PLACE AND RESOURCES SCRUTINY COMMITTEE

MINUTES OF MEETING HELD ON THURSDAY 25 MAY 2023

Present: Cllrs Shane Bartlett (Chairman), Andy Canning (Vice-Chairman), Jon Andrews, Piers Brown, David Shortell, David Tooke and Bill Trite

Apologies: Cllrs Rod Adkins, Barry Goringe and Brian Heatley

Also present: Cllr Ray Bryan, Cllr Simon Gibson and Cllr Nocturin Lacey-Clarke

Also present remotely: Cllr Laura Beddow

Officers present (for all or part of the meeting):
John Sellgren (Executive Director, Place), Jonathan Mair (Director of Legal and Democratic and Monitoring Officer), Jack Wiltshire (Head of Highways), Owen Clark (Transport Planner), Helen Jackson (Principal Transport Planner), Lindsey Watson (Senior Democratic Services Officer) and John Miles (Democratic Services Officer Apprentice)

WELCOME FROM THE CHAIRMAN

The Chairman welcomed B Heatley who had been reappointed to the committee. The Chairman also thanked M Roberts as an outgoing committee member, for his work and contribution on the committee.

1. Minutes

The minutes of the meeting held on 30 March 2023 were agreed as a correct record and signed by the Chairman.

2. Declarations of interest

There were no declarations of interest.

3. Chairman's Update

Updates were provided on the following areas and are attached to the minutes at Appendix 1:

- Update on Freedom of Information and Subject Access Requests – provided by the Service Manager for Assurance.

- 20mph Policy – 6 month progress update – provided by the Road Safety Manager.

In respect of the update relating to Freedom of Information and Subject Access Requests, the Chairman asked Councillors Brown, Goringe and Heatley to monitor performance in these areas and report back to the committee if required.

4. **Public Participation**

Questions and statements had been submitted from members of the public. A copy of the questions and statements submitted and the responses to questions provided, are set out at Appendix 2.

5. **Questions from Councillors**

There were no questions from councillors.

6. **Review of the Third Bournemouth, Poole and Dorset Local Transport Plan (2011-2026)**

At the request of the committee, a report of the Principal Transport Planner was received to provide a review of the adopted Bournemouth, Poole and Dorset Local Transport Plan (LTP3). The report provided statistical evidence for the performance indicators in the LTP covering the period from 2017 and highlighted the main transport interventions that had been implemented and provided a financial overview. The committee was invited to review the achievements of LTP3 and provide comments which would be considered during planning for LTP4.

Councillors provided comments on LTP3 in the following areas:

- Funding issues were considered and a request made for comparisons to be made with other local authorities in the south west region. Information provided in the report would also be checked
- A request was made to the Portfolio for Highways, Travel and Environment to ask Government to provide incremental funding year on year in order to improve the amount of funding received overall by Dorset Council
- Links between highways and planning - constraints on spatial and strategic planning and connecting the road infrastructure. A comment was made that it was cost prohibitive to the Council and developer contributions and that there was a need for Government funding in order to achieve the housing numbers demanded by Government. There also needed to be consideration of connectivity between dormitory villages and towns and the locations for development
- Road safety issues were noted and a point raised as to how improvements with new technology in car safety were being taken into consideration in planning for the future LTP and potential highways improvements. The Council was engaging with the Department for Transport on these issues. Lessons could be learnt from LTP3 moving forwards
- Use of data on incidents on roads and a request that the Police be asked to share additional information on near misses and non-injury data with the Council so that officers could undertake analysis and gain learning in respect of how the road system was designed and signed

- An additional request for the Police to be asked to provide information to the Council to allow analysis to be undertaken by officers to compare levels of visitor versus residents' incidents
- Information to be provided in the report to the Place and Resources Overview Committee in July with regard to the link between increased numbers of 20mph zones, how this could affect levels of carbon emissions and the impact on LTP4
- Bus services - points noted around difficulties with getting accurate bus use figures, the implications of the £2 bus fare cap and levels of satisfaction being lower in Dorset, were recognised as challenges, particularly in rural parts of Dorset
- The implications for LTP4 of lost funding from the European Union needed to be understood and information to be provided as part of the process for planning for LTP4
- A request to investigate opportunities for facilitating the night-time movement of exceptional convoys as part of planning for LTP4
- A point was noted as to whether former rail networks could be utilised to improve rail connectivity as part of LTP4.

The above points would be taken into consideration by officers and the Portfolio Holder during planning for LTP4 and information provided as relevant to the Place and Resources Overview Committee for the meeting on 27 July 2023.

Other points were raised as follows:

- There was a need to consider the level of highways related information provided with planning applications. The Portfolio Holder for Highways, Travel and Environment noted that he would provide an update to the committee at an appropriate time.
- There were links to the Grid Capacity review to be undertaken by the committee.

7. **Place and Resources Scrutiny Committee Work Programme**

Councillors reviewed the committee's work programme and noted items to be considered at forthcoming meetings.

In respect of the performance dashboard, a point was noted on the frequency of reporting on the 5-year land supply and delivery test and that this area required increased focus. The importance of keeping the information in the dashboard up to date was noted.

The committee considered a draft summary scope for a review of Grid Capacity and it was noted that a task and finish group was to be established in order to undertake the review with a report to be brought back to a future meeting of the committee.

8. **Cabinet Forward Plan and Decisions**

The committee noted the Cabinet Forward Plan and decisions taken at recent meetings, which the committee could use to identify potential areas for post decision review.

9. **Urgent items**

There were no urgent items.

10. **Exempt Business**

There was no exempt business.

APPENDIX 1 - CHAIRMAN'S UPDATE

Agenda item 4 – Chairman's Update

Update on FOI and Subject Access Requests – provided by the Service Manager for Assurance

The Committee discussed the current performance of the Council's Freedom of Information (FOI) and Subject Access Requests (SARs) at the meeting on 30th March. A number of the indicators are consistently showing as "red" and the committee requested further information on the action being taken to improve performance. A full update accompanies the agenda papers.

During 2022/23, whole Council performance for Freedom of Information Requests responded to within timescales was recorded as Amber for 10 of the 12 months (three of which were very close to the 90% target), with December 23 and February 23 showing as Red (but still above 75% compliance). The two KPIs relating to numbers of overdue requests and average number of days requests are overdue are showing as red by default. The tolerance levels aligned to these two KPIs are currently being reviewed, to show a more realistic picture. The Information Compliance Team continue to provide regular management information to Directorates to improve their compliance rates.

Historically Dorset Council, and previously Dorset County Council, has struggled to comply with Subject Access Request timescales. The number of SARs received has increased by approximately 24% every year. Whilst still falling generally below the 90% target, significant improvements have been made within the last twelve months. Childrens Services established a dedicated SARs team, and these transferred to Assurance in January 2022 to provide better alignment with other information compliance skillsets. As a result of this dedicated resource, and a review of processes and practices, the backlog of cases have now been largely processed. SARs vary in complexity – it is a small number of very complex care leaver requests that largely drive the Red reporting. With the significant backlog now removed, it is envisaged that the performance will improve, but realistically responding to the most complex cases within timescales will remain a challenge. Cases above team capacity and/or deemed very complex are

generally outsourced to an external provider, which has improved performance. A redaction software project is underway to look to improve team efficiency further.

20mph Policy – 6-month progress update – provided by the Road Safety Manager

The new 20mph policy was agreed by Cabinet on the **1 November 22** and shortly afterwards a dedicated website 20mph Limits and Zones - Dorset Council was made available providing guidance to the community and an easy to use online application form.

The policy was communicated through the regular channels New 20mph application launched for towns and parishes - Dorset Council news and the Road Safety Manager further promoted this work by engaging with DAPTC through a webinar which at that time was the highest attended with **62** delegates.

To date there have been **12** community applications with a further **32** areas that have expressed an interest or are actively working on an application.

The Road Safety Manager and Local Community Highway Teams have been actively engaging with several Ward Members and Parish/Town Councils to provide guidance.

On the **27 April 23** a newly formed 20mph Panel Group comprising the Portfolio Holder for Highways, Transport Planning Team Leader, Transport Planning Implementation Manager and Road Safety Manager met to consider **8** applications which formed part of the first phase. Phase 1 applications are those submitted before the **1 March 23.**

The Panel agreed that **5** applications met criteria, **1** didn't meet criteria, **1** required further investigative work and **1** Parish Council paused their application to consider an alternative application for a Speed Indicator Device within the existing 30mph.

The next Panel Group meeting will consider applications made between **1 March 23** and **31 August 2023** and this will be known as Phase 2.

An assessment is now underway to fully understand the cost implications for these 5 applications before a decision is made on the funding arrangements and the applications are progressed towards the formal Traffic Regulation Order (TRO) public consultation process.

The relevant Local Members and Parish/Town Councils have all been updated with the result of the Panel meeting.

In addition to the community requests the Highways Development Team will be advising developers that Dorset Council require them to implement 20mph within new residential streets and wherever possible they are to avoid unnecessary street clutter.

Dorset Police have made clear that they will enforce 20mph speed limits and these measures are regularly discussed within the Dorset Road Safety Partnership.

A more formal 12 months review will be undertaken later in the year and report prepared for Scrutiny Committee.

APPENDIX 2 - PUBLIC PARTICIPATION

Agenda item 5 – Public Participation

Questions received

1. Question from Peter Mole – Fontmell Magna Community Speed Watch Coordinator

Recently when describing the numerous A roads with 20 mph speed limits the 20sPlenty southern organiser said something like:-
"If ANY A road in the UK is made for a 20mph limit it is the A350 in Fontmell Magna".
Lacking pavements, we have a serious problem which is being observed and acknowledged far afield.

Many of us who live here regret that the failure to responsibly control road safety is making the village notorious to an increasingly large audience while traffic offending gets worse and quality of life is blighted to an extent which would not be acceptable in other counties. Our roads are not fit for purpose.

Whether on foot, bicycle or horse and whatever your age or capacity we have a choice to make when using footpaths which we share with all kinds of road traffic. As unpleasant incidents and high speeds increase those who expect a normal quality of life are being deterred and let down.

When cheap, simple and popular measures with many benefits and minimal disadvantages which protect the most vulnerable have been so widely introduced across Europe and elsewhere why do Dorset Councillors feel it is acceptable to routinely expose Fontmell Magna residents to such dangerous footways?

2. Question from Andrew Davis

The A350 through Fontmell Magna is arguably the most dangerous A road for pedestrians and other venerable road users in Dorset. And yet Dorset Highways have refused our application for a 20-mph speed limit on dubious grounds. An example of the duplicity of how the current speed policy is being applied is the rejection of 20-mph because **"where the movement of motor vehicles is the primary function"** and yet the same DfT guidelines used by Dorset Highways says in section 84 states that **" …traffic authorities are able to use their powers to introduce 20-mph speed limits …where a significant number of journeys on foot,… "**
Our village is spilt in two by the A350 and some 47 % residents surveyed say they use a car for local journeys instead of walking simply due the fear of the A350.

We are finding significant support and shared frustration from at least 12 other Town and Parish Councils that view the current Dorset speed policy not fit for purpose. The political issues that arise from this frustration will probably be best answered in May 2024.
Is the Councillor aware that according to the Department of Transport press office reports, the out-of-date 2013 Guidelines, that Dorset Highways seem weeded to, is currently being updated to make it easier for Councils to apply a 20-mph speed limit where risk and demand from local residents justify a safer speed**?**

3. Question from Alice Mole

When my house was built it fronted onto a centuries old track. Today when I leave my gate for church or post-box I must step onto the carriageway of the A350 where fast vehicle drivers have visibility of about 10 yards. Many people of my age are frightened of walking along or across the road due to the exceptional level of risk. Increasing numbers, including those with children, are reporting being clipped by wing mirrors of passing cars and near misses.
I believe that when the Archbishop of Canterbury was recently fined for speeding in a 20 mph zone it was for 25mph on a straight and level, busy A road with excellent visibility and wide pavements on both sides. Here we have no pavements on a narrow road with sharp, blind bends which people who live here have used as a footpath since time immemorial. Now we use it with considerable anxiety, resort to using the car or stay at home.
Speeding vehicles have been allowed to push us aside like a magpie laying unwelcome eggs in the nest of an unwitting host.
The transition from footpath to shared use has not been responsibly handled by Dorset Council and the new policy as it is being applied continues the negligence.
We have asked Councillors for the sort of simple controls which have been adopted widely elsewhere for many years and these are now being refused despite the evidence.
In Lambeth pedestrians using A roads do so in safety why do Dorset Councillors feel those of us who have to walk on the A350 in Fontmell Magna should do so in such needless danger?

4. Question from David Frankl

Many studies have shown that driving at 20mph produces less pollution than when driving at 30mph and also reduces the number and severity of accidents. The Dorset Council policy on 20mph speed limits thwarts attempts by residents and Town and Parish Councils by imposing criteria that are not included in any DfT guidance, such as a requirement to have a Community Speedwatch in place.

Why does Dorset Council not actively promote 20mph as a default driving speed in areas where people and vehicular traffic mix?

5. Question from Fontmell Magna Parish Council

We were dismayed and shocked to have our application turned down. Dorset Councillors are not honouring the obligation to create a safe road environment which is fit for purpose and to FULLY take into account the composition of road users including quality of life and the needs of vulnerable road users.

With overwhelming support for our application from those who live here and no identified third-party objecting to our wishes this is a curious day for democracy in local government.

The rejection letter received loosely mentions reasons which we do not believe stand up to informed scrutiny or justify the continuation of dangerously high traffic speeds on roads without pavements where we would expect to safely walk or ride. Sadly, over time, our roads have not been adequately engineered or otherwise controlled to maintain normally accepted levels of safety.

Recently the National Organiser of the 20sPlenty group said words to the effect that, with more than 100 local authorities in the UK, “no local authority throws up more barriers to safe speeds than Dorset.” The Dorset policy as applied appears to maintain our position as the slowest ship in the convoy when it comes to bringing our road regulation into line with modern standards.

An explanation for unsuccessful applicants has been promised and we look forward to arranging that part of the new process. We have alarming and deteriorating road safety information which has been shared with Dorset Highways and Councillors. Levels of speed offending have become many times higher than the average for the county, on roads with unsuitably high-speed limits in place, and which are notoriously not fit for purpose. Our unique situation of not having pavements can be made safer with cheap and effective traffic speed controls similar to those which have been widely introduced across most of the Western world in recent years.

Why do Dorset Councillors feel that, in ignoring our wishes, it is reasonable for too many residents of Fontmell Magna to be frightened to cross the road to visit their neighbours, walk their dogs or do normal everyday activities on footways in the village?

Response to questions 1 to 5

The Chairmans update highlights the actions taken by Dorset Council to deliver on the new policy which will result in an increased number of 20mph schemes.

The new policy does not seek to set a 20mph limit as the default for all roads where people and vehicular traffic mix, but has taken a consistent approach to dealing with applications, with a policy that complies with national guidance, is deliverable within designated budgets and is enforceable by the Police. The national guidance underpinning this policy is indeed 10 years old. The Department for Transport have not consulted with Dorset Council on any potential changes to this guidance. Until we receive new guidance, it is important that we adhere to

current national guidance. The current policy seeks to make 20 mph the norm for new residential developments and is clear that 20 mph limits will be considered for urban areas and village streets that are primarily residential.

On the 28th of April, Fontmell Magna Parish Council were advised that the 20mph Panel Group had assessed their application and that it did not meet the criteria set out in the policy. However, I recognise that road safety remains a concern for this local community and our Community Highways Officers and Road Safety team continue to work with the Parish Council to see how safety can be improved. The safety concern relating to the lack of footway on the bend in the village is a complex matter to consider, with improvement options being limited due to the significant constraints on this part of the A350. Ensuring that the village has the appropriate level of safety signage when balanced against the need to keep signs, lines and street furniture to a minimum has been a key consideration. Dorset Council supported the Parish Council's request for a Speed Indicator Device (SID) at three locations in the village, which is a new intervention for the village. Within the last few weeks, the SID has become operational and this will help to promote the reduction in speeds and increase the feeling of safety, which will be supplemented by the fantastic work of the Community Speed Watch (CSW) team.

Dorset Council is a member of the Dorset Road Safety Partnership and we are working with partnership colleagues including Dorset Police who operate the CSW scheme and speed camera enforcement measures. The Partnership has an ambition to increase the overall level of CSW capability across the Dorset Council area and that is why the 20mph policy strongly encourages communities to try and establish a CSW team as part of their application process. However, it is important to recognise that an inability to establish a local CSW will not lead to a 20mph application being blocked.

Recent concerns have been raised regarding the perception of increased speeding at the Spring Meadows junction as a result of changes to the road layout linked to this new housing development. As a result a speed survey is being commissioned to understand whether there has been an actual increase. This will coincide with the developer undertaking a Road Safety Audit with any remedial work being identified and addressed.

6. Question from Dilys Gartside – 20's Plenty for Dorset Campaign Coordinator

May I know the number of schemes which have been approved for implementation by DC under its current policy and how many of them include an A or B road.

Response

Location
B3069 - Langton Matravers
C8/C136 - Winfrith Newburgh
B3082 - Wimborne Town Centre - *extension to current 20mph*
B3162 / B3157 - Bridport Town Centre – *links into existing 20mph*

C47 - Pimperne - *does not include A354*

Out of the five applications that will progress to the next stage there were none (0) that were on an A classification road, three (3) were on a B classification road and two (2) that were on a C classification road.

Statements received

1. Statement from Robert McCurrach

My wife and I live in Fontmell Magna, and every day we cross the A350 (Lurmer Street) from Mill Street into Crown Hill, to access the village.
The amount of traffic, small large and very large, has increased over the years, as has the speed at which vehicles come round the bend in either direction. The distance from the crossroad to the corner, in both directions, is such that there is very limited time to see vehicles approaching. When these vehicles are coming fast, that time is even more limited. As we both have hearing aids, we cannot rely on the sound of approaching traffic, nor can we run across the road.

On other occasions we visit neighbours who live along Lurmer Street, and to reach them on foot we have to walk along sections of the road where there is no pavement, and virtually no space between a wall on one side and a hedge on the other, so we, like other pedestrians, have no option but to walk on the carriageway.

We appreciate that rerouting the A350 represents a very major step, but there is a short term solution – a 20 MPH speed limit on the A350 through Fontmell Magna. This solution has been used effectively in other locations.

We should like the Committee to take the necessary steps to impose a 20 MPH speed limit on the A350 through Fontmell Magna – before somebody dies.

2. Statement from Michael Hobbs

I was very surprised to hear that Fontmell Magna's application for 20 mph speed limit on the A350 had been turned down. As a resident of 21 years, who has to cross the A350 on a regular basis I am only too aware of the increased dangers, so now I am having to increasingly use my car. The speed at which much of the traffic passes through the village has dramatically increased in the last year as has the number of near misses.
Observing other rural areas where 20 mph limits have been introduced , traffic does respect the reduced speed limits to the benefit of their residents.
You will be aware from the information the village have supplied you with that the recorded speeds in the village are increasing at an alarming rate. With an increased village population the chance of a nasty accident involving an injury to a resident has also increased. As a responsible village we are doing everything in our power to prevent this happening. However Dorset Council seem to able to dismiss this as being unimportant. How are Dorset Council going to dramatically improve the safety on the A350 through our village ?

3. Statement from M & F Turnball

As new residents of Spring Meadows estate we are appalled and outraged by the attitude of Dorset Highways in regard to road safety and excessive speeding of vehicles and motorcycles along the A350, especially along the new junction created for Spring Meadows. The feedback from them appears to be to allow accidents to happen before taking remedial action.

The speed limit through Sutton Waldron is 30mph and then on the very straight road towards Fontmell Magna changes to 40mph, a very short distance and then reverts to 30mph, why can the 40mph not be changed to 30mph all the way along this piece of road?
The new junction has increased the hazard along the A350 as with the widening of the road is allowing speeding vehicles and motorcycles to overtake which is dangerous. There has been no provision for cyclists along this road and no pavements for walkers who choose to walk along the road to the village and not through Spring Meadows. The junction will shortly be used by parents taking their children to school as a school drop off car park has been created in Spring Meadows and this will make this junction even more dangerous. Due to drivers overtaking and the creation of the junction solid white lines are needed to help prevent this, in addition a permanent speed camera needs to be installed and would help the problem of speeding through the village itself also which has recently had the 20mph limit refused. We understand the Developers Pennyfarthing will be paying the Dorset Highways over £350,000 so why can't this money go towards paying for these much-needed safety issues? We feel no consideration has been taken by Highways with regards to the new junction and prevention is better than cure, so action needs to be taken now. There have already been several incidents and near misses since January which have been logged and reported to the Police and Parish Council / Speed Watch and yet still no action has been taken or acknowledged. Whenever the SID is removed which is frequent, there is an instant increase in the speed of vehicles which proves that a fixed speed camera could and would be the solution. The Highways response we had was that more surveys were to be carried out and signage on the road, how many more surveys are needed? We need action not signs and surveys.

Duration of meeting: 10.00 - 11.53 am

Chairman

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