

# WEYMOUTH & PORTLAND ACCESS GROUP

## Minutes of Meeting 99 held on Monday 10th May 2010 at The Acorns, Grosvenor Road, Weymouth

### 1. PRESENT

John Lambert (Chairman), David Harris (Secretary), Carolyn Harris, Anne Kenwood (Cllr), Julia Willoughby (WPBC), Terri & Ray Bartlett, Graham Ryan, June Ryan, Alan Christopher, David Dowle, David Bartlett.

### 2. APOLOGIES

Mike Kelly (President), Steve Rook (Treasurer), George Dyer, Sheila Dyer, Ian White, .

### 3. MINUTES OF MEETING 98 HELD ON 8<sup>th</sup> FEBRUARY 2010

Outstanding actions from previous meetings:

Nothe Gardens A large sign to be placed at the entrance to the gardens showing, e.g. where are the slopes and how steep they are. Suggestions were made that "linking" paths might be created around the Newtons Cove area so that it was possible for wheeled mobility vehicles to get between lower and upper level paths. **JW States these signs are not yet in place – a re-organisation of highways and footpaths responsibilities (and therefore staff) between WPBC & DCC meant there would be some further delay.**

BT Payphones DD reported that the open fronted kiosk is still opposite W H Smith in St Mary Street but anyone in a wheelchair or scooter would be hard pressed to use it as there are two benches in front of it which are back to back and close together. **JW Will pursue this matter (awaiting results of re-organisation as above).**

#### Taxi Licensing

The Borough Council has recently consulted on taxi licensing but MK did not know what action will be taken. He thinks that pressure should be maintained to improve taxi accessibility and driver awareness. A recent High Court judgement that required Liverpool City Council to lift its refusal to accept Peugeot E7 taxis. JW stated that the issue in other authorities came about because they had policies which required the use of London Black Cabs. The Peugeot E7 was considered by many disabled people to be a more flexible/suitable design. **JW states there is no such policy in WPBC. The council were now considering whether minimum quotas for disabled friendly vehicles should be required of licensed operators.**

All previous actions having been reviewed, the meeting was satisfied that the minutes of the previous meeting represented a proper record of the business of that meeting.

### 4. PRESIDENT'S REPORT

#### Newtons Road footbridge

As discussed before and following the replacement of the old bridge, I would wish the Borough Council to recognise the need to further improve access in and around the Nothe Gardens.

#### Newstead Road foot and cycle bridge

A Connect2 group meeting is scheduled soon to discuss the project for a new bridge to link both parts of the Rodwell Trail.

### Equalities Act

This new legislation replaces 9 statutes including the DDA and the Disabilities Equality Duty. John Lambert, Julia Willoughby and others probably know more about these changes and their implications than I do though I suppose only time and legal interpretation will really demonstrate whether the changes represent progress.

### Weymouth Transport Package

With the new road works moving toward completion I trust that the Group will be further consulted on related measures including the Park and Ride scheme and bus service changes.

### Council contact with group

With further projects and proposals under consideration including upgrading of Weymouth Seafront, Weymouth TIC / Pavilion alterations, Greenhill Gardens and another review of public conveniences, plus numerous smaller but significant changes around the Borough, I am not convinced that the Access Group is always adequately consulted, or that its concerns are sufficiently understood.

I also have to say that after our 21 years of activity, despite the much appreciated involvement of some councilors including the present Mayor, Anne Kenwood, only a small number of councillors have attended our meetings and events. Having been involved through those 21 years I have ever only seen Labour or Liberal Democrat councillors attend. I do not make a party political point in saying this, but it would be good to see some Conservative and Independent councillors from time to time.

## 5. CHAIRMAN'S REPORT

Rachel Felton DisabledGo - postponed until next meeting

### Extended parking time for blue badge holders.

EHRC Response:

Dear Mr Lambert,

Thank you for contacting the Helpline for the Equality and Human Rights Commission regarding paying to park.

Charging for parking is not discrimination as long as everyone gets charged for parking. If a service provider does not charge disabled people then it will be seen as treating them more favourably rather than less favourably. The DDA deals with less favourable treatment rather than more favourable treatment.

The DDA states that a Service Provider also has a duty to make reasonable adjustments to a policy, practice or procedure where a policy, practice or procedure makes it impossible or unreasonably difficult for the disabled individual to access the service.

If a Car park states cars can only park there for a certain amount of time such as thirty minutes. If any longer then they will be given a parking ticket. If as a result of this practice a disabled individual is unable to park there then you may be able to argue the practice of only allowing cars to park there for 30 minutes means that a disabled individual is finding it impossible or unreasonably difficult to access the service of the supermarket. Therefore the individual could then argue reasonable adjustments are required so they can access the service.

It would then come down to whether it was reasonable to make reasonable adjustments for disabled people by extending the car park time. This is more about allowance of time rather than paying for parking which might be why what you heard is seen as discrimination.

I am unable to answer your question regarding whether there have been local Authorities setting precedents because every local Authority has the right to charge or not to charge. It is their choice. You may wish to contact the Blue Badge Network to see if they know of any precedents. I have included a link to their website for your convenience. (I received no reply to my e-mail to the Blue Badge Network).

Meeting of the Policy Development Committee was held on 26 April 2010 to consider the report of the working group set up to develop criteria for schemes for people with disabilities. Recommendations as per the report were approved. Electronic copies of the report now held by Secretary, Dave Harris and Complaints Officer, Sheila Dyer.

Equalities Framework for Local Government (EFLG)  
Sheila & George Dyer attended the Equalities Framework for Local Government (EFLG) Mock Assessment on Friday 19 March 2010. I have papers from this meeting for those wishing to attend the real thing in September.

#### New Disabled Parking Spaces

Sheila and George visited the following car parks and agreed with Derek Whittaker the provision of new disabled parking spaces at Fortuneswell, Southhill, Lodmoor, Radipole, Harbour side, Cosens Quay and Masonic car parks.

Access audits of cafes/pubs/restaurants to be discussed and planned. The following areas were agreed:

David Baxter , Tophill  
Peter Bennett , King St, Weymouth  
David Dowle, Sea Front, Weymouth  
John Lambert , St Mary's St, Weymouth

#### 6. SECRETARY'S REPORT

The method for getting public dropped kerbs seems to have changed again. I submitted one local to where we live via the previous system and received a phone call a few days later to say that these were now being prioritised locally by local councillors. As this was just a few days before the General Election, I have not taken this further.  
**JW Will find out what the new process is.**

#### 7. TREASURER'S REPORT

At present we have £786.61 at the bank.

Since our last meeting I have paid out £24.61 for expenses; £25 for the RADAR subscription (same as last year) and £172.50 to AON for our insurance for the year (£168.15)

As previously reported I was hoping I might be able to get the cost down this year but having tried 2 other options AON remained the most competitive. Any amendment to the policy part way through the year attracts a £25 admin charge so next year I shall speak to them in good time to see if any amendments we want can be incorporated into the quote.

#### 8. INVESTIGATIONS OFFICER'S REPORT

Disabled Parking Bays in More Car Parks: George and I accompanied Derek Whittaker, Parking Manager at WPBC, in this year's tour of council car parks. This was to give advice on the positioning of the extra wide disabled bays which the Council are going to install in 6 more car parks. The ones last year have all been marked out appropriately; however we first visited one of these, Harbourside (back of Debenhams) as we had noticed that all the disabled bays were often full. Derek had agreed to add one more bay to the ones already there, but we persuaded him there was room to fit a second bay into the corner by the side of the harbour!

The 6 new car parks are as follows, and Derek has taken note and is re-positioning bays in 4 of them, including adding extra spaces where we thought fit:-

2 x Southhill (at the shopping precinct)  
4 x Lodmoor Country Park (in addition to those already there)  
2 x Radipole Park Drive (by the toilets)  
2 x Cozens Quay (further down Commercial Road towards the Pavilion)  
and at Portland  
4 x Masonic Hall  
2 x Fortuneswell (by the library)

As far as we know, there are not going to be any parking meters put into the currently free car parks! All disabled parking bays will be marked out by March 2012 (at the latest) but there is a good chance they will be done much sooner, as were last years.

Parking Meters in Car Parks: We inquired of Derek whether the parking meters which are too high are being replaced. He says the government has stated that, because of the cost, the councils may replace as and when money allows. But, there are 6 new parking meters about to be installed, and another 6 are to be purchased later this year. This means that at least some of the rogue meters will be replaced this year.

Equalities Framework for Local Government Mock Assessment 2010:

The Council was undergoing this check and a meeting was held on 19<sup>th</sup> March, which I attended.

We were six people representing various organisations, and forming a focus group. In September, the Council will face its real check, and a representative from our Group will be asked to attend. The other organisations included BAME (people with criminal backgrounds), The Lantern Project (finding vulnerable people homes), Carer's Association and Dorset Association for the Disabled. Two people who are from away, but are in Local Government, were the mock assessors, and we were invited to speak freely; our collective thoughts would be fed back to the Council. The overall opinion was that, in recent years – two to three – the Council's officers have taken the Equalities issue to heart, and are doing their very best for us. BUT, when it came to asking the councillors to back them up, and part with money, we all agreed that we faced nothing but a brick wall!

The assessors were very surprised that car park charges for all disabled were brought in without us being asked to take part in an Equality Impact Scheme (EqIA), which is now legally necessary; I said that a couple of years ago, although a permanent shopmobility scheme had previously been agreed to by the Council, and despite an extremely accurate EqIA (which was totally ignored!), the scheme was overturned. The only councillor standing up for us was the Briefholder herself, Anne Kenwood. There was a 30 page spiel, showing how great the Council are. The assessors were surprised to learn that, although they bragged about having saved the Chiswell public toilets, they didn't make mention of the fact that they were closed due to health and safety reasons very soon afterwards, and would be replaced "if and when money becomes available".

9. ACCESS OFFICER'S REPORT

Several items were discussed, but the Secretary's notes have gone missing! [I'll have to clarify these and include in next minutes...Dave Harris]

10. PUBLICITY OFFICER'S REPORT

Nothing to report.

11. ANY OTHER BUSINESS

- a) Ian White has done a survey of the accessibility of Weymouth town centre for persons who wish to transport their own electric vehicles and use them in town. His report is attached as an Appendix to these minutes as time prevented us from reading the report at the meeting.
- b) Ray and Terri Bartlett gave out the date of the next Dorchester Access group meeting as 20<sup>th</sup> May at 6.30 pm. All were welcome to attend.

**Dates of Future Meetings during 2010**

(Quarterly Meetings all Start at 2pm) 9 August; 8 November

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# **WEYMOUTH & PORTLAND ACCESS GROUP**

## ***AGENDA FOR MEETING No. 100***

To be held on Monday 9<sup>th</sup> August 2010,  
Acorns Centre, Grosvenor Road, Weymouth,

1. Introduction of those present
2. Apologies
3. Minutes of Meeting 99 held on 10<sup>th</sup> May 2010, and matters arising
4. President's Report
5. Chairman's Report
6. Secretary's Report
  1. Treasurer's Report
  2. Investigations Officer's Report
  3. Access Officer's Report
  4. Publicity Officer's Report
  5. Any Other Business

# Appendix A

## Access For Disabled People to Weymouth Town – a report by Ian J White

I have been testing out the accessibility for disabled people who wish to be independent and use a self-propelled wheelchair or use 4 mph scooters which they transport by their own vehicles.

Parking.

- (a) Using the car parks in the town centre you only get three hours and there is only two spaces which are easy access to the Town for wheelchair/scooter users removing the wheelchair/scooter from the rear of the vehicle safely by ramps or hoist as you are not in the line of traffic, also so you do not have to cross over two-way traffic.
- (b) The on street parking (Esplanade) is not safe as room is needed to get out of the vehicle into traffic also not being sure that you will be able to get your wheelchair/scooter back into the rear of the vehicle as long as you are only using a hoist and not ramps if there is not the distance left by the next vehicle park behind your vehicle. The spaces do have the room for using hoists only as long as other drivers park correctly.
- (c) Parking outside Tesco in St Thomas Street this also not very easy due to getting out of the vehicle the vehicle door covers half the pavement also it is hard to remove the wheelchair/scooter as there is only a drop curb on the corner at Tesco entrance which is not very low and is hard when using a wheelchair or you have to cross the road to the other side with the pavement is narrow.
- (d) If you do park on the Esplanade and you enter the town down Bond Street, which the toilet and HSBC BANK are on the pavement are very narrow and the drop curbs are not very low for easy use for self-propelled wheelchair users, returning is also hard as it is up hill so the only way is by using a scooter.
- (e) The on street parking in Maiden Street is also not suitable to wheelchair/scooter users due to that room at the rear of the vehicle can not be sure be the same as you left it.
- (f) Westham Bridge car park the disabled spaces are opposite the ticket machine but again you are in the line of traffic taking the wheelchair/scooter from the rear of the vehicle and it is also unsafe to use ramps.
- (g) The on street parking in St Thomas Street at the statue end this again does give the room to get a wheelchair or scooter out of the rear of the vehicle and only has drop curbs at both ends which you would have to use the road.
- (h) The only three places which are suitable for disabled are behind Mark & Spencer which as you are aware that these spaces are being removed also the access to the town centre which is the passage next to the Nationwide Building Society is also not suitable as the drop curb again very poor also if you use a self-propelled wheelchair as again it is up hill.

I have tried my best to find where it would be safe for a disabled person who wishes to be independent if you use a wheelchair it can be unsafe or very hard getting to and from the Esplanade, once in the town I found it very easy to get around but it is getting into the town except that there are still some shops which are not accessible with a

self-propel wheelchair/scooter. Using a small scooter I found very easy except some poor drop curbs.

I have also found it very hard to do my banking and shopping in the town in the three hours when paying for parking in the town. This makes me look for towns, which are, disable friendly and give you the help in the time to do your basic shopping.

I also do find it very disappointed that Weymouth & Portland Council do not help independent disable people who are wheelchair/scooter users who wish to support there local shop