

**Full Council
14 February 2023**

Questions and Statements submitted for the Public Participation Period

Question 1 – submitted by Tom Villiers, on behalf of the North Dorset Beekeepers Association - WITHDRAWN

North Dorset Beekeepers Association is a registered charity with the objects of “advancing the education of the public and beekeepers in the craft of a beekeeping and the importance of bees in the environment”. Its aims dovetail with the Dorset Council Pollinators Action Plan 2019-2024. Although beekeepers are not listed as a partner organisation, we believe we are in a strong position to help the council fulfil its action plan, by raising awareness and promoting pollinators. As we are run entirely by volunteers, there would be no cost to either residents or the council.

Currently operating from a small and inconvenient site in the grounds of the Forum School in Shillingstone, we have been searching for an improved site where we could better meet our object to provide education and assistance to beekeepers and those interested in pollinators throughout the county. With the help of Cllr Pauline Batstone, a suitable site was identified on Dorset Council owned land at Holloway Farm, Shillingstone, and we are very grateful that the council’s County Farms Department agreed in September 2020 that half an acre could be made available to us on a long and affordable lease. Subsequently the site was identified on the ground and pegged out by a council employed surveyor, supervised by Amy Foster of the County Farms Department.

Heads of terms for the lease were agreed in April 2021 and on the assumption that the full lease would be completed swiftly, we applied for planning permission to erect a purpose designed an eco-friendly building, which would include disabled access and facilities. This was granted in December 2021 and included the standard term that building a must commence within three years.

Before construction can start funds have to be raised and we plan to do this and nationally and locally, principally by seeking individual donations, by applications to grant making trusts, such as the National Lottery, and by members fundraising efforts. For instance, we have recently made an application to Dorset’s Capital Leverage Fund, which was supported by a number of councillors. But despite the members of the association having already raised more than £40,000, we cannot approach most potential donors until a lease for the site has been signed.

The lack of a lease is therefore a significant hindrance to fundraising efforts and may prejudiced our ability to comply with the terms of the planning permission. Our solicitor last wrote to the council’s legal department on 29 November 2022 but has yet to receive a substantive reply, although a meeting is scheduled for 7 February.

We are very grateful to the council for making this land available. Regrettably, discussions on the lease have become very protracted and we believe that they could and should be concluded.

Question

Is the council able to authorise the signing of this lease now? If not, could you please explain what has to be done to complete the process?

Question 2 – submitted by Mrs S Bennett

“We fix around 20,000 potholes every year. We aim to permanently repair potholes on our first visit. Our pothole repairs include more extensive patching of 'failed' areas surrounding the defect, instead of just repairing the immediate pothole. This approach will reduce the likelihood of further potholes forming in the future.” From current DCC Highways website page: Roads: highways and maintenance: Fixing Potholes.

In our village of Shroton on 15th January 2023 I reported with photographs, 14 of the very worst potholes, not all the potholes that existed, but all that were over 4cms in depth and longer than 23cms, the width of a dinner plate. 5 were filled on 19th January 2023 by a Velocity 1 method. By 27th January 2023 I was re reporting the worst that had been 10.5cms deep and was already breaking up with a large deep pocket at its edges. It was refilled on 31st January 2023, again leaving a large deep pocket. I re reported this plus 2 of the other original 5 potholes on the 2nd and 3rd of this month, as they were all beginning to break up and showing jagged edges. The reporting of potholes in our village is now a weekly if not daily task for the villagers.

We acknowledge that we are not a large village, but we have a thriving rural economy. We have: Wessex Internet, Meggy Moo Award Winning Farm Shop, a large dairy farm, a well-known local pub sited the bottom of an historic earthworks owned by the National Trust and several Work From Home Enterprises. All of these rely on the good standard of the roads to conduct their business. Suffice it to say, ordinary villagers would also like to travel in safety.

The team of workers return over again but are fighting a losing battle as the roads are not able to hold the fill. I have some sympathy for these teams as they are being asked to do a job for which an adequate solution is not being given. To borrow a quote from Geoffrey Howe:

It's rather like sending our opening batsmen to the crease only for them to find that before the first ball is bowled, their bats have been broken by the team captain.

I am now receiving updates which say not to use the Velocity 1 as site managers' report the fill “will not stay”. This was evident to parishioners in the first instance. The practice of do and fill and not to return is clearly not working, it is inadequate on our roads and a complete waste of time and money.

What arrangements are in place for monitoring the repairs so that the right repair is made the first time?

Response from Cllr Ray Bryan:-

Thank you for your question regarding the condition and maintenance of roads in Shroton and Iwerne Courtney.

Our Highways Maintenance Plan, which can be viewed on the Dorset Council website, sets out clear service levels for maintenance activities, which includes our reactive response to potholes.

We acknowledge your concerns for public safety and the frustration of repeat repairs. We are committed to a right-first-time approach. However, during the coldest and wettest months of the year we sometimes need to carry out temporary repairs to make them safe before a permanent repair can be made.

All Dorset's roads are part of an inspection regime where our officers inspect defects and monitor repairs. However, if anyone wants to report a pothole, the best way to do it is online via the council's website.

Question 3 – submitted by Mr N Bennett

INFRASTRUCTURE, LOCAL GOVERNMENT, MAINTENANCE

Twelve rural roads are being reconstructed in Dorset this autumn thanks to the Department for Transport's Pothole Fund. Dorset Highways has identified roads that have evolved from tracks and have very little construction, and have significant cracking, undulation or pothole damage, for permanent repair. This programme of work will use in-situ recycling to strengthen the foundation of the road before a double surface dressing is applied to seal the roads from water damage and provide a textured surface for vehicles.

Jack Wiltshire, Dorset Council Head of Highways, said: "These roads have become so damaged they require extensive repairs to ensure that homes and businesses can continue to be safely accessed. They have little to no foundation, and under the road surface is essentially the gravel track they have evolved from over many years. "Our contractor will use a specialised machine to simultaneously crush the existing carriageway and mix it with cement to create a hydraulically bound material for the road foundation. This process is around a third of the cost of a conventional carriageway reconstruction method and is also a more sustainable treatment – by reusing material already in place and producing zero waste from the site. "He added: "Without the money we've been awarded from the DfT's Pothole Fund we would have to continue with costly reactive, piecemeal, short-term repairs on these roads, which isn't good enough. "Mr Wiltshire's 3rd Paragraph perfectly describes the state of large stretches of Telegraph St, Bessell's Lane, Fairfield Rd and New Field Lane, which surround Shroton, and are used by the heavy lorries, tractors, delivery lorries etc. hauling for Park Farm, the Solar Farm and Wessex Internet, as well as private cars. These stretches, apart from the very numerous potholes, are breaking up, some with extensive cracking which releases

large stones and flints. Other areas show where the surface is so worn that the bed rocks are exposed and are in the process of breaking free. Proper surface rebuilding, as described by Mr Wiltshire, would extend the life of the road for many many years, obviating the inadequate and very temporary yearly patch up job, which as Mr Wiltshire said, "isn't good enough". Saving considerable costs in the long term.

My question is: - When can we expect proper repairs, as described by Mr Wiltshire, just 15 months ago, to take place?

Response from Cllr Ray Bryan:-

Most of our highway funding comes from the Department for Transport. As this is a set amount, roads nearing the end of their life are assessed by experienced engineers to establish the best treatment option. A works programme is then setup based on our available funding.

Last year we produced a forward looking road maintenance programme based on the most up to date road condition, primarily for the A, B and C road network. New Field Lane and Fairfield Road have been identified for work to be carried out this financial year.

January's pattern of very cold overnight temperatures on already wet roads has had a significant impact across the country. We're taking this into account as we assess the rest of the programme that will need to be delivered this year. Based on the prioritisation criteria set out in our policy, the full list of schemes planned for the financial year 2023/24 will be ready by the end of March.

Question 4 – submitted by Jane Ashdown

When members of STAND – Save the Area North of Dorchester - have met Councillors to discuss the progress of the revised Dorset Local Plan, and in particular DOR 13, we have frequently been told that Councillors are unable to comment in case their remarks are seen as predetermination.

This seems to us to run counter to the role of a local councillor as set out on the council's website: "Councillors act as a communication channel between the council and its citizens. They promote citizens' interests and needs to the council and assist the public to better understand the issues being addressed by local government and the services it provides."

STAND trusts that the Council does not wish to stifle continuing public discussion regarding the draft Local Plan, and therefore values the role of Councillors as a "communications channel."

In December Councillor Walsh was quoted in the media as saying: "The North Dorchester Garden Community development is already part of the adopted West Dorset, Weymouth and Portland local plan and is part of the future of Dorset."

He later apologised for this misleading statement, saying it was not an indication of predetermination on his part, but simply a mistake.

Will the Leader of the Council now accept that members of the Council may express opinions in public about the proposals in the draft Local Plan, and that this may be considered an indication of predisposition rather than predetermination or, in the final analysis, that they could simply be mistaken?

Response from Cllr Spencer Flower:-

Like anyone else a councillor can be predisposed to a particular point of view. That is to be expected and is, I am told, perfectly lawful. What we must not do is approach decisions having already made up our minds in advance and unwilling to listen.

There are dangers in a councillor associating themselves closely with one particular pressure group and speaking after having listened only to that group. Doing so can give the impression that they have made up their mind in advance and even that they are speaking on behalf of that group.

My encouragement to councillors is to seek advice from the Monitoring Officer before committing in public to a particular point of view.

Question 5 – submitted by Cllr Luke Wakeling and Cllr Colin Huckle

It is extremely disappointing, that the CGR Steering Group has taken the view of an extremely small minority of residents. With 9 comments for "Option One", and 32 comments for "Option Two", that is a net response of 23 comments. From two towns with a combined population of 60,000, the Steering Group has eliminated one option, based on the input of just 0.04% of residents.

The LGBCE guidance is quite technical, but clear what principles should be followed, to create good community boundaries. Even more disappointingly, within the responses received, very few responses actually address the principles required by the guidance. Whilst some people have strong opinions about boundaries for emotional or historical reasons, the task at hand is to set boundaries fit for the 21st century, and in accordance with the applicable laws. In the evidence collected, there is very little to support the option carried forward.

WTC's proposal was a modification of Option One, improving those parts which offered poor democracy and did not follow the principles in the guidance. In particular; the requirement to address anomalous boundaries (§15-17, §26 and §84-85), the need for good electoral equality (§161-162, §165-166), and creating good building-blocks to improve the upper boundaries (§85), for whenever they might next be reviewed. It is also notable that the guidance, which speaks of Parish Councils up to 31 members in size (§154), was published before the Localism Act 2011, which has drastically changed the role that Parish Councils fulfil. WTC is an elected body, representing the 53,000 residents of Weymouth, and made an honest submission, that follows the guidance, in good faith. It is quite undemocratic, that this alternative will not be taken forward for public consultation.

The draft warding in your papers tonight, has two wards proposed – Nottingham and Lanehouse, that have extremely poor electoral quality, fewer than half the number of electors/members of the other wards. This impacts negatively on the fairness of elections across Weymouth and is contrary to §164,166 & 167 of the guidance.

WTC provides significant services, particularly in relation to the visitor offer and tourism, that support huge economic benefits to the area. Residents who are connected to Weymouth, and benefitting from the services that WTC provides, should be within the Weymouth boundary, and sharing the cost for these services.

The option that most closely met the requirements of the LGBCE, has been discarded before the main public consultation, without good reason. The residents of Chickerell and Weymouth have now got no choice, just a bad option.

Why has the Steering Group ignored the very clear guidance? To have done this makes the proposal flawed.

Response from Cllr Spencer Flower:-

When formulating the Draft Recommendations for public consultation, the Community Governance Review working group have taken into account many factors, not solely the responses received during the initial public consultation that ran from 1 November to 28 December. This includes the requirements of legislation, the Guidance issued by the Local Government Boundary Commission for England, electoral forecasts for the distribution of electors likely to occur in the next 5 years, as well as responses to the public consultation. The working group has also taken into account the Local Government Boundary Commission for England's (LGBCE) report that was prepared for the creation of Dorset Council wards. The Commission state that their final recommendations for Dorset Council wards, based on evidence received, reflect the three statutory criteria of: • Equality of representation • Reflecting community interests and identities • Providing for effective and convenient local government.

The working group were particularly mindful of the Guidance that says that no parish ward should be divided by a district boundary where reasonably practicable and have strictly applied this principle wherever possible. The situation in Weymouth is fairly unique in Dorset where the majority of parish wards cross principal council boundaries as a result of Dorset Council and Weymouth Town Council being created at the same time, and neither the principal council that created the Town Council warding, nor the LGBCE creating Dorset Council warding, having an awareness of each other's proposed warding arrangements.

Dorset Council attended a meeting with Weymouth Town Council prior to the closure of the most recent period of public consultation, and reiterated that the Council would strictly apply the Commission's Guidance that parish wards should not be divided by Dorset Council ward boundaries wherever this was reasonably practicable. Contrary to this guidance offered at that meeting, Weymouth Town Council submitted warding proposals, not based on either of the two options being consulted on, which crossed Dorset Council ward boundaries.

Whilst the Commission have based Dorset Council wards on evidence received that the Council has sought to follow wherever possible, the working group recognise that Weymouth Town Council do not feel that the boundaries accurately reflect the communities and for this reason, Full Council today is being asked to agree an undertaking to work with the Town Council when the Dorset Council Wards are next reviewed to put forward a proposal that both parties feel represents the communities within the parish of Weymouth.