

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

COMMUNITY OVERVIEW & SCRUTINY PANEL MEETING

Minutes

MONDAY, 22 MARCH 2021

PRESENT: Councillor D Shaw (Chair)

Councillors J Aberley, G Bentley, G Heath, I Herdman, K Hoptroff, B A Hughes, B Johnson, J T Jones, K Martin, T McNicol, T Riley, P Roberts, L Swindlehurst, P Taylor and R Ward

ALSO PRESENT: Councillors M Bowen, I Plant, J Porter, S Scalise and E Fallows

APOLOGIES: Councillor P Wood

33 **NOTIFICATION OF SUBSTITUTE MEMBERS, IF ANY.**

There were none.

34 **TO APPROVE THE MINUTES OF THE PREVIOUS MEETING.**

DECIDED: That the minutes of the meeting of the Panel held on the 1st February 2021 be approved as a correct record and signed by the Chair.

35 **MINUTES OF THE LAST MEETING OF THE STAFFORDSHIRE POLICE,
FIRE AND CRIME PANEL.**

DECIDED: That the minutes from the last meeting of the Staffordshire Police, Fire and Crime Panel be **NOTED**.

36 **URGENT ITEMS OF BUSINESS, IF ANY (24 HOURS NOTICE TO BE
PROVIDED TO THE CHAIRMAN)**

No urgent items had been received.

37 **DECLARATION OF INTERESTS:**

None were disclosed.

38 **QUESTIONS TO PORTFOLIO HOLDERS, IF ANY.**

No questions had been received.

39 **HOUSEHOLD DUTY OF CARE.**

David Smith – Principal Officer Communities and Partnerships, introduced a report to members which detailed the prevention of unlawful deposit of waste within the District by fixed penalty notices that could be issued to those individuals that did not take reasonable measures to ensure proper disposal of their household waste.

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Occupiers of domestic properties in England had a duty to take reasonable care of the waste that they produced (the 'household duty of care').

Anyone who failed to comply with the household duty was liable on conviction to an unlimited fine. As an alternative to prosecution, local authorities had the power to issue a fixed penalty notice.

Currently, the fixed penalty amount was set by statute at £200 with no reduction for early payment.

Some members reported that fly-tipping had become more prevalent, particularly the disposal of garden waste on footpaths and questioned the level of resource to uphold the legislation. In response, the Officer advised that fixed penalties could be issued by one member of staff. However, Alliance Environmental Services (AES) staff, which were trained to gather evidence, provided the initial response to reports of inappropriately disposed waste.

The Panel was given the statistical information on the number of investigations carried out over the last 3 years. A spike in the level of fly-tipping had been seen during the first lockdown, which was attributed to the closure of household recycling centres but despite the re-opening, the level of refuse inappropriately disposed of had remained high.

Successful community litter picks were noted by members and it was reported that a prompt service for the collection of rubbish had been received from AES. It was felt that the number of fixed penalty notices issued was low and there was a suggestion for increased promotion of enforcement activity.

DECIDED:

- 1) The Panel recommended that Cabinet sets the fixed penalty amount for failure to comply with the household duty of care at the maximum permitted level of £400;
- 2) For the number of Fixed Penalty Notices issued over the last few years be circulated to the Panel.

40 **CLIMATE CHANGE ACTION PLAN.**

It was the intention for the Climate Change Action Plan to be considered at this meeting. However, it had been decided that it would be postponed until the next meeting.

The Action Plan was in 2 parts: -

- 1) Concerned the Council's own emissions, enabling actions, staff skills and policies;
- 2) Considered wider green-house gas emissions for the District as a whole.

Mark Forrester, Head of Democratic and Community Services, explained that the second part of the Action Plan would be ready for public consultation in the summer with a view to finalise the Plan by late Autumn.

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The Council had engaged with a company called Anthesis to carry out analysis using a toolkit called SCATTER (Setting City Area Targets and Trajectories). Plans were also in place to review the Council's carbon emissions related to procurement.

A meeting had been arranged to discuss the detailed feedback received from Moorlands Climate Action Group.

Some members were raised their concerns in relation to the connectivity between the Working Group and Sub-Groups, what would be contained within the Green Infrastructure Plan and the length of time it had taken for documents to be produced.

The importance of a continuous feedback loop and the sharing of ideas was highlighted, and for consideration to be given to the future of the Climate Change Working Group. Other members reported that the various groups had worked together positively and looked forward to the plans coming together in the next few months.

Councillor Health offered to circulate details on a paper produced by the NFU called net zero and agriculture.

DECIDED: That the update be noted.

41 **WORK PROGRAMME**

The Panel considered its Work Programme and agreed the items listed.

DECIDED: That the Work Programme for 2020-21 be agreed.

The meeting closed at 6.50 pm

_____Chairman _____Date