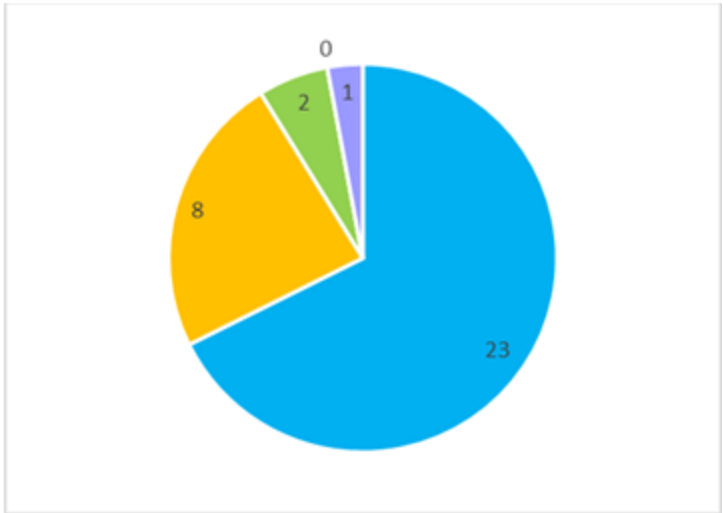


4. Support a revitalised and transformed Darlington town centre





5. Maintain and effectively manage a resilient transport system

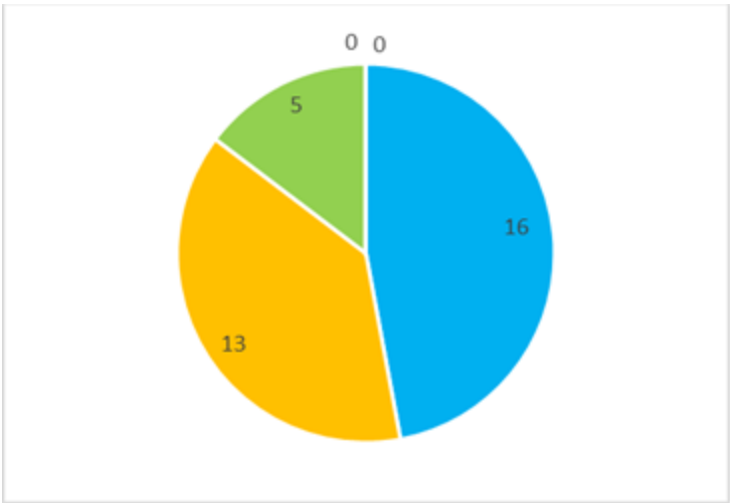


6. Are there any other economic, social and/or environmental objectives which you feel the transport strategy should aim to achieve? (individual responses below)

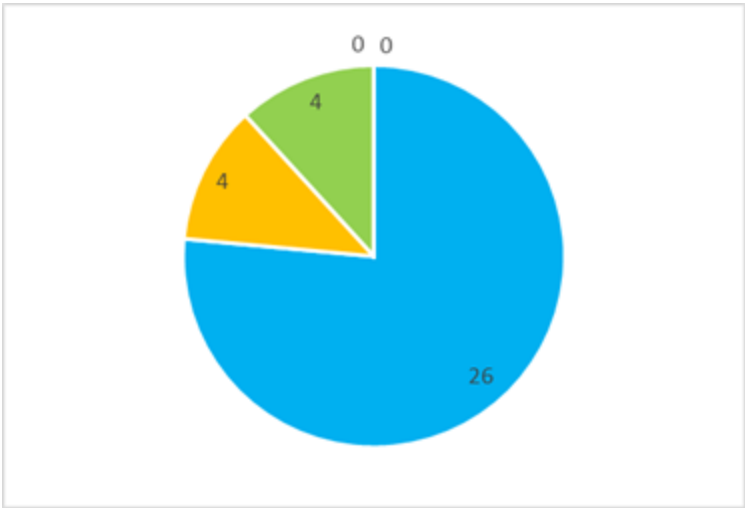
Developing the potential of growing our own to educate people where our food comes from and reduce the transport costs of food coming into Darlington. Schemes like incredible edible, which I believe started in Darlington but investment or energy faded. COVID pandemic brought community engagement, utilise this. There are many excellent community organisations in our communities, bringing them together so no overlap of services and joined up thinking.
More frequent buses would be appreciated
Better parking for residents in their own street
Have the transport systems suit the surroundings - i.e. residential areas should prioritise residents and likewise in commercial areas.
The answers I have given are in relation to whether there will be a positive impact for disabled people. Some proposals will even have a negative impact and the need to carry out correct equality impact assessments in all areas is more than a duty it is essential if disabled people are to live in Darlington as equal citizens.
Encourage more walking and cycling and less traffic

Stop buses that are parked up running their dirty old engines causing pollution, there needs to be a bus station not a bus shelter where people can live and cause a nuisance to members of the public whilst trying to take a bus. The mess made has an effect on public health strong smell of urine, looks terrible for. People coming and leaving Darlington. How an earth is this allowed opposite the Town Hall try and get this sorted or I will be writing to our MP. PETER GIBSON
Provide more regular services for the Mowden area not just one bus per hour
An approachable and modern system for identifying public transport routes and times. Bus timetables are old fashioned and difficult to decipher
Allow pedestrians and cyclists to travel across the town as seamlessly and as safely as car users.
Reliability and expansion of services. If this doesn't happen, reports will achieve absolutely nothing. In fact, they are an insult to those who are dependent on public transport. Walking routes to be further considered. I'm a driver, runner, pedestrian and cyclist. Street lighting and mitigation for pedestrians needs further consideration
Reduce roadworks.
Reduce the cost of public transport, particularly bus fares, to make it a viable alternative to using a car.
E scooter roads/lanes. Darlington Council should go into private companies around town and work as a partnership, we all want the same thing
Full pedestrianisation of town centre to encourage permanent cafe culture
More focus needed on safety for pedestrians
Please can we have a direct bus from Croft on Tees to Darlington and back?
Allow a Tees Valley region wide 'oyster' style card for all modes of public transport.
Bus services in the town must be reliable, which at the moment they are not. Service 2a is constantly late, buses are cancelled leaving passengers stranded.
Improving public transport to get fewer cars on the road

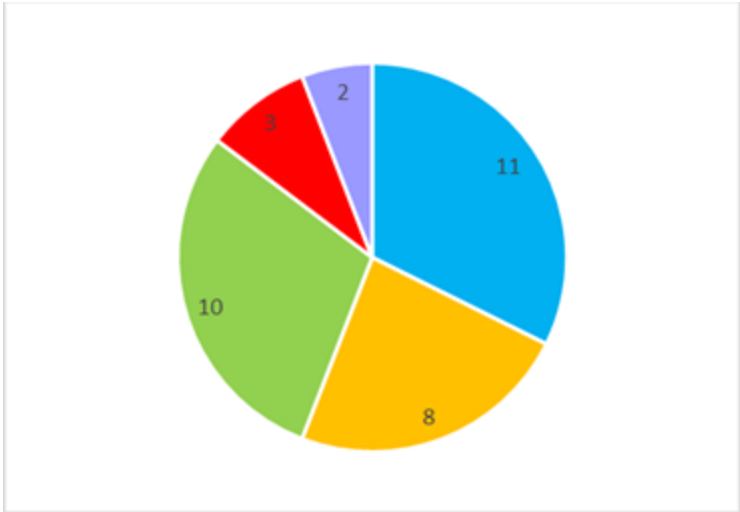
7. Improvements for rail passengers



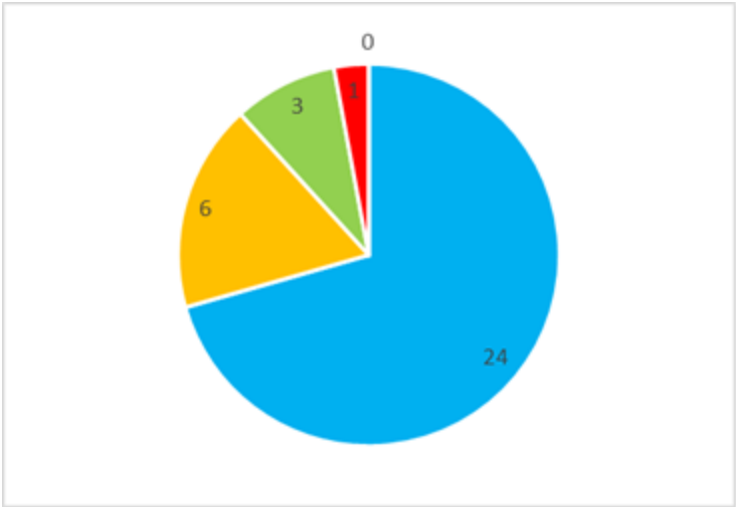
8. Improvements for bus passengers



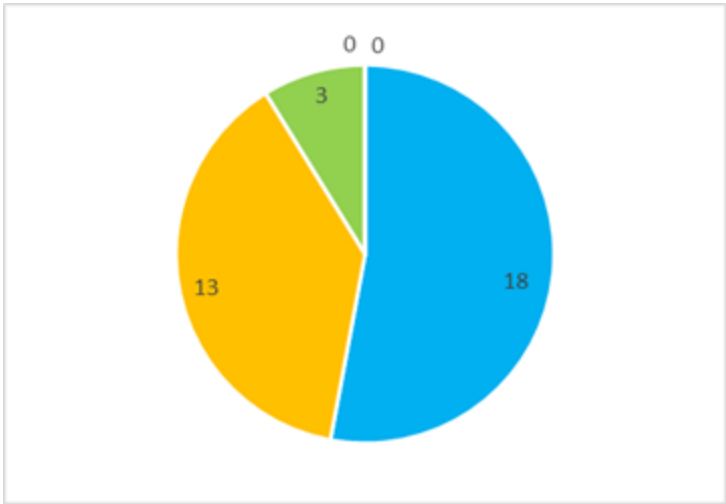
9. Improvements for cyclists



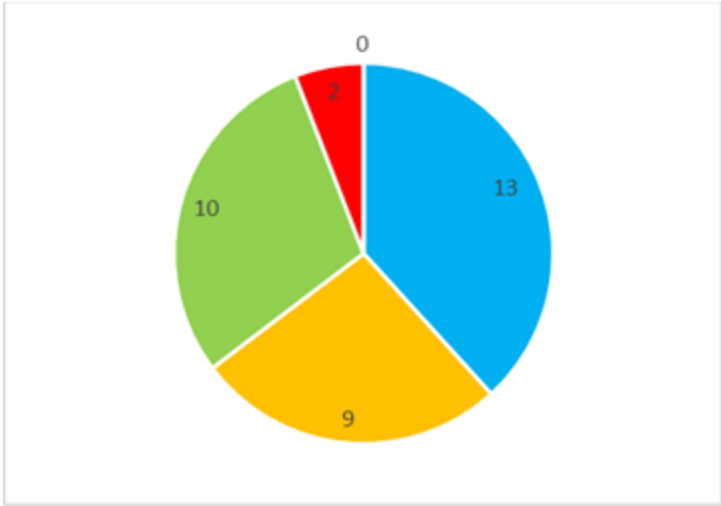
10. Improvements for pedestrians



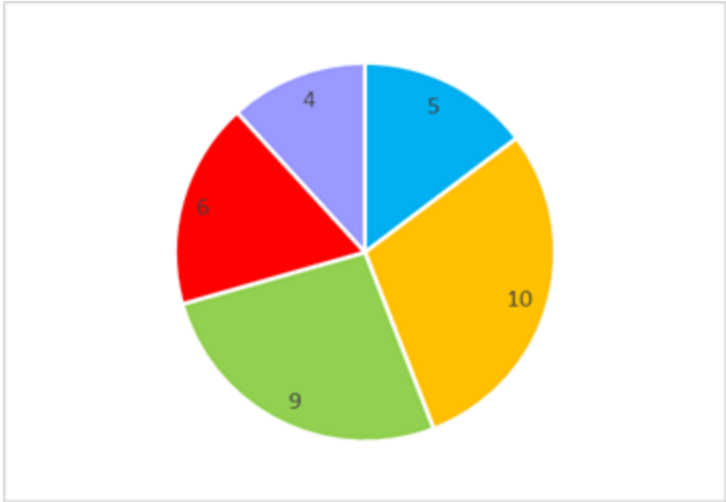
11. Provide better information about public transport and walking and cycling routes in your area



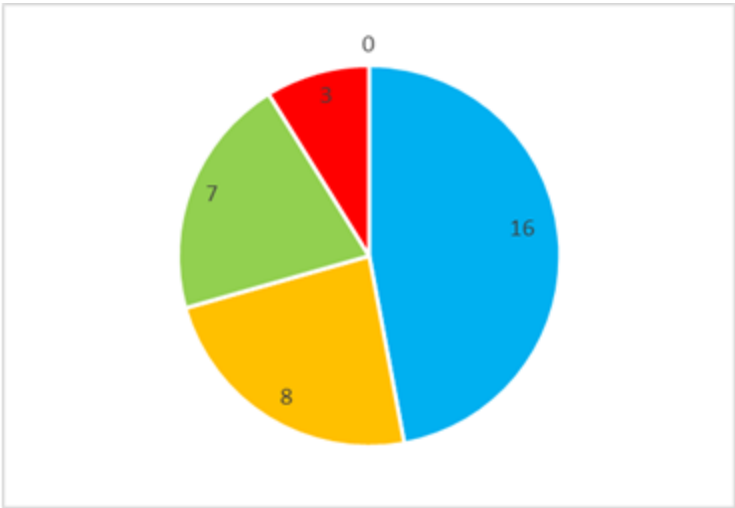
12. Provide opportunities for electric vehicle charging



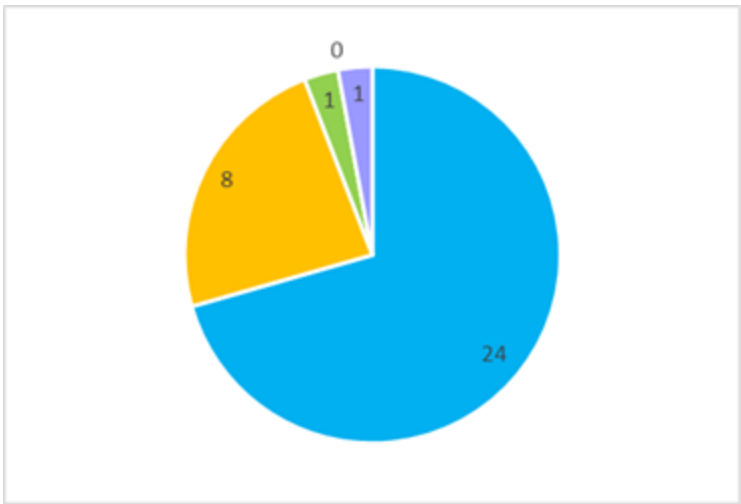
13. Reduce the need to travel - home working/shopping etc.



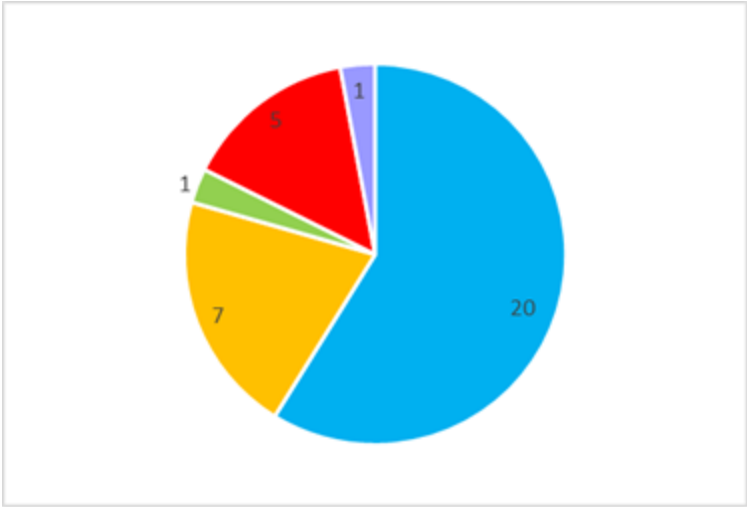
14. Control roadworks to limit traffic queues



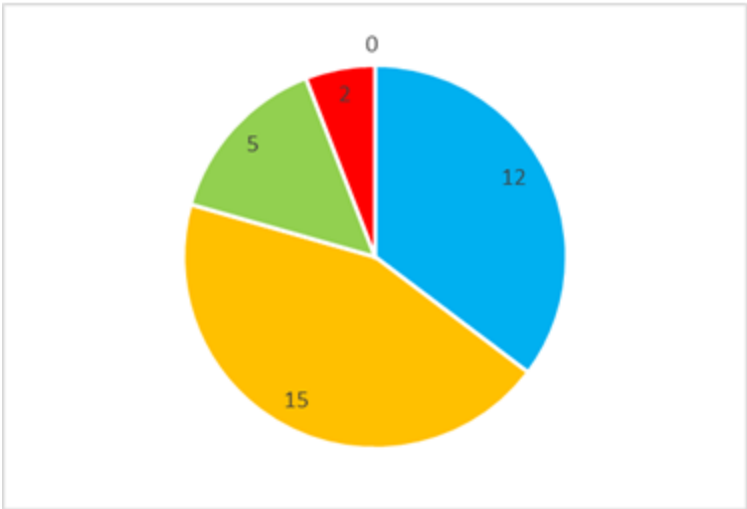
15. Maintain our footpaths and roads



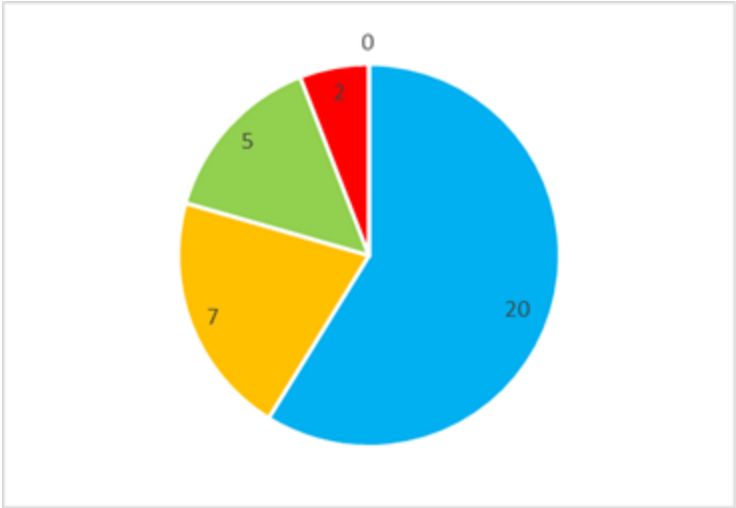
16. Improve roads to improve congestion



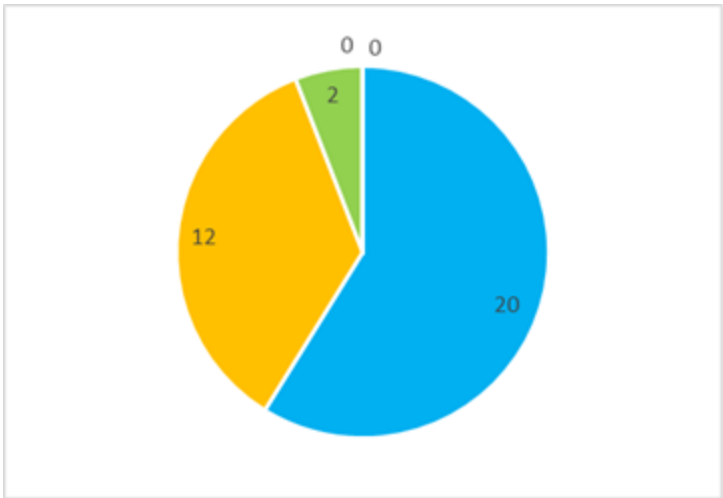
17. Control parking to maintain traffic flow



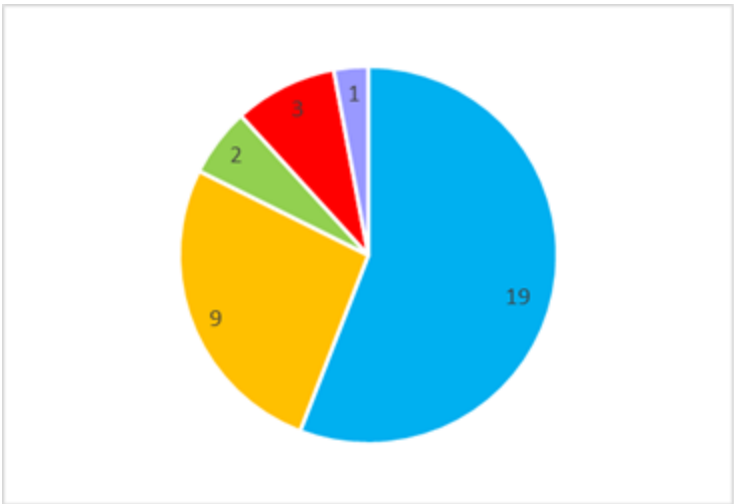
18. Improve air quality by reducing polluting vehicles



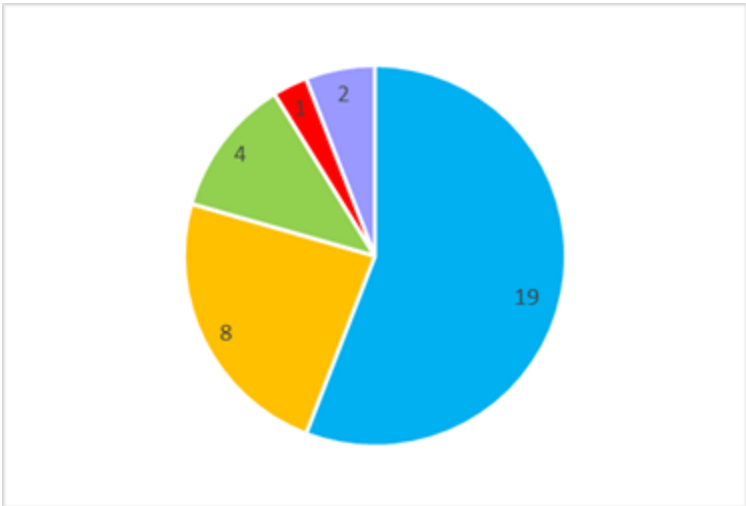
19. Reduce the number of road traffic collisions



20. Develop 20mph zones in residential streets



21. Put measures in place to stop through traffic on residential streets



22. Do you feel there are key areas we have missed or require greater emphasis? Are there any other specific measures you would include? (individual responses below)

Living on a side street from Yarm Road onto Eastbourne Rd. There are a significant number of drivers who use this as a fast lane thoroughfare. My fear is that this excessive speed will cause an accident. Road calming measures have had limited impact. Could the council alongside residents look at strategies to reduce high speed traffic on our streets.
Enforce the 20 miles an hour speed limit
Stopping through traffic on residential streets is key I think.
Every action has a reaction and if not careful this reaction can have a negative impact on many disabled people. It is not so much the headline of the proposal that is important it's the detail on how it will be achieved
I'm not sure I understood what was asked in all of the questions -- specifically 13 and 17 and others on page 1
Bus station. Or something better than the town has now it's shocking, you are encouraging the use of public transport dirty buses, don't turn up,. Useless shelters what are used by homeless to live and make a mess in.
Need more regular bus service for Mowden
Give pedestrians and cyclists greater priority at crossings. Cars currently have a huge priority and we need to make it more convenient to walk/ cycle and use public transport options. Also a need for improved bicycle storage/ lockers. Many people don't cycle due to fear of bicycle being stolen.
I repeat - improve the public transport reliability and availability.
If 20 are introduced then they should be policed
Road markings. The road markings for the chicanes on Fitzwilliam drive have seriously faded
A park & ride bus facility near A1M and A66 to reduce congestion on the main roads.
The current situation regarding roadworks is diabolical, why do the council pick the school holidays to do repairs.
Take measures to stop cyclists using public footpaths & control irresponsible use of electric wheel chairs.
I worry that Darlington is difficult to navigate as a pedestrian, cyclist or disabled user. I personally walk from Feethams to the hospital as my daily commute. During this commute I find myself stood at pedestrian crossings for a long time (Woodland Rd / Greenbank Rd crossing), sending me a message that I am a lower tier of transport

compared to cars. As cars remain our biggest polluter we need to discourage driving where alternatives exist and support those alternatives where possible.
There is little focus in the plan on pedestrians. You claim to want people to walk more but there is nothing to achieve this. Crossing points are often located by blind bends. Speeding traffic using rat runs are a constant threat. Speed limits in residential areas are inappropriate (too fast)

23. Do you have a specific issue or request? (individual responses below)

I whole heartedly support Darlington's strategy to become carbon neutral and the ambitious plans it has set. I look forward to hearing more about this strategy and being a part of it. My specific request would be to discuss how we reduce the amount of litter that is found in our parks and side streets. I understand that litter picking sessions happen (I do one daily in my local park) but can we invest money into the education of the younger generation and develop a schools programme and empower the young to be part of the solution. Campaigning for the removal of single use plastics at a government level should be priority. Again, thank you for all the hard work that the council put into making Darlington an awesome place and one I feel proud to call my home.
Better bus service
Resident parking
I think getting a northbound exit from A66 Blackwell is critical to helping reduce through traffic in town. This I think would be a game changer.
Improve access to public transport, taxis and infrastructure for disabled people. Stop using minimum standards and recommendations as a level to work to. In most cases it is not a lack of training or skills that stop disabled people getting employment it is poor access to public transport, which also prevents any decent social life.
I would like to see the current cycle paths promoted more and more trees planted to calm traffic and make better neighbourhoods for children to walk to school and play safely
Bus station, on time buses, clean stop letting them run their engines at the stops causing pollution.
More regular Mowden buses for residents
Sort out Woodlands Road
Designated cycle lanes NEED to join up across the town and be safely away from the road traffic. We want to encourage families and children to be able to cycle across town as regular transport. Children can't cycle to many schools in town as it is just not safe. If our children can't safely cycle to school in the town, the infrastructure isn't good enough and we are failing the next generation.
Expansion of routes especially in the west end of Darlington. It is shocking.
Please don't ruin Cockerton the way you have done on Woodland Road.

The junction at the white horse is being considered for improvement because if housing development but nothing is being done about Alwyn Road which is already being used as a rat run by previous housing development and will only get worse
Use defined curbs or textured paving where paths merge with roads to aid pedestrians who are sight impaired.
Traffic calming measures in East Mount Road to discourage HGV using it as a route between Haughton Road and North Road
As many of the paths are wide in Darlington I would question is possible to divide them into cycling and pedestrian ways. This would create additional off-road cycle infrastructure and offer a much cheaper solution than a road based cycle lane like on Woodland Rd (Though I am grateful for this new cycle lane). Is there a specific width a path needs to be before it can be considered for division into a pedestrian/cycle way?
1. At the end of Coniscliffe Rd, trying to cross is a nightmare. There is no crossing point that is not near a blind corner. 2. Speed limits on Carmel Rd South - cars come flying off the roundabout, when it is quiet cars use the whole road like a racetrack 3. Blackwell Lane is a heavily used rat run. Crossing Hartford Rd is a lottery, cars come flying along Blackwell Lane and turn into Hartford Rd at speed, often without indicating. 4. Elm ridge roundabout, the pedestrian crossing facilities are completely inadequate. If you want people to walk, you have to slow the traffic down and provide safe crossing facilities
As above. Please can we have a direct bus from Croft on Tees to Darlington & back?
When roadworks are taking place, please have a clearly signposted pedestrian crossing.
Improve bus services
The comments about pedestrians spending more is inaccurate and misleading in its reference to bus passengers. Please see here for a report that details the economic benefits of bus (https://www.cpt-uk.org/media/fc0bzccy/decarbonisation-dividend-report.pdf). The cited reference states - There is strong evidence that pedestrians and cyclists spend more than people arriving by motorised transport. Several international studies have compared the differences. In a 2009 study of the Bloor Street area in Toronto, people who biked and walked there reported they spent more money there per month than those who arrived by car (Tolley, 2011). In 2011, a report on shopper travel behaviour in Dublin city centre concluded that traders on Dublin's two main shopping streets considerably over-estimated spending by shoppers travelling by car while significantly undervaluing the spend of bus passengers and pedestrians (O'Connor et. al. 2011).

24. Are you providing your own response or responding on behalf of an organisation/group?

Providing my own response	32
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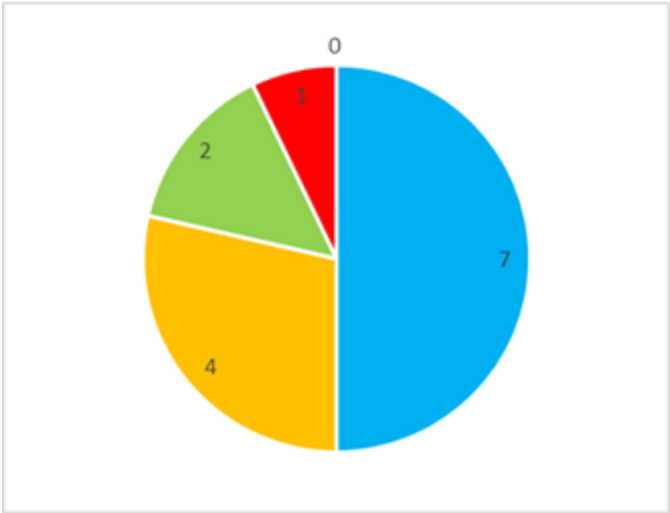
Responding on behalf of an organisation	2
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Parking Strategy Consultation – Questionnaire Responses

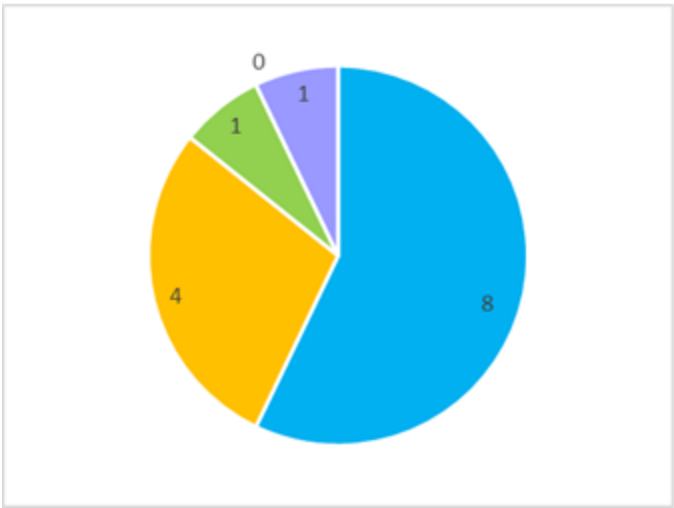
Respondents were asked whether they agreed with the vision set out in the Parking Strategy and to rate how significant the different objectives were to them, and to indicate their level of support for the proposed measures. Detailed below are a set of pie charts showing the responses received.

Key	
<div></div>	Very significant
<div></div>	Significant
<div></div>	Neither significant nor insignificant
<div></div>	Insignificant
<div></div>	Very insignificant

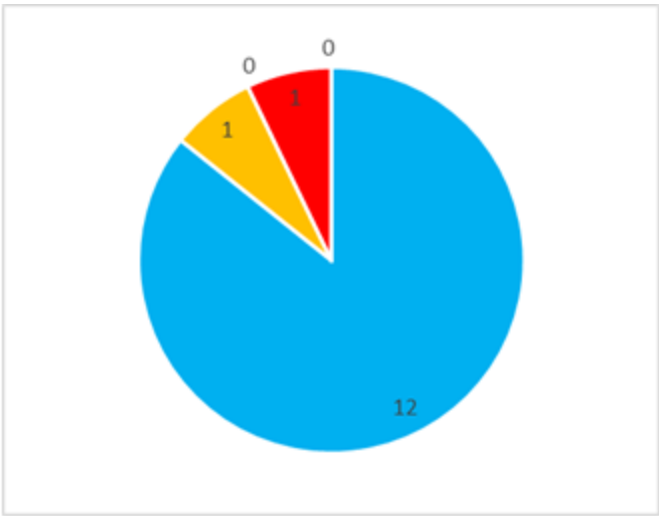
1. Balanced: To increase use of more sustainable and healthy forms of travel and achieve a more effective and efficient transport system



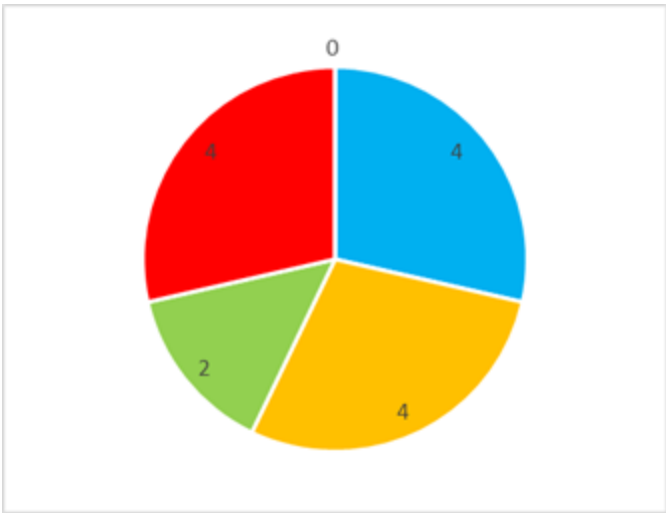
2. Fair and well managed: Ensure we apply and enforce a consistent and easy to understand approach to parking management, that is transparent and financially sustainable



3. Safe and convenient: Deliver facilities that are safe, secure and convenient for a variety of users



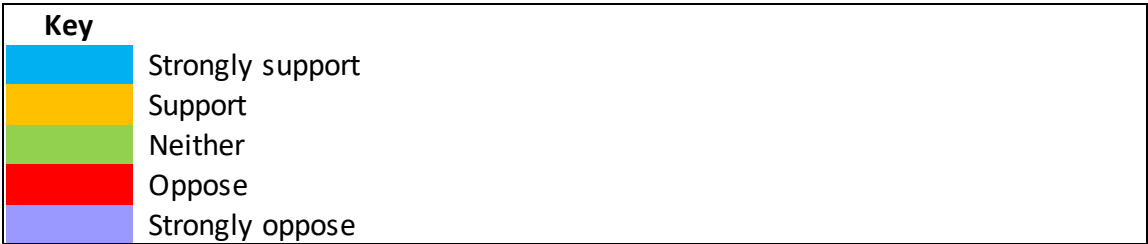
4. Modern: Embrace opportunities created by new technology to manage car parking



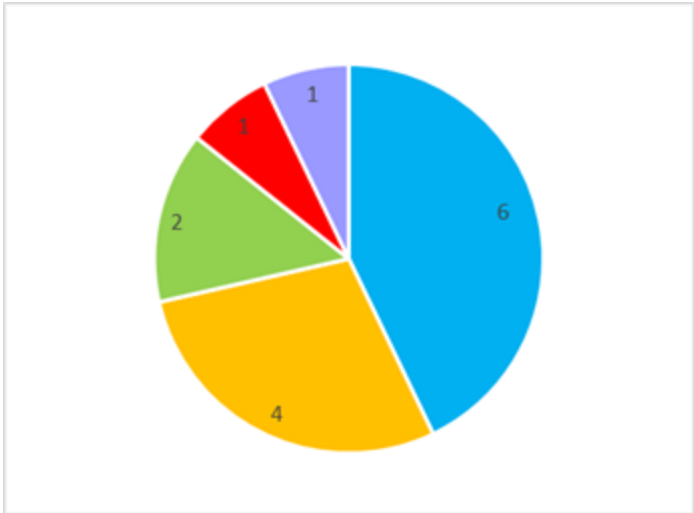
5. Are there any other outcomes which you feel the Parking Strategy should aim to achieve? (individual response below)

To assign a value to the land used by parking and do so in such a way to optimise parking occupancy to 85% at all times.
Ban parking half on pavements
Keep cars out of town by offering a Park & Ride service
No
Make on street parking more accessible for disabled people. Many independent wheelchair users can't get from car to pavement for lack of access points between road and pavements.
In great trust know as when warrant knocking down building at bank top train station parking exits entrance pensbury road plus safety of house people living area against

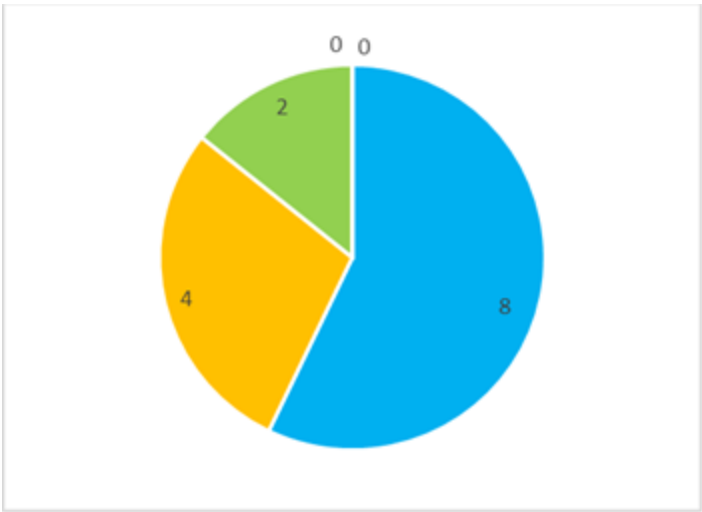
rodents rats mice in building been empty for years. As have enough even before knock down
Stop parked on pavements
Continue with 2 hours free parking
Increasing blue badge parking in town centre and better policing to enforce penalties for non blue badge holders
Parking strategy is intrinsically linked to the desire the increase public transport usage. Having a strong parking policy that complements pubic transport can drive economic benefits (https://www.cpt-uk.org/media/fc0bzccy/decarbonisation-dividend-report.pdf). Growth numbers achieved in London have been successful in part due to their parking policy whereby the cost of spaces is always higher than using a bus, and spaces are limited and prioritised for those most in need. Consideration should also be given to a workplace parking levy in centres with good access to bus services. Working with operators, businesses within the area can then offer reduced price bus travel as an alternative. The DfT are actively encouraging local authorities to make bold moves to discourage parking in favour of public/active travel.



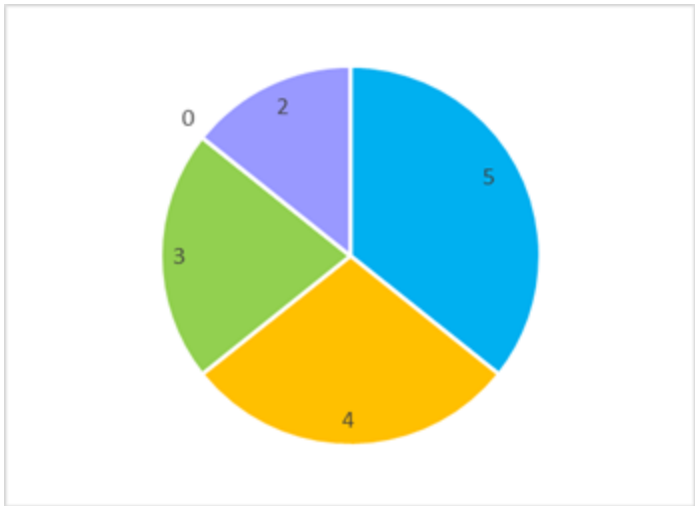
6. Review the number of parking spaces in the town centre to ensure there is sufficient parking to meet the needs of residents and visitors



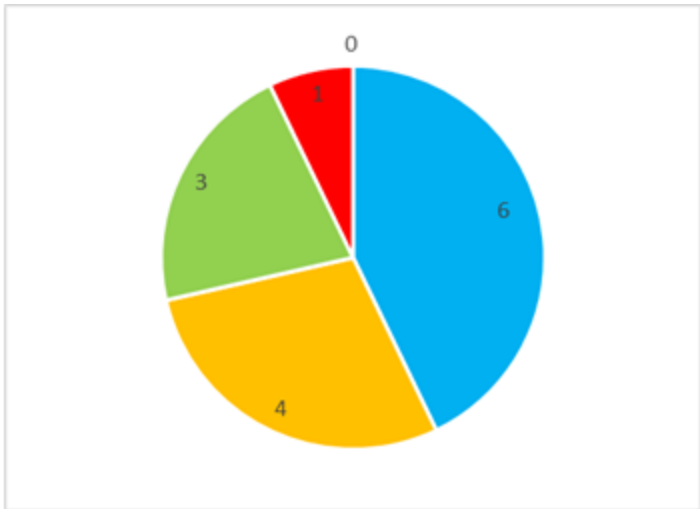
7. Review the way that resident parking zones operate and are enforced



8. Make provision for residents and businesses staff to park in the town centre through contract parking



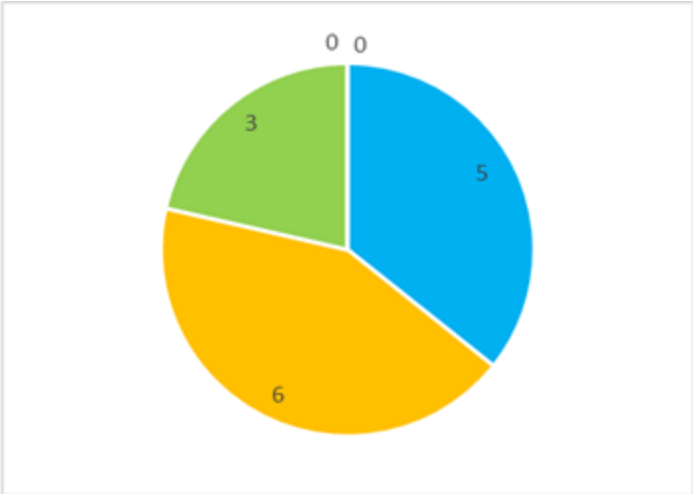
9. Provide electric vehicle charging points in town centre car parks



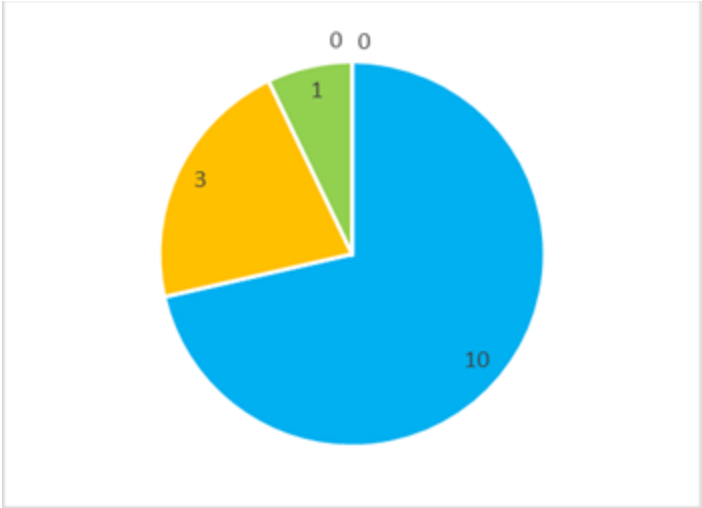
10. Make provision for coach and HGV parking close to the town centre



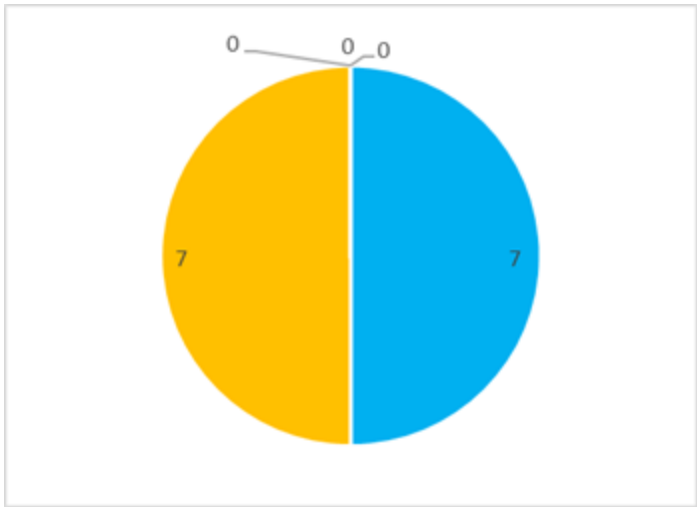
11. Review the cost of parking



12. Continue to manage our car parks to a high standard



13. Improve signage to car parks including the signs that display the number of available spaces



14. Provide disabled bays in off street and on street parking locations that are convenient for blue badge holders



15. Continue to provide more flexible ways to pay for parking services i.e. contactless payments, pay by phone etc



16. Is there something else you would like to see? (individual responses below)

• Park & Ride to keep cars out of town and to reduce traffic on the feeder roads i.e. through Cockerton, also to alleviate parking issues at the hospital
• Stricter enforcement of illegal parking.especially on housing estates
• A policy that states that providing electric vehicle charging points will not reduce the number of parking bay for non charging vehicles.
• buses getting around darlington better services as lately need wait hour as lack bus cover . sundays 1/2 darlington has no service need service get to yarm
• Prioritise parking in town centre for those that need it most and encourage a culture of greater active travel within the town and improve public transport.
• Priority for blue badge parking over that of other cars or taxis in the market place.
• The review of parking charges is supported on the basis that this is with a view to increase the charge.

17. Are you providing your own response or responding on behalf of an organisation/group?

Providing my own response	12
Responding on behalf of an organisation	2

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COUNCIL
24 NOVEMBER 2022

CABINET URGENT DECISIONS

Responsible Cabinet Member - Councillor Jonathan Dulston, Leader of the Council

Responsible Director - Chief Officers Executive

SUMMARY REPORT

Purpose of the Report

1. To report the urgent decisions made by Cabinet to which the procedure for calling-in could not be applied, as contained in this Council's Constitution.

NOTE – The topics of the reports outlined below are not to be the subject of debate by Council. However, Councillors may ask technical or factual questions to the relevant Group Director as to the reason(s) for urgency.

Recommendation

2. That the urgent decisions taken be noted.

Reasons

3. To comply with this Council's Constitution.

Chief Officers Executive

Background Papers

Report to Cabinet entitled 'Household Support Fund' submitted on 11 October 2022.

Paul Dalton : Extension 5805

S17 Crime and Disorder	The contents of this report has been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely, the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its areas. It is not considered that the contents of this report have any such effect.
Health and Well Being	Any impact in relation to Health and Well Being are referred to in the individual reports submitted to Cabinet.
Carbon Impact and Climate Change	Any impact in relation to Carbon Impact is referred to in the individual reports submitted to Cabinet.
Diversity	Any impact in relation to Diversity is referred to in the individual reports submitted to Cabinet.
Wards Affected	Any impact in relation to Wards Affected are referred to in the individual reports submitted to Cabinet.
Groups Affected	Any impact in relation to Groups Affected are referred to in the individual reports submitted to Cabinet.
Budget and Policy Framework	This report does not recommend a change to the Council's budget or policy framework.
Key Decision	This is a non-Executive decision.
Urgent Decision	This is not an urgent decision.
Council Plan	Any impact in relation to Council Plan are referred to in the individual reports submitted to Cabinet.
Efficiency	Any impact in relation to Efficiency is referred to in the individual reports submitted to Cabinet.
Impact on Looked After Children and Care Leavers	Any impact in relation to Looked After Children and Care Leavers are referred to in the individual reports submitted to Cabinet.

MAIN REPORT

Information and Analysis

4. Contained within this Council's Constitution is a procedure for Scrutiny Committees to call-in decisions of Cabinet. This call-in procedure does not apply where the decision being taken by Cabinet or an Officer is urgent.
5. A decision will be urgent if any delay, which is likely to be caused by the call-in process, would seriously prejudice the Council's or the public interest.
6. The Constitution states that decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency and, given below, are details of such decisions taken since the Ordinary Meeting of Council held on 29 September 2022:

C196	Household Support Fund	As a response to Government was required by 28 October 2022.
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Outcome of Consultation

7. No formal consultation was undertaken in the preparation of this report.

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COUNCIL
24 NOVEMBER 2022

OVERVIEW OF ADULTS SCRUTINY COMMITTEE

1. Since the last meeting of the Council, the following are the main areas of work the Adults Scrutiny Committee has undertaken.

Quality Standards Monitoring Outcomes 2022-2023 – Agreement for the Provision of Residential Care for Adults and Older People with Mental Health Problems 2013-2023

2. We received a report to inform the Committee of the outcome of the Quality Standards Assessment for 2022-2023, and to advise Members that the level of compliance against the quality standards will determine the fee levels for the current year.
3. The submitted report outlined the results of the Quality Standards for 2022–2023, which demonstrated a reduction in the number of homes who have achieved an A Grade, with 13 out of 19 (68%) achieving an A Grade compared to 15 out of 19 (79%) in 2021. Four out of 19 had achieved a B Grade, and 19 had achieved a C Grade.
4. Members entered into discussion on the sustainability of the occupancy rate, the timescales for improvement in those homes that were underperforming, the reasons why a home may fail in terms of nutritional provision, the impact of inflationary pressures in terms of the cost of living, the definition and criteria around environmental impact, the lack of evidence as regard the medication process, and staff training and development.

Transformation of the RIACT (responsive Integrated Assessment Care Team) / Reablement Team, and the co-location with the CDDFT (County Durham and Darlington Foundation Trust)

5. The Committee received an update from the Head of Service and the Team Manager on the work of the RIACT (Responsive Integrated Assessment Care Team) / Reablement team, and the co-location with the CDDFT (County Durham and Darlington Foundation Trust).
6. Members heard about the aims and objectives of the RIACT Transformation Project, the structure of both the Internal Reablement Service and the RIACT Team, the key elements of the service, the partnership work that is being undertaken, the performance of the service, including comparisons between 2020/21 and 2021/22, the outcomes, which included a summary of needs at the completion of reablement packages and the number of assessments and re-assessments, and customer feedback and stories.
7. Discussion ensued on the introduction of Reablement, the identification of those elements which did not work quite so well, the management of the expectations of the service users compared to the purpose of the service, the current staffing levels and the experience in terms of recruitment, the potential for partnership working with voluntary organisations, and potential budgetary constraints.

Reforms to Adult Social Care – Update

8. The Assistant Director - Adult Services outlined that the activity to plan for the proposed care reforms remained ongoing, and identified three main areas of focus – the Fair Cost of Care, CQC Quality Assurance Framework and the Charging Reforms.
9. In terms of the Fair Cost of Care, we were informed that the draft proposals had been submitted, and that the Council would receive feedback in early December.
10. The Committee were advised that work in terms of the CQC Quality Assurance Framework remained ongoing with the narrative, documentation and processes being prepared. Members were informed that the Council would be undertaking a conversation in late November with an ADASS Associate who will act as a critical friend to review our preparation, with a view to planning for the implementation of the inspection framework from April 2023 onwards.
11. In relation to the Charging Reforms, it was reported that work was continuing to identify the number of self-funders that we may need to offer support to. We were advised that Officers were also exploring how an on-line offer to provide both a Financial Assessment and a Care and Support Needs Assessment could be developed, as well as work being undertaken to identify the infrastructure required to track the self-funders, the care accounts and finances.
12. Member of the Committee entered into discussion on the charging reforms, in particular the work being undertaken to monitor financial thresholds to anticipate when self-funders may access means-tested funding to inform need as regard staff and resources.

Disabled Facilities Grant Policy Update

13. We received a report which provided the Committee with an oversight of the updated Disabled Facilities Grant Policy (DFG) and Regulatory Reform Order Policy 2022-2025, prior to its consideration by Cabinet.
14. The purpose of Disabled Facilities Grants (DFGs) is to fund adaptations to owner-occupiers, tenants of private rented properties and Housing Association tenants to enable people with a disability to remain in their own home and live independently across the Borough.
15. We were advised that the current DFG Policy had been in operation since November 2020, and closely followed the legislation and policy guidance that was current at the time of its implementation. We scrutinised several proposed changes to the policy, which were listed in the main body of the Cabinet report, which was appended to the submitted report.
16. The Committee examined the potential for insulation improvements and checks to ensure that homes are safe for individuals returning home from hospital, highlighted complaints in relation to the timescales between assessment and notification of the decision being made, and welcomed the extension of the scheme to include children with Autism. Members were keen to ascertain the oversight in terms of contractors, and the influence the Council had to address problems. We were keen to know more about the signposting of the DFG, especially in relation to those suffering from dementia.

Work Programme

17. Members gave consideration to the Work Programme items scheduled to be considered by this Scrutiny Committee for the Municipal Year 2022/23 and to any additional areas that Members would like to be included.

Councillor Bob Donoghue
Chair of Adults Scrutiny Committee

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COUNCIL
24 NOVEMBER 2022

OVERVIEW OF CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE

1. Since the last meeting of the Council, the following are the main areas of work the Children and Young People Scrutiny Committee has undertaken.

Adoption Tees Valley Annual Report 2021/22

2. We received the Adoption Tees Valley (ATV) Annual Report for 2021/22 outlining the work that had been undertaken across the Tees Valley during the period 1 April 2021 and 31 March 2022.
3. There had been slightly lower levels of adoption activity overall within this year, with numbers of children being placed with adoptive parents reducing from 82 in the previous year to 78 in this year, however this position is reflected nationally with fewer children with an adoption plan and Placement Order during this year.
4. In Darlington we were advised that there were 17 children with a Placement Order not yet placed, however 16 of these were already linked with prospective adopters.
5. However, there had been a significant improvement in the timeliness of finding a family and matching with adoptive parents with ATV reducing the average timescale by 64 days to 174 days so for many children in this region, we are finding families and helping children to achieve permanence via adoption more quickly.
6. We discussed the governance arrangements of the Board with Vicky Davidson-Boyd, Service Manager, Adoption Tees Valley and were assured that governance arrangements were working well in Darlington and that there was full representation at Board meetings by representatives of this authority.
7. A significant legal ruling, the Somerset Judgement which took place in November 2021 has impacted adoption activity nationally and locally and caused delays in some children being matched and placed and led to a significant re-examination of the medical advice provided to the Agency Decision Makers in coming to their decision that adoption is the Local Authority plan for the child.
8. The Service has also been awarded the Coram BAAF Early Permanence Quality Mark in recognition of meeting the standards and criteria for this award.
9. The report highlighted adoption activities carried out which included marketing campaigns to promote need; data in relation to recruitment and assessment of adopters; and delivery of the Preparation to Adopt Training courses.
10. We were also provided with statistical data on children referred, referrals by Local Authority and Agency Decisions that Adoption is the child's plan and Placement Orders,

Children Matched and Placed, Early Permanence, Adoption Orders granted, characteristics of children adopted, children waiting for placement, timescales for adoption and disruptions was also contained within the submitted report; and advised that in February 2022 the ATV had been invited to be a pilot Regional Adoption Agency for a new Adoption Support Audit

Learning and Skills Annual Report 2021/22

11. Consideration was given to the annual update on the performance of the Learning and Skills Service for the academic year 2021/22 allowing us an opportunity consider performance and to challenge this externally funded service.
12. We were provided with details of the Learning and Skills Service; learner numbers; funding information; performance data; learner progression data; learner and employer satisfaction rates; observation of learning, teaching and assessment; the impact of covid on the service; the Ofsted inspection outcome; and the challenges that are faced by the service going forward.
13. The pandemic has had an impact on the Learning and Skills service and delivery and still continues to do so by impacting both learner numbers and subsequent income however, despite these challenges the staff have responded magnificently and continued to deliver a successful transition to online teaching and learning when needed and the service was inspected by Ofsted in June 2022 retaining its assessment of 'Good' overall.
14. We discussed with the Head of Skills and Employability the work currently being undertaken by the Tees Valley Combined Authority skills strategy 'Inspiring our Future' to examine skills need and flexibility around funding to develop skills; the current skills shortages in certain areas of business, in particular catering and retail; the reluctance from young people to take up apprenticeships and to engage; and the effect of larger businesses in the town on the overall recruitment issues.

Performance Indicators Quarter 1 2022/23

15. Children's Services Quarter 1 (April to June 2022) performance information was presented to the October meeting which highlighted the following areas of good practice:
 - (a) 79.6 per cent of referrals were screened and completed within one day during Quarter 1 (Q1) 2022/23 and a continuing improvement when compared with previous quarters with a small number of referrals which took over three working days to be completed in Q1 (1.9 per cent) which was an improvement on 5.6 per cent for the same period last year and is within our threshold of 5 per cent;
 - (b) 16.1 per cent of the children referred during Q1 had been re-referred to Children's Social Care within 12 months of a previous referral, which was below the threshold of 18 per cent and an improvement on the same period last year;
 - (c) 100 per cent of children with a Child Protection (CP) plan, and 100 per cent of Children in Care (CiC) had an allocated social worker;

- (d) 100 per cent of children with a Child Protection (CP) plan, and 98.8 per cent of Children in Care (CiC) had their reviews completed within timescale;
- (e) there were 273 Children in our care at the end of June 2022, excluding the unaccompanied asylum-seeking children (7) which was just above the number of Children in Care (CiC) in June 2021 (264) and below that in June 2020 (291);
- (f) 25.0 per cent of the children ceasing to be in our care did so due to return home to their parents, 20.0 per cent had a Special Guardianship Order (SGO) / Child Arrangement Order (CAO) granted to a relative and 15.0 per cent were adopted;
- (g) 89.1 per cent of statutory CiC visits were completed within timescale during Q1 which was in line with the target of 90 per cent;
- (h) 10.4 per cent of our Children in Care, as at June 2022, have had three or more placements within the previous 12 months which was in line with the internal target of 10 per cent;
- (i) 67.0 per cent of our Children in Care aged under 16 (who have been looked after for at least 2.5 years) have been in their current placement continuously for at least two years as at June 2022;
- (j) 6.5 per cent of our Children in Care have needed to be placed 20 or more miles away from home as of June 2022 which was positive performance and below target of 10 per cent;
- (k) 19.6 per cent of Care Leavers were not in employment, education, or training (NEET) which was positively below target of 30 per cent and 98.2 per cent of care leavers were in suitable accommodation; and
- (l) 60.7 per cent of our care leavers were in training or employment (30.4 per cent in full time, 30.3 per cent in part time) as of June 2022, and 19.7 per cent were engaging in education (5.4 per cent of which are in studies beyond A level).

16. Areas highlighted for focus were in respect of:

- (a) 79.0 per cent of Children and Families assessments were completed within timescale in Quarter 1 (Q1) 2022/23 which was below Q1 2021/22 performance of 90.4 per cent in timescale, however, that was with 58.3 per cent less assessments needing to be completed as we continued to see a rise in assessments required;
- (b) 75.0 per cent of Initial Child Protection Conferences (ICPC) were held within 15 working days from the strategy meeting / section 47 being initiated, excluding transfer-in conferences, during Q1 which showed a dip in Darlington's performance this quarter and it was reported that additional processes had been put in place to address this;
- (c) at the end of June 2022, the percentage of children becoming subject to a Child Protection plan (CP) for a second or subsequent time within two years of the previous

plan ending was 25.0 per cent, above the 6 per cent target, however, related to two families;

- (d) at the end of June 2022, 8.3 per cent of children ceased to be subject to a CP plan in Q1 after being subject to the plan for two or more years and the plans had been confirmed as appropriately opened for this length of time;
- (e) 73.2 per cent of children received a statutory CP visit within 10 working days during Q1 with a further 14.3 per cent of visits taking place one or two days outside this and below the target of 90 per cent; and
- (f) 28.8 per cent of children due a health review during Q1 and 19.2 per cent due a dental check assessment had had one completed.

SEND Written Statement of Action

- 17. Scrutiny received an update on the Ofsted/CQC Inspection carried out between January and 1 February 2022, on the provision of Special Educational Needs (SEND) support in Darlington and the subsequent development of a Written Statement of Action (WSOA) to address the two areas of weakness identified across Darlington.
- 18. The inspection was to see how well the area had put in place the changes across all services that the Children and Families Act 2014 requires for children and young people with special educational needs and disabilities (SEND) and their families; and in particular it assessed how well Darlington Borough Council, Schools, Academy Trusts and all parts of the Health Service identify and meet the needs of children and young people with SEND, as well as the outcomes they achieve.
- 19. We will be receiving regular updates on the implementation of the action plan and to monitor progress made.

Childcare Sufficiency Task and Finish Review Group Final Report

- 20. I presented the findings and recommendation of the Task and Finish Review Group established by this Scrutiny Committee to gain a better understanding of childcare sufficiency with the borough and the barriers to the provision of childcare provision.
- 21. Members of the Children and Young People Scrutiny agreed that Cabinet be requested to approve assistance in communicating the availability of jobs in the childcare sector and to make local Members of Parliament aware of the concerns highlighted in the final report of the Review Group with regard to the provision of sufficient childcare to meet the needs of our families.

Work Programme

22. Members gave consideration to the Work Programme items scheduled to be considered by this Scrutiny Committee during 2022/23, and to any additional areas that Members would like to be included.

Councillor Paul Crudass
Chair of Children and Young People Scrutiny Committee

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COUNCIL
27 OCTOBER 2022

OVERVIEW OF COMMUNITIES AND LOCAL SERVICES SCRUTINY COMMITTEE

1. Since the last meeting of the Council, the following are the main areas of work the Communities and Local Services Scrutiny Committee has undertaken.

The Northgate Initiative

2. Scrutiny received a report summarising the current position and developments of the Northgate Initiative, established in 2019 to pilot collaborative multi-agency working to improve outcomes for local residents in all areas of wellbeing.
3. Scrutiny were informed that there had been some measurable improvements since the start of the initiative and strong management of the programme has had a positive impact on ensuring the initiative and its outcomes are reflective of the need in the area.
4. We were pleased to note that a Data Dashboard has been set up to help analyse the impact of the Northgate initiative and to identify any gaps and details were provided of the workstream achievements to date in respect of childhood and education, environment, housing, crime and security, housing and economy.
5. We discussed in particular the roll out of the initiative to other wards. The Director Darlington Partnerships advised Scrutiny that the initiative has relied on collaborative working with partner agencies and a wider roll out was constrained by the resources available. A further update could be provided on the successes and learning, to help identify learning to be implemented in other wards.
6. Following the meeting, Members received an update regarding the money that remained from the £298,198 Safer Streets funding received for the Northgate ward, noting that £124K remained.

Cost of Living Support Leaflet

7. Scrutiny received a report summarising the Cost of Living Support leaflet, including its purpose and how it could be used.
8. Scrutiny were informed that the leaflet was initially compiled in 2020 to provide information on services available to residents during the Covid-19 pandemic and subsequently updated in April 2022 to provide additional information for Ukrainian guests, including immigration support services and contacts for benefits and claims.
9. We were advised that the leaflet would become a signposting document for diverse use across the Local Authority and partners, available on the Council's website as a live document.

10. Members entered into a discussion regarding The Bread and Butter Thing, particularly in relation to the limited operating hours for the service and we queried whether these could be reviewed. We also discussed the accessibility of the leaflet and were advised that the details of a number of organisations in the leaflet would be included in the next article of One Darlington and I suggested that Members include details of key contacts in their newsletters.

Taxi Availability (including Wheelchair Accessible Vehicles)

11. Scrutiny welcomed a report updating Members on taxi provision, including wheelchair accessible vehicles (WAV), within Darlington in light of a reduction in the number of available drivers following the removal of Covid restrictions and the current economic climate.
12. We were advised that Darlington Borough Council has 143 licensed hackney carriage vehicles and 89 licensed private hire vehicles, 10 of which are wheelchair accessible and there are 397 drivers licensed with Darlington, which is 104 less than the month before Covid restrictions were implemented.
13. Reference was made to the reasons for driver shortages and Members were informed that proposed changes to the current Private Hire and Hackney Carriage Licensing Policy 2021 have been approved by the Licensing Committee for consideration by Council, to support the trade and attract additional drivers, and include changes in relation to vehicle age restrictions, topographical knowledge test and window tint.
14. We noted the introduction of taxi marshal for the Grange Road taxi rank, which had been proven to be very successful. We also noted the fare increase that was approved by Licensing Committee in May 2022 and that Darlington's taxi fares are currently the third highest in the north-east and highest in the Tees Valley area for a two mile journey.
15. We were informed that a new on-line taxi licensing application system, IDOX, went live on 1 September 2022 and provides a quicker and more efficient service to applicants. We also noted that following the Deregulation Act 2015, many drivers and proprietors use Wolverhampton as their Licensing Authority due to reduced fees and Take Me, who recently took over 1AB, may encourage their drivers to use Wolverhampton as their licensing authority. This may have implications for the Council's private hire licensing budget.
16. We discussed flexibility in relation to legislation for WAVs to increase vehicle numbers and the Licensing Manager advised Members that there is no mandatory requirement for a specific number of WAVs and that WAVs are considerably more expensive to purchase and run. We did acknowledge that Licensing offer a number of incentives for proprietors to invest in WAVs, which includes reduced licence fees (25%) and allowing these vehicles to remain on the fleet for longer.

Bank Top Masterplan

17. Scrutiny welcomed a PowerPoint presentation from the Assistant Director Highways and Capital Projects updating Members on the Bank Top Masterplan.

18. We were provided with details of the component parts of the project and the key feature of Station East, Darlington Station and the Transport Interchange – Victoria Road were outlined along with key dates of the project.
19. The presentation provided Members with a number of graphics and photographs of the first stages of the works and we noted the details in relation the progress of CPO acquisitions along with the next steps of the project.
20. We discussed the promotional banners and following a question regarding HS2, Members were informed that whilst no further information was available, the work being undertaken would future proof the station. Reference was made to the consultation with ward Councillors in relation to planned demolition works.

Work Programme 2022/23

21. We have given consideration to this Scrutiny Committee's work programme for the Municipal Year 2022/23 and to any additional areas that Members would like to be included.
22. We considered a request for an item to be included on the work programme in relation to the current and future levels of service provided by the Council in relation to public waste bins and any particular issues which may be affecting the service and have agreed to establish a Task and Finish Review Group.
23. Members also agreed to receive an update in relation to the delivery timescales for the camera replacement programme at the next meeting of this Scrutiny Committee.

Councillor Steven Tait
Chair of Communities and Local Services Scrutiny Committee

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COUNCIL

24 November 2022

OVERVIEW OF ECONOMY AND RESOURCES SCRUTINY COMMITTEE

1. Since the last meeting of the Council, the following are the main areas of work the Economy and Resources Scrutiny Committee has undertaken.

Customer Services and Digital Strategy Review

2. Scrutiny received a presentation from the Head of Housing on the progress of the Council's Customer Services and Digital Strategy.
3. The Strategy sets out the Council's aim to deliver excellent customer services which are easy to use, provide value for money to all the Borough's residents, and, wherever possible, provide digital access to all Council's services.
4. In relation to the progress made to date, we were advised that work has continued on improving the Council's website to make it easier to use and understand, Corporate Customer Services standards have been introduced and implemented to ensure customers received the same level of service across all departments, a corporate visitor and customer appointment system has been introduced to enable appropriate staffing levels to be available with the Customer Services Centre to support customers accessing on-line services where needed and increased publicity advising residents how to contact the Council.
5. There is further work to be undertaken within the next 12 months to achieve the aims of the Strategy and we have requested that we receive regular updates on the progress being made.

Outcome of Complaints made to the Local Government Ombudsman

6. We have also considered a report which was considered by Cabinet outlining the outcome of cases which have been determined by the Local Government and Social Care Ombudsman (LGSCO) and the Housing Ombudsman Service (HOS). During the period 1 April to 30 September 2022, 15 complaints had been determined by the LGSCO with none in relation to the HOS.
7. Two of the complaints had been upheld, one in relation to how the Council had dealt with an appeal for home to school transport which resulted in the Council agreeing to review the appeal Panel's decision and policies and the second was in relation to the failure on behalf of the Council to properly consider the findings and recommendations of an independent investigation carried out under the children's statutory complaints process.

Council Tax Exemption for Care Leavers

8. Scrutiny agreed to add its support to a proposal to implement a Council Tax exemption for care leavers under the age of 25 from 1 April 2023. It is important that the Council supports its young care leavers whilst they are developing their skill and confidence to live independently.
9. Since 2018, there has been provision in the Council Tax Support Scheme to provide care leavers under the age of 25 up to 100 per cent support with their Council Tax costs, however, as this was means tested, some young care leavers receive less than 100 per cent support, depending on their income and other circumstances.
10. Cabinet subsequently agreed to this proposal at its meeting held on 8 November 2022 and this will give young care leavers the stability and assurance with their Council Tax costs.

Council Tax Support Scheme

11. Members will see from elsewhere on this agenda, that Council is being asked to approve the Council Tax Support Scheme 2023/24.
12. Other than the removal of the provisions for care leavers under the age of 25 referred to above, which Scrutiny supported, we were advised that there were no other significant changes.

Council Tax Energy Rebate

13. At the request of Members, Scrutiny received information on the delivery of the Council Tax Energy Rebate Scheme which took place between April and August 2022.
14. As Members will be aware, in February 2022, the Government announced a package of financial support to help households with rising energy bills which included a £150 non-repayable payment for households in Council Tax Bands A to D, known as the Council Tax Energy Rebate, and £144 million of discretionary funding for Council's to support households who were in need but not eligible for the Council Tax Energy Rebate, known as the Discretionary Fund.
15. In total, 45,026 Council Tax Rebate payments have been made to eligible residents amounting to £6,753,900 and a total of 5,153 Discretionary Fund payments had been made amounting to £231,870.

Darlington Business Summit 2022

16. The first ever Darlington Business Summit took place at the Dolphin Centre from Wednesday 5 to Friday 7 October 2022.
17. As part of the Business Summit, a Jobs Fair was held and more than 800 people browsed a wide range of stalls from around 60 local employers and training providers and the event gave people the chance to chat face to face with employers to find out more about the local opportunities on offer.

18. Post evaluation feedback from the event has identified that some applicants had progressed to job interview stage and many positive comments had been received by businesses who had participated.

Economic Growth Strategy for Darlington – A Framework for Discussion

19. Scrutiny has been advised of the approach being taken to refresh and review the purpose and priorities of the Darlington Economic Strategy.
20. The existing Strategy is more than ten years old and whilst much has been achieved, the context in which it sits has changed with major policy changes and operational opportunities setting a new context.
21. The strategy refresh will produce a plan that promotes and places Darlington as an economic driver. It will highlight current opportunities and challenges and provide a broad framework for actions built from strategic priorities. The document will also be used to support Darlington's place marketing activities, setting out the local strategy, the direction of travel and how Darlington is aiming for success.
22. Consultation on the Strategy will take place and Scrutiny will be kept updated on its development.

Project Position Statement and Capital Programme Monitoring – Quarter 2

23. We received the quarter 2 information in relation to the capital resource and commitment position of the Council's capital programme. The Council currently has 46 live projects being managed with an overall projected outturn value of £186,155 million.
24. The majority of the Council's projects are running to time, cost and quality expectations but are being monitored given the current pressures on resources in the construction sector nationally.

Revenue Budget Monitoring Report 2022-23 – Quarter 2

25. We received the quarter 2 revenue budget outturn report prior to its consideration by Cabinet.
26. The Council's projected reserves at the end of 2022-23 are £22.662 million, a £1.351 million decline on the initial 2022-26 MTFP position. Scrutiny was advised that this reduction in reserves, included a brought forward amount of £0.384 million from 2021/22, £0.539 million of projected departmental overspend and a decrease in corporate resources of £1.196 million.
27. The agreed pay award will place additional pressure on the 2022/23 MTFP, however, this has partly been offset following the recent decision to remove the increase in National Insurance which was budgeted from April 2022.

Councillor Heather Scott
Chair Economy and Resources Scrutiny Committee

COUNCIL
24 NOVEMBER 2022

OVERVIEW OF HEALTH AND HOUSING SCRUTINY COMMITTEE

1. Since the last meeting of the Council, the following are the main areas of work the Health and Housing Scrutiny Committee has undertaken.

Better Care Fund

2. Scrutiny welcomed an update report on the progress of the submission of the Darlington Better Care Fund Plan for the 2022/23 programme and the review across all funded schemes.
3. The Better Care Fund (BCF) is a programme spanning the NHS and Local Government which seeks to join up health and care services and integrated care boards (ICBs) and local government are required to agree a joint plan which is owned by the Health and Wellbeing Board.
4. We noted that the plan for Darlington was submitted to the BCF national team on 26 September following endorsement by the Programme Board and that a service review is underway across all funded schemes and is due to be completed by the end of December 2022.
5. We welcome an update on the outcome of the service review at a future meeting of this Scrutiny Committee.

Darlington Drug and Alcohol Service (STRIDE)

6. We welcomed a presentation from the Contracts Manager and Interim Executive Director of Business Development, With You, on the Darlington Drug and Alcohol Service (STRIDE).
7. Scrutiny were provided with details of the 2021/22 performance headlines, including a comparison against 2020/21. We noted in particular the improvements in relation to the number of people in treatment, successful completion and prison to community engagement. We were pleased to hear that the service has been rated Good by CQC in all areas.
8. The presentation outlined the future ambitions for the service and we viewed a video, detailing how With You has made a difference in Darlington, which included interviews with service users.
9. We discussed the importance of partnership working and also alcohol related deaths. We were informed that both drug and alcohol usage were a concern in Darlington, however alcohol mortality rates exceed those of opioids and the effects from increased alcohol usage following covid were now becoming evident.

10. We also discussed the new location for the service on Tubwell Row, noting that the move will be completed by Christmas and that this new location is more accessible for service users. Members look forward to undertaking a visit of the new premises once the move has been completed.

Housing Services Fire Safety Policy

11. We received a report on the draft Housing Services Fire Safety Policy 2022-2027 prior to its consideration by Cabinet on 6 December 2022.
12. The policy sets out how the Council will provide staff, residents, visitors and partner organisations in the sheltered housing and extra care schemes with clear guidelines as to how to prevent fires and actions to take in the event of a fire.
13. We noted the consultation undertaken with the Tenants Panel and that the Panel are in support of the proposed policy.
14. This Scrutiny Committee supports the onward submission of the draft Housing Services Fire Safety Policy 2022-2027 to Cabinet for approval.

Healthwatch Darlington Annual Report 2021/2022

15. Members welcomed a presentation from the Chief Executive Officer, Healthwatch Darlington on the Healthwatch Darlington Annual Report 2021/2022 and recognised their valuable work.

Darlington Health Profile 2021/2022

16. The Public Health Principal gave a Members a PowerPoint presentation on the key messages contained within the Darlington Health Profile 2021/2022 which shows how the health of Darlington residents compares with that of the region and the rest of England.
17. Members noted that the health of people in Darlington is varied compared with the England average and Darlington's profile is similar to the North East regional average.
18. We discussed in particular the figures relating to obesity levels in adults and children. The Public Health Principal informed Members of the mechanism for determining obesity levels for adults. We noted that obesity figures for Darlington are comparative to the North East and further work is required to understand and address the obesogenic environment.

Work Programme

19. We have given consideration to the Work Programme for this Committee for the Municipal Year 2022/23 and possible review topics. The work programme is a rolling programme and items can be added as necessary.

Councillor Ian Bell
Chair of the Health and Housing Scrutiny Committee