

Full Council– 13 July 2023
Public Participation
Questions and Responses

1. Question from Alex Bailey

Bibby Stockholm

Councillor Laura Beddow, at a Portland Town Council public meeting on the sixth of June, shared that Dorset Council (DC) had sought legal advice over the secretive agreement between Portland Port and the Home Office. Based on that unknown advice and counsel, Dorset Council had weakly decided not to proceed with any legal challenge. DC, then, complied with their “duty of care” via laws still, again unknown, while secretly pursuing the Home Office for additional funds.

I consider this pivotal reasoning from an unknown legal person and their advice important, and frankly central, as is evident by the four other ports who were never in need. Perhaps, Dorset Council took in the wrong counsel due to the growing pressure from the Cabinet, though I would remind the members here that other councils pushed back. A list that includes, but isn't limited to, East Riding of Yorkshire Council, Ipswich, Stoke-on-Trent City Council, and Great Yarmouth Borough Council, which I shared with two members here in the hall.

I'll go on... in April of this year, Hambleton District Council raised concerns over a plan to convert a disused RAF base in Linton-on-Ouse to an asylum reception centre. The Home Office abandoned the plans after Hambleton Council threatened legal action claiming there had been a "lack of consultation" by the Government. Maybe, DC should have got a second opinion on their “specialist” legal advice it received - pause - I understand it has not been all plain sailing, such as the judgement that has been reserved at Braintree and Skegness.

I would share with you at nearly 300 words a story of a valiant gentleman from Bexhill-on-Sea, named Jeff Newnham, who is still fighting the Home Office over HMP Northeye, and was able to raise £15,000 for a judicial review over a Class Q ruling - how amazing is that, and better than what you - Laura - have offered. How can you a ‘county’ council be in debt by what Cllr David Gray, shared was around £47 million in June, wimble at the above... Be like Jeffery, be better.

There are unanswered questions around multiple occupancy, but I think this amble has pre'd enough, and my question is direct and is as follows: Please detail the legal advice Dorset Council sought and received, and from who, when, and where regarding the agreement between Portland Port and the Home Office? The people of Portland, Weymouth, and Dorset want answers, and your silence has been deafening... while your lies have just left a poor taste...

2. Question from Stephen Coggins

Bibby Stockholm

Why has Dorset Council not mounted legal action blocking Home Office plans to house asylum seekers on Barge in highly deprived area with limited single road access and the areas main income is Tourism while at least 3 other Councils have succeeded in Court Injunctions with little cost and 100% success.

3. Question from Susan Phoenix

Bibby Stockholm

I would like the council to raise as many local concerns as possible at your Thursday meeting, concerning the Barge to be placed in Portland harbour.

However, the one that I found most people were concerned about that were at very well attended March on Saturday was -? please would the council consider changing their position and challenging the placement of the Bibby Stockholm in Portland Harbour.?

It cannot be too late, and it would restore so much confidence in the local communities of Portland and Weymouth.

Response to Questions 1 – 3 from Cllr S Flower

Whatever the first questioner might claim the Council has not lied about the barge. Dorset Council was first notified about a planned asylum barge on 21 March 2023. This was after the Home Office had already reached a provisional agreement with Portland Port Ltd to site the barge in the Port.

Knowing the particular challenges that Mr Coggins mentions in his question I agree with him that Portland is not the right place for the barge. This is why we sought advice from a leading barrister, Richard Wald KC, about potential grounds for a legal challenge. Mr Wald was chosen because of his expertise and his success in obtaining an injunction against Home Office plans for asylum hotels in Great Yarmouth.

A team of council officers drawn from our legal service, planning, regulatory services, housing and children's and adult social care prepared detailed background information and held meetings with the barrister to identify possible grounds for a legal challenge.

We focused on the planning status of Portland Port and whether it could be argued that the proposal to site the barge in the Port was unlawful because no planning permission had been obtained. In addition we asked for advice about whether the Home Office should have consulted the local community and the Council about their proposal. We also sought advice about whether the barge proposal was so obviously wrong that a court would be likely to intervene and declare it unlawful (what lawyers call an irrational decision).

After a thorough examination of the issues the barrister advised that we did not have strong grounds to bring a legal challenge. He also advised that there was no requirement for the Home Office to consult us about their proposals. Ahead of the meeting this evening the barrister has confirmed that this is still his opinion.

In some cases councils have obtained temporary injunctions after arguing that accommodating asylum seekers in hotels would involve a change of use from hotel to hostel accommodation requiring a new grant of planning permission. The circumstances at Portland Port are very different because where the barge is to be positioned is below the mean low water mark. This means that the barge is outside of our planning control and there is no requirement for planning permission from the Council.

I still believe that Portland Port is the wrong place for the barge and later this evening I will be supporting a motion from my colleague Cllr Tony Ferrari in opposition to the deal reached between the Home Office and Portland Port. Despite this I have also accepted advice that we do not have good grounds to bring a legal challenge. I for one do not wish to use local council tax to pay for an unsuccessful legal challenge.

4. Question from Kevin Graham

Corelli Estate, Sherborne

There are numerous problems associated with the development of Corelli Estate in Sherborne, constructed by Persimmon. After close to 10 years on site, developers have now left the estate with incomplete roads, pavements, streetlighting, blocked drains, building material rubbish discarded in various locations on site, two 10 metre high soil spill tips, various poorly supported and dangerous metal grid fencing, alongside unmown verges for months at a time. Persimmon, via their Managing Agent, Blenheims, have imposed an Estate Rent Charge on purchasers and use this mechanism to collect an ever-increasing annual maintenance fee with no accountability or transparency. This gives them the power to dispossess owners of their property if the charge is unpaid or challenged. Why have DCC never enforced the Persimmon planning requirements and what are they doing about ensuring satisfactory compliance with all of their obligations to the residents of Corelli Estate?

Response from Cllr David Walsh

The Council currently has an open planning enforcement case in relation to this site, and officers are looking into various concerns as part of this case, including concerns about the footway link, highways, street lighting and soil heaps. Officers have been in correspondence with Persimmon to seek to resolve the issues, and the Enforcement Manager will now be reviewing this case in consultation with the Highways team, to establish whether the issues can be resolved informally. The enforcement case remains open and the team will review potential options for formal action if it is not possible to resolve matters informally.

5. Question from Paul Rollason - WITHDRAWN

Barton Farm Estate

In December it will be ten years since planning permission for the development of the Barton Farm Estate by Corelli / Persimmon was granted. The former farm buildings, including the Grade 2 Listed Farmhouse and Dairy Cottage, have been allowed to decay throughout that time with no sign of the approvals given for their

renovation being implemented. Soon they will rival the nearby Newell House in their state of dereliction and decay. How and when will the planning authority ensure that redevelopment of the farm buildings is carried out?

6. Question from Cllr M Bell on behalf of Weymouth Town Council

Weymouth car parking

The new pricing structure for Dorset Council car parks is a complete U-turn from the 2019 manifesto to unify the charging structure across the county, which they announced in November 2021.

The current fees set by Dorset Council Cabinet are having a detrimental impact on Weymouth's residents and businesses.

Weymouth residents now pay 3 times more than residents in other towns to park in the main car parks, and spend a few hours on the high street, beach, attending medical appointments or enjoying other facilities. Recently we were informed that this is having an impact on the health of our residents in one of the most deprived areas. They are missing medical appointments as they cannot afford the parking, or they are leaving prior to receiving full care as they cannot afford longer durations.

As per Dorset Council's press release dated 29th March 2023

“an increase in the cost of parking in Dorset Council's car parks will be limited to busy tourist areas. The rates will be seasonal, with some only increasing for the spring/summer period. The changes will come into effect from 28 April 2023.

Prices in the Council's other car parks will not rise, except for some 6 hour stays in multi-use car park areas used by larger vehicles such as coaches, large motorhomes, and lorries.”

It also stated that “income from car parking is re-invested into the running of the council's parking service and the maintenance of the car parks and on-street parking places.” This statement is hard to believe when you look at the condition of the car parks in Weymouth.

If parking was cheaper, more people would visit Weymouth, and stay longer, which is necessary to support the Weymouth economy. It would also allow residents to attend medical appointments and receive the health care they need.

In reality, the car parks that are cheaper (away from the town centre) are being filled by tourists meaning residents are driving around looking for cheaper parking and ending up in the most expensive car parks. This also increases emissions.

With the deprivation in Weymouth, many residents cannot afford the parking permits that are offered by Dorset Council even with discounts.

There is also an urgent need to amend the bus routes to pick up from the free Park & Ride site and for the buses to run more regularly.

If Dorset Council uses a uniform approach and increases parking charges across the county slightly, whilst reducing seaside towns to the same level, there will be no revenue decrease and we will have an equitable system that benefits all stakeholders.

Question:

Will Dorset Council respond to the concerns of Weymouth's residents and tourists and reduce parking fees now?

7. Question from Honorary Alderman Christine James, Independent member Westham

Weymouth car parking

As the parking brief holder for the former borough council for nine years I feel I'm in a good position to speak on the matter regarding parking charges.

No one is happy regarding the inequality between towns over the high summer charges. They will and have made residents and visitors think twice before staying. All of which has a huge knock-on effect to our town's economy.

After a little investigating, I feel that DC could maximise their car park with a little jiggling to accommodate a possible extra 200 spaces within certain car parks.

This would enable a different charging regime to be brought in thus helping Weymouth but still giving DC extra income. My working out could increase the income by almost a million if done properly.

Looking at long stay and short stay, how DC charge, possibly having just parking with no designated length of stay?

During my term as brief holder I worked with former officers Alan Muncaster and Bob Savage to design the installation of 'aires'. Spaces for camper to hook up to, thus creating an income both for parking as well as the town's economy. Those plans are still in the ownership of those officers who are both keen to see this happen.

We also worked on possible evening boot sales, car dealer monthly sales, pop up and open-air cinema to boost income.

I'm proud that I took on and made happen the biggest shake up of parking for years which were agreed and then under the leadership at the time shelve it with their misguided view that a women could not possibly know what she is talking about. Times haven't changed much.

Parking should not still be a 'cash cow', the detrimental minuses to residents include those missing a doctor's appointment because the charges are extremely high for many. As we don't have a bus service of any value people need their cars. Trying to be 'green' is all very well but a combination of all those things are having a serious consequence on Weymouth economy.

In light of problems patients are having parking and not overstaying, would it be a gesture to allow so many £1 per hour slots for the surgery? Seeing a doctor is hard enough without the extra worry for many people.

Would Cllr Bryan be prepared to meet with me to discuss further my ideas as rather than just demand a decrease I'm giving you a possible solution for extra income?"

8. Question from Tia Roos

Weymouth car parking

How does Cllr Bryan propose that those needing to drive into Weymouth Town Centre, for mental health community support, during the summer season, afford the increased costs to parking, when they already often struggle to buy a coffee as it is?

9. Question from Chris Simmons

Weymouth car parking

When 14.5% of your revenue is from rates and you are £2.3 million down on parking revenue, why are you driving people out of town by doubling and tripling, as in the case of park street car park, the existing charges.

Response to questions 6 – 9 from Cllr Ray Bryan

Thank you for all your questions.

The Dorset Council area is unique in its makeup, having very rural and isolated locations, several market towns and popular beach locations; that attract a huge increase of visitor numbers to the area.

The introduction of the 3-level charging scheme that was brought in last year supports these differing geographies and the number of customers who park in each area.

These proposals were subject to full member engagement at every stage.

The increase in level 3 car park charges builds on the 3-level charging scheme. The 3-levels remains, however now there is a focus on tourist destinations, thus in Weymouth there is a higher tariff in Pavilion, Swannery, Melcombe Regis, Park Street, Lodmoor and Beach car parks.

To help and protect local residents from the higher tariff, The Nothe, Council Offices, Governors Lane, Cosens Quay and Royal Yard car parks remain at the level 2 tariff this provides 493 spaces.

This is the same tariff as our market towns such as Dorchester, Wareham and Wimborne.

The other level 3 locations (Portland, Lyme Regis, Charmouth, West Bexington and West Bay) have had the same tariff increase as Weymouth level 3 car parks this year, however unlike Weymouth, these locations do not have the benefit of level 2 car parks for local residents. This is something we are looking at.

There does not appear to be a reduction in car park usage in Weymouth since the charges were increased. As with all changes, we monitor impact on the local area.

The new machines we have installed will enable us to analyse any change in use, and we will make amendments to the tariff if proved necessary.

Previously, Weymouth & Portland Borough Council residents did not have the benefit of a short stay permit and residents would have to pay the full seasons tariff even for their short visits. The prices for that season permit ranged from £546 which included the peninsula car park to £325 which excluded the peninsula car park.

Hence a permit was introduced to support residents when making quick visits to the car parks, whether this be for the shops, dog walks, sea swims or medical appointments. The Short Stay permit which allows 2 hours parking every day, is £78 a year, which is the equivalent to £1.50 a week. Or 22p per day. I would add it also means that a Weymouth resident can use this permit visiting any level one or two car park in the Dorset Council area.

Dorset Council residents from other areas can use their Short Stay permit when visiting Weymouth. These permits have not increased in price, again to help residents and those that work in the Dorset Council area of Dorset.

We have introduced a maintenance plan for our car parks, this includes cyclical vegetation maintenance work, lighting inspections and improvements and ground works. We have recently completed surface works at Overcombe and Beach car parks and have invested in new machines in all our car parks. We will be carrying out relining works and further surface works.

The pricing structure means that the longer you stay the cheaper the parking is per hour, i.e. For 1 hour it is £3 and for 4 hours £7.50 or £1.87 per hour, 10 hours is £1.50 an hour. Parking remains free from 6pm – 8am. In comparison, in Bournemouth it is £3.30 for one hour £19.80 for six hours and £24.20 for 24 hrs.

We have also introduced a rollover tariff, this means that if a customer parks at 5pm and pays for 3 hours parking on one day, they can stay until 10am the following day, as the free overnight period is included in the ticket. Thus a 10 hour ticket gives you a 24 hour stay at no extra cost (This does not include Chesil and Portland that are 24 hour charging car parks and motorhomes as they are not permitted in car parks after 10pm).

The only out of town car park in Weymouth is the Park & Ride, which remains free to park but you pay for your bus fare. First Bus run a commercial service with their local service 2. It is usual procedure for additional buses to run from the park and ride for the summer period to cope with demand. The level 2 tariff car parks in Weymouth are in the centre of town. During the Summer months, visitors are directed to the Swannery car park, so that is filled first.

We have been looking into alternative ways that our car parks can raise revenue, using some of the spare capacity. There are limits due to legislation, however there are some options that we are currently exploring which could fund additional Public Transport in the area.

Our market towns do not have the increased footfall that the coastal towns benefit from and rely on business mainly from residents. The new charges are aimed at the visitors and there is provision for residents of Weymouth to use car parks that have the same tariff as the market towns. Residents also have access to two car park permits, which provide better value if the holder uses our car parks regularly. I am always happy to meet with representatives of the Town Council in Weymouth and I have asked the Director of Highways to contact the Town Clerk. Can I point out that in principle any surplus revenue raised from parking services within Highways is used to maintain our roads and provide potential help in improving our Public Transport.